

CITY OF LYNNWOOD

ORDINANCE NO. 780

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF ORDINANCE 416 and TITLE 13, WATER, AMENDING CERTAIN PROVISIONS, DELETING AND REPEALING CERTAIN PROVISIONS, and ADDING CERTAIN NEW PROVISIONS, AND PROVIDING FOR CHANGES AND INCREASES IN THE RATE STRUCTURE AND RATES AND BILLING

WHEREAS, the City Council, in consultation and advisement with the Planning Department, Engineering Department, Public Works Department and various other city agencies has determined and seeks to update, revise and alter ordinances relating to water.

WHEREAS, the City Council has determined that changes, amendments and deletions in the existing ordinances relating to the delivery, maintenance, operations and efficiency of the water system are necessary and proper for proper and efficient operation of the water system, and that all changes are necessary for the better service of the community, and to protect and promote its welfare and protect and promote its health and safety.

AND WHEREAS, the City Council has determined that revisions in the rate structure and increases in the rates for water services and other changes and assessments to the users of the water system are necessary for the city to make payments on current indebtedness, continue an adequate program of operations and maintenance, and construct some capital improvements in the water system, thereby assuring a continuous and adequate supply of water to the area,

THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO ENACT AND ORDAIN AS FOLLOWS:

SECTION 1. That in any existing provisions of Ordinance 416 and Title 13, as enacted or amended, any reference to "water department" shall be amended to read "water utility"; any reference to "superintendent" shall be amended to read "Director of Public Works".

SECTION 2. That Ordinance 416 § 1.02 and Section 13.04.020 which read as follows:

13.04.020 Commercial and industrial users. "Commercial and industrial users" means all users other than single residences, multiple residences or apartment houses, and includes motels, hotels, rooming houses and similar establishments, as well as all other business establishments.

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.04.020 Commercial and industrial users. "Commercial and industrial users" means all users other than single residences and includes multiple residences, apartment houses, motels, rooming houses and similar establishments, as well as all other business establishments.

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Section 3. That Ordinance 416 §1.07 and Section 13.04.070 which read as follows:

13.040.070 Permanent distribution mains. "Permanent distribution mains" are defined as mains six inches or larger in diameter of cast iron, asbestos-cement or steel, with a minimum wall thickness of three-sixteenth inch or seven gauge. Four inch mains of the above material may be classified as permanent mains in residential districts if not over three hundred feet in length and standard fire protection can be furnished without connecting a hydrant to the four inch main.

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.04.070 Permanent distribution mains. "Permanent distribution mains" are defined as mains six inches or larger in diameter of cast or ductile iron, asbestos-cement or steel, with a minimum wall thickness of three-sixteenths inch or seven gauge. Four inch mains of the above material may be classified as permanent mains in residential districts if not over three hundred feet in length and standard fire protection can be furnished without connecting a hydrant to the four inch main.

SECTION 4. That Ordinance 416 §2.02 and Section 13.08.020 which read as follows:

13.08.020 Appointment of personnel. (a) The superintendent of the water department and such other personnel as the city council may from time to time authorize shall be appointed by the mayor, and shall hold the appointment at the pleasure of the mayor. Personnel shall receive such salary as the council may determine.

(b) Recognizing the additional duties and responsibilities placed on certain personnel by establishment of the water department, additional payment shall be made to the following, until the budget for 1969 becomes effective, after which time this provision will be no longer in force:

City supervisor	\$99.00 per month
Public works director	53.00 per month
City Clerk	21.00 per month
Deputy Treasurer	34.00 per month
Senior utility clerk	28.00 per month
Foreman	42.00 per month
Chief Inspector	42.00 per month

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.08.020 Appointment of personnel. The director of public works of the water utility and such other personnel as the city council may from time to time authorize shall be appointed by the mayor and shall hold the appointment at the pleasure of the mayor. Personnel shall receive such salary as the council may determine.

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SECTION 5. That Ordinance 416 §3.01 and Section 13.12.010 which read as follows:

13.12.010 Application for installation of service line.

(a) A person desiring the installation of a water service line to a building or property shall submit a signed application therefor upon a form provided by the department and at the time of submitting his application pay a fee according to the schedule of fees in Section 13.12.020. Application and fee must be submitted at least thirty days before the applicant's requested completion date.

