

AFFIDAVIT OF POSTING ORDINANCE NO. 12

STATE OF OREGON)
Counties of Clackamas)
and Washington) ss.
City of Wilsonville)

I, the undersigned, City Recorder of the City of Wilsonville, Oregon, being first duly sworn on oath depose and say:

On Wednesday, May 27, 1970, I caused to be posted copies of the attached Ordinance No. 12 in the following three (3) public and conspicuous places of the City, to-wit:

1. Wilsonville Post Office
2. Kopper Kitchen
3. Lowries Food Mart

The Notices remained posted for more than five (5) consecutive days prior to the time for final reading and passage of the Ordinance on June 8, 1970.

Dated at Wilsonville, Oregon, this 8th day of June, 1970.

Lee Ruslock
City Recorder

Subscribed and sworn to before me this 8th day of June, 1970.

Harold Betts, Jr.
Notary Public for Oregon
My Commission Expires: 11/22/73

ORDINANCE NO. 12

AN ORDINANCE ADOPTING RULES AND REGULATIONS FOR THE WATER DEPARTMENT OF WILSONVILLE; ESTABLISHING WATER RATES AND CONNECTION CHARGES; PROVIDING FOR THE COLLECTION OF WATER BILLS; CREATING THE OFFICE OF WATER SUPERINTENDENT AND PRESCRIBING HIS DUTIES; PROVIDING PENALTIES FOR VIOLATIONS; AND DECLARING AN EMERGENCY.

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: The following are hereby declared to be the rules and regulations governing the Water Department of the City of Wilsonville, provided, however, that nothing herein contained shall deprive the Wilsonville City Council of the right to annul, amend, revise or add to the same from time to time as it may deem necessary or advisable.

Section 2: There is hereby created the office of "WATER SUPERINTENDENT." The City Council shall appoint the Water Superintendent who shall have general control of the Water Department and water system of Wilsonville under the direction of the City Council, and he shall perform such duties as are, from time to time, prescribed by or assigned to him by the Wilsonville City Council. He shall be paid a salary or other remuneration as may be fixed by the Council.

Section 3: Water will be furnished for ordinary domestic, business and community purposes and fire protection only. No service will be supplied or water furnished to any premises except on the written application of the owner or occupant. Application for the use of water must be made on printed forms to be furnished at the office of the City Recorder or Water Superintendent. All applications must state fully and accurately the purposes for which the water is required; and as a condition for the use of water, the applicant must agree to conform to the rules and regulations of the Water Department and the Ordinances of the City of Wilsonville relating to the Water Department and the use of City water.

Section 4: Water service lines shall not be extended outside the Wilsonville City limits and water shall not be metered or sold

outside of the City limits.

Section 5: (a) All residents of the City of Wilsonville who apply for City water service after the effective date of this Ordinance shall be charged the following sums which shall be in full for all costs of the water service connections, including the costs of extending a service line to the meter at the property line, the costs of meter, meter box, pipe, pipe fittings and the labor necessary for installing the same, and including also the labor of any ditch digging done by the City. The charges to be made shall apply to each separate meter and shall be as follows:

<u>Type Per Meter Sizes</u>	<u>If Connections are Made When Service Lines are Installed Initially</u>	<u>If Connections are Made Subsequent to Initial Line Installations</u>
5/8" & 3/4"	\$175.00	\$225.00
1"	225.00	275.00
1-1/2" to 4", inclusive	Cost plus 25%	
Larger than 4"	Cost plus 15%	

Section 6: The charges to be made as provided for in the foregoing Section 5 shall be paid in full to the Wilsonville City Recorder at the time application is filed for a water service connection. In computing charges for water service installations for water meters larger than one inch (1"), the City's actual cost for the material used not diminished by any rebates from suppliers or payment discounts shall be the material cost billed to the water user, and the labor charge shall be the City's actual costs paid to the City's Water Department employees or any private contractor engaged to make the connections.

Section 7: All water service installations shall be made by the City of Wilsonville under the supervision of the Water Superintendent or City Engineer as the case may be. The City shall not be responsible for extending or the costs of extending a water service line beyond the meter. Extensions of a water service line beyond the meter and to the premises to be served with water shall be at the property owner or applicant's expense; and such installations shall conform to all requirements imposed by the Water Super-

intendent or City Engineer as the case may be, and shall first be approved by such official before connection is made to the City's water mains.

