

ORDINANCE NO. 1585

AN ORDINANCE ESTABLISHING THE SETTING OF WATER RATES BY RESOLUTION, AMENDING SECTION 27-2, 27-12, 27-15, 27-22, 27-23, and 27-29, REPEALING SECTION 27-31 AND ADDING SECTION 27-34 TO THE CITY CODE, AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM AND EFFECTIVE DATE OF THE ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA:

Section 1. Section 27-2 of the Code is hereby amended to read as follows:

Sec. 27-2. Application for service; deposits; separate tap required for each building

Every person desiring water service shall make application therefor at the Business Office of the City as provided in Chapter 26A of this Code. No more than one house or building shall be supplied from one tap. Effective as of February 28, 1978 a duplex will be considered as separate buildings and will require separate water taps.

Section 2. Section 27-12 of the Code is hereby amended to read as follows:

Sec. 27-12. Service pipes in paving districts

In all paving districts the service pipes between the commercial main in the street and the stop cocks shall be of type "K" copper; unless otherwise approved by the City Engineer.

Section 3. Section 27-15 of the Code is hereby amended to read as follows:

Sec. 27-15 Regulations regarding the use of water

(a) All water leaks shall be repaired within forty-eight hours of the first indication of such leak or upon notice to the user by the City.

(b) Excessive lawn or garden watering is prohibited.

In addition to other evidence of violation of this provision, continuous flowing of water into the street from the watering, or formation of ice on the sprinkler attachment or on the surrounding foliage shall be evidence of such excessive watering.

(c) The City reserve a right to suspend the use of water for sprinkling yards, lawns, gardens or for irrigation purposes or other unrestricted or excessive purpose or use whenever in the opinion of the Council, public exigency may require it. The open flow of water for yards, lawns, gardens or airconditioning without a sprinkler head or other restricting device is expressly prohibited.

Section 4. Section 27-22 of the Codes is hereby amended to read as follows:

Sec. 27-22. Tapping procedure and fees generally

Where it is necessary to tap the water main and install a new service the applicant for water service from the water works system of the City shall accompany his application with the required tapping fee as specified in the appropriate Resolution setting rates and fees for the water system.

The City by it's City Manager will tap or cause to be tapped the commercial main to which the applicant's service pipe will be joined. For the tap aforesaid or which may be fixed and determined as herein provided, the City will furnish a stop or curb box, curb stop, corporation cock and also provide and install pipe, trenching, labor and all necessary attachments to make installation from commercial main to a point at or near the property line of the applicant where the stop box is installed; provided, that the above service shall be furnished for the tap fee aforesaid only in those cases where not more than sixty feet of pipe is required. The applicant at his own expense shall build water service from the curb box in and upon his own premises and shall keep the same in repair. The applicant for water service where property does not abut a commercial main shall pay such tap fee as the City Manager shall in each case determine; provided, that this provision shall not be construed as an obligation upon the City to make installation on property which does not abut or adjoin a commercial main of the City. The City will maintain all water mains from the commercial main to the curb box. Applicants for water service whose property is situated outside the City shall pay the tap and installation fees in such sums as the City Manager shall in each case fix; provided, that nothing herein shall be construed to obligate the City to furnish water service to nonresidents. Where meters are required or desired, the City shall specify their location and all meter pits shall be construed and installed by the City. All meters shall be set in a horizontal position so that the same may be visible for reading and also readily accessible for maintenance and operation. All water pits hereafter shall be constructed of such materials and in such design and manner as prescribed by the City Manager.

Section 5. Section 27-23 of the Code is amended to read as follows:

Sec. 27-23. Water rates and fees generally

Water rates and fees shall be set by Resolution by the City Council.

Section 6. Section 27-29 of the Code is hereby amended to read as follows:

Sec. 27-29. Billing to multiple consumers.

In the event one metered service serves more than one user in one building, the bill for the water service of all users shall be rendered to the owner of the property or the customer requesting the service; also effective February 28, 1978 a duplex will be considered as separate buildings and will require separate water taps.

Section 7. Sections 27-2, 27-12, 27-15, 27-22, 27-23, 27-29, 27-31 as written prior to the passage of this ordinance, be and the same are hereby repealed.

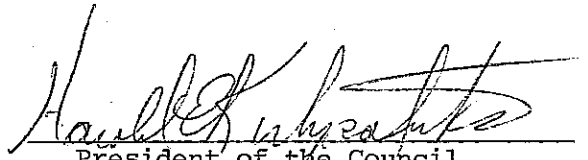
Section 8. Section 27-34

Adoption of water rate and fee charges

The water rates and fee charges shall be set by Resolution by the City Council for all user classifications and shall be on file in the City Offices for public inspection at any reasonable time.

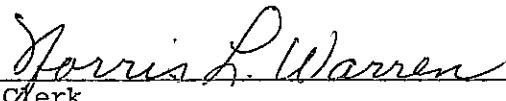
Section 9. This Ordinance shall be published in pamphlet form and take effect as provided by law. The effective date of this Ordinance shall be February 28, 1978.

PASSED AND APPROVED this 14th day of March, 1978.



President of the Council

APPROVED:



City Clerk

(S E A L)