

ORDINANCE NO. 123

AN ORDINANCE REGULATING THE SUPERVISION AND CONTROL OF THE CONSTRUCTION OR ALTERATION OF THE WATER DISTRIBUTION AND SEWER SYSTEMS OF THE CITY OF POLSON, THE LICENSING OF PLUMBERS, ESTABLISHING RULES AND REGULATION GOVERNING SAME, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, CREATING AN EMERGENCY, AND REPEALING ORDINANCES NUMBERS 107, 108, 113 and 117 OF THE CITY OF POLSON, MONTANA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON:

ARTICLE 1 - ADMINISTRATION

Sec 1 The ~~Commissioner of Public Health and Safety~~ or *out* other officer designated by the City Council, of the City of Polson, Montana, shall have the supervision and control of the construction or alteration of the ~~Water distribution and sewer~~ systems of the City of Polson, and everything done and to be done in the premises, to the end that proper and efficient water and sewerage systems may be maintained, except as herein otherwise provided.

Sec 2 The Commissioner of Public Health and Safety shall, under the direction of the City Board of Health, take the general supervision of the City water distribution and sewers and their connections which are now or may hereafter be built by the city or which may be permitted to be built under its authority, and *out* shall take charge of the building and repairs of the same, and he shall be ex-officio building inspector within and for the said city.

ARTICLE 2 - PLUMBING

Sec 3 The word "person" wherever used in this ordinance shall be held to mean and include natural persons of either sex, associations, co-partnerships and corporations, whether acting by themselves or by a servant, agent or employe. The singular number shall be held to include the plural, and the masculine pronoun to include the feminine.

Sec 4 License for Plumbers.

No person, firm or corporation shall engage in or carry on the business of plumbing, house drainage, building cesspools, or connecting house drainage with the city sewerage or cesspools, or heating and ventilation, the construction or modification of sewers of appurtenances to sewer connections, or fix or place, either without or within any building, any water supply pipes or any connections thereto whatsoever, from any water main laid in the streets of the City of Polson, until he or they shall first obtain a license from the City Council of said city.

And no person, firm or corporation shall receive such license who shall not have an established place of business within the corporate limits of the City of Polson, and who shall not first have furnished the ~~Commissioner of Public Health and Safety~~ satisfactory evidence of his or their responsibility and ability to ply their trade in accordance with the regulations of this ordinance and the rules of the City Board of Health.

Insert Sec. 44

Sec 5 Different branches licensed separately, or same license may include all.

The following licenses are hereby provided for and must be secured before any work is done:

Drain laying and the construction of sewers.
Plumbing, setting of fixtures and sanitary appliances.
Plumbing, running of water service and connections.
Heating and ventilation by steam, hot water or hot air.

One license may embrace one or more of the foregoing branches or all of them; in all cases the conditions and bond required will be the same and in accordance with Section 5 of this Article.

Sec 6 Bond of Plumbers.

Upon the favorable report for granting any license, either for plumbing, heating and ventilation, drain laying or sewer construction or the running of water pipes for household water supply either from street mains or any of their connections, to any person, firm or corporation, he or they shall, before obtaining such license

file with the City Clerk a bond in the sum of five hundred dollars (\$500) conditioned for the protection of the City of Polson against all loss or damage which may occur on account of such license through any carelessness or negligence of such person, firm or corporation, or his or their employees. Said bond to be of form approved by the City Attorney, and signed by two or more good and sufficient sureties to be approved by the City Council. At the time of receiving a license that party shall pay for the same the sum of three dollars (\$3.00) per quarter payable in advance.

Sec 7 Register place of Business.

Every person, firm or corporation doing any work under this ordinance shall, after obtaining a license, register his or their name, place of business and number of license at the office of the building inspector, and shall promptly notify said office of any change or removal which may at any time take place in their business.

Sec 8 Shall not allow Name to be Used by any Other Person,

No person, firm or corporation engaged in the business of plumbing, heating and ventilation, drain laying or sewer construction, or the running of water pipes for house supply, shall allow his or their name to be used by any person, directly or indirectly either to obtain a permit or do any work under his or their bond.

Sec 9 Permit Required Except for Repairs.

Every person, firm or corporation engaged in the business of plumbing, heating and ventilation, drain laying or unning water supply pipes for household purposes under this ordinance shall, before doing any work in any building, or laying any drains, or making any connection with pipes, excepting necessary repairs (and repairs are hereby defined to consist of leaks in soil, drain, waste, vent or other pipes, and repairs on valves and faucets) shall file with the City building inspector, or his duly authorized assistant, a full description of said work, in writing, upon the proper blanks furnished for that purpose, together with suitable drawings, when required, showing the work to be done, and at the same time shall file and application for a permit for such work. ✓

If such description is found to conform to all the provisions of this article, the same will be approved and a permit issued therefor within twenty-four working hours after filing such application; and it shall be unlawful to execute any part of such work until a permit has been obtained authorizing the same to be done. Before such permit is issued, the applicant therefor shall pay the City Treasurer the sum of one dollar (\$1.00).

Sec 10 Connection with Sewers.

All connections of private drains or sewers with the public sewers of the City of Polson, or the construction or modification of appurtenances to sewers or sewer connections, shall be in accordance with the regulations embodied in this ordinance, and such further regulations as the City Council may from time to time adopt.

Sec 11 Permit Required for Excavation.

