

# ORDINANCE RECORD

No. 728 \*\*\* K-B PRINTING CO. \*\*\* OMAHA

## CITY HALL LEXINGTON, NEBRASKA

June 17, 1936

The Mayor and Council of the City of Lexington, Dawson County, Nebraska, met in regular ~~special~~ session in the City Hall at 8:00 o'clock P. M., on June 17, 1936. Mayor Kjar presided and City Clerk Olsson recorded the proceedings of this meeting.

The Mayor instructed the Clerk to call the roll. The Clerk called the roll and the following Councilmen were present: Gillan, Morganson, Hagadone, Spies, Barrett, Evans.

Absent: none.

Whereupon the Mayor announced that the introduction of ordinances was now in order, and the matter now coming before the Mayor and Council was the passage and approval of Ordinance No. 313 of the City of Lexington, Nebraska.

This ordinance was introduced by Councilman Spies and is in words and figures as follows, to wit:

### ORDINANCE NO. 313.

An ordinance amending Section 15 of ordinance number 309 which was passed and approved by the Mayor and Council of the City of Lexington, Nebraska, on February 4, 1936.

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

Section 1. That Section 15 of ordinance number 309, which was passed and approved by the Mayor and Council of the City of Lexington, Nebraska, on February 4, 1936, be and the same is hereby amended to read as follows:

"Section 15. The applicant for water service from the water works system of said City shall furnish, at his own expense, all pipe, stop or curb box, curb cock, corporation cock and goose neck, and such trenching, labor and attachments as may be necessary to bring water service from commercial main to curb line where stop box is placed, and shall keep the same in repair, and shall also, at his own expense, bring water service from curb line in and upon his own premises and keep the same in repair. The City, by its Water Commissioner, will tap or cause to be tapped the commercial main to which applicant's service pipe will be joined, all expense of such tapping to be paid by applicant. The applicant or property owner shall, at his own expense, repair any water service from commercial main to curb, including stop box, and when water service between commercial main and lot line shall completely wear out and require replacement on account of ordinary use over a period of years, or when any change shall be required in present connections, the consumer or property owner shall be liable for the actual cost or such replacement or change as in the case of a new tap or installation. If the consumer or property owner shall fail, neglect or refuse to immediately cause any necessary repair to be made, the Water Commissioner may, without notice, disconnect the water from said premises until repair is completed. Applicants for water service whose property is situated outside of corporate limits shall pay tap fees in such sum as the Mayor and Council shall in each case fix; Providing, however, nothing herein shall be construed to obligate the City of Lexington to furnish water service to non-residents unless it is able to do so without curtailing the demands of resident consumers or without overloading its pumps, machinery or other equipment. All meter pits, if meters are not set in basements or

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buildings, shall be constructed by applicant or consumer at his own expense at a point near the property line and shall be constructed of brick, cement or tile with suitable cover thereon, as may be approved by the Water Commissioner: Provided, that all meters shall be set in a horizontal position so that the same may be easily read by the Water Commissioner or his agents, whether set in meter pit, building or basement. The Water Commissioner shall, whenever it is not convenient to make readings of any meter now set or hereafter to be set in meter pits, buildings or basements, be empowered to give consumer twenty days notice in writing to reset said meter so that same may be conveniently read, and, if the consumer refuses or neglects to do so, then the Water Commissioner shall reset said meter and the cost thereof shall be charged to and paid by said consumer as water rent in addition to all other charges. All meter pits hereafter shall be constructed in such design and in manner as prescribed by the Water Commissioner. If commercial mains are not laid along street abutting applicant's property, and if water main district is not created as provided by statute, applicant, at his own expense under the direction of the Water Commissioner, shall pay for and install pipe, trenching, labor and attachments to bring water service from street where commercial main is laid, to and upon applicant's premises."

Section 2. That said original section 15 of ordinance number 309 is hereby repealed.

Passed and approved this 17th day of June, 1936.

Attest:

Albert A. Kjar.  
Mayor

J. L. Olsson  
City Clerk.

(Seal)