Ordinance No. 37

An ordinance authorizing The Kent Water and Light Company, a corporation duly organized, existing and doing business under, and by virtue of the laws of the state of Washington, its successors, legal representatives and assigns to construct, maintain, and operate waterworks to supply the inhabitants of the town of Kent with water for domestic, sanitary, and manufacturing purposes.

Be it ordained by the council of the town of Kent:

Section I.
That the Kent Water and Light Company, a corporation duly organized, existing, and doing business under, and by virtue of the laws of the state of Washington, hereinafter called the "Grantee," its successors, legal representatives, and assigns be and they are hereby authorized and empowered to build, construct, maintain and operate waterworks in the town of Kent, to supply the inhabitants thereof with water for domestic, sanitary, and manufacturing purposes; to charge and collect tolls therefor; and for that purpose to enter upon, use and occupy the necessary parts of streets, alleys, squares, bridges, and other public grounds and property of said town, during and for the term of twenty-five years, subject to the conditions and provisions hereinafter contained.

Section II.
In constructing and repairing said works, said grantee shall exercise due care and diligence in the use of all streets and alleys and other public grounds, and shall cause no unnecessary delay, obstruction or interruption to public traffic or travel consistent with the economical performance of said work on any of the streets or alleys or other public grounds or property; and shall restore said streets, alleys and other public grounds or property to their former condition as nearly as practicable without unnecessary delay; and said grantee shall protect and hold said town harmless from liability which may result to it by, or the violation by the said grantee of, or any of the provisions of this ordinance.

Section III.
Said water works shall be so constructed that they shall be able to furnish to the inhabitants of said town an adequate supply of water for domestic, sanitary, and manufacturing purposes; and said grantee shall furnish for the said purposes an adequate supply of water for any and all inhabitants of said town, under such conditions and regulations as the grantee may impose, and may enforce such regulations by cutting off the water supply of the consumer not complying therewith, or in any other legal manner. And said grantee may charge and collect compensation for water supplied but the measure of compensation shall not exceed the following rates, to wit:
Per calendar month:

Bakery:
- capacity 2 Bbls flour or less per day $1.50.
- Each additional bbl. $0.50.

Barber shop:
- One chair $1.00.
- Each additional chair $0.50.

Bath tubs:
- In private houses $1.25.
- In hotels, lodging houses, bath houses, &c. $1.00.

Blacksmith-shops:
- With one fire only $1.00.
- With additional fires each $0.25.

Building purposes:
- Brick-laying, per M. $2.00.
- Plastering, per 100 Sq. Yd. $2.00.
- Stone work, per pc ch, $1.00.

Butcher shops:
- Each $1.25.

Irrigation: May 1st to Oct. 1st.
- Per each 100 Sq. Yd. $0.35.

Manufactures and shops:
- Six hands or less $1.25.
- Each additional hand $0.10.

Lodging houses:
- Six rooms or less $1.25.
- Each additional room $0.10.

Hotel and boarding houses:
- Each $1.50 to 3.00.

Photograph gallery:
- Each with two employees $1.25.
- Each additional hand $0.50.

Printing office:
- Each power press $1.00.
- Each hand press $0.50.

Office building:
- Each office $0.25.

Restaurant:
- $2.00 to 5.00.

Sprinkling sidewalk & one half street:
- Each 25 feet front $0.50.

Stables:
- Per each horse kept $0.50.

Stores:
- Drug, grocery, dry goods, each $1.25.
- Saloons & liquor houses $1.50.

Steam engines:
- per horse power $0.25.

Residence; one family:
- Five rooms or less $1.25.
- Each additional room $0.10.
- Each additional family $0.75.

Urinals:
- Private houses $0.25.
- Saloons, hotels, & other public buildings $0.50.

Water closets:
- Private houses $0.25 to 0.50.
- For public use $1.00 to 2.00.
Provided, that the grantee shall have the right in any case to place a meter on any supply pipe for the purpose of measuring the consumption of water, and shall have the right to charge and collect for the water so measured at the following meter rates, to wit:

- First thirty thousand cu. ft. per hundred cu. ft. $0.30.
- Above that amount, per hundred cu. ft. $0.20.

Section IV.
The council of said town upon petition may at any time require the said grantee to extend the mains of its pipe system as the needs of the inhabitants may demand provided that any petition for such extension must be signed by the heads of at least ten families for each one thousand feet of extension asked for, all of said families to reside along the line of the proposed extension.

Section V.
The town of Kent shall upon the request of the said grantee, its successors, legal representatives, or assigns, adopt and keep in force ordinances protecting the said grantee, its successors, legal representatives, and assigns in the safe and unassailed enjoyment of the franchise hereby granted, and for the protection of its mains, pipes, fixtures and appurtenances, and against the pollution of any source of supply or reservoir of the grantee.

Section VI.
This ordinance is passed upon the express condition and reservation that the town of Kent reserves the right to itself to acquire of the said grantee, its successors, legal representatives, or assigns, at any time, the said water-works and appurtenances; and the grantee in accepting the franchise hereby granted, covenants and agrees for itself, its successors, legal representatives, and assigns, that it or they will at any time sell and convey to the town of the said water-works and appurtenances, provided that the said town shall give written notice to the grantee of its intention so to purchase at least three months prior to the date when such right may be exercised.

In the event of the said town and the said grantee failing to agree upon a price, then said town shall choose one appraiser, the grantee shall name one appraiser, and these two shall select a third, and the three so selected shall at once appraise the said water-works at their true cash value, and shall immediately upon the completion of such appraisement make a written report in duplicate, one copy of which shall be filed with the clerk of the said town, and one copy delivered to the said grantee; and the said town shall have the right within thirty days after the filing of such report with the town clerk to purchase the said water-works at the value as determined by the said appraisers.
In case the said town shall decide to purchase said waterworks as described aforesaid, it shall within six months from the time it so decides pay to the grantee, its successors, legal representatives, or assigns the amount of the valuation as appraised, and upon such payment the grantee, its successors, legal representatives, or assigns shall convey to the said town all their right, title, interest or claim in, of or to the said waterworks and all appurtenances and appendages thereunto belonging, including this franchise and all rights herein granted; and said waterworks, appendages, appendages and franchise shall become the property of the said town. The cost of appraisement in case of sale and purchase shall be borne equally by the said town and the said grantee, in any other case to be wholly borne by the said town.

Section VII.

Nothing in this ordinance hereinbefore contained shall be so construed as to bar the council of the said town from granting another similar franchise to any other person or corporation for the same or similar purposes as the franchise herein granted.

Section VII.

This ordinance shall take effect and be in force from and after its passage, approval, publication, and acceptance by the grantee. Such acceptance shall be evidenced in writing signed by the grantee and duly acknowledged before some officer competent to take acknowledgments.
Ordinance
No. 31
Authorizing Kent Water & Light Company to provide water service to Town of Kent