

AN ORDINANCE FIXING AND ESTABLISHING WATER SERVICE RATES TO BE PAID BY ALL PERSONS AND PROPERTIES CONNECTED WITH OR USING THE WATER WORKS SYSTEM OF THE CITY OF SWEET HOME, LINN COUNTY, OREGON, PROVIDING FOR THE TIME AND MANNER OF PAYMENT OF SUCH WATER RATES, AND OTHER RELATED MATTERS, AND DECLARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF SWEET HOME DO ORDAIN AS FOLLOWS:

Section 1. Pursuant to the authority vested in it by law, and pursuant to Ordinance No. 52, providing for the issuance and sale of the issue of the City of Sweet Home Water Bonds, Series 1938, in the amount of Forty Thousand Dollars (\$40,000), the Common Council of said City does hereby fix the charges and rates for the use of the services rendered by the waterworks system of said City to the users thereof.

Section 2. All rates to be paid for said water system service shall be deemed a charge against, and shall be paid by the owners of the respective parcels of real property served, notwithstanding the fact that such property may be occupied by a tenant or tenants.

Section 3. Rates shall be charged for the use of the said water service upon the basis of the number of cubic feet used monthly, and the monthly charges based upon said rates shall be paid within ten(10) days of the date of the mailing of the bills for the monthly charges.

Said charges shall be payable to the Recorder of the City of Sweet Home, at his office, and in default of such payment for a period of thirty (30) days, the Recorder shall have the right to deprive the property concerned of said services. The rates charged shall be as follows:

For the first 300 cubic feet or any lesser amount \$1.50

For the next 200 cubic feet \$.20 per one hundred cubic feet;

For the next 500 cubic feet .10 per one hundred cubic feet;

For anything above 1,000 cubic feet .08 per one hundred cubic feet;

Section 4. The City of Sweet Home shall pay monthly into a special fund, or other fund, such amount as the Common Council shall determine reasonable compensation for the services and facilities afforded to and benefits by said City from said waterworks system for municipal uses and purposes.

Section 5. All revenues received by the Recorder from such waterworks system, including the revenues described in Section 4 of this Ordinance, shall be separately kept, designated, and paid over by him to the Treasurer of the City of Sweet Home, at intervals of not greater than one week, and such funds shall be kept by said Treasurer of the City of Sweet Home, separate from all other funds, and such system of bookkeeping shall be adopted by him as shall show at all times all receipts in, and disbursements from, said fund, and the purposes to which the disbursements have been applied.

Section 6. The Common Council shall cause to be filed with the Recorder vouchers for necessary disbursement to be covered by warrants drawn by the Recorder against said fund in the hands of the Treasurer out of the revenues from said waterworks system as above provided for the reasonable cost of operation and maintenance of said waterworks system, and after such payments for operation and maintenance expense, all of the remaining or net revenues of said waterworks system necessary for the payment of principal of and interest on the issue of the City of Sweet Home Water Bonds, Series 1938, dated as of October 1, 1938, shall be placed in a special fund which has been created by the Common Council and designated, "Water Bonds, Series 1938, Interest and Sinking Fund", which special fund shall be irrevocable pledged to and used solely for the payment of the principal of, and interest on said City of Sweet Home Water Bonds, Series 1938, when due, so long as any of the said bonds, or interest coupons thereto appertaining, remain outstanding and unpaid, and the interest of such special fund shall be credited thereto and become a part thereof, and said special fund shall not be diverted or expended for any other purpose, provided, however, that no further payments need be made into said special fund whenever a reserve has been accumulated therein equal to principal and interest requirements of the bonds for the next ensuing two (2) years, said reserve to be maintained at all times, and provided further that whenever the total amount contained in said special fund shall be equal to the total amount of the principal of and interest on all of the outstanding bonds of the aforesaid issue to the last maturity thereof, then no further revenues need be deposited in said special fund.

Section 7. The City of Sweet Home reserves the right at any time to adopt any reasonable amendments of the classification, rates, and charges or regulations set forth in this Ordinance, so long as such amendments shall not impair the reserve fund herein above mentioned which is to be kept intact for the payment of principal and interest of said issue of City of Sweet Home Water Bonds, Series 1938.

Section 8. In case any water service payable under this Ordinance, or any amendment thereof, shall not be paid when due, then the amount or amounts thereof, together with penalty of 10 per cent may be recovered by action at law in the name of the City. In addition, there shall be a reconnection charge of fifty (50) cents for each connection, as the cost of reinstating the water service for any property deprived of such service as provided in Section 3 of this Ordinance.

Section 9. All ordinances and resolutions, or parts thereof, inconsistent with this resolution, shall be deemed to be, and the same are hereby, repealed, rescinded, and revoked.

Section 10. Whereas it is necessary for the peace, health and safety of the City of Sweet Home that the aforesaid bonds be issued at as early a date as possible, and whereas it is necessary to provide rates and charges for the use of the water system to be constructed, it is hereby adjudged and declared that an emergency exists, and that this Ordinance shall be immediately operative and shall go into full force and effect from and after its adoption and approval.

Passed and adopted by the Common Council this 27th day of December, 1938.

Yeas: 6 Mays: 0 Absent: 0

Approved by the Mayor this 27th day of December, 1938.

Attest:

Geoff. Corney
Recorder

J. H. Mc. Glatton
Mayor