No person, firm or corporation shall excavate any trenches for sewer pipes, or open, uncover or in any manner make connections with, or lay any sewer or drain, or attach or modify any appurtenances to sewer connections with sewers within the public streets, alleys or other ground of the City of Polson, or with any private sewer or drain without holding the proper license for such work and without first having obtained a permit therefor as required above, and such permit shall be on the ground at all times during the progress of the work and must be shown to any officer in authority upon demand.

Sec 12 Application for Permit.

All applications for permits must be made in writing upon the proper blanks for that purpose and signed by the owner or his authorized agent, and must be accompanied by a plan showing the whole course of the drain which it is desired to construct, together with the size of the same, the location of any and all branches and the number and kind of fixtures to be connected thereto, as near as can be determined at the time, a copy thereof to be left with the application in the office of the Building Inspector. If the drain is to be connected with a sewer built by private parties, the applicant must present the written consent of the owner to connect therewith.

The plumber or drain layer shall keep a record covering the full details of such work and shall file a return of the same with the City Building Inspector on the first of each month for all work completed

Copy Sec. 1199

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during the previous month.

cut Sec 13 All Sewers and Drains under the Direction of the City Building Inspector or Authorized Assistant.
All connections of private drains of sewers with the public sewers of the City of Polson, or the construction or modification of any and all sewers, shall be done under and in compliance with the direction of the City Building Inspector or his duly authorized assistant, inspector or other officer, as herein specified.

cut Sec 14 Excavation of Trenches; Rules.
Trenches in public streets or alleys shall be excavated so as to impede public travel as little as possible. The City Building inspector, or his duly authorized assistant or inspector, shall have the power to determine or limit the time such street or alley may be kept open, and when unnecessarily delayed, he may direct that the number of workmen be increased to hasten the work to such an extent as he may deem necessary for public interests. Trenches six feet or more in depth and in "filled in" or otherwise treacherous soil or near large brick buildings, shall be properly braced, to prevent any caving-in which might occur.

The crossings of gutters and all other ways shall be left in such shape as to admit of ready escape of water during storms. Planks shall always be provided when sidewalks or crossings are opened, so as to facilitate easy crossing over trenches. Red lights shall be kept around all unfinished work at night from dark until sunrise, and sufficient barricade shall be placed around excavations at all times.

The refilling of all trenches shall be well and thoroughly done in uniform layers, not exceeding nine inches, and tamped with a tamper of not less than forty pounds weight, or with puddled earth, as may be directed by the City Building Inspector, his assistant, or the inspector intrusted with the supervision of such work, so as to replace all excavated material and leave the surface in as good condition as found before the commencement of the work. This section shall apply to the excavation of all trenches within the limits of the City of Polson for any purpose whatsoever, and no excavation shall be made or begun without first obtaining a permit therefor from the City Building Inspector or his assistants as herein provided.

✓ Sec 15 Connections with Sewers; How Made.
Connections with sewers of the separate systems shall be of good hard, sound cement pipe or salt glazed vitrified sewer pipe, without reducers, laid to a uniform grade, not less than one-quarter of an inch to the foot, and not to exceed a three per cent grade if possible. Joints made with neat cement in a good and workmanlike manner. Pipes to be put together with the greatest care; the interior of each length of pipe and the last joint inside are to be made perfectly clear before the next is laid.

The back filling to be first packed with care and then well rammed to prevent settling of the drain. Connections for stable waste must be of syphon form approved by the City Building Inspector. S.S

No junction pipe shall be cut or taken up for connection without a special permit, and then only in the presence of an inspector. Changes of direction of pipes must be made by properly carved pipe and not by edging or cutting.

All connections must be made by Y's and not T's.

No traps shall be allowed between the main sewer and outer area walls of buildings connected therewith, except the necessary grease traps in yards, as hereinafter provided.

cut Sec 16 Plumbers to have Level.
Drain layers or plumbers will be required to keep on hand a spirit level in proper order when work is being done in connection with public sewers, and their returns must show the actual depth below the surface and the fall per foot to which their pipes have been laid.

✓ Sec 17 Rain water; How Regulated; Manholes.
No storm water connections from roof or yards, or overflow pipes from cisterns, will be permitted with the separate system of sewers except by special permission; and then special provision must be made to secure against the entrance of objectional material. Entrance into manholes or opening the same, except by the City Building Inspector, his assistant, the inspector or other person duly authorized, is strictly prohibited.

Sec 18 Matter Prohibited from Sewers.
No one shall throw or deposit, or cause or permit to be thrown or deposited, in any vessel or receptacle connected with the public sewers, garbage, hair, ashes, fruit or vegetables, peelings, refuse, rags,

cinders, or any other matter of thing whatever, except human excrement, urine, the necessary closet paper, liquid house slops and elevator water.

Sec 19 The City Building Inspector shall have Access to Buildings or Premises.

The City Building Inspector, his assistants or the inspector shall have access at all times to any building or premises connected with any sewer, or where work is being done under this Article to properly examine the same.

Sec 20 Defective work Remedied.

Any defective or improper work in connection with sewers or their appurtenances, disapproved by the City Building Inspector or his assistant, shall upon written notice be promptly remedied.

Accidents to sewers by caving in or in cleaning private connections must be promptly reported at the office of the City Building Inspector.

Sec 21 All Buildings to be Connected with Sewer; When; Ventilation; Plumbing.

