

ORDINANCE NO. 157.

An Ordinance Establishing Water Rates, Rules, Regulations and Penalties for the Government of Water Takers, Licensed Plumbers and Others, and Repealing Ordinance Nos. 70 and 125.

Be It Ordained by the City Council of the City of Denison, Iowa.

SEC. 1. That the rules, regulations and water rates hereby established shall be considered a part of the contract with every person, company or corporation who is supplied with water through the water system of the city; and every such person, company or corporation taking water shall be considered to express his or their assent to be bound thereby; and whenever any of them are violated, or such others as the city may adopt, the water shall be cut off from the building or place occupied by the person so violating, although two or more persons may receive water through the same pipe, and shall not be let on again except by order of the mayor or city council, and upon the payment of the expense of shutting it off and turning it on, and such other terms as the mayor or city council may determine, and satisfactory understanding with the person that no further cause of complaint shall arise; and in case of such violation the mayor or city council shall have the right to declare any payment made for water, by the person committing such violation, forfeited and the same shall thereupon be forfeited without further action.

SEC. 2. The following rules and regulations for the government of water takers, licensed plumbers and others are hereby adopted and established.

1. Every person desiring a supply of water must make application therefor to the mayor or city council in such form as may be prescribed by the city council for that purpose. The application must fully and truly state all the uses to which the water is to be applied. And no different or additional use will be allowed except by special permission of the city council duly entered of record. No more than one house shall be supplied from one tap except by special permission of the city council duly entered of record.

2. All rates and meter rents except for building purposes shall be paid semi-annually in advance on the first day of May and November in each year. Rates and rents for building purposes shall be paid on demand. Ten percent penalty will be added if the rates or meter rents are not paid within ten days after the same becomes due. Upon the first day of May and November in each year the city clerk shall make a complete list of all water takers and water and meter rents due for the current half year, which list shall show the following items: The name, the lot and block, what uses, for what time paid and amount due; which list shall be certified to by the city clerk and who shall place the same in the hands of the city water collector for collection, taking his receipt for same.

3. All bills must be paid promptly when due, and all officers of the water works department are positively prohibited from allowing credit to any one and shall turn off the water promptly upon failure to pay the water or meter rents when payable. A discount for vacancy of not less than one month will be allowed, provided notice is given the city clerk or mayor at the time of vacancy and reoccupation.

4. The water will not be turned in to any house or private service pipe except by order of the mayor, city council or duly authorized agent of the city. Nor until the applicant shall have paid the rents and rates due for the current term. And plumbers are strictly prohibited from turning the water into any service pipe, except by permission of the mayor, city council or duly authorized agent of the city.

5. No consumer shall supply water to other families nor suffer them to take it off the premises, nor after water is introduced into any building or upon any premises shall any person make or employ any plumber or any other person to make any alterations or connections with the pipes upon the premises for alteration, extensions or attachments without special permission of the mayor or city council.

6. That hereafter the city council shall have the power to order a meter applied to any service pipe whenever they shall deem it advisable and collect water rates for water, but no meter shall be placed except upon order of the water committee.

7. All persons shall keep the hydrant tap, hose, water closets, urinals, bath or other fixtures allotted to their use, closed, except when obtaining water for necessary use, and shall be held liable for any damage or injury that may result to others from the improper use of said water, and in case of a fire, or an alarm of fire, all persons shall keep all lawn hydrants, yard hydrants and other connections with mains closed, except such as are necessary for domestic use.

8. All boilers shall be constructed with one or more air holes near the top of the inlet pipe, and be sufficiently strong to bear the pressure and ram of the water in the mains, and the same shall be provided with proper safety valves. All persons taking water shall keep their own service pipes, stop cocks and apparatus in good repair, and protected from frost, at their own expense and risk, and shall prevent all unnecessary waste of water; and it is especially stipulated by the city that no claim shall be made against them, or the city, by reason of the breaking of the service pipe, or service cock, or if from any cause the supply of water

should fail, or be shut off to repair mains, make connections with extensions, or for any other purpose that may be deemed necessary or proper by said city; no claim for damages to consumers shall be allowed. And the right is hereby reserved to cut off the supply of water at any time, any permit granted or regulation to the contrary notwithstanding.

