

# New Ulm Review.

VOLUME XV. NO 12.

NEW ULM, BROWN COUNTY, MINN., WEDNESDAY, MARCH 15, 1893

WHOLE NUMBER 792

## ORDINANCE NO. 39.

An ordinance relating to the management, operation and protection of the City Waterworks of the City of New Ulm; providing for the appointment and defining the powers and duties of officers, employees and licensed plumbers; and prescribing rules and rates for the use of water by private consumers.

The City Council of the City of New Ulm do ordain:

Sec. 1. The immediate control, protection and management in all its parts of everything appertaining to the water works of said city shall be in the hands of an officer known as the Superintendent of Water Works, which office is hereby created. Said Superintendent shall have all the powers and duties herein enumerated or which may hereafter be given him and discharge his duties under the immediate direction and control of the committee on water works of the City Council of said city.

Sec. 2. Immediately after the passage and approval of this ordinance and annually thereafter on the second Tuesday in April of each year, the Mayor shall appoint a Superintendent of Water Works, subject to confirmation by the City Council, whose term of office shall be one year and until his successor shall be appointed and qualified; provided that said first appointment hereunder shall expire on the next third Tuesday in April.

Sec. 3. The City Council shall appoint all other employees of the water works and fix the salaries or compensation of every person connected therewith. Before entering upon the performance of his duties, the Superintendent shall take, subscribe and file with the City Clerk, an oath of office in the usual form, and shall also execute to the City of New Ulm and file with the City Clerk a bond in the sum to be designated by the council, with not less than two sureties to be approved by the Mayor conditioned for the faithful discharge of the duties of his office.

Sec. 4. The Superintendent shall issue all permits for the laying of service pipes to connect with the distributing mains and keep an accurate record thereof and of the work done by virtue thereof and of all other matters on such forms and in such manner as may be provided for him. As soon as an issued permit is returned to him by any licensed plumber with his report of the work done thereunder, the Superintendent shall endorse thereon the water rate to be collected of the consumer and file said permit, report and rate with the City Clerk.

Sec. 5. The Superintendent shall at the end of each term of office make and file with the City Clerk, for presentation to the City Council, a complete inventory, in detail, of all tools, implements, furniture and other articles of personal property belonging to the department with which he shall stand charged. He shall also have prepared by the City Surveyor and keep a comprehensive map of all water mains, branches, extensions, hydrants and gates, showing their location and size, and shall from time to time correct and enlarge the same as occasion may require. He shall also keep in books provided therefor, records with suitable diagrams showing the location, number and size of all taps in the mains and service pipes connected therewith and such other records as may be directed. He shall annually and at such other times as may be directed, make a report to the City Council, stating the length and size of all mains with the number and location of hydrants, amount of fuel consumed, the number of consumers of water with rates fixed by him, the number of gallons of water pumped during the year and such other facts and circumstances relating to the department as may be deemed of interest to the public or necessary for the information of the council or as may be directed by the committee on water works.

Sec. 6. The City Clerk shall file all returns from the superintendent and the water rate therein contained shall be guiding and authority for him in opening accounts with consumers of water, and collect such rates unless changed by order of the City Council. He shall keep correct accounts with all consumers of water, receive all water rents, licenses, fines and penalties and give receipts therefor, place the same to the credit of the water works fund and turn the money over to the City Treasurer. He shall perform such other duties in connection herewith as may be hereafter assigned to him by the City Council.

Sec. 7. All rates, except for meters and building purposes, will be payable semi-annually in advance at the office of the City Clerk on the first day of May and November in each year. All water rates must be paid promptly when due and all officers connected with the water works department are positively prohibited from giving credit to any one. Ten per cent penalty will be added, if water rent is not paid within ten days after the same becomes due and payable.

Sec. 8. On failure of any person, firm or corporation taking water from the water system of the city, to pay his or their water rent within ten days after the same becomes due as in this ordinance provided, the water shall be turned off by the Superintendent from the premises of such delinquent and remain turned off until such overdue rent and penalty shall be paid, together with the sum of two dollars for turning the water off and on.

