

THE
REVISED LAWS
OF THE
CITY OF NASHVILLE,

WITH THE VARIOUS ACTS OF INCORPORATION AND LAWS APPLICABLE TO
THE TOWN AND CITY OF NASHVILLE, AND A LIST OF THE DIFFERENT
BOARDS OF MAYOR AND ALDERMEN, AND OTHER OFFICERS OF
SAID CITY FROM THE YEAR 1806 TO 1850, INCLUSIVE.

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1850.

# Water Works.

## CHAPTER XXXV.

An Act to regulate the Water Works of the City of Nashville.

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SEC. 1. *Be it enacted, by the Mayor and Aldermen of the City of Nashville, That there shall be annually elected on the first regular meeting of the city council in December, one or more engineers, and a superintendent of the water works, whose term of office shall commence on the first day of January thereafter, for one year, or until their successors in office are elected and qualified; the said officers so elected, shall each, before entering upon the duties of his office, enter into bond with such security as may be approved of by the board, payable to the Mayor and his successors in the penal sum of one thousand dollars, conditioned for the faithful discharge of the duties of his office.*

SEC. 2. *Be it enacted, That the following duties shall be imposed upon said engineers:*

1. To superintend that portion of the water works without the limits of the corporation;

2. To keep the reservoirs constantly supplied with water;

3. To run and keep in complete order and repair, the engines attached to said works, and for one of said engineers to be

present at the engine-house and superintend the running of the engine during the whole time it is in motion, a neglect of which duty shall be cause of instant dismissal, and a forfeiture of any arrears of wages due the engineer guilty of such delinquency.

4. To divide their duties by mutual agreement, in regard to the running of the engine, and in case of disagreement, to refer the same to the committee on water works, whose decision shall be binding upon the parties, unless reversed by the board;

5. To perform such other duties and services as may be required by the board or the committee on water works.

SEC. 3. *Be it enacted*, That it shall be the duty of the superintendent of the water works :

1. To take charge of and keep in operation, and in proper repair, all parts of the water works within the limits of the corporation of Nashville;

2. To superintend the execution of any work ordered by the city council, for the repair and extension of the water works ;

3. To cleanse and oil all the stop-cocks and fire-plugs connected with the water-works once in every three months, and oftener, if directed so to do by the committee on water works ;

4. To examine once in two weeks every hydrant and establishment supplied with water from the water works, and if, upon such examination, he shall find any hydrant, or the works connected with any establishment aforesaid, in a leaking condition, and the waste of water therefrom considerable, he shall proceed forthwith to shut off the water from such hydrant or establishment, until such leak or leaks shall be repaired, first notifying the owner or owners thereof, of his intention so to do ;

5. To take a list of the water-tax semi-annually, by the first day of January and July;

6. To report to the board in writing, at its first regular meeting in each and every month, a statement of the work connected with his office, done by him during the preceding month, and the general condition of the works entrusted to his charge.

7. To make a record in a book, to be provided and kept for that purpose by him, of all pipes, branch pipes, fire-plugs, stop-

cocks, hydrants and other fixtures erected for the supply of water, which record shall contain the quantity and description of pipes, &c. laid, and shall designate the points of junction of the branch-pipes with the main pipes, or with each other, the course and distance it runs to the hydrant or hydrants thereto attached, so that no difficulty may at any time occur in ascertaining the exact position of any pipes, branches or fixtures, which book shall be the property of the corporation, and shall, upon the death, resignation or removal from office of the superintendent, be taken in charge by the chairman of the water works committee, and by him safely kept until another superintendent shall be duly elected;

8. To attend at every fire and aid in its suppression, with the pipes and water of the city, and to see that the fire-plugs are properly closed and secured after its extinguishment;

9. To be at all times subject to the control and direction of the water works committee, or the city council.

SEC. 4. *Be it enacted*, That it shall not be lawful for any person or persons, other than the superintendent or his assistants, or agents, to introduce any ferule into any pipe belonging to the corporation connected with the water works, nor to make any connection of pipe with the same, except on the branch-pipe leading from the first stop-cock, or at the stop-cock itself, which shall in all cases be placed between the main pipe and the boundary line of the street. For the insertion and connection above specified, and for all incidental expenses there-to, the superintendent shall be entitled to demand and receive a reasonable compensation from the person or persons for whom the service is rendered; nor shall it be lawful for any person or persons to connect any pipe with a branch pipe of the main pipes without inserting a stop-cock in said pipe between its conjunction with said branch pipe and its *terminus*; and also a stop-cock in the branch-pipe between said conjunction and the *terminus* of said branch-pipe, without first having obtained the assent of the board or the committee on water works to do the same: any person violating the provisions of this section shall be liable to a fine of twenty dollars for each offence.