Every dwelling house, hotel, apartment house, tenement, factory, store or other building in which plumbing arrangements are to be placed shall be connected with the city sewer where such sewer is provided, and when such sewer is not provided, with a cesspool, in a location to be approved by the City Building Inspector. The plumbing and ventilation in every building shall be separate and independent; from the roof to the outside of the foundation walls and for the purpose of plumbing, each and every entrance from the street through the wall of said building to a row of tenements, shall be construed to mean one building; every flat, apartment house, store, hotel, factory, church, hall, opera house and stable shall be construed as one building: Provided, that when a fire wall in any building divides said building, then each part so divided, although there be but one entrance, shall be separately and independently plumbed; and provided, further, that private stables may be connected with the house drain.

Sec 22 Cesspools; Dimensions;

Where sewage is discharged into cesspool the same shall be not less than ten feet removed from the house, six feet in diameter and fifteen feet deep, and drain pipes leading to it shall be provided with a running trap and fresh air inlet on the house side of trap; when possible vent pipe to be run from top of covered cesspool up the side of outhouse or eighteen inches above the surface of the ground and capped with return bend.

No cesspool, well, sink or privy will be permitted where an established sewer exists, and no cesspool or privy vault will be allowed to discharge into any sewer.

Sec 23 Kind of Pipe to be Used.

That portion of the house drain which is inside of the walls and three feet outside the area or foundation walls shall be constructed of what is known to commerce as extra heavy cast iron soil pipe and extra heavy fittings.

Sec 24 Pipes and Fittings to be free from flaws.

All pipes and fittings to be sound and free from sand holes or other defects, and of uniform thickness. Changes in direction shall be made with Y branches and one-eighth bends. Connections with verticle soil pipe shall be made with Y branches, eighth bends and sanitary tees.

Sec 25 Drains Anchored or Laid to Grade; Verticle pipe Supports.

House drains shall be securely anchored to the walls with iron pipe hooks not less than five feet apart, or laid in trenches of uniform grade or suspended from the floor timbers in strong iron hangers. All verticle soil pipes shall be supported by pipe rests, at least one to each floor.

Sec 26 Running Trap.

A running trap of same size as soil pipe, provided with a fresh air inlet and an accessible clean-out connection drain inside the foundation or area wall on the house side of the trap, leading to the outer air and opening at or near the street curb or some convenient place not less than four feet from nearest window.

The ends of all drains and branch drains shall be provided with brass clean-out connections placed in an accessible position.

Drain and soil pipes shall have a uniform grade toward sewer or cesspool of not less than one-fourth inch per foot and not more than a three per cent grade. When such grade cannot be obtained special permit may be obtained from the City Inspector at his discretion.

Soil pipes receiving the discharge from one or more water closets shall not be less than four inches in diameter and so time undiminished

in size to the highest roof of the building, and shall be placed away from any opening or window.

Sec 27 All Joints Packed.

All joints shall be packed with picked oakum, run with molten lead and thoroughly calked. Connections of lead pipes with drain or soil pipes shall be made with brass or combination ferrules, with properly wiped joints and calked into iron pipe.

Sec 28 Ventilation Pipes; Vent Pipes; Traps.

Ventilating pipes, when not lead or cast iron, shall be galvanized wrought iron.

Vent pipes must be run as straight and direct as practicable and with grade, to avoid trapping or condensation. Forty-five degree ellis shall be used at all times where practicable. Vents shall be run up separately through the roof in all buildings more than two stories high and shall be increased in size to at least four inches from a point eighteen inches below the roof.

In one and two story buildings the vent pipe may be connected with the main soil pipe at a point not less than three feet above the highest fixture; said soil pipes to be increased on size from point where vent enters and to continue that size up to above highest point of roof.

Where vent and soil pipes pierce the roof the opening shall be properly flashed with sheet lead, by either calking into hub of soil pipe at surface of roof, or in casing pipe at least twelve inches above roof with sheet lead casing, made tight at top; flashing to extend at least nine inches on all sides of pipe.

Connections of lead pipes with wrought iron pipes shall be made with combination brass ground couplings, or brass soldering nipples, with properly wiped joints.

Local ventpipes may be run in, up or out of heated flue; in such case the increase may be omitted.

Every sink, bath tub, wash tray, basin, water closet, urinal, and every fixture having a waste pipe, shall be separately and independently trapped with water sealing trap, placed as near the fixture as practicable; traps shall be protected from syphonage and air pressure by special air or vent pipe, of size not less than waste pipe up to and including two inch.

Over two-inch and not exceeding four-inch, two inch vents shall be used. Each vent shall have a trap screw soldered into it, not more than six inches above where it connects with the trap. Each vent shall extend two feet above the fixture it serves before connecting with other vent pipes.

Traps must be placed above floors, or in accessible locations.

Wastes from bath tubs and wash trays to be connected to drum trap, with trap screw not less than three inches in diameter, and placed as close to the fixture as practicable, in an accessible location. Drum traps must not be less than four inches in diameter and not less than eight inches high.

Where two fixtures connect into one vent, such connection shall be made with not less than one and one-half inch pipe, and from three fixture, not less than two inch; and for water closets, not less than two-inch pipe for forty feet or less, and two and one-half inch pipe shall be used for an additional twenty-feet; provided, that vent pipes for three or more fixtures, with waste three or four inches in diameter, shall not be less than three inches for twenty feet or less; over twenty feet, four inches shall be used.

Sec 29 Material for Pipes.