9. Service pipes intended to supply two or more persons or distinct premises, or tenements, when only one stop cock is used, the person or persons controlling the same must pay the water rents or rates of all persons who are thus supplied, as separate water bills will not be made.

10. When the water has been turned off from any consumer he shall not turn it on, or permit it to be turned on, without the consent of the mayor or city council.

11. Every person taking water supplied through the water system of the city shall permit the city authorities or duly authorized agent at all hours to enter the premises or building to examine the pipes and fixtures and the manner in which the water is used; and they must at all times, frankly and without concealment, answer all questions put to them relative to its consumption.

12. No hoses shall be used in any case, unless it has been properly applied for and allowed by the mayor or city council or duly authorized agent of the city and in no case shall it be used without a nozzle. And the nozzle shall not exceed three-sixteenths of an inch in diameter unless especially authorized by the mayor or city council.

13. The service pipe of fountain out of doors must be provided with stop cocks under control of the city.

14. In sprinkling streets each water taker must confine himself to his own premises and half the width of the street in front thereof, unless by special permission from the mayor or city council. Yard fountains shall not be used more than three hours per day and only between April 1st and November 1st in each year and only for sprinkling or lawn purposes and only from 6 to 8 o'clock p. m., except by special permission from the mayor or city council and upon additional charges.

15. Hoses for sprinkling yards and gardens shall be used only from the first day of April to the first day of November in each year and then only between the hours of 6 to 8 a. m. and 6 to 8 o'clock p. m. If allowed to run at other hours the water will be cut off without previous notice; and it must be confined to a fair application for these purposes, without excessive or unreasonably use and to the premises of the party paying therefor. The right is reserved to suspend the use of fountains and hose for sprinkling streets, yards and gardens whenever in the opinion of the mayor or city council the public exigency may require it. These sections shall not apply to market gardens, nurseries, green houses or persons using water at meter rates with the privilege of use at all times, except at such times as may be especially directed by the mayor or city council under authority conferred by rule eight (8) of this section.

16. Lead service pipe not less than twenty inches in length shall be used from the water mains to connect with iron service pipe and must be at least one eighth of an inch in diameter larger than a tap through which they are supplied; the lead used in street, for outside plumbing and connections, must be of that quality designated as "extra strong." All service pipes shall be either galvanized iron or lead and must sustain a pressure of not less than two hundred pounds to the square inch, and a brass coupling must be used for connecting the lead and iron pipe—in no case shall lead be soldered to iron.

17. All connections or taps to water pipe or mains shall not exceed three-fourths of an inch in diameter except by special permission of city council duly entered of record.

18. Every service pipe must be laid sufficiently waving to allow of not less than one to one and one-half feet extra length, and in such manner as to prevent rupture by settlement.

19. No person but the tappers having special permit from the mayor, or persons in their service, be permitted, under any circumstances, to tap the distributing pipe or mains, or insert stop cocks or ferrules therein; and the kind and the size of the connections with the mains shall be that specified in the permit or order.

20. Pipes must always be tapped on the top and in no case at or within six inches from the hub.

21. All service pipe must be laid as much under the surface of the ground as the main pipe in the street, and in all cases protected so as to prevent rupture by freezing.

22. Every service pipe must be provided with a stop and waste cock for each consumer, easily accessible and so situated that the water can be conveniently shut off and drained from the pipes; all stop cocks to be of the pattern approved by the city council.

23. Unless otherwise ordered stop cocks shall be placed in the service pipe on the edge of the sidewalk, near the curb line, and protected by an iron pipe reaching from the top to the service pipe, and of suitable size to admit a stop key for turning on and off the stop, also with a cast iron cover having the letter "W" marked thereon, visible and even with the pavement or planking.

24. In making excavations in the streets or highways for the laying of service pipes or making repairs, the planks or paving, stones or earth removed must be deposited in a manner that will secure the least inconvenience to the public and provide for the passage of water along the gutters.

25. No person shall leave any excavation made in the street or highway open at any time without barricades, and during the night warning lights must be maintained at such excavations.

