

AN ORDINANCE.

An Ordinance to authorize the erection, construction and operation of a system of water works in the Town of Grand Junction, for the extinguishment of fires, sanitary, domestic and other purposes, granting to N. J. Krusen, his associates, successors and assigns, the right to construct and operate the same, and contracting with said Krusen, his associates, successors and assigns, for fire hydrants.

WHEREAS, At a special election held in the town of Grand Junction, on the 3rd day of July, 1888, in pursuance of an order for that purpose, duly made by the Board of Trustees of said town, for the purpose of determining whether said Board of Trustees should be empowered to authorize the erection, by N. J. Krusen, his associates, successors and assigns, of water works in said town of Grand Junction, a majority of the voters of said town voting on said question by vote approved the same; therefore,

Be it Ordained by the Board of Trustees of the Town of Grand Junction, State of Colorado:

SECTION 1. That N. J. Krusen, of Larned, Pawnee county, Kansas, his associates, successors and assigns, be and is hereby granted, subject to the conditions, stipulations and requirements herein-after contained, the right and privilege to erect, construct, operate and maintain, for the term of twenty-one years from the date of the adoption of this ordinance, a system of water works in or adjacent to the town of Grand Junction, Mesa County, Colorado, for the supplying of said town and its inhabitants with water for domestic, sanitary and other uses, and for the extinguishment of fires; and to that end shall have the right to receive, take and store, conduct and distribute water through the town; to construct and extend aqueducts, mains and pipes, through all the streets, avenues, alleys and public grounds, as the same may now exist or may hereafter be extended.

SEC. 2. The general plan of said works shall be as follows: Two pumps of 1,400,000 U. S. gallons capacity in the aggregate every twenty-four hours, an engine house, built of either brick or stone; two boilers, and a stand-pipe not less than ten feet in diameter and not less than one hundred feet in height above the level of the intersection of Fifth street and Grand avenue, in said town; the supply of water for said works to be obtained from the Grand River and to be of good quality, filtered or settled, and fit for domestic use. There shall be laid not less than four miles of steel, wrought or cast iron pipe, and not less than 3/4 miles thereof shall be laid within the town limits, said pipe varying in size from four to ten inches, inside diameter; pipes to be laid not less than thirty-two inches below the surface of the ground; said works, when completed, shall be, and shall continue at all times to be, capable of discharging at the same time four one-inch streams, from any four hydrants, through one hundred feet of two and one-half inch rubber hose and one inch nozzle to a height of seventy-five feet in any part of the town, provided, that in making such tests, not more than two of the four streams shall be required to be thrown from hydrants on a dead end; and upon this test being satisfactorily made, and the fulfillment of all other conditions, stipulations and requirements herein contained, the town shall become obligated to pay the hydrant rental hereinafter provided for.

SEC. 3. The town of Grand Junction hereby agrees to rent, and does rent, fifty double-discharge, anti-freezing fire hydrants, to be not less than four inches inside diameter, and agrees to pay each year for the use of the same and the use of water therefrom for the purpose of extinguishing fires, and of flushing of gutters and sewers once a week, the sum of Three Thousand, Five Hundred Dollars, payable semi-annually at the town of Grand Junction or the Chemical National Bank in the City of New York, or such part thereof as can be legally raised and collected each year by the levy of a tax for such purpose, and legally paid therefor; and said N. J. Krusen, his associates, successors and assigns, in consideration of the above hydrant rental, shall furnish, without further charge, water for all churches, public school houses and public buildings, and shall also furnish water for and maintain free of charge, at such places as the Board of Trustees may designate, two public drinking fountains for man and beast.

SEC. 4. In the event that said N. J. Krusen, his associates, successors and assigns shall issue bonds upon said water works and the rights, privileges thereto belonging, then at any time after the completion of said works and a satisfactory test has been made, the Mayor and Recorder shall, upon the request of said Krusen, his associates, successors or assigns, endorse upon said bonds a certificate that said water works have been completed and satisfactorily tested.

SEC. 5. The town shall have the right to purchase said water works, rights and privileges at the expiration of ten years from the passage hereof, failing to purchase at the expiration of ten years, then every five years thereafter, at an appraised valuation of the same, to be made by three disinterested experts, the town to choose one, the said N. J. Krusen, his associates, successors and assigns to choose a second, and these two choose the third; and they shall be duly sworn, and shall make their appraisal upon actual view of the property, and shall declare its value at such time. The town may purchase and pay for such property at such appraised valuation at any time within six months after such valuation shall have been made, and failing to do so, shall pay all expenses of the appraisal. In case of purchase, the town shall assume and perform all reasonable bona fide unfinished contracts. The valuation and appraisal provided for in this section shall be made by said three appraisers, or a majority of them. In the event of hydrant rental being in existence at the time of purchase, the number of hydrants rented shall be taken into consideration at established rates.

