

AN ORDINANCE RELATING TO THE USE OF CITY WATER: PRESCRIBING RULES AND REGULATIONS FOR WATER RATES, AND USERS: EXTENSION OF MAINS AND CONNECTIONS: COLLECTION OF WATER BILLS, AND PENALTY FOR NON PAYMENT: REGULATING SPRINKLING, AND GENERAL OPERATION OF THE GARIBALDI WATER SYSTEM, AND DECLARING AN EMERGENCY, AND DEFINING CERTAIN WORDS, PROVIDING FOR SUPPLYING OF WATER AFTER CHARGES PAID, PROVIDING FOR COSTS, DECLARING INTERFERENCE WITH OR PREVENTION OF COMMISSIONS AGENTS OR EMPLOYES IN PERFORMANCE OF CERTAIN DULY UNLAWFUL AND PROVIDING PENALTIES.

ARTICLE I.  
DEFINITIONS

Section 1. As used in this Ordinance.

- (a) The word "person" means any natural person, corporation, association, firm, partnership or legal entity.
- (b) The word "Commission" means the water commission of Garibaldi City, Oregon.
- (c) The word "water" includes all services rendered by the commission for water users in connection with the supplying of water to each user.
- (d) The word "charge" means any sum of money assessed any person by commission for water supplied to such person.
- (e) The word "due" means the day commission deposits in The United State Post Office a written notice of a charge.

ARTICLE II.  
DISCONTINUANCE OF SERVICE

Section 1. Whenever any person shall fail to pay a charge within 15 days after the same is due, Commission shall send a written notice by registered mail to such person stating that commission will shut off the water supply to a given building, place or premises unless the delinquent charge is paid not later than five days from the date the Notice is given. The Notice shall be deemed given when it is deposited in the U. S. Post Office properly addressed with postage prepaid.

Section 2. Commission may supply water to any person in possession of any building, place or premises where the water is shut off pursuant to the provisions of the ordinance. When all delinquent charges, cost and fees are paid to commission for water previously supplied to such building, place or premises.

Section 3. All costs incurred by the City Superintendent in carrying out the provisions of this ordinance including the cost of sending the notice by registered mail, and a sum not to exceed \$2.50 for turning the water on, shall be paid in addition to the delinquent charges prior to the superintendent supplying water to any building place or premises where the water had previously been shut off pursuant to this ordinance.

Section 4. It shall be unlawful for any person to interfere with or prevent any agent or employee of commission from shutting off the water supply to any building

place or premise to which commission has ordered the supply of water to cease.

Section 5. Any person who violation be subject to a fine not to exceed \$100.00 or be confined in jail for a period not to exceed 30 days, or both.

ARTICLE III.  
RULES AND REGULATIONS

Section 1. From and after the passage and adoption of this Ordinance, and its approval by the Mayor, the following rules and regulations for the distribution and use of City water within Garibaldi City shall apply and be in full force and effect, to-wit:

**RULE 1, APPLICATION FOR USE:**

Application for the use of water must be made in writing, stating the premises to be served, and their interest in the property, and must agree to conform to the rules and regulations of the City as a condition for the use of water.

**RULE 2, APPLICANT FOR USE:**

Any person or family on flat rate, using the water for any other purpose than stated in his or her application, or allowing another not connected with the main to draw water through his or her faucet, or to tap his or her pipe line, will be charged additionally at schedule rates. One detection will be sufficient for such charge.

**RULE 3, SEPARATE CONTROL OF SERVICE:**

A separate service direct to the tap in the main will be required for each residence, building or business that is supplied with water, and service pipes must be so placed that the supply to each residence, building or business may be controlled by a separate stop-cock placed within and near the line of the street curb.

**RULE 4, TRAILER COURTS AND MOTEL:**

Where a trailer court or motel supplies water service, either flat rate or metered, to two or more cottages, trailers or other premises, then the just and reasonable practice to be observed in billing is to charge to the operator of the trailer or other premises, then the just and reasonable practice to be observed in billing is to charge to the operator of the trailer court or motel, the scheduled flat rate for each cottage, trailers or other premises supplied, and he shall be responsible for the total metered usage.

**RULE 5, APARTMENT HOUSES:**

Where each apartment is charge as a separate user, then each apartment shall be separately metered before a metered charge can be made. In event a separately meter is not installed for each apartment then a flat rate charge shall be made to each apartment, on the same basis as a residence.

**RULE 6, TEMPORARY DISCONNECTION:**

Should it be desired to discontinue the use of all water supplied to any residence, building or business, for a period of not less than 30 days, notice in writing must be given to the City, and payment in full of all arrears made to the City. The water will then be turned off and on again without charge, but no remission of rates will be made for a period of less than 30 days, or without the notice prescribed in this rule.

**RULE 7, SHUT OFF FOR REPAIRS:**

Should the water at any time be shut off from the mains without notice, for repairs or other necessary purposes, the City will not be responsible for any consequent damages to boilers or other equipment. The City will, however, give notice when possible.

**RULE 8, LIABILITY FOR LEAKAGE AND DAMAGE**

Customers will keep all pipes and fixtures on their premises in repair at their own expense and will be held liable for any leakage and all damages which may result from their failure to do so. When there are leaks, the customer will be notified and, if necessary repairs are not made in a reasonable time, the water may be shut off and not turned on again till repairs are made.

**RULE 9, LEAKING FIXTURES:**

Water on flat rates will not be furnished where there are defective or leaking faucets, toilets or other fixtures, or where there are toilets or urinals without self-closing valves, or tanks without self-acting float valves.