Sec. 9. That the rules, regulations and rates hereinafter named or hereafter adopted by the city council shall be con-

sidered 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, by taking water, shall be considered to express his or their consent to be bound thereby; and when any of them are violated or such others as the City Council may hereafter adopt, the water shall be cut off from the building or place of such violation, although two or more parties may receive water through the same pipe, and shall not be let on again, except by order of the Superintendent and such other terms as the following rules and regulations set forth and a satisfactory understanding with the party or parties, that no further cause of complaint shall arise; and in case of such violation, the City Council shall have the right to declare any payment made for the water by the person committing such violation to be forfeited, and the same shall thereupon be forfeited.

Sec. 10. Every person desiring a supply of water must make an application therefor to the Superintendent in such form as may be prescribed by the City Council for that purpose. The application must state fully and truly all the uses to which the water is to be applied. No different or additional use will be allowed, except by permission obtained from said Superintendent. Not more than one house or consumer, shall be supplied by one tap, except by special permission from the Superintendent.

Sec. 11. No permit shall be granted to any person to lay service pipes in any public street, alley or otherwise in the city, for connection with any water main or tap a main or insert stop-cocks or ferules therein, except a plumber duly licensed and qualified as hereinafter prescribed.

Sec. 12. Any person desiring a license as a plumber shall make application in writing therefor to the City Council giving his name and that of each member of his firm (if any) with place of business, stating his willingness to be governed in all respects by the rules and regulations of the City Council now adopted or hereafter to be adopted concerning his business; and furnish the council satisfactory evidence that he is, or has in his employ, a person regularly trained and educated in the plumber's trade and that he is in all respects a suitable person to receive a license. Said petition shall be signed by two responsible citizens of said city, and vouching for the business capacity and good reputation of the applicant and for his worthiness to receive a license. If satisfied that the applicant is properly qualified, the council may direct that a license be issued to him by the City Clerk on his complying with the requirements mentioned in this ordinance.

Sec. 13. No license shall be issued to any person as a plumber until he shall have executed and deposited in the office of the City Clerk a bond to the City of New Ulm in the sum of two thousand dollars, executed by himself and two sufficient sureties and approved by the Mayor, conditioned that he shall indemnify and hold harmless the City of New Ulm from all damages that may be suffered by any person in consequence of any opening that may be made by him or under his direction in any street, alley or otherwise in the city for the purpose of putting in service pipes or for any other purpose; that he will in every case when he shall have made an excavation in any street or alley for any purpose, restore the surface of said street, pavement and ground if any, to as good a condition as he found it in; and that in doing work or business as a plumber, under his license, he will in all respects conform to the regulations established by the City Council relative to the water works; and that he will pay all damages that the city may at any time suffer by reason of any failure on his part so to do, or by reason of any negligence or unskillfulness on his part or on the part of any of his employees or servants in performing or protecting such work, or any unfaithful or inadequate work done in pursuance of his license, and be subject and conform to all and singular the rules, regulations and penalties herein contained, or which may hereafter be adopted. The applicant shall also, upon receiving a license, pay to the City Clerk for the use of the city a license fee of five dollars. Every licensed plumber shall, on receiving his license, state to the City Clerk for record by him, the location of his place of business and the name under which his business is done.

Sec. 14. Every license so issued shall expire by limitation on the 30th day of April next after the date thereof; or it may be suspended or revoked at any time by the City Council on satisfactory proof of any willful failure or inexcusable neglect of the licensee to observe the rules and regulations prescribed by any ordinance or resolution passed by the council governing the management of the water works; or to obey any reasonable direction given by the Superintendent respecting the performance of any service undertaken by such licensee in connection with said works. A forfeiture of the license of any plumber shall operate as a suspension of the license held by a co-partner in the same business, or by any person in his or their employ. Poor or defective work shall also be cause for a forfeiture of the license. When any plumber's license is declared forfeited or revoked as in this ordinance provided, the unearned portion of his license fee shall stand forfeited to the city. No licensed plumber shall allow his name to be used by any other party, directly

or indirectly, either for the purpose of obtaining permits or doing any work under his license, under the penalty of having his license revoked. The City Council reserves the right to fix rates for plumbers at any time for work done in connection with the city water works.