SEC. 6. All hydrants erected and rented by the town in excess of the first fifty and under one hundred, shall be at an annual rental, not to exceed sixty dollars each, and all in excess of one hundred shall be at an annual rental not to exceed fifty dollars each, and the town shall pay such rental in full each year at the rate above mentioned respectively; provided, sufficient revenue can be legally raised each year for that purpose. All hydrants shall be located at such places, or their location changed to such places, as shall be designated by the Board of Trustees, and shall be so located or changed when and only when ordered by said board; provided, the town shall pay all expenses of the change of location of any hydrant.

SEC. 7. In addition to the first four miles of pipe above provided for, said N. J. Krusen, his associates, successors and assigns, shall extend the mains to any part of the town upon the resolution of the Board of Trustees, provided there shall not be less than one hundred dollars per annum revenue, from all sources, for every four hundred feet of such extensions, and no main thus extended shall be smaller than four inches inside diameter.

SEC. 8. Said N. J. Krusen, his associates, successors and assigns, in constructing said works and laying said mains and pipes, shall perform the work in such manner as to cause the residents of the town, and the town, the least possible inconvenience in the free use and occupancy of the streets alleys and public grounds of the town, and all excavations and trenches in the street, or other injuries occasioned in doing said work, shall be filled in, graded and repaired by said parties at their own expense, in a good, substantial and workmanlike manner as soon as practicable under the circumstances. And said parties shall be and remain solely and exclusively responsible for all damage to person or property that may occur by reason of any negligence or unskillfulness in carrying on said work or in subsequent repairs or changes therein and shall hold said town of Grand Junction in its municipal capacity, safe and harmless from any and all loss or damage of any kind or description by reason thereof.

SEC. 9. The mains and hydrants herein specified shall be located in such streets and alleys and at such places as the Board of Trustees may designate.

SEC. 10. If at any time any portion of the mains in any part of said town or any hydrants, becoming frozen, bursted, or otherwise out of proper condition, and in case of written notice to the superintendent, or other person in charge of said water works, of any such defect, signed by the Mayor, or any officer of said town, having been given, then and in that case, if said defect shall not be remedied within forty-eight hours after the receipt of such notice, the liability of said town shall cease as to all rental, from the time of giving such notice, until such time as such mains or hydrants shall have been put in perfect condition. And in case of damage to any citizen or citizens by reason of such mains or hydrants being out of condition, and in case said company shall not forthwith proceed, from the time of the receipt of the aforesaid notice, to remedy any such defect or defects, then said company shall be liable for any such damage. And the amount of such damage having been ascertained, the Board of Trustees shall retain the amount thereof out of the annual rental due, said water works company.

SEC. 11. The said N. J. Krusen, his associates, successors and assigns, shall, within twenty days after the passage and adoption hereof, file with the Town Recorder their acceptance in writing of all the provisions, terms, conditions and stipulations of this ordinance, and shall within forty days after filing said written acceptance, commence in good faith, the construction and erection of said water works plant, and faithfully and diligently continue the prosecution of said work, and complete and commence the operation of said water works within eight months from the time of filing such acceptance. When such acceptance is so filed with the Town Recorder, he shall record it in the book of ordinances of said town, and the same together with this ordinance shall have the force and effect of a contract between said parties and said town; and if said parties shall fail to so file said acceptance within the time above required, then and in that event all the rights and privileges herein granted

shall forever cease and determine and this ordinance shall become a nullity.

SEC. 12. The Board of Trustees shall, from time to time, pass such ordinances as may be necessary for the protection of said works.

SEC. 13. Said N. J. Krusen, his associates, successors and assigns, may charge and collect from the consumers of water, a tariff of prices not in excess of the following schedule of maximum rates per month:

