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DISTRICT OF COLUMBIA. LAWS, STATUTES,
ETC.

AN ACT REGULATING THE DISTRIBUTION
OF POTOMAC WATER





Thomas Miller

AN ACT
REGULATING THE DISTRIBUTION OF
POTOMAC WATER
THROUGHOUT THE
CITY OF WASHINGTON.

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WHEREAS, the Congress of the United States did, on the third day of March, eighteen hundred and fifty-nine, pass the following act, entitled "an Act to provide for the care and preservation of the works constructed by the United States for bringing the Potomac Water into the cities of Washington and Georgetown, for the supply of said water for all Governmental purposes, and for the uses and benefit of the inhabitants of the said cities."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the dams, aqueducts, water-gates, reservoirs, and all fixtures and improvements connected therewith, which have been, or may hereafter be constructed by the United States for the conveyance of the water from the Potomac river above the Great Falls to the cities of Washington and Georgetown, together with the lands, houses, fencing, water, and other rights and appurtenances connected with the same, and belonging to the government, as also the mains, conduits, supply-pipes, basins, hydrants, fountains, stop-cocks, sewers, drains, receiving basins, and all other fixtures connected with the same, which have been, or may hereafter be laid down or constructed by the United States, shall be placed by the President of the United States under the immediate care, management, and superintendence of a properly qualified officer of the United States Corps of Engineers, to be appointed by him, who shall act under the Department of the Inte-

terior, and who shall make an annual report to that Department in the month of November in each year, to be laid before Congress at the commencement of their regular annual session, of the work, proceedings, repairs, casualties, and expenditures connected with the said Water-works for the preceding year; and such officer, as a compensation for the duties and responsibilities imposed upon him by this act, shall receive for his pay as said Engineer, no more than his regular pay as an officer of the corps. He shall occupy the necessary apartments in one of the public buildings in the city of Washington, as may be directed by the President, and shall be supplied by the Government with the stationery, instruments, books, and furniture, required in the performance of his public duties. And in this office of the Engineer of the Potomac Water-works, shall be kept and preserved, a complete record of all the lands and other property and matters and things enumerated in this section, and otherwise connected with or belonging to these water-works, or which may hereafter be acquired or procured for the same. The said Engineer shall have full power and control over the said water-works, and shall regulate the manner in which the said Corporations of Washington and Georgetown may tap the pipes for the supply thereof, and shall stop the same whenever it is found no more than adequate to meet the wants of the General Government. The said Engineer's decisions on all questions connected therewith, to be subject only to appeal to the Secretary of the Interior.

SEC. 2. *And be it further enacted*, That full power and authority are hereby given to the Corporations of Washington and Georgetown, in the District of Columbia, to supply the inhabitants within their respective limits with Potomac water from the aqueduct, mains, or pipes, now laid or to be laid in the streets and avenues by the United States; and to make all laws and regulations for the proper distribution of the same, subject to the restrictions prescribed by this act: *Provided*, That no expense shall devolve upon the United States in consequence of said distribution.

SEC. 3. *And be further enacted*, That the said Corporations shall have authority, by ordinance, act, or otherwise, to establish a scale of annual rates for the supply and use of said water, apportioned to different classes of buildings in said city according to their size, dimensions, assessed values, exposure to fires, uses for dwellings, stores, shops, stables, manufactories, or other purposes, number of occupants, or consumption of water, measured by meter or otherwise,

and to modify, alter, amend, increase or reduce such scale, from time to time, and extend it to other description of buildings and establishments; to collect such rates or rents, when so fixed, in advance or otherwise, through such agents or commissioners as they may authorize, from the owners or occupants of all such buildings or establishments, respectively, who may use the water therein. To stop the supply of water to any such dwelling or establishment upon a failure to pay said rate, charge, or rent. And generally, to enact such laws as may be necessary to supply the inhabitants of said city of Washington with pure and wholesome water, and to carry into full and complete effect the powers herein granted; *Provided*, That the rates levied by the cities of Georgetown and Washington shall never be a source of revenue other than as a means of keeping up to the said cities a supply of water.

SEC. 4. *And be it further enacted*, That for the purpose of enabling the Corporations aforesaid to carry out the provisions of this act, it shall be competent for them to borrow, in such proportions as they may deem expedient, a sum of money not exceeding one hundred and fifty thousand dollars for the city of Washington, and fifty thousand dollars for Georgetown, redeemable within a period of ten years, out of any revenue to be derived from water rents.

