

*Repealed by 569*

TOWN of KIRKLAND

WATER DEPARTMENT

Ordinance No. 222.

AN ORDINANCE providing rules and regulations governing the use of city water by citizens of the Town of Kirkland:

BE IT ORDAINED by the Town Council of the Town of Kirkland as follows:

SECTION 1. All applications for the use of water must be made at the office of the Superintendent of Water Works (hereinafter designated as Superintendent). Every such application must be made by the owner of the property to be benefitted, or his authorized agent, and the applicant must state fully and truly all the purposes for which the water may be required and must agree to conform to the rules and regulations established from time to time as a condition for the use of water.

SECTION 2. No person supplied with water from the Town of Kirkland's mains will be entitled to use it for any purposes other than those stated in its application, or to supply in any way other persons and families.

SECTION 3. Should the applicant or occupant of the premises desire to apply the water to purposes other than those which the original application stated, application must be made and a permit obtained at the office of the Superintendent. When water is used for such other purposes without such application and permit, such fixtures or premises shall be charged at double the regular rate for the time said fixtures are in use, in addition to a fine of five dollars.

SECTION 4. All notices of vacancies for the past month must be filed on or between the first and tenth days, inclusive, of the succeeding month only. Should it be desired to discontinue the use of all water supplied to the premises for a period of not less than one calendar month, written notice must be filed at the office of the Superintendent, and payment in full of all arrearages must be made first. The water will then be turned off, and turned on again on application, without charge, but no remission of rates will be made for a period of less than one (1) calendar month, or without the notice prescribed in this section.

SECTION 5. The service pipes must be so arranged that the supply to each separate house or premises shall be controlled by a separate stop and waste cock with the extension handle, properly protected from frost, and so placed within the premises that the service pipes may be thoroly drained during freezing

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weather. In cases where no fixtures are placed between the property line and the basement, the stop and waste may be placed in the basement, if said basement meets the provisions of this section. When this stop and waste cock are not sufficient to fully drain all the pipes and fixtures within the premises, additional stop and waste cocks, with extension handles or other proper vents must be so placed as to fully drain them. A union must be used in connecting up to the water main service. Where stop and wastes are placed in basements with wooden walls they shall be placed at least twelve (12) inches below the surface of the ground, and shall be provided with extension handles. One person, company, or association must pay for all the water used through said service for his or her own or their own use, or for the use of others to whom it may be accessible.

SECTION 6. All accounts for water shall be kept in the name of the owner of the property for which the service was installed, and not in the name of the tenant, and the owner, or his legally authorized agent, shall be held responsible for water rates; provided that person holding under written lease may be supplied on their own account in the name of the owner, but in all such cases the property shall be held responsible for the water rent and any charges or fines.

SECTION 7. On failure to comply with the rules and regulations established as a condition for the use of water, <sup>or to pay the water</sup> rates or meter rent, or any charges or penalty imposed in the time and manner herein provided, the water shall be shut off until payment of the amount due is made, with fifty cents in addition for the expense of turning the water off and on.

SECTION 8. Should the occupant or owner of the premises turn on the water or allow or cause it to be turned on, after it has been turned off at the curb cock, it shall be turned off at the main and a charge of ten dollars be made for the expense of turning it off and on.

SECTION 9. Water for building purposes will only be furnished upon the application, of the owner or authorized agent of the property. Applicants for water for building purposes shall pay the rates based upon such estimates as verified by the water superintendent. Water for construction purposes may be furnished at meter rates, and the payment for the same shall be made at the same time and in the same manner as other meter rates. All water for construction purposes shall be charged against the property upon which it is used and the owner thereof, and all sums owing therefor will be collected in the same manner as other water rates.

SECTION 10. The town of Kirkland reserves the right at any time, without notice, to shut off the water supply for repairs, extensions, for non-payment of rent or any other reason, and the Town of Kirkland shall not be responsible for any damage, such as bursting of boilers supplied by direct pressure, the breakage of any pipes or fixtures, stoppage or interruption of water supply,

or any other damage resulting from the shutting off of water. The Town of Kirkland reserves the right, in the case of shortage of water, or for any other cause, to make any order forbidding or limiting the use of water for irrigating, sprinkling or sluicing, and may, at its discretion make such order at any time by giving notice; and any person violating such order shall be subject to a charge of five dollars for the first offense, and ten dollars for each subsequent offense, which shall be a charge against the person or premises supplied, and the water shall be shut off, and in no case shall it be turned on until such charges have been paid.

SECTION 11. The service pipes, connections and other apparatus within the premises, must be kept in good repair and protected from freezing at the expense of the owner or lessee, who will be responsible for all damages resulting from leaks or breaks; but no person, except under the direction of the Superintendent, shall be allowed to dig into the street or sidewalk for the purpose of laying, removing or repairing any service.