(b) The installation of any water service line is dependent on the available water distribution facilities and the department is not required to install a water service line in areas not served by the existing water distribution system or where the system is inadequate to handle the increased demand that would result from the applicant's proposed use.

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.12.010 Application for installation of service line.

(a) A person desiring the installation of a water service line to a building or property shall submit a signed application therefor upon a form provided by the utility and at the time of submitting his application pay a fee according to the schedule of fees in Section 13.12.020. Application and fee must be submitted at least thirty (30) days before the applicant's requested completion date for five-eighths (5/8) inch and three-fourth (3/4) inch meters.

(b) The installation of any water service line is dependent on the available water distribution facilities and the utility is not required to install a water service line in areas not served by the existing water distribution system or where the system is inadequate to handle the increased demand that would result from the applicant's proposed use.

SECTION 6. That Ordinance 416 § 3.02 and Section 13.12.020 which read as follows:

13.12.020. Fees. The fee required by Section 13.12.010 shall be as follows:

Domestic Water 3/4" meter	\$110.00
1" meter	175.00
1-1/2 " meter	275.00
2" meter	350.00
3" meter and larger:	Actual cost of
making the connections including labor, materials, meter, valves, fittings and other appurtenances, plus ten percent.	

In the event that it is necessary to break out or excavate concrete or asphaltic surfacing on a street or sidewalk in order to make the installation of water service line, the applicant shall pay to the water department, before work is commenced on such service, an amount equal to the estimate cost plus ten percent, as determined by the water department, for the installation of the service. The work shall then be performed by the water department

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who shall maintain a record of the actual costs of all labor, material and equipment rental required to complete the work. Upon completion of the installation, if the amount paid to the water department by the applicant is not sufficient to pay for the cost of doing the work plus ten percent, the applicant shall pay the difference between the actual cost plus ten percent and the amount of the estimate previously paid to the water department. If the actual cost plus ten percent for making the installation is less than the estimate previously paid, the water department shall refund the difference to the applicant.

BE AND THE SAME ARE EACH HEREBY REPEALED AND THE FOLLOWING ENACTED AND SUBSTITUTED IN THEIR PLACE:

13.12.020 Fees. The fee required by Section 13.12.010 shall be as follows:

Domestic Water	3/4" meter	\$150.00
	1" meter	250.00

1-1/2" meter and larger: Actual cost of making the connections including labor, materials, meter, valves, fittings and other appurtenances, plus 15 percent.

For 1-1/2" meters and larger the applicant shall pay to the water utility, before work is commenced on such service, an amount equal to the estimated cost plus 15 percent, as determined by the water utility, for the installation of the service. The work shall then be performed by the water utility who shall maintain a record of the actual costs of all labor, material and equipment rental required to complete the work. Upon completion of the installation, if the amount paid to the water utility by the applicant is not sufficient to pay for the cost of doing the work plus 15 percent, the applicant shall pay the difference between the actual cost plus 15 percent and the amount of the estimate previously paid to the water utility. If the actual cost plus 15 percent for making the installation is less than the estimate previously paid, the water utility shall refund the difference to the applicant.

SECTION 7. That Ordinance 416 §3.06 and Section 13.12.060 which read as follows:

13.12.060 Stop and waste valves. Consumers shall, at their own expense, install and maintain all pipes, connections and fixtures from the service cock or meter placed by the water department. All pipes must be provided with stop and waste valves, protected from the freezing and accessible at all times to the consumer, in such a manner that the pipes may be drained to prevent freezing and the water may be shut off for repairs to service pipes, fixtures and appliances, and also to safeguard premises from water damage in case the service cock or meter is accidentally turned on. Additional stop and waste valves shall also be placed at all low points in the pipes when they cannot be otherwise drained. Each outside hose bib shall be preceded by an additional stop and waste valve. The water department shall refuse to turn on the water until the provisions of this section are complied with.

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13.12.060 Valves. Consumers shall, at their own expense, install and maintain all pipes, connections and fixtures from the service cock or meter placed by the water utility. Valves and accessories shall be installed as required by the Uniform Plumbing Code.