SEC. 5. *And be it further enacted*, That it shall not be lawful for any person or persons other than said Corporations, or persons authorized by them, to tap or open the mains or pipes laid or to be laid by the United States, for any purpose whatever, under a penalty of not less than fifty nor more than five hundred dollars, for each and every offence. And if any person or persons shall wilfully and maliciously break, injure, deface, or destroy, any main or pipe, bend, branch, valve, hydrant, service-pipe, or any other fixture used for the distribution of water throughout the streets and avenues, or for its introduction into the houses, tenements, or buildings of said cities, such person or persons shall be subject to imprisonment in the county jail, for a period not exceeding two years for each and every such offence.

SEC. 6. *And be it further enacted*, That whenever it shall become necessary to lay main pipes for the supply of water to the cities of Georgetown and Washington, the cost of the same shall be paid by the said cities, and the Engineer aforesaid is hereby prohibited from making any contracts for the same, unless approved by the Corporations aforesaid, and expressly stipulated with the contractor or contractors that the payment for the same is to be made by the said Corporations;

Provided, That no greater number of main pipes shall be laid by the General Government than are sufficient to give to said government the necessary supply of water.

SEC. 7. *And be it further enacted*, That it shall be unlawful for any person or persons to do or commit any act by reason of which the supply of water, or any part thereof, shall become impure, filthy, or in any way unfit for use, and that any person or persons committing any such act or acts, wilfully, knowingly, and maliciously, shall be subject to a fine of not exceeding one thousand nor less than five hundred dollars, or not exceeding three nor less than one year's confinement in the Penitentiary of the District of Columbia, for every such offence.

SEC. 8. *And be it further enacted*, That all acts or parts of acts inconsistent with this, be, and the same are hereby, repealed.

SEC. 9. *And be it further enacted*, That the cities of Washington and Georgetown, respectively, shall have power to establish a complete system of sewerage in aid of the execution of the provisions of this act.

Approved, March 3, 1859.

And whereas, the city of Washington fully appreciates the liberality of the United States in thus permitting a present sufficient and future inexhaustible supply of water from the Potomac Aqueduct, and mains to be introduced into the dwellings of her inhabitants, and therefore, in order speedily to avail herself of this great privilege, enacts the following ordinance:

AN ACT regulating the distribution of "Potomac Water" throughout the City of Washington.

Be it enacted by the Board of Aldermen and Board of Common Council of the City of Washington, That immediately after the passage of this act, and annually thereafter, on or about the fourth Monday in June, the Mayor, by and with the advice and consent of the Board of Aldermen, shall appoint some suitable and competent person, who shall be a citizen of Washington, as a Water Registrar, who shall, before entering upon a discharge of the duties of his office, execute a bond to the Corporation, with two or more sureties, to be approved by the Mayor, in the penal sum of ten thousand dollars, conditioned for the faithful discharge of the duties of his office; he shall hold his position as said Water Registrar, until a successor is appoin-

ted and qualifies as aforesaid, or he is removed by the Mayor, and shall receive an annual compensation of one thousand two hundred dollars, payable monthly out of the Water Fund.

SEC. 2. *And be it enacted*, That the Water Registrar, shall assess the water rates according to the tariff established by ordinance of the Corporation; make out and deliver all bills for the use of the water; visit personally, at least twice each year, the premises of every individual supplied therewith; exercise a constant supervision over the use of the water, and attend to the enforcement of all the requirements of this or any other water ordinance of the Corporation.

SEC. 3. *And be it enacted*, That the water Registrar shall, on or about the first day of each and every month, make a summary statement of the business transacted in his office during the preceding month, to the Mayor, for transmission to the Boards of the city Council, for their information and guidance, and annually, on or before the tenth day of January, shall present to the Mayor, for the like transmission, a detailed report, showing the whole number of water takers, the amount received from each class, for annual rates; the number supplied for the first time during the past year; the number of cases where the water has been discontinued, and the reasons therefor; the receipts and expenditures of the water department, the then condition of the Water Fund; and such other information as he may deem useful or important.