SECTION 12. If any consumer wastes water or allows it to be wasted by imperfect or leaking stops, valves, pipes, closets, faucets or other fixtures, or shall use water closets without self closing valves, or shall allow any pipes or faucets to run open to prevent service from freezing or for any other reason, or shall use water for purposes other than those named in the application upon which payment for water rent is based, or use it in violation of the rules and regulations for controlling the water supply and the provisions of this ordinance, he shall be liable to a fine of two dollars for each offense; or the Superintendent may, at his discretion, without notice, place a meter on any service where premises are supplied at fixed rates for the detection or prevention of waste, and may charge for the water measured at meter rates; provided, the charge for any one month shall not be less than the fixed rate at which the premises are assessed, and unless such person shall make the proper repairs and stop the waste, and pay such additional charges as assessed by the Superintendent the water shall be cut off and shall not be turned on again until all charges and penalties have been paid.

SECTION 13. The service pipes and connection from the main to the property line, including a stop cock to be placed within the line of the street curb, will be put in and maintained by the town of Kirkland, and kept within its exclusive control, for which a charge of cost will be made, payable in advance, and in such cases the cost of material and labor shall be estimated by the Superintendent and shall be paid by the person applying for service before the work of connecting the main with the property is begun; provided, that whenever the estimated cost is not sufficient to cover the total expense for material and labor the deficit shall be charged to the property for which said service was laid; and provided further, that any excess payment shall be returned to the person applying for the service. No service

larger than three-quarters (3/4) of an inch shall be put in where a meter is not used.

SECTION 14. Water shall be used for sprinkling only when supplied through meters. No person shall use water for irrigation or sprinkling during the progress of any fire in the town, and all irrigation or sprinkling shall be immediately stopped when an alarm of fire is sounded in any part of the city, and shall not be begun again until the fire is extinguished. For any violation of this rule, a penalty of ten dollars for each offense shall be imposed and taxed against the person and premises supplied, and the water shall be turned off therefore. In no case shall the water be turned on to the same premises until such penalty has been paid.

SECTION 15. Officers and employees of the water works shall have free access at proper hours of the day to all parts of buildings supplied with water from the Water Works mains, for the purposes of making assessments, inspecting the condition of pipes and fixtures, noting the amount of water used and the manner in which it is used. Water will be shut off from persons refusing such access to the officers and employees of the Water Works. A fine of two dollars will be imposed for such offense, and water will in no case be turned on until such fine has been paid and such access granted.

SECTION 16. Meters will be installed on application to the Superintendent and the payment of a fee of ten dollars (\$10.00). All Meters shall be and remain the property of the Town of Kirkland, and may be removed whenever the Superintendent may so elect. In all cases where meters are lost, injured or broken by carelessness of owners or occupants of the premises, they shall be replaced by the Town of Kirkland and the cost charged against said owner or occupant, and in case of non-payment the water shall be shut off and will not be turned on until said costs and charges for turning on the water are paid.

In event of the meter getting out of order, or failing to register properly, the consumer shall be charged at the average monthly consumption as shown by the meter in the last three months that the same was in good order.

SECTION 17. Water may be sold at either fixed rates or meter rates. Fixed rates for dwellings shall be five dollars (\$5.00) per quarter of three months, payable in advance on January first, April first, July first, and October first.

Meter rates shall be as follows: For the first 3000 cubic feet or less per quarter, three dollars and fifty cents (\$3.50). For more than 3000 cubic feet six (6) cents for each added 100 feet, payable the first day of January, April, July, and October.

If payment is made during the first ten days of each quarter a rebate of fifty (50) cents will be allowed. If payment is not made by the fifteenth day of the quarter, water will be shut off

Amended  
See Ord 444

and not turned on again until all arrears are paid together with a fee of fifty (50) cents. In computing meter rates results ending in 1 or 2 cents shall be counted as 0. Results ending in 3, 4, 6, or 7 cents shall be counted as 5 cents. Results ending in 8 or 9 cents shall be counted as 10 cents.

SECTION 18. A copy of these rules and regulations may be obtained by all owners of property or consumers of water, and they shall be considered a part of the contract made between the Town of Kirkland and every such consumer.

SECTION 19. The right is reserved by the Town of Kirkland to amend or add to these rules and regulations, or to change the water rates as experience may show to be necessary or expedient.

SECTION 20. This ordinance shall take effect and be in force from and after its passage and approval by the mayor and its publication; otherwise it shall take effect at the time it shall become an ordinance under the law.

SECTION 21. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PASSED by the Town Council and approved by me this 16th day of May, 1920.

A. B. NEWELL, Mayor.

FILED by me this 16th day of May, 1920.

C. E. NEWBERRY, Clerk.

I hereby certify that the foregoing is a true and correct copy of an Ordinance of the Town of Kirkland and that the same is posted according to law, said Ordinance being No. 222 and entitled "An Ordinance as above

*W.B. Williams*  
*Clerk*