

WATER-WORKS

Be it Ordained by the City Council of the City of Dixon:

SEC. 1.—That there is hereby granted to A. H. McNeal and his assigns the right and privilege for the term of thirty years from the taking effect of this ordinance, of supplying the city of Dixon, in the county of Lee and state of Illinois, and the citizens thereof, with a system of water works, with water for domestic, culinary and manufacturing purposes, subject to the terms and conditions set forth in this ordinance.

SEC. 2.—The said A. H. McNeal and his assigns are hereby authorized to establish, construct, maintain and operate said works in said city of Dixon, to receive, take, store, conduct and distribute water through said city; to construct and extend aqueducts and pipes through all the streets, alleys, lanes and public grounds, and across any bridge or stream in said city; to erect and maintain all engines, machinery and other appliances necessary for the proper constructing of said works, and for supplying said city and the inhabitants thereof with water; and for that purpose, to take up all pavements or sidewalks on any such streets, alleys, lanes or public grounds, and make such excavations therein as may be necessary, to lay, repair, keep in order and maintain aqueducts and pipes below the surface of the ground for conveying and distributing said water, provided that the said A. H. McNeal or his assigns shall, within a reasonable time, replace and repair all pavements and sidewalks and refill all such excavations, leaving said streets, alleys, lanes or public grounds, as nearly as may be, in as good a condition as they were in previous to their disturbance; the work to be done under the direction, and to the satisfaction of the city officers in charge of said streets and alleys; and provided further that in removing such pavements or sidewalks, and in making such excavations, the said A. H. McNeal and his assigns shall suitably guard and protect the same, so as to prevent injury to persons or property by reason thereof, and that he or his assigns shall be liable for all damage occasioned by failure so to reasonably guard and protect persons and property from injury by cause of removal of such pavements or sidewalks or the making of such excavations as aforesaid; and for any failure to suitably refill or replace the same, whether done by himself, his lessees, contractors or sub-contractors in any degree.

SEC. 3.—The said A. H. McNeal and his assigns, as respects the supply of water for private and manufacturing uses, shall have the right to make and enforce all reasonable and useful rules and regulations in the use and waste of water, and in case any consumer shall in any way abuse his water privilege or violate any rule of the Water Works Company, they may, in their discretion, cut off the water supply of such consumer; and may charge and collect in advance for the use of water a tariff of rates not exceeding those herein below specified, and for all purposes not herein enumerated, the rate therefor shall be a special rate, and not inconsistent with the tenor and meaning of this ordinance.

SEC. 4.—The said water works shall be constructed in the most substantial and workmanlike manner, with either a reservoir, a stand-pipe or its equivalent; the pumping machinery for said works shall be of the most approved type, possessing all the latest improvements which experience has shown to be of value for works of such character and capacity. The pumps when running at an ordinary speed, shall have the capacity to pump at least one and one-quarter millions of gallons of water in twenty-four hours. They shall be increased as the growth of the city and its wants may require. There shall not be less than six and one-half miles of mains for the distribution of water in said city, reference being hereby made to a certain plat or map heretofore submitted to said city by said McNeal and agreed upon and signed by both parties, and no change shall be made in said map except by consent of said McNeal; such mains ranging in size from ten inches or over in their internal diameter, to four inches in their internal

diameter, in the proportions following, to-wit: Not less than 2775 feet to be ten inches in diameter; not less than 8895 feet to be eight inches in diameter; not less than 11650 feet to be six inches in diameter, and not less than 11000 feet to be four inches in diameter; and in any event, to be of sufficient size to furnish all the water necessary for the purposes contemplated in this ordinance. Said system of mains is to be laid in such streets as shall give the greatest amount of fire protection to the city, and the distribution of the greatest amount of water to consumers. The distribution mains to be of cast iron of the best kind and quality used for such purposes, coated with coal tar varnish and tested with a hydrostatic pressure of three hundred pounds per square inch.

Before the laying of water mains or pipes upon any street of said city not having an established grade, the grade of said street shall be established by the city council. But in case such pipes are laid before the grade of the street is established, or in case the grade of any street is changed after such pipes are laid, so as to render the relaying of such pipes necessary, the city shall bear the expense or cost of relaying such pipes. In case of any dispute between the city authorities and the said McNeal or his assigns as to the quality or sufficiency of the works provided for in this section, the same shall be referred to the opinion of a competent hydraulic engineer, to be agreed upon by both parties, and his decision shall be conclusive as to the questions in dispute.

SEC. 5.—The said A. H. McNeal or his assigns shall furnish water in sufficient quantities to give a constant supply day and night which shall be equal in quality to that contained in the Rock River, and shall be so filtered as to be pure and fit for domestic use.

SEC. 6.—The said A. H. McNeal and his assigns shall erect and maintain double nozzle non-freezing fire hydrants on the distribution mains whenever and wherever the city council shall direct; but in no case shall the number of hydrants be less on the average than ten per mile of distribution pipe; and in no case are the hydrants to be placed beyond the lines of streets upon which the pipes are laid.

SEC. 7.—At all times when a fire occurs and the engineer in charge at the engine house of said water works is notified of the same, the said A. H. McNeal and his assigns shall cause a sufficient pressure to be put on said pipes without unnecessary delay, to throw four streams of water, each through two hundred feet of two and one-half inch fire hose, with one and one-quarter inch nozzle, to the roof of the highest buildings within reach of the said water pipe system, and shall continue the same as long as may be necessary for the extinguishing of said fire, sufficient steam pressure being constantly maintained to reasonably comply with the terms of this section.