SECTION 8. That Ordinance 416 §3.08 and Section 13.12.080 which read as follows:

13.12.080 Protection of water supply - Cross connections prohibited. The installation or maintenance of cross connections between pipe lines connected directly or indirectly to the city water distribution system and any other source of water supply is prohibited.

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.12.080 Cross Connections. A. The installation or maintenance of a cross connection which will endanger the water quality of the fresh water supply of the City of Lynnwood is prohibited. Any such cross connection now existing or hereafter installed is hereby declared a nuisance and shall be abated immediately. The control or elimination of cross connections shall be in accordance with the State of Washington Administrative Code (WAC 248-54-500) or subsequent revisions, together with any future manuals of standard practice pertaining to cross connection control approved by the Director of Public Works or the State of Washington Department of Social and Health Services. The water supply shall be discontinued to any premise for failure to comply with the provisions of this section.

B. Service from the City's water supply system to any premise upon which a private water supply system is used or operated contrary to the provisions of this chapter may be discontinued or refused.

C. Furnishing of service shall be contingent upon the customer furnishing a type of connection approved by the appropriate Health Authority and the Director of Public Works for protecting the City supply from backflow.

SECTION 9. New Section. The following is enacted and added to Chapter 13.12:

13.12.090 Miscellaneous Control Devices. The Utility reserves the right to require any customer to install as a condition of water service a pressure reducing valve, backflow preventive device, pressure relief valve or similar devices at any location where the Director of Public Works determines a need to protect the Unility's facilities.

SECTION 10: New Section. The following is enacted and added to Chapter 13.20:

13.20.005 Deposit for service and return. (a) Deposit. When an application is made to the water utility for the domestic use of water by any person other than the owner or purchaser of the pre-

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JUL 25 1975

mises for which the water will be used, such as a renter, lessee, or tenant of said premises, said applicant shall be required to make a twenty (20) dollar deposit with the water utility to be held by said utility during the entire term of service for such applicant.

(b) Return of deposit. At the termination of service to such a user having a deposit with the water utility, if all water utility charges are paid in full, the water utility will refund the deposit in full to the user. However, if any charges are not paid in full, the water utility shall apply all or as much of the deposit as may be necessary to pay the unpaid charges; any balance remaining will be returned to the user. If such user, after having made a deposit with the water utility, becomes the owner or purchaser of the premises served, the deposit provided for herein will be applied to the water utility charges of the user subsequent to the user's notifying the water utility in writing of his ownership or contract to purchase said premises.

SECTION 11. That Ordinance 416 § 6.01 and Section 13.20.010 which read as follows:

13.20.010 Charges for domestic water. The charges for domestic water service shall be based upon the size of meter installation, number of connection or units being serviced therefrom, and the water delivered through the service meter, the monthly rate for each meter size and the maximum water allowed as part of this minimum charge shall be:

Up to 700 CF through a 5/8" to a 3/4" meter	\$	4.00
" " 1" Meter		4.50
" " 1-1/2 " meter		5.25
" " 2" meter		7.50
" " 3" meter		13.00
" " 4" meter		27.00
" " 6" meter		57.00
" " 8" meter		103.00

All with an allowable use, at a basic rate of twenty-five cents per one hundred cubic feet for the next seven hundred cubic feet and twenty cents per one hundred cubic feet thereafter.

Meters for fire service only shall be charged at a monthly rate as follows:

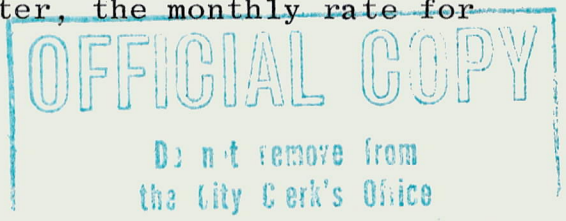
4" meter	\$	8.00
6" meter		10.00
8" meter		13.00

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.20.010 Charges for domestic water. The charges for domestic water service shall be based upon the size of meter installation, number of connections or units being serviced therefrom, and the water delivered through the service meter, the monthly rate for

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JUL 25 1975



each meter size and the maximum water allowed as part of this minimum charge shall be:

Up to 500 CF through a 5/8" to a 3/4" meter	\$ 4.50
" " 1" meter	5.00
" " 1-1/2" meter	6.00
" " 2" meter	8.50
" " 3" meter	15.00
" " 4" meter	30.00
" " 6" meter	64.00
" " 8" meter	116.00

All with an allowable use, at a basic rate of thirty-five (35) cents per one hundred (100) cubic feet for the next five hundred (500) cubic feet and thirty (30) cents per one hundred (100) cubic feet thereafter.

