

# ORDINANCE RECORD

No. 728 ★ ★ ★ K-B PRINTING Co. ★ ★ ★ OMAHA

## CITY HALL LEXINGTON, NEBRASKA

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 April 19, 1937. 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. 328 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. 328

An ordinance amending Section 30 of Ordinance No. 309 which was passed and approved by the Mayor and Council of the City of Lexington, Nebraska, on February 4, 1936, relating to water rates or tax, and to repeal said original section.

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

Section 1. That Section 30 of ordinance No. 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 30. Each and every consumer of City Water, where water meter is used or required to be used, shall be allowed a minimum amount of 20,000 gallons for each quarter annual period, and the minimum charge for such amount in each quarter annual period shall be the sum of \$3.00; and for all water used, during said quarter annual period, in excess of said minimum of 20,000 gallons, the following rate shall be charged to and paid by such consumer or property owner:

Next 40,000 gallons, above minimum, at the rate of 12¢ for each 1000 gallons.

Next 40,000 gallons, at the rate of 11¢ for each 1000 gallons.

Next 100,000 gallons, at the rate of 10¢ for each 1000 gallons.

All of the balance at the rate of 9¢ for each 1000 gallons.

Each consumer for which flat rate service is provided shall pay a quarter annual water rental of \$3.75; Provided such flat rate shall not be allowed in any residence property which is occupied by more than one family, unless such flat rate is paid by each family occupying said premises; and provided further that such flat rate shall not be available to any consumer using, for lawn, garden or other purpose, property having more than 75 foot frontage or land equal in size to a tract 75 feet by 140 feet; any consumer desiring to use water on a flat rate for more than a 75 foot frontage shall pay an additional quarter annual rental of 75¢ for each additional 25 foot frontage so used. Provided further any consumer

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using water only in the yard, and having no water connection inside of any house or building on said premises, shall pay a quarter annual rental of \$2.50 for a frontage of 75 feet or less, and the additional sum above provided for a frontage in excess of 75 feet. Provided further that any consumer using water on a flat rate as herein provided, and who shall use a water cooler, or other cooling system in such residence property through which a continuous flow of water is used for cooling, shall pay an additional water rate or rental, for such cooler or cooling system, of \$3.00 per month, payable quarterly at the end of each quarter annual period of the fiscal year, for the months in which such water is used for such purpose. Such rates and the time in which used shall in all cases be determined by the Water Commissioner. Provided further, that either the minimum meter rate or the minimum flat rate may be paid annually in advance at a discount of ten (10) per cent if paid on or before May 31st for the period from May 1 of the same month to the following April 30th. In the event of such annual payment in advance for minimum meter rates, such consumer shall pay quarterly for all excess water used in the preceding quarter.

Provided further that there shall be charged to and paid by the Park Board of said City for annual use of water in the parks, the sum of \$50.00, payable quarterly, and one quarter of such amount to be paid at the end of each quarter of the fiscal year; and for the annual use of water in the municipal swimming pool, the sum of \$50.00, payable quarterly, and one quarter of such amount to be paid at the end of each quarter of the fiscal year. That there shall be paid annually from the general fund of said city, to the water fund, the sum of \$5.00 for each fire hydrant used and connected with said water system, which amount shall be payable quarterly at the end of each quarter annual period. That there shall be paid annually from the Sewer Maintenance Fund of said city to the water fund the sum of \$150.00 for water used in flushing sewer mains, which amount shall be payable quarterly at the end of each quarter annual period. That there shall be charged to and paid by School District No. 1 of Lexington, Dawson County, Nebraska, for the annual use of water on the High School Athletic Field in said city, including the two additional taps now located on the High School Grounds in Block "G", in MacColl & Leflang's Addition to said City, the sum of \$100.00, payable quarterly at the end of each quarter annual period. The amounts herein provided to be paid by the Park Board, School District No. 1, and from the general and sewer maintenance funds, shall not be subject to discount. All water rent, tax and charges shall draw interest at the rate of six per cent per annum from the date on which the same become due. The rates and charges as herein provided shall be effective from and after May 1, 1937.

Section 2. That said original section 30 of ordinance number 309 is hereby repealed. Provided, however, that the water rates in effect prior to the passage of this ordinance shall remain in effect until May 1, 1937, and the repeal of said original section shall not limit the right of the City to enforce payment of any water rent due or to come due prior to May 1, 1937.

Passed and approved and ordered published this 9th day of April, 1937.

Attest:

Albert A. Kjar  
Mayor.

J. L. Olsson  
City Clerk.

(seal)