

ORDINANCE NO. 8 for 1962

ORDINANCE NO. 397

AN ORDINANCE PROVIDING FOR THE BASIS OF SPECIAL ASSESSMENTS FOR WATER MAIN INSTALLATIONS AND EXTENSIONS; REPEALING ORDINANCES NO. 217 and 218, AS AMENDED BY ORDINANCE NO. 220.

Whereas, it is anticipated that the diameter of water main appropriate to be installed or extended in certain areas will depend not only upon the probable immediate use of such main, but will depend also upon the probable future use of such main by property beyond the immediate area to be served; and

Whereas, it is equitable that in these instances, the additional cost of such installation or extension due to the desired larger diameter of the main should be borne by the city rather than by the property included in the immediate area to be served; and

Whereas, the City Council has determined that the total cost of installation of a two-inch main is an equitable portion of the cost of installation or extension of such main to be borne by the property in the immediate area;

THE CITY OF SWEET HOME DOES ORDAIN AS FOLLOWS:

Section 1. When a special assessment district has been created pursuant to the provisions of Ordinance No. 131, as now or hereafter amended, supplemented or replace, for the purpose of installing or extending a water main, the portion of the cost of such installation or extension of a water main to be borne by the property included in such special assessment district shall be such that the City shall be reimbursed for the total cost of installation of a two-inch main.

Section 2. When any person or persons owning property within the City, which property is not within a special assessment district created for the purpose of installing or extending a water main, desire to have a city water main installed or extended to serve such property, such person or persons shall make a written request to the City Council asking to be so served and asking for an estimate of the cost of such installation or extension.

Section 3. Upon receiving such a request, the City Council shall determine the size of water main appropriate to be so installed or extended, taking into consideration both the immediate and remote probable use and requirements of such water main, including its use by property beyond and in addition to property owned or possessed by the persons requesting such estimate. Such estimate of cost shall be made by the Council after it has received from the City Manager an estimate of the whole cost of such installation or extension.

Section 4. No installation or extension of such water main shall be undertaken by the City except under the provisions of Ordinance No. 131, as now or hereafter amended, supplemented, or replaced, providing for the creation of special assessment districts for public improvement districts, unless the City Council shall expressly provide with respect to such installation or extension that the same shall be undertaken by resolution stating that the City shall undertake the installation or extension other than through a special improvement district.

Section 5. If the City Council shall so provide by resolution the installation or extension shall be made only after the property owners first pay to the City a sum of money equal to the total cost of installing a two-inch main.

Section 6. Nothing in this ordinance shall be construed as requiring the City to proceed with such installation or extension of water main, either at all or at any time, if because of budget or debt limitations, or other reasons which are sufficient in the opinion of the City Council, such installation or extension should not be made at all or should not be made until a later time.

Section 7. Any person making connection with such water main so installed or extended, shall be subject to pay such service charge for water meter and connection as shall then be provided by ordinance, in addition to the payments required by this ordinance.

Section 8. No person who shall have paid any money to the City under this ordinance shall be entitled to any contribution or refund from the City or any other person who may thereafter receive water from such water main or any extension thereof.

Section 9. The City Council shall from time to time determine by resolution the current total cost of installation of a two-inch main.

Section 10. Ordinance No. 217, and Ordinance No. 218, as amended by Ordinance No. 220, are hereby repealed.

Section 11. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health, and safety. Therefore, an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 26 day of June, 1962.

ATTEST:

Robert S. White  
City Recorder

William J. Bennett  
Mayor