Connections for fire service systems only shall be charged at a monthly rate as follows:

4" connection	\$ 9.00
6" connection	20.00
8" connection	40.00
10" connection	65.00
12" connection	90.00

SECTION 12. That Ordinance 416 § 6.02 and Section 13.20.020 which read as follows:

13.20.020 Multiple units. Multiple housing units, including apartments, commercial unit buildings, trailer courts, motels and cabin courts, shall be charged the minimum charge for the particular size meter installed, plus the rate for water used over the minimum and plus one dollar and fifty cents a month for each residential or commercial unit. In case of two or more houses on a single lot and served through the same meter and service connection, the minimum charge shall be made for each house, plus the rate for water used over the total of the minimum charges.

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.20.020 Multiple units. Multiple housing units, including apartments, commercial unit buildings, trailer courts, motels and cabin courts, shall be charged the minimum charge for the particular size meter installed, plus the rate for water used over the minimum and plus two (2) dollars a month for each residential or commercial unit. In case of two or more houses on a single lot and served through the same meter and service connection, the minimum charge shall be made for each house, plus the rate for water used over the total of the minimum amounts. When each individual business, business enterprise or unit in a multiple unit building is not supplied through a separate service connection and meter, a single billing will be made for all water and sewer charges for the building.

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JUL 25 1975



SECTION 13. That Ordinance 416 § 6.04 and Section 13.20.040 which reads as follows:

13.20.040 Construction rates. The charge for metered water through hydrants shall be thirty-five cents per one hundred cubic feet and fifty cents per one thousand gallons tank measure except that for construction uses in trench stabilization of utilities being constructed, the rate shall be fifteen dollars per each one thousand feet of trench. A Water use permit shall be required for all uses as stated above with a minimum charge of five dollars per permit.

SHOULD BE AND THE SAME ARE HEREBY REPEALED, AND THE FOLLOWING IS ENACTED AND HEREBY SUBSTITUTED:

13.20.040 Hydrant rates. The charge for metered water through hydrants shall be forty-five (45) cents per one hundred cubic feet and sixty-five (65) cents per one thousand gallons tank measure except that for construction uses in trench stabilization of utilities being constructed, the rate shall be nineteen (19) dollars per each one thousand feet of trench. The minimum charge for water at hydrant rates shall be ten (10) dollars. A water use permit shall be required for all uses as stated above with a minimum charge of ten (10) dollars per permit and a fifty (50) dollar deposit. Water use permits shall be issued for a calendar year and will expire on December 31st.

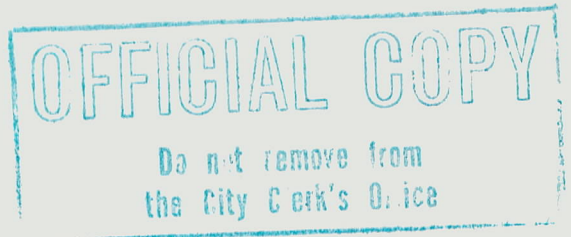
SECTION 14. That ordinance 416 § 6.05 and Section 13.20.050 which reads as follows:

13.20.050 Notice - Penalties and delinquent charges. In addition to all other charges provided for in this title, each user shall be charged a fifty cent service charge for each account that is not paid in full within sixty days after billing date and one Dollar for each notice that water service will be cut off for nonpayment of water charges. This amount shall be paid whether or not the water is actually turned off, and any sums paid by the water user shall be applied first to the payment of this charge. After an account has been shut off for nonpayment, any unpaid balance shall accrue interest charges at the rate of eight per cent per annum.

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.20.050 Notice--Penalties and delinquent charges. In addition to all other charges provided for in this title, each user shall be charged a one dollar service charge for each account that is not paid in full within thirty days after billing date and two dollars for each notice that water service will be cut off for nonpayment of water charges. This amount shall be paid whether or not the water is actually turned off, and any sums paid by the water user shall be applied first to the payment of these charges. After an account has been shut off for nonpayment, any unpaid balance shall accrue interest charges at the rate of eight percent per annum.

