

ORDINANCE NO. 463

AN ORDINANCE REGULATING THE RATES, CHARGES, AND MANAGEMENT OF THE WATER SYSTEM OF THE CITY OF STAYTON, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, REPEALING ORDINANCE NO. 351 AND 367, 399, 416; AND DECLARING AN EMERGENCY.

THE CITY OF STAYTON DOES ORDAIN AS FOLLOWS:

SECTION I.

The following definitions shall apply to this ordinance:

1. The term "Customer" shall mean an individual, firm, association or corporation using water furnished from the City water system.
2. The term "residence," where used with reference to rates, shall mean a private dwelling house.
3. The term "commercial," where used with reference to rates, shall mean any use of water by a customer in connection with carrying on any business or enterprise for profit or for use other than normal residential.
4. The term "bank of meters" shall mean meters which are installed immediately adjacent to each other.

SECTION II.

The Public Works Superintendent is authorized to install water meters for the purpose of measuring the quantity of water used by any customer, and for that purpose may classify customers to fix the order of installation. Any customer may have a meter installed upon request, and in such event may not thereafter discontinue use of the same and return to a flat rate without the consent of the Council.

Meters shall be installed on all new water service connections. It shall be the policy of the City to have meters installed on present unmetered services, whenever feasible, as money for the payment of the cost of such installations is available.

SECTION III.

The minimum charge for each new hook-up for water service of any kind shall be \$250.00, which includes the charge for a 3/4 inch, or smaller, meter. For multiple dwelling units and certain commercial groupings in which several customers are served from a bank of meters supplied by one connection to the water main, the minimum rate for each hook-up shall be \$250.00, plus \$50.00 for each additional 3/4 inch

meter installed. For each service connection larger than 3/4 inch, the customer shall pay the minimum hook-up rate plus such additional costs of materials and labor as the City may incur in providing the service connection.

In any area where the subdivider has installed the water system pursuant to the subdivision of the City of Stayton, the water hook-up fee shall be \$50.00 and the City will supply the water meter for the Lot being hooked up.

SECTION IV. UNMETERED WATER SERVICE

1. The residential rate for water use to each customer shall be a monthly minimum of \$5.00, plus an irrigation fee of \$4.00 per month from May to October, both inclusive.

2. The commercial rate for water use to each customer shall be a monthly minimum of \$5.00.

3. The rate for water use to multiple-unit apartment houses shall be a monthly minimum of \$4.00, plus an irrigation fee of \$4.00 per month from May to October, both inclusive, for each unit of such apartment.

SECTION V. METERED WATER SERVICE

1. The minimum water rates per month for various sized meters shall be as follows:

3/4 inch, or smaller	\$4.00 per month (Residential)
3/4 inch, or smaller	\$5.00 per month (Commercial)
1 inch	\$7.00 per month
1 1/4 inch	\$7.00 per month
1 1/2 inch	\$8.00 per month
2 inch	\$29.00 per month
3 inch	\$56.00 per month
4 inch	\$110.00 per month
6 inch	\$182.00 per month
8 inch	\$272.00 per month

2. The minimum charge specified under this section shall allow the customer 2500 gallons of water per calendar month. For water used in excess of 2500 gallons in a calendar month the rate shall be \$0.32 per each 1000 gallons.

3. The rates under this section are based on multiple residential or commercial units having separate meters as required by Section XV of this Ordinance. In the event any such multiple units do not have separate meters, the rates shall be calculated by the City of Stayton Water Department, as if separate meters were installed, (\$4.00 per month residential, \$5.00 per month commercial, 2500 gallons minimum per month per unit) with usage over the minimum averaged over the units. Any customer having large differences in usage between such unmetered units may request Council review of rates set by the Water Department or may install separate meters

upon payment of the hook-up fee.

SECTION VI.

All accounts for water use shall be due and payable at the City Hall on the first day of each calendar month for the previous month's use.

SECTION VII.