SEC. 4. *And be it enacted*, That the Water Registrar shall keep suitable books in his office, in which shall be entered all the transactions of the water department; the names of all persons who take the water; the description of the building and its location; the purposes for which the water is used; the number, size, and location of all Corporation stops ordered to be inserted, and fire-plugs erected; the amounts received for each, and from whom; and such other entries as may be necessary to a full understanding of all the details of his office; which books shall be always open to the inspection of the Mayor or any member or committee of the city Council. He shall arrange, file, and safely keep all papers belonging to the department; audit, examine, and certify, if correct, all claims upon the Corporation growing out of the distribution of water throughout the avenues, streets, or alleys of the city; and no bill or account against the water department shall be paid unless so certified to be correct by the Water Registrar, and appropriation shall have been made therefor by the Corporation. The said Water Registrar shall deposit weekly, or

oftener, all money received by him on account of water rates, tapping mains, erecting fire-plugs, enforcing penalties, or from any other source whatever, to the credit of the Water Fund, in such bank or institution as may be designated by law to receive the deposits of the Collector of Taxes, and shall furnish the city Register with a certificate from the proper bank officer of each deposit so made. He shall keep his office in the City Hall, in a room to be provided for that purpose by the Mayor, and shall be in attendance thereat every day, except Sundays, from nine o'clock in the morning to five o'clock in the afternoon.

SEC 5. *And be it enacted*, That it shall be the duty of the Committee on Finance of the Board of Aldermen, and the Committee of Ways and Means of the Board of Common Council, acting for the time as a joint committee, at least once in every six months, to examine all the books, accounts, and vouchers of the water Registrar, the receipts from every source, the deposits in banks, the payment and expenditures, the condition of the Water Fund, and all other matters connected with the fiscal operations of the water department, and report the result of their investigation, with such recommendation as they may deem proper, to their respective Boards.

SEC 6. *And be it enacted*, That immediately after the passage of this act, and annually thereafter, on or about the fourth Monday in June, the Mayor, by and with the advice and consent of the Board of Aldermen, shall appoint some competent and suitable person, who shall have learned practically and thoroughly the art and trade of a plumber or a machinist, as a Water Purveyor. He shall be a citizen of Washington, and not engaged during his continuance in office, directly or indirectly, in the plumbing business, or any other business in this city or elsewhere; and shall, before entering on the duties of his office, execute a bond to the Corporation, with one or more sureties, to be approved by the Mayor, in the penal sum of two thousand dollars, conditioned for the faithful performance of the duties of his office; he shall hold his position as Water Purveyor until a successor is appointed and qualified, as aforesaid, or he is removed by the Mayor, and shall receive an annual compensation of one thousand dollars, payable monthly, out of the Water Fund.

SEC. 7. *And be it enacted*, That the said water Purveyor shall be charged with, and responsible for, all supplies belonging to the pipe yard or water department, the superintendence of the laying of all water mains being the property of the city, repairing and renewing the same; the erection

complete of all Corporation fire-plugs; the tapping, upon a written order from the Water Registrar, of all water mains, and the insertion of Corporation stops therein, under the direction, so far as the mains laid by the United States are concerned, of the Engineer of the "Potomac Water-works," agreeably to the requirements of the first section of the act of Congress aforesaid; the inspection and approval of the manner of laying all service pipes, and the location of all stop-cocks thereon; the shutting off the supply of water in case of leakage or waste, or upon the non-payment of the water rates, when due, and perform all such other duties appertaining to the distributing department, as may be required of him.

SEC. 8. *And be it enacted*, That the Water Purveyor shall keep a map of the city in his office, drawn to a scale of not more than two hundred and fifty feet to the inch, showing, at all times, the exact location and size of all the main water pipes, designating thereon all the valves, outlets or branches, fire-plugs, and service pipes, so as to avoid all difficulty in ascertaining the true location of any main, service pipe, fixture or thing belonging to the water department; and in addition to said map, corresponding entries shall be made, from day to day, in books to be prepared for that purpose, and carefully preserved in his office. He shall keep his said office in the City Hall, in a room to be set apart for that purpose by the Mayor, and shall attend thereat every day, except Sundays, from nine o'clock in the morning to five o'clock in the afternoon, when not necessarily engaged in the out-door duties of his office.