Sewer pipe, soil pipe, waste pipe or ventilation pipe shall not be constructed of brick, earthenware or sheet metal, and chimney flues shall not be used for such ventilators.

Sec 30 Waste Pipes.

No waste pipe shall be less than one and one-fourth inch for one fixture and not to exceed two fixtures; one and one-half inches for three fixtures and not to exceed six fixtures. Wastes from bath tubs, sinks, laundry tubs and urinals shall be one and one-half inches. Lead wastes shall not be of less weight than the grade known as extra light.

In no case shall the waste pipe from any other fixture connect to the house side or in the seal of any water closet trap, and such connections shall be made so that the discharge of the waste will not disturb the seal in the water closet trap.

No refrigerator or other receptacle in which provisions are stored shall be connected with the drain, soil, waste, vent pipe or discharge upon the ground beneath the building, but in every case there shall be an open, trapped tray beneath the refrigerator or discharge into sink

or other fixture. Safe wastes, drip or overflow pipes must run to some place in open sight and discharge over sink or other fixture, and in no case shall any such pipes connect with drain, soil, waste, vent or rainwater leader, and in no case shall safe waste pipes under water closets or urinals be connected with safe waste pipes under any other fixture.

Sec 31 Waste pipes from kitchen sinks in any hotel, restaurant, or any other public cooking establishment, and in every dwelling house, shall run separate to grease trap in yard, when practicable. And when same is not practicable to put in yard, a grease trap shall be placed below such sink. Said grease trap to be Wolf's enameled cast iron, or similar cast iron, or if made of lead, to weigh not less than six pounds to the square foot and to be six inches in diameter and fourteen inches high.

Grease traps in yards shall be constructed of eight inch brick, laid in good hydraulic cement mortar, be plastered at least one inch thick with hydraulic cement mortar, made in proportion of one part cement to two parts of sand.

Grease traps to have stone or iron covers, not to be placed more than six inches below grade. Grease traps for small buildings or ordinary dwellings shall not be less than twenty-four inches in diameter.

Hotels, restaurants, or other cooking establishments to have grease traps not less than forty inches in diameter, and according to direction of City Building Inspector.

Sec 32 Water Closets; How Flushed.

Every water closet or group of water closets within a building shall be flushed from a separate tank or cistern; the flush pipe to be not less than one and one-fourth inch. All water closets to be connected with lead bends beaten down to receive flange of closet.

No person shall place in any building a whirl-pool wash water closet or pan water closet, and when such closet is moved for repairs it shall not be replaced. All public urinals shall be supplied with flush tank.

Outside water closets must be separately trapped with cleanout on trap. Soil pipe have lead connection flanged on floor to receive hopper, hopper to be flushed with seat attached to valve by heavy chain.

Waste for valve to be trapped when connected with sewer outside of water closet trap; trap for water closet and valve to be set in vault below freezing and accessible for repairs.

Sec 33 Steam Exhaust not to be Connected with Sewer or Drain Pipes.

No steam exhaust, blow-off or drip pipes shall be connected with sewer or any drain, soil pipe, waste pipe, vent pipe or rainwater leader when within a building, but shall discharge into an open tank or condenser, from which a safe connection to sewer or house drain may be provided.

Sec 34 Rainwater Leaders not to be Connected to Sewers.

Rainwater leaders shall not be connected with the sewer system except when especially authorized in writing by the City Building Inspector. Rainwater leaders, when within a building, shall be extra heavy cast iron soil pipe or standard wrought iron pipe, tarred inside and out. Rainwater leaders shall in all cases have a trap or back pressure valve before entering the sewer or soil pipe.

Sec 35 Use of Wrought Iron Soil Pipe not Prevented.

Nothing in this ordinance shall prevent the use of wrought iron soil and waste pipes with the Durham fittings and tarred inside and out with coal tar pitch applied hot.

Sec 36 Additional Fixtures or Alterations.

When additional fixtures or alterations are required, and the same are not practicable to be constructed in accordance with the provisions of this ordinance, a special permit may be issued by the City Building Inspector.

Sec 37 Inspection of Work; Test; Work to be left Uncovered.

The city Building Inspector shall be notified when the work is ready and the location of the work in the office of the City Building Inspector. All work shall be left uncovered for examination. Such examination, except for final examination, shall cost the sum of one dollar, which sum shall be collected from the licensed plumber applying for such inspection and test, by the City Building Inspector; the money so collected shall, be paid by the City Building Inspector to the City Treasurer.

The whole system of drain, soil, waste and ventilation pipes shall be filled with water or subjected to an air pressure of five pounds per square inch, and in all cases when only a part of the system has been tested at one time, the City Building Inspector shall require an additional test of the whole system, and it shall be absolutely tight.

After all the fixtures have been placed in position and the work completed, a final test, equal to the pressure of one inch of water, shall be applied, and if found to be tight and in accordance with this ordinance, the City Building Inspector shall so certify on the face of the permit and no plumbing shall be used until such certificate is made by the City Building Inspector.

Sec 38 Running Water Supply.

No person, firm or corporation shall run or extend any water service pipes or make any connection thereto, for any purpose whatsoever, who shall not first have given a bond as required from plumbers by this ordinance when the work is not done by a licensed plumber already bonded, and obtained a license therefor, as required by previous sections of the ordinance, and he or they shall be amenable to such other sections of the ordinance relative to the excavation and filling of trenches, or such other matters pertaining to that class of work as herein contained.