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JUL 25 1975



SECTION 15. That Ordinance 416 § 6.06 and Section 13.20.060 which read as follows:

13.20.060. Fire Hydrants--Public buildings--Parks. The City of Lynnwood shall pay to the water department from the current expense fund for all water used in public buildings and parks, an amount figured at regular rates for each service installed. All unmetered water from fire hydrants for construction uses shall be at the regular flat rates established.

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.20.060. Fire hydrants--Public buildings--Parks. The City of Lynnwood shall pay to the water utility from the current expense fund for all water used in public buildings and parks an amount figured at regular rates for each service installed. All unmetered water from fire hydrants for construction uses shall be at the regular flat rates established. Further, the City of Lynnwood shall pay to the water utility an annual maintenance charge for all publicly owned fire hydrants at a rate of one dollar per hydrant per month.

SECTION 16. That Ordinance 416 § 5.01 and Section 13.24.010 which read as follows:

13.24.010. Billing. All charges for domestic water service shall be due and payable at the office of the utility department on or before the 10th day after the bill has been issued therefore, and shall become delinquent after the 10th day. Domestic water bills shall cover periods of two months and shall be issued upon a single statement. All payments and collections shall be paid into the water revenue fund.

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.24.010. Billing. All charges for domestic water service shall be due and payable at the office of the water utility on or before the 10th day after the bill has been issued therefore, and shall become delinquent after the 10th day. Domestic water bills shall cover periods of two months and shall be issued upon a single statement. All payments and collections shall be paid into the water revenue fund. Delinquent accounts shall be charged as provided in Section 13.20.050.

SECTION 17. The references to "this title" in Sections 13.24.020 and 13.24.030, and Ordinance 416 § 5.02 and § 5.03 shall be amended to read "Title 13."

SECTION 18. Ordinance 416 § 5.03 and Section 13.24.030 which read as follows:

13.24.030 Discontinuance of service by department.

(a) The department may refuse to supply, or may discontinue service to any customer, for violations of this title. As an additional concurrent method of enforcing the lien of the city for domestic water charges, the superintendent is hereby

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JUL 25 1975

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authorized and directed at the end of sixty days after the date of first delinquency of any such charges in the case of domestic water charges to notify customer that water will be shut off ten days after date of the notice, and is directed to shut off water at that time and until such time as all charges, plus penalties as set forth in Section 13.20.050, together with the additional sum of two dollars for turning the domestic water on have been paid. The department may refuse or discontinue service to any customer who requires or uses such volumes of water that water service to any other customer may be thereby impaired. The department shall discontinue service to any customer who makes an unauthorized connection to a city water line, bypasses a city water meter, or in any other way steals city water.

(b) Discontinuance of service for any cause stated in this section shall not release the customer from his obligations to the city for payments of bills or charges.

(c) Whenever service has been discontinued, as provided above, the customer shall be charged three dollars for the discontinuance. In addition, the department may require the customer to make a deposit of fifteen dollars before water service is restored to the property. The person signing the application shall be responsible for payment of water supplied to the property and water bills will be forwarded to this person, provided, however, that in case of delinquency, the bills shall be a lien against the premises. Upon termination of water service, the deposit may be applied against any unpaid water billings and other charges under this title and the balance remaining after such application will be returned to the customer. Restoration of service at the customer's request and after payment of all bills due, shall be done at the convenience of the department and an additional charge of two dollars shall be made for this service.

(d) Restoration of service at any time other than regular business hours shall be charged at actual labor costs, but in no case shall the charge be less than two dollars and fifty cents.

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

13.24.030 Discontinuance of service by department. (a) The water utility may refuse to supply, or may discontinue service to any customer, for violation of this title 13. As an additional concurrent method of enforcing the lien of the city for domestic water charges, the Director of Public Works is hereby authorized and directed at the end of thirty days after the date of billing of any such charges in the case of domestic water charges to notify the customer that water will be shut off ten days after date of notice, and is directed to shut off water at that time and until such time as all charges, plus penalties as set forth in Section 13.20.050, together with the additional sum of five dollars for turning the domestic water on during regular working hours and ten dollars during other than regular working hours, have

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JUL 25 1975

been paid. The utility may refuse or discontinue service to any customer who requires or uses such volumes of water that water service to any other customer may be thereby impaired. The utility shall discontinue service to any customer who makes an unauthorized connection to a city water line, bypasses a city water meter, or in any other way steals city water.