Section 8: Water mains, service lines, meters or other water service facilities shall not be extended onto or installed in private property without the prior consent of the City Council and not then unless an easement is given by the property owner to the City for such purpose.

Section 9: All materials used by the City in making a water service connection including, though not exclusively, meter, meter box, pipe, pipe fittings and all other materials of whatsoever nature and kind shall be or become and remain the property of the City of Wilsonville; and any existing private service lines, or those hereafter constructed by any individual, between a meter and the City's mains must be dedicated and conveyed without cost to the City for its use as a part of the City's water system, and such dedication for public use is a condition precedent to the City's furnishing water to the owners of such private lines.

Section 10: In all cases where connection to the City's water supply is to be made for meters larger than one inch (1"), an estimate of the charges shall be made by the Water Superintendent or City Engineer immediately upon the filing of the application for such service, and such estimated charge shall be paid to the City Recorder before work is commenced. Each applicant in such cases shall be furnished with an itemized statement of all costs incurred by the City in making such connections to the City's water mains and as provided in the foregoing Section 6. Such statement of costs shall be furnished to the water user immediately upon completion of the work project, and any overcharge previously collected by the City shall be remitted forthwith without interest, and any undercharge shall be paid immediately by the water user, and failure to pay the same within ten (10) days from the date of billing by the

City shall be justification for the City to disconnect such water user from the City's water supply until full payment of all costs have been made.

Section 11: The City may at any time and without notice shut off the water supply from the mains for repairs, extensions or other necessary purposes, and neither the City nor any officer or employee thereof shall be held responsible for damage caused by shutting off said water or by collapsing or bursting of pipes, boilers or tanks.

Section 12: No plumber or other person shall be allowed to make connection with the mains or other water lines of the City or to make alteration in any conduit, pipe or fixture in connection therewith on any premises without permission of the Water Superintendent. All pipes from the meter to the premises must be installed in accordance with good engineering practice and maintained in good order by the user. Pipes must be laid at least eighteen inches (18") deep and provided with stop cocks and drain plugs, and all standpipes or fittings of any kind must be so located, anchored and installed as not to interfere with or endanger the meter.

Section 13: Neither cross connections nor physical connections of any kind shall be made to any other water supply whether private or public without the prior approval of the Water Superintendent and the written consent of the City Council and the written approval of the State Board of Health.

Section 14: The Water Superintendent or City Engineer shall have access at proper hours of the day to all parts of buildings using water from the City's mains or pipes for the purpose of inspecting the condition of the pipes and fixtures and the manner in which the water is being used, and shall have the right to enter upon private property at reasonable times for inspection purposes and without being deemed guilty in any manner of a trespass.

Section 15: The City of Wilsonville shall not be responsible or liable to any person for any interruptions of water service or depletion or contamination of the City's water source or water supply; and neither the City nor its officers or agents shall be responsible or liable for any injuries to persons or damages to property arising out of or caused by the City's water or water service or for failure to furnish water to any applicant.

Section 16: (a) All water, whether for industrial, commercial or residential purposes, shall be sold in accordance with the following schedule of minimum monthly charges and rates:

RATE SCHEDULE

<u>Meter Size</u>	<u>Minimum Monthly Charge for First 300 Cubic Feet</u>
5/8" - 3/4"	\$ 3.75
1"	6.00
1-1/2"	9.00
2"	12.00
3"	18.00
4"	24.00
6"	36.00
8"	48.00
10"	60.00

(b) All water in excess of 300 cubic feet for all meter sizes shall be charged the additional rates as follows:

Next 200 cubic feet = 30¢ per 100 cubic feet
Next 500 cubic feet = 25¢ per 100 cubic feet
All over 1,000 cubic feet = 20¢ per 100 cubic feet

(c) All services 2-1/2" and larger shall be covered by specific written agreement with the City, but in no case shall the rates and charges be less than set forth above

(d) Monthly service charges for multiple dwelling units and trailer courts, unless covered by a specific written agreement, shall be \$3.75 per unit plus 20¢ per 100 cubic feet of water used.