Sec 39 Service Pipes for Water Supply.

All service pipes for water supply attached to any water main in the City of Polson shall be of good sound iron or lead pipe, evenly laid in the bottom of trenches at least four feet deep, and sufficiently strong to withstand a pressure of three hundred pounds per square inch. The stop box on all service pipes shall be placed just inside of the curb and shall have top set to grade, or level with the top of sidewalk.

Water supply pipes shall in no case be laid in the same trench with a sewer pipe.

All joints in lead service pipes shall be wiped joints; no cup joint will be allowed.

All joints between lead and iron pipes shall be made with brass soldering nipples or with ground soldering unions. Unions in iron pipe for hot water shall be ground unions or shall be packed with asbestos or vulcanized gaskets, or any other material not liable to injury from hot water.

No cock shall be placed at the end of any line of water pipe, but all supplies to fixtures shall have a suitable air chamber of at least twelve inches.

Sec 40 Stop and Waste Cock in Cellar.

A stop and waste cock shall be placed on the supply pipe just inside the cellar or area walls, easy of access, and pipes so graded that when cock is closed the whole system of supply pipes will be perfectly drained at that point.

Sec 41 Check Valve for Water Feed for Boilers.

No steam boiler or hot water heating apparatus fed by the direct water pressure shall be connected to any water main or supply without a proper check valve placed between said boiler or heater and main.

Sec 42 Work Inspected.

All work in any manner connected with the running of water pipes for household water supply or any extension thereof shall be subject to the inspection and approval of the City Building Inspector, and any faulty or defective work which may at any time be discovered shall be made satisfactory to said officer.

Sec 43 Heating and Ventilation

Any person, firm or corporation engaged in the business of heating and ventilating by steam, hot water, hot air or furnace heating, shall first have obtained a license therefor as provided by a previous section of this ordinance, and shall, before doing any work in any building within the limits of the City of Polson, have submitted a plan or statement covering the details of such work and obtain a permit therefor from the City Building Inspector; said work, the arrangement of boiler or furnace room, shall be subject to the approval of the City Building Inspector and shall comply with all the requirements pertaining to such work which are contained in this ordinance.

Sec 44 No License Granted for Longer Period than One Year.

No license shall be granted for a greater period than one year or the unexpired portion thereof. All licenses shall expire on the last day of December of each year unless sooner revoked.

Sec 45 Enforcement of Ordinance.

It is hereby made the duty of the City Building Inspector to secure the proper enforcement of this ordinance and to promptly investigate any information he may receive of its violation, and to promptly proceed with the complaint and its prosecution in any case of its violation of which he may have knowledge or due and reliable information.

Sec 46 Penalty for Violations.

Any owner, agent, architect, drain layer, plumber, superintendent contractor or other person failing, neglecting, omitting, resisting or refusing to comply with any of the conditions, terms, regulations or requirements of this ordinance shall, upon conviction, be fined in the sum of not less than ten dollars nor more than one hundred dollars for each offense, and a further penalty of not less than twenty-five dollars will be imposed for each day such violation is allowed or suffered to continue; and after the first fine has been imposed upon any person; firm or corporation having a license under this ordinance from the City of Polson, for any violation of any of the provisions herein, the Mayor may suspend or revoke the license of any such person, firm or corporation having such a license.

Sec 47 Penalty for Violation; Building Inspector may Suspend License;

Any person, firm or corporation who shall be found guilty of violation of any of the foregoing provisions for the regulation of drain laying, or who shall fail or neglect to comply with any of such provisions on conviction thereof shall be fined not less than five dollars and not more than fifty dollars for each offense and twenty-five dollars for each day such person shall continue in violation thereof.

Wilful violation of said regulations or of the direction of the City Building Inspector, his assistant or other person acting under his authority, shall be the cause for suspension of the license of the offender by the City Building Inspector, in addition to any other penalties that may be imposed under this ordinance, and such suspension shall operate until such penalties are paid or until restored by the City Council, nor shall any such suspension give the offending party a right to return of any moneys paid for such license.

ARTICLE 111. - SEWERS.

Sec 48 Penalty for Destroying or Injuring any Sewer

Any person who shall wilfully destroy or injure any part of any sewer in the City of Polson, or any outlet thereto, or shall stop any outlet to any sewer, or shall destroy or injure any manhole to any sewer, or break or remove the top to any manhole to any sewer, or throw, or place or deposit in, or cause to be thrown or placed or deposited in any manhole to a sewer any garbage, hair, ashes, fruit or vegetables, peelings, refuse, rags, sticks, cinders, dead animal or other matter or thing whatever, shall be deemed guilty of committing a nuisance, and upon conviction thereof shall be fined in any sum not more than three hundred dollars.

Sec 49 Connections Must be made to Sewer.

It shall be the duty of every owner of property in any block along which or in the alley of which a sewer has been constructed to connect his premises with the sewer within sixty days after such sewer has been constructed; and after said time it shall be unlawful for any such person to have, use or permit to be used any privy on his premises, or for any occupant of the premises to use or permit to be used any such privy; and any such privy existing sixty days after a sewer has been constructed in any alley in any block or along which a sewer has been constructed, except a main sewer, is hereby declared to be a nuisance, and any person maintaining, permitting or using the same shall be deemed guilty of maintaining a nuisance, and upon conviction thereof shall be fined in any sum, not more than three hundred dollars. It shall be the duty of the City Building Inspector to examine all premises as herein defined, and if any privy be found therein to at once notify the owner or possessor to connect his premises with the sewer within thirty days from the date of said notice and if at the end of said time the connection has not been made the said City Building Inspector shall make complaint before the Police Magistrate of the violation of the provisions of this section and shall proceed to abate said nuisance.