A standby water protection charge shall be added for a fire hazard only based on a per hydrant monthly charge in the amount as follows:

2 inches or less	\$2.00
3 inches or less	\$3.00
4 inches or less	\$4.00
5 inches or less	\$6.00
6 inches or less	\$8.00

A further water protection charge may be added at the discretion of the City Council for water standby charge for fire sprinkling systems.

SECTION VIII.

The Public Works Superintendent may shut off water from any customer in default in the payment of any bill for water use for such time as the default may continue and said delinquent charge shall become and constitute a lien against the premises and shall be enforced accordingly.

SECTION IX.

A deposit shall be required of all new customers in an amount equal to three times the estimated monthly bill and shall be held as security for the payment of any account to become owing for water use. Any part or all of said deposit may be applied at any time toward the payment of any delinquent amount, and, at such time as the depositing customer shall cease to use water from the system any unapplied balance of the deposit shall be refunded. Any unclaimed refund shall go to the water fund.

SECTION X.

The City shall be under no obligation to extend any water main or line, but may extend any of the same, if in its judgement such extension is warranted.

SECTION XI.

The City does not agree to guarantee continuous, even, and uninterrupted water service to any customer, nor shall the City be liable for any loss or damage resulting from the operation of the water service, directly or indirectly. The City will make a reasonable

effort to notify all customers of any anticipated interruption of the service.

SECTION XII.

Each customer shall maintain all faucets, taps, hoses, lines, and other equipment through which water flows from the City system, in good condition and free from leakage.

SECTION XIII.

It shall be unlawful for any person to open, cut into, or make any connection with any City water main or lines, or to tamper in any way with any main, line hydrant, or other part whatever of the City water system, without permission of the Council or of the Public Works Superintendent.

SECTION XIV.

It shall be unlawful for any person to open any shutoff valve or other device so as to permit water to flow from the City mains or lines into any private main or line without the express permission of the Council or of the Public Works Superintendent.

SECTION XV.

1. Each single family dwelling unit, each apartment of a multiple family dwelling, and each commercial establishment constructed after the effective date of this Ordinance shall have a separate service connection and shall be metered for water service, provided that if special circumstances of construction render metering of such service impractical, the Council may waive such requirement.

2. All water mains, service connections, and water meters shall hereafter be laid on dedicated City streets, public property, or on property upon which the City of Stayton has an easement to construct and maintain water lines.

3. The Council shall have the right to impose such temporary nondiscriminatory restrictions or limitations on the use of water that it deems necessary. Notice of such restrictions shall be given by mail except in case of extreme emergency.

SECTION XVI.

If any customer shall violate this Ordinance or any section or portion thereof, the City may shut off the City water supply of such customer, and such customer shall be subject to a fine upon conviction for such violation in the Municipal Court, of not less than \$10.00 nor more than \$50.00, or by imprisonment in the City Jail for a period of not more than 10 days, or by both such fine and imprisonment.

SECTION XVII.

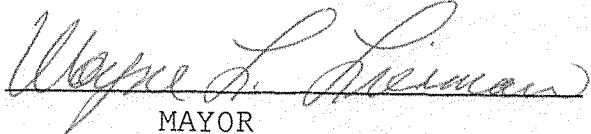
Ordinances numbered 351, 367, 399, 416 and all other Ordinances in conflict herewith are repealed as of the effective date of this Ordinance, provided that the said repealed Ordinances shall remain in full force and effect for the punishment of any violations that have occurred thereunder prior to said effective date and for the collection of any unpaid or unsettled accounts that have occurred thereunder.

SECTION XVIII.

Inasmuch as the regulation of the water system of the City of Stayton is an immediate necessity and this Ordinance is necessary for the immediate peace, health, and safety of said City, an emergency is hereby declared to exist and this Ordinance shall become effective on the day of its passage.

PASSED by the Council this 28th day of June 1976.

APPROVED by the Mayor this 12th day of July 1976.


MAYOR

ATTEST:


CITY RECORDER