

## ORDINANCE NO. 64

AN ORDINANCE PROVIDING FOR THE MANAGEMENT, OPERATION AND CONTROL OF THE WATER WORKS IN CONNECTION THEREWITH OF THE CITY OF HUNTER, KANSAS, FIXING RATES, PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES INCONSISTENT, OR IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEN OF THE CITY OF HUNTER:

SECTION 1. Preamble. That the water works of the City of Hunter, Kansas, as now established and as may be hereinafter changed shall be managed as in this ordinance provided or as hereinafter provided by ordinance.

SECTION 2. Water Committee. There shall be chosen by the Mayor of said city at the first regular meeting of the city council after each annual city election of said city or as soon thereafter as practicable three councilmen from among the duly elected and qualified councilmen who shall be known as the water committee and they shall serve for the ensuing year. Said water committee is hereafter referred to in this ordinance as the committee.

SECTION 3. WATER RATES. All water shall be sold on a metered basis and the rate to be charged for water consumed within the city limits shall be as follows: \$1.00 for the first 1500 gallons; and .50 cents per 1000 gallons thereafter.

The minimum bill under this schedule shall be \$1.00 per month.

SECTION 4. Payment of Water Bills. All water bills shall be due and payable at the City Clerk's office on the first day of each month.

All bills are net and an additional charge of 10 per cent shall be made on all bills remaining unpaid after the 10th of each month.

Where any consumer fails to pay on or before the 15th day of the month in which the bill became due and payable the committee shall shut off the water and a charge of \$1.00 shall be collected before the water is again turned on.

SECTION 5. Water Service. Each water service shall be provided with a water meter approved by the water committee and at the expense of the consumer and the consumer shall arrange the plumbing at his own expense so that meter may be installed at a point selected by the committee so there shall be no fixtures connected between the meter and the main. The consumer shall maintain a passage way to the meter and keep the meter accessible for reading or removal for testing or repairing at all times.

Where several consumers are connected to the same service line, each person, firm or corporation must have a separate meter, and the rates, rules and regulations herein made shall apply to each metered connection.

Where meters are installed outside a permanent vault of sufficient size to permit a workman to set the meter and remove the same shall be built to house the meter and all such meter vaults must be kept clean and free from dirt and other rubbish or water, and must protect the meters from freezing.

SECTION 6. Where meters Fail to Register. If any water meter shall fail to register properly at any time, the consumption for the period shall be estimated from the consumption of a preceding period when water was supplied under similar conditions and was correctly metered.

SECTION 7. Excessive Water Bills. If a water bill appears excessive and a complaint is made immediately to the committee, the meter shall be reread and reasonable assistance given in search for the cause of the wasted water, but in no case will the water department be liable for wasted water on the consumers side of the meter.

SECTION 8. Curb Cocks and Service Boxes. Water consumers shall cause to place at their own expense in the service pipe between the main and the water meter a curb cock and curb box which shall comply with the rules of the water committee. No water shall be supplied unless this is done.

SECTION 9. The Water Department reserves the right at any time without notice to shut off water in the mains for purpose of repairs or in case of accident and shall not be liable for any damages occasioned by the unavoidable scarcity of water.

SECTION 10. Applications for Water Service. Applications for water service shall be made at the City Clerk's office on blanks to be furnished by the Committee which must have the approval of the council and such application shall be signed by the applicant.

No application for water service shall be accepted for a period of less than one month at the same location or an agreement to pay one month minimum under the rate governing such application.

A service charge of one dollar per water connection or shut off shall be paid, excepting the first connection and final disconnection or shut off or transfer from one location within the city.

All applications for water service shall be accompanied by a deposit of \$10.00 for each service and in the event a consumer fails to pay his bill the city may apply the deposits on the unpaid account, any unearned balance to be returned to the depositor when consumption of water finally ceases and the water turned off unless such turning off of the water be for violation of the

rules of this department in which event the water department shall retain the sum to apply as liquidated damages.

SECTION 11. Turning on Water. Any person or persons from whose premises the water shall have been turned off for any reason herein provided for or for a violation of any of the rules of the water department who shall turn the water on or cause the same to be turned on without authority in writing from the Committee, shall be upon conviction thereof, be fined in a sum not to exceed \$5.00 for each offense.

SECTION 12. Injury to Property and Penalty. It shall be unlawful for any person, persons, company or corporation, to willfully or maliciously injure or destroy any machinery, meters, pipes or other fixtures or property belonging to the water department, or carry away from the water works system of said City, any water for private use, in excess of 1 barrel (50 gallons), unless they shall first obtain a written permit from the Committee. Any person violating any of the provisions of this section, shall upon conviction be punished by a fine of not more than \$25.00 for each offense.

SECTION 13. Tapping Without Permission. It shall be unlawful for any person, firm, company, or corporation to tap or connect with the water works apparatus of the water department or turn on water from such works without first having obtained a permit in writing to do so from the committee; or to interfere with any water mains, pipes, fixtures or apparatus, and any person, firm, company, or corporation violating any of the provisions of this section shall upon conviction thereof, be fined in any sum not exceeding \$10.00 for each offense.

SECTION 14. Violating Generally. Any person violating any of the provisions of the ordinances for which there has not been another penalty provided shall, upon conviction thereof, be punished by a fine not to exceed \$25.00 or by imprisonment in the city jail for a period of not more than 10 days, or both such fine and imprisonment.

SECTION 15. Fines to be Deposited. All penalties provided for under this ordinance which are collected by the Committee of the water department excepting always those fines in the courts of the city for violation of this ordinance, shall be turned over to the city clerk who shall immediately cause the same to be deposited with the city treasurer in the water fund.

SECTION 16. This ordinance shall take effect and be in full force from and after May 6, and after its passage and one publication in the official paper of Hunter, Kansas.

Passed by the council and approved by the Mayor this 3rd day of May, 1937.

APPROVED: Ray Keller, Mayor

ATTEST: Robert Thompson, City Clerk