SEC. 5. *Be it enacted*, That upon the application of any owner of any house or tenement, or any part of tenement, or any lessee

of any house or tenement, whose term has not expired by six months at least, to said superintendent to obtain water from said works, he shall without unnecessary delay, give said applicants instructions concerning the same and observe that no violation of this law is committed in supplying said applicant with water.

SEC. 9. *Be it enacted*, That the water tax shall be payable in advance for six months, commencing on the first of January and July, to the proper officer by those to whom the water shall be supplied, and the rates of the water tax per annum shall be as follows, to wit:

|                                                                                                |         |
|------------------------------------------------------------------------------------------------|---------|
| For each family of five and under, - - - - -                                                   | \$10 00 |
| For each person over five, - - - - -                                                           | 1 00    |
| For each private bathing tub or bath house, - - -                                              | 6 00    |
| For shower bath, by those who do not pay for private<br>bathing tubs or bath houses, - - - - - | 5 00    |
| For each horse, - - - - -                                                                      | 2 00    |
| For each store house, - - - - -                                                                | 8 00    |
| For each lawyer's office and doctor's shop, separate<br>from dwelling house, - - - - -         | 6 00    |
| For each apothecary's shop, - - - - -                                                          | 15 00   |
| For each confectionary shop where liquors are sold, -                                          | 30 00   |
| and three per cent. on the rent, or the value of the<br>rent thereof.                          |         |
| For each confectionary shop without a license to sell<br>liquors, - - - - -                    | 20 00   |
| For each boarding house, - - - - -                                                             | 25 00   |
| and three per cent. on the rent or value thereof.                                              |         |
| For each tavern, - - - - -                                                                     | 60 00   |
| and three per cent. on the rent or value thereof.                                              |         |
| For each stable attached to a tavern, - - - - -                                                | 40 00   |
| For each livery stable with twenty-five stalls or under,                                       | 50 00   |
| And for each stall over twenty-five, - - - - -                                                 | 1 00    |
| For each hatter's shop, employing four hands and under,                                        | 10 00   |
| For each hand over four, - - - - -                                                             | 2 50    |
| For each currier's shop, - - - - -                                                             | 30 00   |
| For each soap and candle factory, - - - - -                                                    | 30 00   |
| For each blacksmith shop with only one forge or fire-<br>place, - - - - -                      | 10 00   |

|                                                                                                                                                 |        |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| And for each additional forge or fire-place, - - -                                                                                              | \$2 50 |
| For each shoe-maker's shop, saddler's shop, cabinet-maker's shop, wagon-maker's shop, tailor's shop, or other shop of like description, - - - - | 10 00  |
| For each barber's shop, - - - - -                                                                                                               | 15 00  |
| For each baker's shop, - - - - -                                                                                                                | 15 00  |
| For each printing office, - - - - -                                                                                                             | 25 00  |
| For each public bathing house of ten tubs, and under,                                                                                           | 100 00 |
| And for each tub over ten, - - - - -                                                                                                            | 10 00  |
| For each brewery, - - - - -                                                                                                                     | 125 00 |
| For each wagon-yard, exclusive of family, - - -                                                                                                 | 30 00  |
| For each washer-woman who takes in washing from other persons not residing in the same house with her, - - - - -                                | 15 00  |
| For each slaughter house, - - - - -                                                                                                             | 65 00  |
| For each steam engine of three horse power and under,                                                                                           | 50 00  |
| And for each horse power over three, - - - -                                                                                                    | 15 00  |
| For each laboratory, - - - - -                                                                                                                  | 75 00  |
| For each livery stable in which the water is used to cleanse vehicles, &c., an additional tax of, -                                             | 25 00  |

And each family that uses the water in like manner, - 2 00

And for every other house, tenement or establishment not herein specifically enumerated, the water works committee shall have power to fix the rate of water tax by agreement with the person or persons wishing a supply of water. Whenever any person commences using the water at a period other than when the semi-annual rents are payable, he or she shall pay such sum as would accrue according to the rate of annual rent up to the next period of semi-annual payments.