Sec. 15. Within forty-eight hours after laying any service pipe and making connection thereof with any water main, the plumber shall file a full, true and complete written report with the Superintendent, in which shall be shown by description and diagram, the exact location of the tap and service pipe, the lot and block in which the premises supplied therewith are situated and the streets bounding the same, the distance and direction from the nearest street corner to the point where the street stop-cocks are placed, measuring on a line parallel with the line of the street, all the purposes for which it is designed to use the water, and the arrangements and apparatus for using it with such other and further information as may be required to enable the Superintendent to determine accurately the water rate to be paid for report to the City Clerk.

Sec. 16. In making any excavation in any street, alley or other public ground for the purpose of laying service pipe, the plumber must cause the earth and other material removed to be so placed as not to endanger or unnecessarily impede the traveling public and provide for the passage of water along the gutter. No hole or trench made by any plumber in any street, alley or public ground for the purpose mentioned, or for any other purpose, shall be suffered by him to remain open at any time without barricades and during the night time the same shall be amply guarded by barriers and warning lights. No tunneling will be permitted except when the exigencies of the case require such a permit.

Sec. 17. In refilling openings all the earth must be replaced in the trench, and if the earth be frozen it must be removed and the excavation filled with pure bank sand, in layers of not over six inches, and thoroughly rammed to prevent after-settlement. The rammers to be made of such weight and design as may be approved by the Superintendent. This work must be done that the street, sidewalks, pavements and surface of the ground be replaced and made as good as before the same were disturbed and to the satisfaction of the Superintendent. Should any excavation in any street, alley or other public ground be left open or unfinished for a period of twenty-four hours without special leave from the Superintendent, or should the work be improperly done, the Superintendent shall have the right to finish or correct the work, and the expense thus incurred shall be charged to the plumber whose work is thus finished or corrected, and shall be paid by said plumber before receiving another permit to do any work.

Sec. 18. The Superintendent or such other persons as may be directed by him or by the City Council or Mayor of the city, shall have authority to enter and have free access to all premises and buildings supplied through the water system of the city, at all reasonable hours, to ascertain the location or condition of all hydrants, pipes or other fixtures attached to said works and the manner the water is used and such parties must at all times frankly and without concealment answer all questions put to them by such representative of the city, relative to the use of the water and its consumption; and in case he finds that water is wasted on account of negligence or for the want of repairs he shall give verbal or written notice thereof to the consumer or owner to make any necessary repairs, and if such waste is not remedied within twenty-four hours after such notice, the water shall be cut off and shall not be turned on again until the Superintendent so orders. When the waste of water is great or when damage is likely to result from leakage, the water shall be turned off if the repair is not proceeded with immediately upon the service of the notice when it so requires. The water will be turned off for any willful or persistent violation of the rules in force relating to the use thereof. In either case, when water is cut off for such cause the water shall not be turned on again until the sum of two dollars has been paid into the city treasury as penalty therefor, and such amount shall go to the credit of the water works fund.

Sec. 19. All service pipes must be laid at least 8 feet deep under the surface of the ground in the street and in all cases to be protected so as to prevent rupture by freezing; and must also be laid sufficiently waving to allow of not less than one foot of extra length for every fifteen feet or fraction thereof and in such manner as to prevent rupture by settlement. All pipes stop-cocks and other fixtures or apparatus used, and the work done by any plumber at any time in connection with the water works shall be subject to inspection and approval by the Superintendent.

Sec. 20. All pipes from the street stop-cocks where they enter cellars or basements of buildings and inside of such buildings must be carefully protected against the cold and provided with a stop and waste pipe where they enter the building so situated that the water can be conveniently shut off and drained from the pipe to prevent freezing. Where a meter is used, place the stop and waste before the inlet.

