

Reports Ord 66 - not yet reviewed  
no of 3/26/85

ORDINANCE NO. ~~74-I~~ 87

amended by  
108  
113

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.

THE CITY COUNCIL OF THE CITY OF GARIBALDI, OREGON DOES ORDAIN AS FOLLOWS:

ARTICLE I. Definitions:

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 States 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 re-

gistered 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 premises to which commission has ordered the supply of water to cease.

Section 5. Any person who violates the foregoing section may

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 it's approval by the Mayor, the following rules and regulations for the distribution and use of city water within the City of Garibaldi shall apply and be in full force and effect, to-wit:

RULE 1. APPLICATION FOR USE:

Application for 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 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 placed so 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. PRIOR USE CONNECTIONS:

When an application is received requesting service for a premises which has not been served for a ten year period, service will be provided as and for a new connection, including but not limited to a connection fee.

RULE 5. NEW COMMERCIAL CUSTOMERS:

When commercial customers, whether new or old, request service which will involve consumption at a rate in excess of 70,000 gallons per day or 50 gallons per minute, such customer shall be subject to curtailment in water services if a shortage of water supply develops within the city system. A written agreement and understanding to this effect will be obtained from each customer prior to his receiving service. Priority as to use will be based upon the date of connection as to each such commercial customer, and water supply curtailment will commence with the last customer to receive service, and shall then be extended forward in time until an adequate supply of water is available for all residential and other customers.

RULE 6. TEMPORARY DISCONNECTION:

Should it be desired to discontinue the use of all water supplied to any residence, building or business, notice shall be given to

to the city and a disconnection fee of \$25.00 paid, together with all charges then outstanding. There are no part time or vacation rates. (See Article IV, Section 2 (D).)

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 until 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 it's 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 DAY, TO ALL PARTS OF THE BUILDING 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, AND OPERATE, AND MAINTAIN AND REPLACE THE SERVICE CONNECTION BETWEEN THE MAIN AND THE PROPERTY LINES OR CURB LINES. A FEE OF \$25.00 WILL BE CHARGED FOR RENEWAL OF A 3/4" SERVICE LINE UPON REQUEST. A NEW 3/4" SERVICE CONNECTIONS CHARGE WILL BE \$200.00. ALL OTHER SIZES WILL BE LABOR PLUS MATERIAL.

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 APPURTANANCE AND ALL CONSTRUCTION WORK SHALL CONFORM TO RECOGNIZED STANDARDS. IF THE TOTAL LENGTH OF MAIN REQUIRED IS IN EXCESS OF 100 FEET 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 \$2.00 PER FOOT ON FRONTAGE. PLUS THE HOOK UP FEE. PAYMENT WOULD BE DUE WHEN SERVICE CONNECTION IS MADE ON \$2.00 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 IT'S DISCRETION.

RULE 16. BILLS PAYABLE MONTHLY:

A. FLAT RATES: FLAT RATES ARE PAYABLE IN ADVANCE ON OR BEFORE THE FIRST 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.

REVISION JUNE 12, 1978

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 HEREIN 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 \$25.00 IN ADDITION, FOR THE EXPENSE OF TURNING THE WATER OFF AND \$25.00 FOR TURNING WATER ON.

RULE 18. PENALTY FOR TURNING WATER 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 OF THE MAIN, AND NOT TURNED ON AGAIN UNTIL ALL ARREARS, THE COST OF CUTTING AND REPLACING THE STREET, AND \$25.00 FOR THE EXPENSE OF SHUTTING OFF THE WATER AND \$25.00 FOR 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 IN THE MINUTES OF THE MEETING AT WHICH SAID CHANGES ARE MADE AND SHALL BE IN FULL FORCE AND EFFECT THEREAFTER.

SECTION 2. WATER RATES:

A. METER RATES PER MONTH BASED ON SIZES OF SERVICE LINE:

A.