SEC. 8.—The said A. H. McNeal and his assigns shall extend distribution mains when officially ordered to do so by the said city of Dixon, for the purpose of fire protection, and place not less than ten hydrants to the mile thereon, provided that the city pays an annual rental for each hydrant as is hereinafter named.

SEC. 9.—The said city of Dixon shall pay the said A. H. McNeal and his assigns an annual rental of seventy-five dollars each for the first sixty-five of said fire hydrants erected and maintained as aforesaid, and sixty dollars per hydrant for each and every hydrant erected and maintained after the said first sixty-five hydrants. The said rentals for the hydrants provided for herein shall be paid in semi-annual payments, on the first day of April and the first day of October in each year, and the pay for each additional hydrant erected shall commence when said hydrant is ready for use, and the said city notified thereof, and shall continue during the full time specified in this ordinance: All hydrants out of repair shall be put in order without unnecessary delay, and the pay for any hydrant shall cease whenever it is out of repair or unfit for use or incapable of throwing such a stream of water as is provided for in this ordinance, until it shall be put into proper order and repair.

SEC. 10.—The city shall have water free of charge for the use of the fire department buildings, for the city hall, and offices occupied by city officials for city purposes, and also for the public schools and for two public drinking fountains. The said city shall have

the free and unobstructed use of all private hydrants, stop-cocks and faucets in said city, for the purpose of extinguishing fires. The city shall also have the right to use free of charge, water from the hydrants on streets, curbed and guttered for the purpose of washing and flushing the gutters, and from any hydrant for the purpose of flushing any and all sewers in said city on the line of the pipe, whenever the city council shall deem it necessary for sanitary purposes, upon giving notice to the person in charge of said water works.

SEC. 11.—The cost of water to consumers for domestic and manufacturing purposes is not to exceed the following prices or rates per annum:

Table listing various services and their rates per annum, including Bakers' average daily use, Bath houses, Boilers, Factories, and Saloons.

\*When water is measured by meter, and when the quantity used exceeds 5,000 gallons per day, the rate charged shall not exceed twenty cents per 1,000 gallons. When the quantity used is less than 5,000 and over 3,000 gallons per day, the rate shall not exceed twenty-five cents per 1,000 gallons. When the quantity used is less than 3,000 gallons per day, the rate shall not exceed thirty cents per thousand gallons special rates.

SEC. 12.—The city of Dixon reserves to itself the right to acquire by purchase and become the sole owner of said water works, including all machinery, mains, pipes, buildings and all property thereto appertaining at any time after the expiration of twenty years from the acceptance of this ordinance, by giving at least six months official notice thereof to the owner or owners of said water-works, and upon paying therefor, to the owners thereof, the value of said property. In case the said A. H. McNeal or his assigns cannot agree with the said city of Dixon as to the price to be paid to the said A. H. McNeal or his assigns for the said water works, then the said water works

may be purchased by the said city of Dixon at an appraised value to be arrived at in the following manner: The said A. H. McNeal or his assigns is to have six months official notice from the said city of Dixon at any time after the expiration of the before mentioned term of twenty years, of its desire to purchase the said water works at an appraised value; the said A. H. McNeal or his assigns shall select a competent hydraulic engineer, and the said city of Dixon shall select another competent hydraulic engineer, and if these two cannot agree as to the value of the said water works, the two shall select a third competent hydraulic engineer, and in case they cannot agree upon a selection, such a third person shall be appointed by the county Judge of Lee county, Illinois. The men so determined upon, shall be duly sworn to make a just and equitable valuation of said property and the true cash value of the plant, which appraisement shall be binding upon both parties as to the value thereof, and the said city shall have the right to purchase and become the absolute owner of said water works and property thereunto belonging at such appraisement value.

SEC. 13.—The said A. H. McNeal or his assigns shall commence the erection of said works within ninety days from and after the passage and publication of this ordinance; if not so commenced, all rights and privileges herein granted shall be null and void at the option of the city council. After the erection of said works is commenced, the said A. H. McNeal or his assigns shall prosecute the same as rapidly as possible and shall complete them within twelve months from the beginning of the construction of said works. The city shall have five days after the completion of said works in which to test the capacity thereof before accepting the same, and due notice of the completion of said works shall be given by said A. H. McNeal or his assigns in writing to the city clerk of said city.

SEC. 14.—This ordinance shall become binding as a contract between the city of Dixon, Illinois, and the said A. H. McNeal and his assigns, upon the filing with the city clerk of said city, a written acceptance thereof by said A. H. McNeal or his assigns, provided the same is done within thirty days from the passage and publication of this ordinance; and this ordinance when so accepted, shall not be altered, amended or changed in any way without the concurrence and consent of both parties hereto.

Passed, July 18th, 1883. J. C. AYRES, City Clerk. Approved, July 18th, 1883. JOHN V. THOMAS, Mayor.

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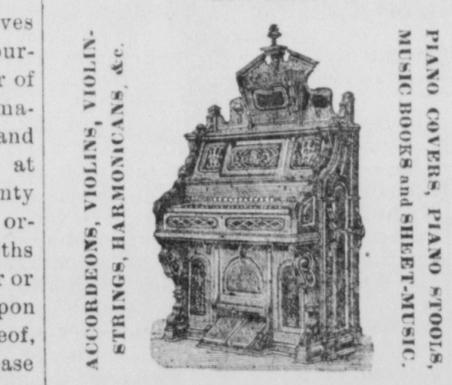
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