Sec. 21. After completing the connection of any private service pipe with any city water main, the plumber shall, in every case, leave the street stop-cock tightly closed, and the cover of the stop-

cock box shut and fastened, nor shall the same be again opened until the Superintendent shall so direct. The water will not be turned into any house or service pipe, except upon the order of the Superintendent, nor until the applicant shall have paid the rent due for the current term. Plumbers are strictly prohibited from turning the water into any service pipe, except for testing the pipes.

Sec. 22. Any person or party taking water from the city water works in manner and form as herein provided, do so upon the express provision, understanding and consent that the street stop-cock is under the exclusive control of the Superintendent and the City of New Ulm.

Sec. 23. Persons taking the water must place and keep their service pipes and all fixtures herein required or connected therewith in good repair, and protected from frost, at their own expense, and must prevent all wastage of water. No consumer shall supply water to other families nor suffer them to take it off their premises. Hydrants, taps, hose, water-closets, baths or other fixtures will not be permitted to be kept running when not in actual use. The water will not be turned on to any premises having wasteful or improper fittings.

Sec. 24. A street stop-cock shall in each case be fitted into every service pipe at the outer edge of the sidewalk and even with the surface thereof where there is a sidewalk, and if there is none, then at such point in the street or alley as the Superintendent may direct, and must be enclosed with a substantial iron box provided with a strong iron or brass cover and fastening. The size, shape and pattern of the box, cover and fastening to be furnished, must be as the one on exhibition in the City Clerk's office, which is made the city standard. All street stop-cocks shall have a round water-way and be of the best quality. No person will be allowed to put in hydrants, sprinklers or private fire plugs without a stop-cock under the control of the city.

Sec. 25. No ferule or tap shall be put into any main at any time by any person except under the immediate direction and supervision of the Superintendent; and no ferule shall in any instance be used above the size of five-eighths of an inch inside diameter, except by special consent of the Superintendent with the approval of the committee on water works, and on condition that the person desiring a larger ferule shall be at the expense of putting on a suitable iron clamp, and that the ferule shall be so inserted and fastened that the same may be securely held, the strength of the main preserved and leakage prevented.

Sec. 26. No two ferules shall be inserted in any water main within two feet of each other, nor shall more than two ferules be inserted in any main to supply one service pipe; nor shall any change in the position of any tap be made at any time, unless the ferule previously used shall be first drawn out, and the opening thereby left securely stopped by a metallic plug, at the expense of the person desiring the change. Pipes must always be tapped on the top, except when otherwise permitted or directed by the Superintendent and in no case at or within eight inches from the hub. No connections with water mains shall be made during freezing weather, unless specially authorized by the Superintendent.

Sec. 27. If proprietors of manufactories, lumber yards, halls, stores, elevators, warehouses, hotels, or public buildings, being regular consumers of 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 upon application to the Superintendent and under his direction and will be allowed the use of water for fire purposes only, free of charge; but all such pipes must be provided with a suitable valve, which must be sealed by the Superintendent, and a stop and waste-cock attached at the bottom on the inside of the building. In case the seal is broken for the extinguishment of fire, the party shall immediately give notice to the Superintendent, and in case such seal shall have been broken for any other use, the party so offending shall be subject to a fine of twenty-five dollars.

Sec. 28. No new attachment shall be made to any old service pipe connected with any city water main, nor shall there be any extension or increase to any service pipe or apparatus so connected on any private premises, without a special permit from the Superintendent on application therefor, and a report must be filed by the plumber with the Superintendent, describing all changes and additions made. Whenever it shall become necessary to repair any existing pipes or fixtures on private premises, the Superintendent shall, on written request from the plumber employed to do the work, cause the water to be turned off from such premises, and it shall not again be turned on until a satisfactory certificate from the plumber that the repairs have been completed, shall be filed with the Superintendent.