ARTICLE IV. - CITY WATER SUPPLY.

Sec 50 Breaking Water Pipes; Pollution of Supply.

If any person shall, within the limits of the City of Polson, or along the line of the water supply, break, open or tap, or cause to be broken, opened or tapped, any water pipe, conduit or main, or any hydrant, used in and about and in connection with any water supply, system or systems of the City of Polson, or who shall intentionally pollute or render impure any water in such pipe, conduit, hydrant or main, on conviction thereof shall be fined in a sum not exceeding three hundred dollars; provided, however, that the provisions of this section shall not apply to the opening or tapping of mains when the permission so to do shall have been given in writing by the person, association or corporation owning or controlling such water supply system.

Sec 51 Injury to Water Supply.

If any person shall intentionally interfere with, destroy or injure any of the property or plant of the City Water Supply System, or who shall interfere with, destroy or injure any work or works, pond, reservoir, stream, spring, trench, ditch, pipe or dam of said system, on conviction thereof, shall be fined in any sum not exceeding three hundred dollars.

Sec 52 Polluting Water Supply.

If any person or persons shall pollute or render impure the water of any spring, stream, dam, pond, pipe line, ditch or reservoir owned or operated by any person, association or corporation for the purpose of supplying the City of Polson with water, or from which the water supply of the City of Polson shall be drawn, such person, upon conviction thereof, shall be fined in any sum not exceeding three hundred dollars.

Sec 53 Drinking Hydrants.

No person shall destroy, nor in anywise injure or impair, any drinking hydrant or part thereof in the City of Polson; nor shall any person interfere with the use of or enjoyment of the water therein or therefrom, or interrupt the flow thereof, for or as a drink; nor shall any person put any dirty, poisonous, medicinal or any noxious substance into or near said water or hydrant whereby such water is made or may be regarded as dangerous or unwholesome as a drink.

Sec 54 Application to tap main. All applications for the tapping or connection with any water mains must be made at the office of the Water Department by owners of property to be served, or their legal agents, said applicant shall state fully all purposes for which the water is required, the size and number of taps, or other outlets from which the water is to be drawn and the number of the lot and block to which the water is to be taken and used, and the street from which it is desired that the service pipe shall be laid. Such application shall show upon its face that the same is made and taken and accepted subject to any and all rules and regulations then in force or to be made later for the government and control of the said water works system.

Sec 55 Who may Tap Main.

No person other than an authorized employe of the Water Works Department, acting under the orders and directions of the Superintendent, shall tap or make any perforation or opening on any kind, in any water main, or any service pipe from which water may be drawn. ~~The Water Department will furnish the corporation cock and insert the same in the main, and charge as follows:~~

Cast iron or Kalamein pipe,	$\frac{3}{4}$ in	-----	\$5.00
Cast iron or Kalamein pipe,	1 in	-----	6.00
Wood Pipe,	$\frac{3}{4}$ in	-----	3.00
Wood Pipe,	1 in	-----	4.00

Sec 56 Service Pipes.

All service pipes must be laid at least four feet below the surface of the ground, ~~lead pipes must be used on paved streets and of that quality designated as Extra Strong,~~ to be not less than three-fourths of an inch pipe and in accordance with the following table:

$\frac{3}{4}$ in pipe,	$3\frac{1}{2}$ lbs,	per lineal foot
1 in pipe,	$4\frac{3}{4}$ lbs,	per lineal foot
$1\frac{1}{4}$ in pipe,	6 lbs,	per lineal foot
$1\frac{1}{2}$ in pipe,	$7\frac{1}{2}$ lbs,	per lineal foot
2 in pipe,	10 lbs,	per lineal foot

Either lead or galvanized iron service pipe may be used at the option of the applicant on streets not paved, subject however, to any City Ordinance regulating the same. For galvanized iron pipe there must be a lead connection between the corporation cock and union with the iron pipe which shall be not less than two feet for $\frac{3}{4}$ in pipe and two and one-half feet for one inch pipe. In all cases these connections must be bent in "S" or other approved shape to allow for movement in the iron pipe, and in no case shall lead be soldered into iron pipe. All lead connections to corporation cocks must be thoroughly blocked from the bottom of trench to prevent settling.

Sec 57 Meters, How Connected.

All meters shall be set as near to the wall as possible, where service pipe enters the premises, and at a place easy of access. The plumber must first place a stop and waste cock with a lever handle easily accessible to the occupant, for the protection of the said occupant in enabling him to turn off the water in case of leaks, drain the pipes,

and also to prevent freezing which shall be fully explained to the occupants of the premises by the plumber doing the work; next to the stop and waste the meter shall be set in a level and plumb position, next to the meter shall be placed a stop cock or valve.

(B) If used in connection with steam or hot water boiler, a check valve must be placed between the outlet of the meter and the boiler or heater, to protect the meter from injury from back pressure of steam or hot water, red or white lead shall not be used for making joints.

(C) The Plumber setting meter must disconnect from the service pipe all fixtures and apparatus on the premises and grounds not supplied through the meter. Before the meter is connected all pipes must be blown out to prevent any sediment or other substance getting into the meter.