26. After service pipes are laid, in refilling the opening the earth must be laid in layers of not more than nine

inches in depth and each layer must be thoroughly rammed and padded to prevent settlement, and this work together with the replacing of sidewalks, ballast and paving, must be done so as to make the street as good as it was before it was disturbed, and to the satisfaction of the city council. In making excavations for the purpose of laying service pipe in the highway or street at least twelve (12) feet in the center of the street shall be bored through for pipes, when necessary to lay same across highways or streets and the earth shall not be removed therefrom. No opening of the streets for the tapping of mains will be permitted when the ground is frozen, except by special permission from the mayor or city council.

27. Applicants for water will be charged from the center of the street for all service pipe and trenches, without regard to the location of the mains; and the mayor or city council shall have the power to make such arrangements with the plumbers or others as they may deem expedient to carry this clause into effect.

28. No hydrant, except the public drinking fountains, shall be placed within the limits of any street, unless such hydrant is securely closed and protected against general use. No drinking fountain shall be erected for public use which has openings by which it can be used as a source of domestic supply, and no person shall take or carry away for domestic use or for general purposes any water from any public hydrant or drinking fountain or watering place, or use the same for any other purpose than that for which the same is erected.

29. If proprietors of lumber yards, manufactories, hotels, stores, elevators, warehouses, halls or public buildings, who are regular customers for water from the works, wish to lay large pipes with hydrants and hose couplings, to be used only in case of fire, they will be permitted to connect with the street mains at their own expense, on application to the city council (and under their direction) and will be allowed the use of water for fire purposes only, free of charge.

30. Any plumber wishing to do business in connection with the water works, shall before receiving his license, file in the office of the mayor of said city, a petition in writing, giving his name and that of each of his firm, if any, and place of business, asking to become a licensed plumber of the city of Denison, Iowa, stating his willingness to be governed in all respects by the rules and regulations of the water works department and of the city council, now or hereafter to be adopted concerning his business, and said petition should be signed by two responsible citizens of said city, vouching for the business capacity and good reputation of the applicant and for his worthiness to receive a license; said petition shall be acted upon by the city council, who may refuse to grant or may grant a license, in their discretion, to said applicant. If a license is granted by the city council, before the same is issued the said applicant shall file with the mayor a bond with two or more sureties to be approved by the mayor, in the sum of two thousand dollars, conditioned that they will indemnify and keep harmless the city of Denison, Iowa, from all liability for any accidents or damages arising from open ditches or trenches, or from any negligence or unskillfulness in doing or protecting his work, or from any unfaithful or inadequate work done in pursuance of his license; and that he will also re-tore the street, sidewalk and pavement over any pipe he may lay, and fill any excavation made by him so as to leave the street and sidewalk or pavement in as good condition as he found them, and keep and maintain them in the same good order to the satisfaction of the city council; and that he will pay all fines that may be imposed upon him for violation of any rules or regulations, which have been or may hereafter be adopted by the city council in force during the term of his license.

31. Any plumber or pipe fitter, who shall be guilty of a violation of any rules or regulations adopted by the city council, shall forfeit his license. A forfeiture of the license of any plumber shall operate as a suspension of the license held by his co-partner in the same business, or by any person in his or their employment.

32. Within 48 hours after completing any attachment or connection, any plumber or pipe fitter must make full return of the ordinary and special uses to which the water is designed to be applied under any permit granted, with a description of the apparatus and arrangements for using the water in every case, and shall also return a correct plat of the location of every tap and stop cock placed by him, and any other particulars that may be called for by the mayor or city council. The water shall not be turned on to any premises until complete returns are made by the plumber.

33. No person shall willfully or carelessly break, injure, mar, deface, interfere with or disturb any building, machinery, apparatus, fixture, attachment or appurtenance of the city water works of said city, or any public or private hydrant, fountain or water trough, or stop cock meter, water supply or service pipe, or any part thereof. Nor shall any person deposit anything in any stop cock box, or commit any act tending to obstruct or impair the intended use of any of the above mentioned property, without the permission of the city council.