Sec. 29. All house 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 of the atmosphere under a vacuum. The stop-cocks and other appurtenances must be sufficiently strong to bear the pressure and ram of the water in the mains. All persons taking the water shall keep their own service pipes, stop-cocks and apparatus in good repair, and protected from frost, at their own risk and expense, and shall prevent all unnecessary waste

of water. It is expressly stipulated by the said city that no claim shall be made against it, by reason of the breaking or freezing of any service pipe or service cock; or, if from any cause the supply of water should fail, or from damage arising from shutting off water to repair mains, making connections, or extensions, or for any other purpose that may be deemed necessary; 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.

Sec. 30. Along streets where mains are laid, service pipes will not be allowed to run across lots, that is, from one lot to another, but must be taken from the mains in front of the premises, or some point in the street adjacent to the same except when otherwise permitted by the Superintendent. Provided that one service pipe may be used to supply all the parties taking water within thirty feet on either side of such service pipe, in which case such branch service must have a service-cock.

Sec. 31. No permit shall be granted to introduce service pipe or to conduct water from the same tap into two or more distinct lots or buildings held by different owners unless separate, and distinct stop-cocks are so placed that the water may be turned off, from or on to either of such buildings or lots; and no stop-cock shall be placed upon private premises except on condition that free access to such stop-cock is allowed to the Superintendent at any time when he may find necessary to turn the water off or on. In case where a service pipe supplies two or more distinct premises or tenants in the same building and where only one stop-cock is used, the person or persons controlling the same must pay the water rent of all the parties who are thus supplied.

Sec. 32. When a permit for a connection with a main for building purposes is issued, the service pipe must be carried to the outer edge of the sidewalk as in other cases, and when the building is completed, the pipe shall be taken up, the ferule drawn and the hole plugged, unless an extension is wanted to supply the building, in which case application must be made in the usual way for extension. Rates for building purposes shall be payable on demand.

Sec. 33. The City Council shall have the right to order a meter owned and controlled by the city to be applied to any service pipes, wherever they deem it advisable, and collect meter rates for water. Meter rates shall be payable at the end of every month or at such periods as may be determined by the committee on water works. The amount of water used will determine the amount to be paid each month.

Sec. 34. No rule or regulation in this ordinance contained or hereafter enacted touching the supply of water from the city water works to private persons, shall be construed as in the nature of a contract in such a sense as to prevent the City Council from altering or amending the same or from establishing such additional regulations as may from time to time be found necessary; and the council reserves the right to make such changes or additions at its discretion.

Sec. 35. The city shall not be liable under any circumstances for any deficiency or failure in the supply of water to consumers, whether occasioned by shutting the water off for the purpose of making repairs or connections, or for any other cause whatever. In case of fire or alarm of fire, or in making repairs or constructing new works, the Superintendent may shut off the water at any time and keep it shut off so long as he shall deem necessary.

Sec. 36. In time of fire in the city, the Superintendent shall surrender control, for the time being, of all mains, gates and fire hydrants to the Chief Engineer of the fire department for the purpose of extinguishing such fire; and it shall be the duty of said Chief Engineer, after the extinguishment of any fire to see that all hydrants and gates are restored to the same condition in which they were previous to such fire.

Sec. 37. No hose shall be used in any case unless it shall have been properly applied for and allowed by the Superintendent, and in no case shall it be used without a nozzle and the nozzle shall not exceed one-eighth of an inch in diameter, unless specially authorized. Hose larger than three-fourths of an inch will not be permitted except upon additional charge.

Sec. 38. The water will be cut off from premises where the use is not confined to a fair application for proper purposes and also where the use is excessive or unreasonable.

Sec. 39. The service pipe of fountains out of doors must be provided with stop-cocks under the exclusive control of the city. The right is reserved to suspend the use of fountains and hose for sprinkling streets, yards, gardens or otherwise, whenever in the opinion of the city the public exigency may require it. In sprinkling streets, each water taker must confine himself to his own premises and half of the width of the street thereof. During a fire no water shall be drawn from the city water works through any yard fountain or hose for sprinkling purposes, except for the extinguishment of fires.