(D) All meters located outside of basement must be placed in an enclosure, constructed of two inch plank, brick or cement and sufficiently large to enable removing or resetting the meter, said enclosure must be (frost Proof) with a lid or cover secured by strap hinges, and ring for raising same within the enclosure, and half way from the top of box for raising same within the enclosure, and half way from the top of box or man hole to top of meter there must be a cover cleated together that may be easily removed, to prevent the cold air from reaching the meter.

(E) Plumbers setting meters must notify the Water Department the date on which the meter was installed.

Sec 58 The following rules are a part of the contract entered into by every consumer of the City water and the failure to know said rules will not excuse any one from the penalty of their infringement.

Sec 59 Water Ordered Turned on or Off

Application for city water to be used for any purpose shall be made at the water department office upon the printed form supplied by the water department, which form must be signed by the owner, or duly authorized agent of the owner of the property, on which the water is to be used. All orders for turning water off must be signed by the owner, or made in writing to the water department and must be signed by the owner, or duly authorized agent of the owner of the property from which the water is ordered shut off. When the water is ordered shut off from any premises all charges for water supplied to such premises shall be immediately due and payable to the Water Department.

Sec 60 Water Rates to Begin When

Water rentals at the established rate will be charged against the property from the date on which the water is turned on until the date on which the property owner, or agent, orders the water turned off, but no charge will be made nor water furnished for less than half of the monthly rate. No abatement for water rental shall be allowed by reason of removal from the premises, disuse or diminished use of water, frozen pipes, or vacancy of premises, unless notice be given at the time such removal or disuse to the Water Department.

Sec 61 Payment of Water Rental

All bills for water, whether by flat rate or meter, are due and payable at the office of the Water Department the first day of each month for all water used the preceding month, and will become delinquent on the 10th day of the month, and if still delinquent on the 20th day of the month, the water will be shut off, and shall not be turned on until all bills are paid, including an additional charge of One Dollar (\$1.00) for turning on. Owners of the property served will be held liable for all water and service charges. Payments will be accepted from tenants, but that will not relieve the owner if tenant becomes delinquent.

Sec 62 After the water has been turned off at the curb cock as provided in Section 60, it shall not be turned on by any person except an employe of the Water Department, and if so turned on at the curb cock by any person other than an employe of the Water Department, the Superintendent shall have the water turned off at the main and shall charge against the property owner a penalty of Five Dollars (\$5.00) which must be paid before the water shall again be turned on, and in addition thereto the party turning on said water in violation of the provisions of this section may be punished for the violation of this section as hereinafter provided.

Sec 63 No person, company, or corporation shall knowingly take or use or allow to be used water without having previously contracted for the same.

Sec 64 It shall be unlawful for any owner, agent or tenant to supply or permit to be supplied any water to two or more buildings through one and the same connection, except on special contract with the Water Department.

Sec 65 If undue waste is permitted, or water is by-passed to other consumers, or in cases of deception, misrepresentation or abuse of the of connecting with the water system, the supply of water will be turned off without notice, and a penalty of one dollar (\$1.00) shall be paid to the Water Department before the water is turned on, and in addition thereto the offending persons may be punished as hereinafter prescribed.

Sec 66 The service pipe within and without the premises and through its entire length to the tap in the city water main, together with curb cock and box, must be laid, kept in repair, and protected from freezing at the expense of the owner, who shall be responsible for all damage resulting from leaks and breaks, and no claim shall be made against the City of Polson on account of the breaking of any service pipe or apparatus, or for the failure in supply of water. When there is a leak in the street and it is doubtful whether the water is from a break in the city main, or from a private service pipe, employees of the Water Department will make an excavation to determine which it is from. If the leak is found to be from the main, the Water Department will make all repairs, but if it is from the service pipe, the owner of the property, or agent, will be notified and must immediately take charge of the excavation, repair the leak, replace the street, and be responsible for all damages which may result. In case the owner or agent does not make repairs at once, the Water Department will proceed, and all bills for labor and material will become a charge against said property, and shall be collected of the owner or agent and at the end of the month in case the bill is not paid, the enforcement of payment thereof will be performed in the same manner as for the payment of bill for water rentals.

Sec 67 Contractors, builders or others desiring water for building purposes must make application to the Water Department prior to using same and the amount to be paid shall be based upon the rates fixed therefor.

Sec 68 The Water Department reserves the right at any time without notice to shut the water off its mains for the purpose of making repairs of extensions or for any other purpose, and no claim shall be made against the City of Polson by reason of the breakage of any service pipe or from any other damage that may result from shutting off the said water.

Sec 69 The Water Department shall have access at all reasonable times and hours to all parts of any building or premises in which water is being delivered from the water mains, for the purpose of inspecting the condition of the pipes and fixtures and the manner in which the water is used and shall also have the right to remove the meters from premises for examination and test when necessary.

Sec 70 Hereafter the service pipes must be so arranged that the supply for each separate house or premises may be controlled by a separate stop-cock placed at a point designated by the Water Department and the owner or agent of said property will be held responsible for all bills for water used through said service for his or their use, or for the use of others to whom it may be accessible.

Sec 71 Where water is now supplied through one service to several houses, families or persons, the Superintendent of the Water Department may at his discretion either decline to furnish water until separate services are provided or may continue the supply on the condition that one person shall pay for all on same service.