Alcohol, each bbl. mfd.....	\$ 10
Ale cellars, from.....	\$2 00 to 5 00
Bakeries, each oven.....	3 00
Barber, first chair.....	2 00
Each additional chair.....	1 00
Bath, private.....	50
Bath, public.....	\$1 00 to 3 00
Beer, each bbl. brewed.....	05
Beer houses, from.....	\$2 00 to 4 00
Billiard saloon, each table.....	50
Boarding houses of six rooms or less.....	3 00
Each additional room.....	25
Book bindery.....	2 00
Banks.....	1 00
Brick work, per thousand.....	10
Brick yard, each gang hands.....	2 00
Campbne, each bbl. mfd.....	10
Candle mfy.....	\$10 00 to 100 00
Candy mfy.....	2 00 to 8 00
Church, free.....	
Church, Baptist, for baptism, free.....	
Cigar mfy, each hand.....	25
No licence less than.....	1 50
Town offices, free.....	
Club rooms.....	1 50
Coffee saloon.....	\$2 50 to 4 00
Confectionery.....	2 00 to 4 00
Cows, each.....	25
Carriages, hacks, buggies and vehicles in livery stables, each.....	25
Distillery, each bbl. mfd.....	10
Dram shop.....	\$3 00 to 5 00
Dyeing and scouring.....	2 00 to 5 00
Forge.....	1 00
Each additional forge.....	50
Fountains, per month, running 24 hours per day, special.....	\$1 00 to 5 00
Hall mfy.....	3 00 to 5 00
Hate in private stable.....	25
Hose for private stables.....	25
Hotel, 10 rooms or less.....	5 00
Each additional room.....	25
Ice cream saloon.....	\$2 00 to 5 00
Laboratory.....	2 00 to 20 00
Laundry.....	2 00 to 30 00
Livery stable, per stall.....	25
Malting, per bu.....	01
Office.....	\$1 00 to 3 00
Oyster saloon.....	2 00 to 4 00
Packing house.....	2 00 to 50 00
Photograph gallery.....	3 00 to 5 00
Plastering, per square yard, one-half cent.....	
Porter cellar.....	\$2 00 to 5 00
Printing office, special.....	
Rectifying whisky, per bbl.....	03
Residence, occupied by one family only, 1 to 4 rooms.....	1 00
Each additional room.....	25
Restaurant.....	\$3 00 to 5 00
Sale stable, per stall (but no license to be issued for less than \$5 per month).....	25
School, free.....	
Shop.....	\$1 00 to 5 00
Slaughter house.....	3 00 to 50 00
Soap mfy.....	10 00 to 100 00
Soda mfy.....	4 00 to 30 00
Spirit gas, each bbl. mfd.....	10
Sprinkling streets, each cart, special.....	
Sprinkling sidewalks and one-half of street, for 25-foot front, free for the term of 5 years.....	
Steam boilers, special.....	
No licence less than.....	2 50
Saloon.....	\$ 3 00 to 5 00
Stock yard.....	4 00 to 50 00
Stone work, per perch.....	05
Store.....	\$ 1 00 to 5 00
Sugar refinery.....	30 00 to 100 00
Tannery, per vat.....	50
No licence less than.....	3 00
Tobacco mfy, per hand.....	25
No licence less than.....	2 00
Urnal basins.....	\$1 00 to 5 00
Vault for residence.....	1 00
Double house.....	5 00
Tenement house or boarding house, for every fifteen rooms.....	1 00
Vault bar.....	50
Vinegar, each bbl. mfd.....	05
Washing bottles.....	50 to 2 00
Washing barrels, per bbl.....	05
Washing meat barrels.....	\$5 00 to 50 00
Water closet, private.....	50
Water closet, hotel.....	1 00
Wine cellars.....	\$2 00 to 5 00
Irrigation of lots only through hose with nozzle, for each 25 feet of frontage or less, per month.....	40
Each additional 25 feet.....	35
(Water for irrigation must not be used except within the hours specified on the license, nor during a fire or conflagration. Any violation of this rule will subject the license to forfeiture.)	
For fountain in drug store, opening not to exceed 1/2 in. diameter.....	5 00
Tumbler washer.....	5 00
METER RATES:	
When the quantity used per day is less than 1,000 gallons, per 100 gallons.....	03
1,000 to 5,000 gallons per day, per 100 gallons.....	02 1/2
5,000 to 10,000 gallons per day, per 100 gallons.....	02 1/4
10,000 to 20,000 gallons per day, per 100 gallons.....	02
Over 20,000 gallons per day.....	01 1/2
(Provided, that the rate for any month shall not be less than six dollars per month.)	
Motors, special.....	
Smelters, special.....	
Factories not enumerated, special.....	
Flushing gutters once a week, free.....	
Passed and adopted this 23rd day of July, 1888.	
W. B. LAWRENCE, Mayor.	

Attest:
LORIN A. STALEY, Recorder, pro tem.

Attest
Lorin A. Staley
Recorder Pro Tem
W. B. Lawrence
Mayor

Acceptance by N. J. Kousen and his associates of an ordinance granting him and them a franchise to erect water works in Grand Junction Colo. and to run water for fire and other purposes.

Whereas on the 23rd day of July 1888, the Trustees of the Town of Grand Junction in the County of Mesa and State of Colorado, passed an ordinance granting to N. J. Kousen his associates, successors and assigns the right to erect a system of water works to supply said town of Grand Junction and the inhabitants thereof with water from the Grand River.

And whereas it is provided by the terms of said ordinance that said N. J. Kousen his associates and assigns shall file with the Recorder of said town an acceptance in writing of the same and the terms thereof within twenty days from its passage to make the same and the contracts contained therein obligatory and binding upon said town.

Now therefore the said N. J. Kousen for himself, his associates, successors and assigns pursuant to and in accordance with the terms of said ordinance, hereby accepts all the provisions terms, conditions and stipulations of said ordinance and the contract contained therein.

Dated this 7th day of August 1888,
N. J. Kousen.

Endorsed -

Filed in my office this 9th day of August A.D. 1888.

Louis H. Slaty
Recorder Pro Tem of the
Town of Grand Junction.