Sec. 40. All persons taking water who shall desire to discontinue the use of the same, shall give written notice to the City Clerk at least ten days previous to the expiration of the time for which payment has been made, otherwise they will be liable for water rent for the next

six months. No abatement for water rents shall be allowed by reason of removal from premises, disuse or diminished use of water, or vacancy of premises, unless notice be given at the time of such removal or desire to the City Clerk, accompanied by payment to him of the sum of one dollar for turning off the water.

Sec. 41. In case for any reason water shall fail to flow to any consumer thereof under this ordinance, in such case such consumer may on application to the Superintendent, receive permission to take water from any place where the same may be furnished with the consent of the parties controlling the same.

Sec. 42. No person shall turn the water from the city water works off or on at any street stop-cock connected with any private pipe or water gate except by special direction from the Superintendent of water works.

Sec. 43. No person shall open any fire hydrants for any purpose without permission from the Superintendent, or, in time of fire, from some competent officer of the fire department.

Sec. 44. No person shall willfully break or injure any hydrant, main, pipe pump, cistern, fixture, implement or any machine, apparatus, or building appurtenant to, or used in the management or operation of the city water works or any part thereof. No person shall hitch or tie any team or animal to any hydrant or other fixture of the water works of said city.

Sec. 45. All service pipes from the main to the curb where the street stop-cock is located shall be of lead and be that designated as "extra strong." It must also be at least one-eighth of an inch larger in diameter than the tap through which they are supplied, and must be able to sustain a pressure of not less than two hundred pounds to the square inch at the point of connection with the street main. A brass coupling must be used for connecting lead pipe with iron pipe and in no case must lead be soldered to iron. No galvanized pipe will be allowed. Iron pipe must be of the quality known as extra strong lap-welded, and must be coated both inside and outside by some approved coating to prevent oxidation.

Sec. 46. The following annual water rates are hereby established for the supply of water to consumers:

Beer Pump	meter rates
Bakeries, not exceeding two bbls. per day	\$ 8.00
For each additional barrel	4.00
Baths, each	6.00
Baths, public or in barber shops or boarding houses	meter rates
In private dwellings	2.50
Barber Shops, first chair	3.00
Each additional chair	1.00
Blacksmith Shops, having one fire	5.00
Each additional fire	2.00
Boarding House	meter rates
Book Binderies, employing not more than five persons	5.00
For each additional person	.25
Breweries, special rates	
Carriage Shops, employing not more than five persons	\$ 5.00
Employing over 5 persons and not more than ten	8.00
For fires, same rate as blacksmith shops	
Candy manufactories or ice-cream saloons	10.00
Cigar factories special rates	
Churches, excepting water motors	5.00
Cooper Shops, per tank	\$10 to 25.00
Dentists' offices, each	4.00
Dwellings, private, six rooms or less, used by one family, one faucet	5.00
Each additional faucet	.50
Each additional room	.25
Dye houses	meter rates
Factories, special meter rates	
Fountains, small, for use or ornament in buildings	8.00
Fountains of every description or hose held in hand for sprinkling vegetables, lawns, garden, street or sidewalk, meter rates	
Foundries and machine shops, same as carriage shops	
Greenhouses, special rates	
Laundries	meter rates
Markets, meat or fish, meter rates	
Offices, single	2.00
In suit of two or three	3.00
Each additional room	1.00
Regardless of location of faucet or faucets	
Printing office or composing room, not including engine	5.00
If more than five persons are employed, 25 cents extra for each person	
Additional if one power press is used	2.00
For every additional power press	1.00
Steam engines, engine rates	
Post-office	5.00
Photograph galleries, meter rates	
Public halls and opera houses, meter rates	
Public School Houses free	
Railroad Companies, special meter rates	
School Houses, private	5.00
Stables, livery or sale, meter rates	
Stables, private for every horse or cow kept	1.00
Additional for every carriage, or buggy	1.00
Steam boilers used in running engine, for each horse power up to ten	4.00
For each horse power above ten up to twenty-five	3.00

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