Sec 72 None but licensed plumbers shall be allowed to do any work in connection with the service pipes when water may be drawn from the city mains, and all plumbers must make return to the Superintendent of Water Department a true and correct account of the work done within twenty-four hours after completion.

Sec 73 It shall be unlawful for any person to open, close, turn or interfere with, or to attach to or connect with any fire hydrant, curb cock, or valves, without permission from the Water Department, or to disturb or damage any pipe, machinery, tools or other property of the Water Department, or to throw any substance into any reservoir or water main or to bathe in any reservoir, or to deface or injure any buildings belonging to or connected with said water system.

Sec 74 Consumers supplied by meter shall take every reasonable precaution to protect same from injury or damage by frost or otherwise

and shall be liable for all injury to meters. If from any cause the meter fails to register correctly, the charge to the consumers shall be at the rate used for the corresponding period of the month previous, or if for any reason the rate for the corresponding period of the previous month cannot be justly applied, the rate shall be equitably adjusted by the Superintendent of the Water Department. For the testing of each meter at the request of the property owner, or leasee, if the meter is found defective, no charge will be made, but if found in good order or registering in favor of the consumer, a charge of one dollar (\$1.00) will be made.

Sec 75 Every person who, with intent to injure or defraud, shall:

(a) Break or deface the seal of any meter, or

(b) Obstruct, alter, injure or prevent the action of any meter or other instrument used to measure or register the quantity of water supplied to a consumer thereof; or

(c) Make any connection by means of a pipe, or otherwise, with any main or pipe used for delivery of water to a consumer thereof, in such a manner as to take water from said main or pipe without its passage through the meter or other instrument provided for registering the amount or quantity consumed, or use any water so obtained; or

(d) Make any connection by means of a pipe, or otherwise, with any main or pipe used for delivery of water to a consumer thereof, in such a manner as to take water from said main or pipe without its passage through the meter or other instrument provided for registering the amount or quantity consumed, or use any water so obtained; or

(e) Make any connection or reconnect with such main or pipe, or turn off or on, or in any manner interfere with any valve, stop-cock or other other appliance connected therewith; or

(f) Shall allow water to be taken from their service without authority from the Water Department, or any person who takes water from any other person's service without permission from the Water Department; or

(g) Prevent by the erection of any device or construction, or by any other means, free access to any meter or other instrument for registering or measuring the amount of water consumed, or interfere with, obstruct or prevent by any means, the reading or inspection of such meter or instrument by any of the employes of the Water Department of the City of Polson, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$5.00 or more than \$50.00 or may be punished by imprisonment for not to exceed thirty days, or both such fine and imprisonment.

Sec 76 The lawn season shall extend over a period of five months beginning May 1st and ending September 30th. Lawn rents shall be due and payable in advance, and no allowance for vacancy will be made for less than half the lawn season.

Sec 77 No person shall use or permit to be used a street washer, lawn or garden sprinkler except upon his own premises for which he has made application and is paying rental.

Sec 78 No hose larger than one inch in diameter shall be used from any service pipe without special permission from the Water Department.

Sec 79 No sprinkling shall be done by consumers of water on a flat rate without a nozzle attached to the hose having an opening not larger than one quarter of an inch in diameter.

Sec 80 It shall be unlawful for consumers of water by flat rate to use the water for irrigation, hosing or sprinkling purposes at any time except between the hours of 6:00 A. M. to 10:00 A. M. and from 6:00 P. M. to 10:00 P. M.

Sec 81 No person shall draw any water from the city main during a fire except for the extinguishment of a fire.

Sec 82 For any violation of the rules or ordinances pertaining to the use of water, the same may be turned off without notice and will not be turned on until the rules and regulations are complied with and all bills are paid, together with an additional sum of \$2.00 and the offending person or persons may also be prosecuted in addition thereto.

Sec 83 Any person, company or corporation violating any of the rules and regulations hereinbefore expressed or violating any of the provisions of this ordinance, may upon conviction be punished by a fine or not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00),

or by imprisonment for a term of not to exceed thirty days, or by both such fine and imprisonment.

Sec 84 In the opinion of the City Council the passage of this ordinance is necessary for the immediate preservation of the public health and safety and an emergency is thereford declared to exist, and this ordinance shall take effect immediately upon its passage and approval by the Mayor.

Sec 85 Ordinances Numbers 107, 108, 113 and 114⁷ of the City of Polson and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Passed by the City Council this 27 day of Dec A. D. 1917.

Approved by the Mayor this 27 day of Dec A. D. 1917.

[Signature]
Mayor.

Attest

[Signature]
City Clerk.



State of Montana
County of Flathead - S S
City of Polson

H. S. Hanson, being first duly sworn, upon his oath says:- I am a citizen of the United States, over the age of 21 years, and am, and was at the time mentioned in this affidavit the City Clerk of the City of Polson, in said County and State, that on the 17 day of Jan 1918, in accordance with the order of the City Council of the City of Polson, requiring all Resolutions and Ordinances of said City to be published by posting in three of the most public places in said City, I posted a copy of the foregoing Ordinance No. 123 in three of the most public places in said City, to-wit: - One of the said copies in the office of the Mayor one copy in the office of the City Treasurer and one copy in the office of the Police Judge; that each of the said copies so posted by me was a full, true and correct copy of the Ordinance No. 123 and the whole thereof.

[Signature]

Subscribed and sworn to before me this 17 day of Jan 1918

[Signature]
Notary Public for the State of Montana. Residing At Polson.

My Commission expires

July 9-1919