34. No person shall make any excavation in any street or highway for the purpose of laying water pipes, or tap any water pipe or main or service pipe laid down without written permission from the mayor or city council, and all plumbing work required in a building or for other purposes, must be completed to the lines of the street before any excavation shall be made in said street for the purpose of connection with the mains.

35. No person shall place in, near or around any water pipe, or trough, any dirt, filth or impure substances whatever, or any substance or fluid by which the water in said trough shall be rendered impure or impalpable to horses or stock ordinarily using the same.

SEC. 3. Any plumber or other person who shall do, or perform any act or thing prohibited by this ordinance, or otherwise than in accordance with its provisions, or violate any or either of

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These rules or regulations, shall be deemed guilty of a misdemeanor, and upon conviction thereof, in addition to the forfeitures, liabilities, stipulations and reservations herein contained, shall be fined in a sum not less than three dollars, nor more than one hundred dollars and costs, and shall stand committed until said fine and costs are paid not to exceed thirty days.

SEC. 4. That the rates for water measured by meter hereafter shall be as follows: For the first 1000 gallons per month 40 cents per 1000; for the next 5000 gallons per month 30 cents per 1000; for the next 10,000 gallons per month 20 cents per 1000.

That there shall be a minimum rate of \$4.00 per year for each family using city water that is measured by meter.

SEC. 5. That all meters used by consumers shall be furnished by the city and put in place by the licensed plumber at the expense of the owner of the premises.

SEC. 6. Any damage which may be sustained by a meter, the property of the city, resulting from the carelessness of any owner, tenant or agent of the premises, or from the negligence of either of them to properly secure and protect the same, as well as any damage that may result from allowing said meter to become frozen or injured, or by hot water or steam setting back from a boiler, shall be paid to the water commissioner or collector on demand.

SEC. 7. If the meter gets out of order and fails to register, the consumer shall be charged at the average monthly consumption rate as shown by the meter when in running order.

SEC. 8. All water passing through the meter shall be paid for whether used or wasted.

SEC. 9. No meter shall be removed or disturbed without the written authority of the mayor or city council.

SEC. 10. The owners, tenants or agent of premises shall provide ready and convenient access to the meter, so that it may be frequently read and examined by the water collector.

SEC. 11. All meter rents shall be charged to and collected from the owner or agent of the premises by the water collector.

SEC. 12. Each consumer shall, in addition to water rate, pay to the city as rent for each meter used from the time the meter is connected with the water service until the same is delivered to the water collector, at the following rates for the sizes specified: 4 inch meters, 15 cents per month; 4 inch meters, 20 cents per month.

SEC. 13. Any person to whom a meter has been granted, can buy a meter from the city at the cost of the same to the city, and in that case shall only be liable for the water rates as assessed and maintained at his own expense.

SEC. 14. That where no meter is used the annual rate shall be as follows:

Season for one-eighth inch jet	25 00
Grocery stores	5 00
Hotels, in addition to regular rates for dwellings, each sleeping room	75
Hose, 1/2 inch for sprinkling lot per season, 50 feet and under	4 00
Hose, 1/2 inch for sprinkling lot per season, over 50 feet and under 75 feet	5 00
Hose, 1/2 inch for sprinkling lot per season, over 75 feet and under 100 feet	6 00
Hose of larger size	special
Hose for sprinkling streets and washing windows, per foot front	25
[Hose when used as a fountain will be charged fountain rates.]	
Laundries	meter rates
Livery barns	meter rates
Offices—Law, land and insurance or others not specially provided for	3 00
Printing offices	5 00
Photograph galleries	12 00
Public halls	6 00
Steam boilers	meter rates
Sleeping rooms, not otherwise provided for, including wash basin, each	1 00
Sprinkling wagon	special contract
Restaurants	\$10.00 to 20 00
Water closets, in private houses, per bowl	3 00
Water closets, public	meter rates

SEC. 15. That Ordinances Nos. 70 and 125 be, and the same are hereby repealed and all ordinances or parts of ordinances in conflict with the subject of this ordinance are hereby repealed.

Passed April 16, 1901.

A. D. WILSON, Mayor.
W. C. ROLLINS, City Clerk.

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