(e) Standpipe service for fire protection shall be charged monthly at the rate of \$6.00 per inch of pipe in diameter, and all services for fire protection shall have a detection meter with valves and vault to comply with requirements of the City Water Superintendent or City Engineer.

(f) All bills shall be due and payable on the 10th day of the month after billing; and if not paid within twenty (20) days thereafter, service will be turned off until payment is made of the amount due, together with the costs of disconnecting and reconnecting of service as provided in the following Section.

Section 17: If water service hereafter furnished by the City of Wilsonville pursuant to this Ordinance is disconnected by the City for failure of the customer to pay the prescribed charges for such service or to abide by the established rules and regulations of the Water Department pertaining to such service, the following charges shall be made and collected by the City before reconnecting the service:

The full amount of the utility bill due at the time the service was disconnected plus the following additional service charges:

(a) Ten Dollars (\$10.00) if reconnection of the service is requested to be made between the hours of 8:00 o'clock a.m. and 4:00 o'clock p.m. on any day except Saturday, Sunday or a Legal Holiday.

(b) Thirty Dollars (\$30.00) if reconnection of service is requested to be made at any other time or on Saturday, Sunday or a Legal Holiday.

Section 18: Any person other than the owner or contract purchaser of real property in the City of Wilsonville who applies for City water shall pay to the City Recorder with his application for water service a cash deposit equal to two (2) months' minimum charges for his meter size. No depositor shall be allowed any interest on his deposit. When any depositor serves notice on the City Recorder to discontinue water service for which the deposit was made, or if such depositor is disconnected by the City for failure to pay water bills, the deposit shall be applied by the City Recorder first to the payment of any unpaid water bill of the depositor and any residue of the deposit shall be refunded to the depositor. If the City Recorder is unable to make refund of any deposit because the depositor has moved and can't be located, the

City Recorder shall continue to hold the deposit for a period of six (6) months from the date water service was disconnected, and if the depositor fails or neglects to claim the deposit during such period, the City Recorder shall transfer the deposit and any accrued interest thereon to the City's General Fund Account; and the depositor shall thereafter be deemed to have waived all claim, right, title or interest in or to such deposit.

Section 19: It shall be unlawful for any person or persons to wilfully break, dig up, injure, damage or destroy any meter, pipe or main or any building, appurtenance or other facility of the City's water system, or to break, damage or remove any locking seal on a water meter, or to open or cause to be opened any gate or stop cock or to draw water from any faucet or hydrant attached to the mains or service pipes of the water system in any other manner than that provided by the rules and regulations now or hereafter established by proper authority.

Section 20: Miscellaneous.

(a) An individually owned apartment, cooperative or condominiums, etc. shall have a separate water meter for each unit.

(b) Apartment houses and trailer courts shall have a single meter for the entire complex, and the owner shall be responsible for payment of all water charges metered to the apartment house or trailer court.

Section 21: Any person convicted of violating any provision of this Ordinance, except provisions relating to the payment of water bills and service connection charges, shall be punished by a fine of not more than \$200.00 or by imprisonment in the County Jail for not more than thirty (30) days, or by both such fine and imprisonment.

Section 22: Inasmuch as the City's new water utility system is nearly completed and it is necessary for the preservation of public health, peace and safety that uniform rules and regulations

and equitable rates be established for furnishing and use of water, an emergency is hereby declared to exist, and this Ordinance shall take effect immediately upon its final passage by the City Council.

Passed on first reading at a regular meeting of the Wilsonville City Council held on the 25th day of May, 1970; ordered posted in three (3) public and conspicuous places in the City of Wilsonville for a period of five (5) consecutive days as required by the Wilsonville City Charter, and to come up for final reading and action of the Wilsonville City Council at a regular meeting thereof to be held on the 8th day of June, 1970, at the hour of 7:30 o'clock p.m., Oregon Daylight Saving Time, at the Council's regular meeting place in the Wilsonville IOOF Hall.


Phillip R. Balsiger - Mayor

ATTEST:


Lee Reslock - City Recorder

Passed on final reading at a regular meeting of the Wilsonville City Council this 8th day of June, 1970, by the following vote:

Yeas 5. Nays 0.


Phillip R. Balsiger - Mayor

ATTEST:


Lee Reslock - City Recorder