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| SIZE LINE       | 3/4" | 1"   | 1 1/2" | 2"   | 3"    | 4"    | 6"    | 8"    |
|-----------------|------|------|--------|------|-------|-------|-------|-------|
| MINIMUM RATE \$ | 4.50 | 6.00 | 7.50   | 9.90 | 15.90 | 25.20 | 35.00 | 45.00 |

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THE ABOVE MINIMUM RATES ARE APPLICABLE FOR THE USE OF THE FIRST 5,000 GALLONS PER MONTH; ADDITIONAL WATER USAGE SHALL BE CHARGED AT THE RATE OF \$0.35 PER 1,000 GALLONS.

B. FLAT RATE PER MONTH:

FOR ALL PROPERTY WITH ONE CORPORATION COCK \$4.50

THE ABOVE RATE OF \$4.50 EXCEPT WHERE WATER IS USED FOR A COMBINATION OR HAVING THE CLASSIFICATIONS LISTED BELOW:

|  |                            |
|--|----------------------------|
| BUSINESS AND RESIDENCE COMBINATION     | \$ 5.70                    |
| SERVICE STATIONS AND GARAGES           | 5.10                       |
| RESTAURANTS AND TAVERNS                | 6.30                       |
| PUBLIC SCHOOLS                         | 38.40                      |
| MOTELS AND APARTMENTS (WITHOUT METERS) | 4.50 PER UNIT<br>PER MONTH |

SEWER:

FLAT RATE \$5.50 ON SEWER ACCOUNTS.  
ON METER ACCOUNTS, SEWER RATE IS 167% OF WATER USAGE.


SEWER CONNECTION: \$500.00.

SEWER MAIN EXTENSION IS \$3.00 PER FOOT OVER 100' PER CUSTOMER, OR ANNUAL RETURN OF 12% ON INVESTMENTS.

C. 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, OR THE CITY MAY REQUIRE THE USER TO BE METERED.

D. THERE ARE NO PART TIME OR VACATION RATES IN THE CIY. THERE WILL BE A \$25.00 CHARGE FOR EACH REQUEST TO SHUT OFF WATER SERVICE. THERE WILL BE A \$25.00 CHARGE FOR EACH REQUEST TO TURN WATER ON AFTER IT HAS BEEN SHUT OFF. PRIOR TO RECONNECTION ALL PAST DUE CHARGES MUST BE PAID IN FULL.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS  
12TH DAY OF JUNE 1978.



HAROLD H. WHITE  
CITY RECORDER



RUSSELL C. CURNUTT, MAYOR

**CITY OF GARIBALDI**

P. O. BOX 708

GARIBALDI, OREGON 97118

**GARIBALDI WATER DEPARTMENT**

JUNE 12, 1978

SUPERINTENDENT'S REPORT:

I HAVE ALWAYS BEEN PROUD TO HELP HOLD DOWN RATE INCREASES--BUT IS IT HEALTHY?

WITHOUT GOING TO THE PEOPLE FOR BOND ISSUES TO FINANCE THE WATER SYSTEM, WE HAVE MANAGED TO KEEP THE SYSTEM UP ON OPERATING FUNDS THROUGH USER CHARGES AS OUTLINED.

| YEAR | RATE | WAGES        |
|------|------|--------------|
| 1945 | 2.25 | 1.00 PER HR. |
| 1976 | 3.75 | 4.00 " "     |
| 1978 | 4.50 | 6.00 PER HR. |

FIGURING INFLATION RATE FROM 1947 THE WATER RATE NOW WOULD BE APPROXIMATELY \$13.50. AND INFLATION DOES AFFECT COSTS OF REPAIRS AND REPLACEMENTS.

IF WE USED AUTOMATIC RATE ADJUSTMENTS EVERY THREE YEARS ON COST RATES, WE WOULD HAVE HAD NOT TWO BUT TEN INCREASES.

IF ON AN ANNUAL BASIS THIRTY RATE CHANGES WOULD HAVE TAKEN PLACE.

WITH GREATER USAGE, AND PARTICULARLY FOR FIRE PROTECTION, WE CAN NOT KEEP IMPROVING THE SYSTEM WITHOUT MORE REVENUE. BY INCREASING THE RATES, THE USER IS PAYING THE COSTS, RATHER THAN THE TAXPAYER BEING ASSESSED A HEAVIER TAX BURDEN.