**RULE 10, WASTE:**

Water must not be allowed to run to waste through any faucet or fixture in order to prevent freezing, or kept running at any time longer than necessary for its proper use. No reduction will be made in the charge for water for want of supply or wastage caused by freezing or leakage.

**RULE 11, PERMIT REQUIRED FOR CONNECTION WORK:**

No plumber or other unauthorized person will be allowed to make connections with the mains, or to make any alterations in any conduit, pipe or other fixture connecting therewith, or to connect pipes when they have been disconnected, or to turn water off or on any premises, without permission from the City.

**RULE 12, ACCESS TO PREMISES:**

Agents of the City may have free access, at proper hours of the date, to all parts of the buildings and premises in which water may be delivered from the mains, for the purpose of inspecting the condition of the pipes and fixtures and to determine the manner in which the water is used.

**RULE 13, SERVICE PIPES AND MAIN CONNECTIONS:**

On Streets where mains are laid, the City shall furnish, own, operate, and maintain and replace the service connection between the main and the property lines or curb lines. A fee of \$10.00 will be charged for renewal of a 3/4" service line upon request. A new 3/4" service connections charge will be \$25.00. All other sizes will be labor plus material. Where meters all necessary there will be the cost of the meter.

**RULE 14, EXTENSIONS:**

Extensions to the main will be made by the City only along streets, county roads or highways, or satisfactory rights-of-way; provided in these cases of extensions that pressure conditions permit. The City shall specify size, character and location of pipes and appurtenance and all construction work shall conform to recognized standards. If the total length of main required is in excess of 100' per customer, the customer may be required to advance that portion of the cost of such main construction over and above the cost of the 100 feet per customer installed by the City. An annual return of 12% on investment, or a customer for every 100 foot of main, or \$1.00 per foot on frontage. Plus the hook up fee. Payment would be due when service connection is made on \$1.00 per foot frontage.

RULE 15, SPRINKLING AND IRRIGATION:

The use of water for sprinkling or irrigation is prohibited except between the hours established by the City, and then only through a nozzle or spray stand in the form of spray. The City may refuse water for sprinkling or irrigation at its discretion.

RULE 16, BILLS PAYABLE MONTHLY:

- A. FLAT RATES: Flat rates are payable in advance on or before the 1st day of each month, and if not paid on or before the 15th day of each month shall be deemed delinquent.
- B. METER RATES: Meter Rates are payable on or before the 15th day of each month immediately following, and if not so paid shall be deemed delinquent.

In all cases, whether flat or metered rates apply, if bills are not paid before delinquency, the water may be shut off from the premises as provided in Rule 17 of this Ordinance.

RULE 17, PENALTY FOR DELINQUENCY:

On failure to comply with the rules and regulations established as a condition for the use of water, or to pay the water rates in the time and manner as here in provided, the water may be shut off, after 15 days written notice, and to remain off until the rules are complied with or payment is made of the amount due, with \$2.50 in addition, for the expense of turning the water off and on.

RULE 18, DEPOSIT FOR SERVICE:

At the option of the City a customer or prospective customer may be required to make \$5.00 deposit on account of current bills. The said deposits are to be returned to the customer when credit is established to the satisfaction of the City, or at the termination of their service contract, less any such sum which may be due for unpaid water bills.

RULE 19, PENALTY FOR TURNING ON WITHOUT AUTHORITY:

After the water has been shut off at the stop-cock at the curb, if it should be turned on by any person except an authorized representative of the City, an excavation may be made in the street, the water shut off at the tap in the main, and not turned on again until all arrears, the cost of cutting and replacing the street, and \$2.50 for the expense of shutting off the water and turning it on, are paid.

ARTICLE IV  
RATES

Section 1. The water rates shall be as they presently are until the common council shall from time to time change the same or establish new rates, which changes or new rates shall be entered on the minutes of the meeting at which said changes are made and shall be in full force and effect thereafter.

Section 2. Water Rates:

1. METER RATES - PER MONTH

First 5000 gals - - - - -	\$ 2.25
Next 100,000 gals - - - - -	.15 per 1000
Over 105,000 gals - - - - -	.08 per 10

Section 2. Water Rates - con't.

2. FLAT RATES - per month

For all property with one corporation cock - \$ 2.25  
The above rate of \$2.25 except where water is used  
for a combination or having the classifications  
listed below:

- BUSINESS AND RESIDENCES - Where the business has  
a toilet or water facilities for the business - \$ 3.25
- Minimum for water inside of the building - - - \$ 2.25
- Service Stations and Garages - - - - - \$ 3.00
- Restaurants and Taverns Only - - - - - \$ 4.00
- Public Schools - - - - - \$16.00
- U. S. Coast Guard Station - - - - - \$10.00
- Motels - (That do not rent by the month) - - \$ 1.60 per mo.  
per unit

Property with one outside faucet (3/4") having  
no water inside of building and serving only  
1 lot - - - - - \$ 1.60 per mo.  
Trailer Court - - - - - \$ 1.60 per mo.  
per unit

3. Any water user wishing to have their water service metered may  
do so by paying for the cost of the Meter. Which meter shall  
be the property of the City of Garibaldi.

Read for the first time in open council by title only on November 9, 1964.

Read the second time in open council in full on November 9, 1964.

Read the third and final time in full on the 9<sup>th</sup> day of November, 1964  
and passed by the common council on the 9<sup>th</sup> day of November, 1964.

Approved by the Mayor this 9<sup>th</sup> day of November, 1964.

Duane E. Fallow  
Mayor

ATTEST:

Arthur L. Phares  
City Recorder