(b) Discontinuance of service for any cause stated in this section shall not release the customer from his obligations to the city for payments of bills or charges.

(c) Whenever service has been discontinued as provided above, the customer shall be charged five dollars for the discontinuance. In addition, the utility may require the customer to make a deposit of twenty dollars before water service is restored to the property. The person signing the application shall be responsible for payment of water supplied to the property and water bills will be forwarded to this person, provided, however, that in case of delinquency, the bills shall be a lien against the premises. Upon termination of water service, the deposit may be applied against any unpaid water billings and other charges under this title and the balance remaining after such application will be returned to the customer. Restoration of service at the customer's request and after payment of all bills due shall be done at the convenience of the utility and an additional charge of five dollars during regular working hours and ten dollars during other than regular working hours shall be made for this service as noted in paragraph (a) above.

SECTION 19. That Ordinance 416 § 5.06 and Section 13.24.060 which read as follows:

13.24.060 Fire Service. Fire hydrants for the exclusive protection of any particular property shall be installed and maintained by the owner of that property and shall be required to provide a detector type meter as may be approved by the department.

BE AND THE SAME ARE EACH AMENDED TO READ AS FOLLOWS:

13.24.060 Fire service. Fire service systems as approved by the utility for the exclusive protection of any particular property shall be installed and maintained by the owner of that property.

SECTION 20. That Ordinance 416 § 5.07 and Section 13.24.070 which reads as follows:

13.24.070 Partial billing period. Where single family residential property is occupied fifteen days or less in any month, and not more than three hundred and fifty cubic feet of water is used a minimum charge of three dollars shall be made. Where more than three hundred and fifty cubic feet or less than seven hundred cubic feet are used thirty cents per one hundred cubic feet shall be charged. Where seven hundred cubic feet or more are used the regular rate will apply. In any case, the user will be responsible for the payment of all water supplied to the

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JUL 25 1975

premises until the water department has notice of discontinuance.

BE AND THE SAME ARE EACH HEREBY REPEALED.

SECTION 21. That Ordinance 416 § 5.08 and Section 13.24.080 which read as follows:

13.24.080 Separate connections--Exception. Each single family residence, and each individual business, business enterprise or unit shall be considered an individual consumer and shall be supplied through a separate service connection and meter, except that two or more dwelling houses on a single lot may be considered as one customer, and supplied through a single meter subject to the provisions of Section 13.20.020. Multiple housing units, including apartment, commercial unit buildings, trailer courts, motels and cabin courts shall be considered as individual consumers and supplied through a single meter, subject to the provisions of Section 13.20.020.

BE AND THE SAME ARE EACH HEREBY AMENDED TO READ AS FOLLOWS:

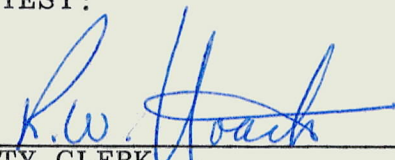
13.24.080 Separate connections--Exceptions. Each single family residence, and each individual business, business enterprise or unit shall be considered an individual customer, except that two or more dwelling houses on a single lot may be considered as one customer, and supplied through a single meter subject to the provisions of Section 13.20.020. Multiple housing units, including apartment, commercial unit buildings, trailer courts, motels and cabin courts shall be considered as individual consumers and may be supplied through a single meter, subject to the provisions of Section 13.20.020.

SECTION 22. This ordinance shall take effect on May 1, 1975.

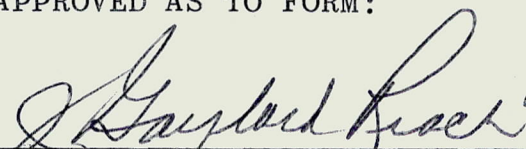
PASSED this 14th day of April, 1975, and signed in authentication of its passage this 14th day of April, 1975.


M. J. HRDLICKA, MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