Sec. 7. *Be it enacted*, That it shall be the duty of all persons who shall use, occupy or own any house or tenement, or other premises, into which the water shall have been introduced, to permit the superintendent, his assistants or agents, or any agent or officer of this corporation, duly authorized, to enter into such house, tenement or premises, at seasonable hours, for the purpose of inspecting the works therein constructed, taking up, repairing or removing the same, or of ascertaining if any of the provisions of this or any other act, have been violated, and if upon application of the superintendent or any of the

aforesaid officers or agents, for any of the purposes herein enumerated, any occupier, holder or owner shall refuse to permit the requisite inspection to be made, or other acts or duties herein prescribed to be performed, the person or persons so refusing shall forfeit and pay the sum of five dollars for each refusal.

SEC. 8. *Be it enacted*, That it shall not be lawful for any person or persons to whom the water shall be supplied by this corporation, to permit any person or persons other than members of his, her or their own family, or person or persons in his, her or their employ upon the lot to which the water may be supplied, to have, take, receive or use from any hydrant or cock, or other fixture erected on said lot, any of the water so supplied, nor to use or permit the same to be used for the watering or sprinkling of lots or gardens, nor to be wantonly wasted, or to run without proper precaution from any such hydrant or cock; and for every offence (whether committed by the person taking the water or allowing it to be taken,) against any of the provisions of this section, the offender shall be liable to a fine not exceeding five dollars for each offence, to be recoverable before any competent jurisdiction; *Provided*, That nothing herein contained shall be so construed as to subject to the aforesaid penalty, any person for furnishing another with water while remaining as a visitor within his, her or their house, or premises, or to any person for extinguishing fires, or to any person having the written consent of the water works committee, or so as to prohibit any person from granting the use of said water to another person who may have contracted for its use on the premises or tenement occupied by him or her, when his or her hydrant or pipe is out of repair.

SEC. 9. *Be it enacted*, That it shall not be lawful hereafter to introduce pipes from the water works into any house, lot or tenement without the limits of the corporation, nor any building or establishment, the erection of which is unlawful, or in which any unlawful business is prosecuted.

SEC. 10. *Be it enacted*, That if any person shall, without lawful authority, open, remove or in anywise injure any of the pipes, cocks or fire-plugs, whether public or private, or take therefrom, or waste the water thereof, or anywise prevent free access to said fire-plugs, or shall in any manner deface or injure any of the

houses, walls, machinery or fixtures connected with or appertaining to the water works, or shall bathe in the reservoir, or throw or deposit any sticks, mud, rubbish or other matter therein, he, she or they so offending shall be liable to a fine of five dollars for each offence, if free, and if a slave, may be punished at the discretion of the magistrate, and for all the penalties incurred under this section, if the offender be a minor, his or her parent or guardian shall be liable for the fine or fines by him or her incurred; *Provided*, That nothing in this section contained shall be extended to exempt the party or parties offending from any suit or prosecution allowed by law.

SEC. 11. *Be it enacted*, That no person or persons shall be supplied with the water of the water works, for a less time than six months, and any person intending to discontinue the use of the water, shall give a notice of thirty days in writing to the superintendent, before the expiration of his or her contract, otherwise he or she shall be chargeable and pay rent for the thirty days next following the termination of his or her contract; and if any person shall be in arrear for rent due for the use of water, it shall be the duty of proper officers to take legal and prompt means to collect the same; and further, it shall and may be lawful for the superintendent for such time as said sum or sums of money may remain in arrear and unpaid, to withhold from the delinquent the use of the water.

SEC. 12. *Be it enacted*, That nothing in this act shall be so construed as to prevent the fire companies of the city of Nashville from the free use of the water for all purposes that will make them the more efficient in the extinguishment of fires.

Passed June 20, 1850.