SEC. 9. *And be it enacted*, That the Water Purveyor shall, on or before the first day of every month, make a summary statement of all the operations in his branch of the water department during the preceding month, to the Mayor for transmission to the Boards of the city Council, for their information and guidance; and on or before the tenth day of January, annually, shall present to the Mayor, for like transmission, a detailed report showing the whole number of feet, size, and location of water mains then laid throughout the city; the number, size, and location of all mains laid during the past year; of all valves inserted, all Corporation stops introduced, and of all fire-plugs erected; the number of leaks repaired, and the causes thereof; a complete inventory of all mains and supplies on hand in the pipe yard, or elsewhere, and such other information as he may deem useful or important.

SEC. 10. *And be it enacted*, That it shall be the duty of the Committee on Drainage, Sewerage, and Distribution of

Water, in each branch of the city Council, acting for the time as a joint committee, at least once in every six months, to thoroughly and carefully examine and inspect all the operations of the distributing department of the water, in its extent and detail; the condition of all stop-valves and fire-plugs, trenches, or excavations in which mains or service pipes have been laid, the quantity of mains and other supplies received by the Water Purveyor from the contractors for furnishing the same, the quantity used in the distribution of the water, and an inventory of all remaining on hand, and report the result of their examination and inspection, with such recommendations as they may deem proper, to their respective Boards.

SEC. 11. *And be it enacted*, That all money paid into the city treasury on account of the water department, shall be placed to the credit of the Water Fund, to which it is exclusively and inviolably appropriated and set apart, and shall not be used for any purpose or object other than to distribute the water throughout the city of Washington, to pay the salaries of the officers belonging to the said water department, and the principal and interest on all loans made therefor. And no moneys belonging to the Water Fund shall be paid out of the city treasury except upon specific appropriations, and then only by warrants drawn on the deposit bank, signed by the Mayor and countersigned by the city Register.

SEC. 12. *And be it enacted*, That the Water Registrar shall, immediately after entering upon the duties of his office, and annually, on or about the first day of February, advertise for a period of from ten to thirty days, in at least two daily newspapers published in Washington, having the largest subscription list, inviting sealed proposals in duplicate, to be transmitted, one copy to the President of the Board of Aldermen, and one copy to the President of the Board of Common Council, for the furnishing, during the current year, delivered in this city, of all water-mains, valves, branches, bends, sleeves, caps, Corporation stops, fire-plug hydrants, and every other article or thing required in distributing the water; and also, for the trenching, laying of the mains complete, inserting the valves, branches, and out-lets; erecting the fire-plug hydrants; filling, ramming, and levelling the ditches or excavations; designating the probable number of feet of main and size, and the probable quantity of every other article or thing enumerated, required to be furnished or laid during the year, and naming a time when such sealed proposals will be opened in joint meeting of the two Boards of the city Council.

SEC. 13. *And be it enacted.* That every person who shall be awarded any contract for the supply of materials, or the performance of labor, as above provided, shall give penal bond or bonds with sureties, to be approved by the Mayor, for the faithful fulfilment of his contract with the Corporation, according to its terms and conditions. And all such contracts shall be made in writing and signed in duplicate, one copy shall be filed in the office of the city Register, and the other copy in the office of the Water Registrar.

SEC. 14. *And be it enacted,* That no member of the city Council, or officer, agent or employee of the Corporation of Washington, shall be personally or pecuniarily interested, directly or indirectly, in any contract, bargain, agreement, or award in relation to the distribution of water, wherein the Corporation is at all interested; and any and all contracts, bargains, agreements, or awards made in violation of the provisions of this section, shall be utterly void and not binding on the city.

SEC. 15. *And be it enacted,* That it shall be the duty of the Water Purveyor to cause, without delay, water mains of not less than six inches in diameter, inside measurement, and proved under a pressure of three hundred pounds to the square inch, to be securely laid, the upper surface of which shall be forty-eight inches in depth below the established grades, with approved stop-valves at proper distances, in all such avenues, streets, and alleys, as may be designated from time to time by ordinance of the Corporation: *Provided,* That such mains shall be laid only in such designated avenues, streets, or alleys where the rents to be received from the use of the water will yield an immediate return to the city of not less than six per centum per annum upon the whole amount of the required expenditure in such avenue, street, or alley: *Provided further,* That the city Surveyor shall, at the request of the Purveyor, prepare, make, and furnish all such surveys, admeasurements, and levels, and perform such other service, and give such other information pertaining to his office, as city Surveyor, which may be required of him.

SEC. 16. *And be it enacted,* That the annual rent for the use of the water, shall be payable to the Water Registrar, at his office, in advance, on the first day of July in each year. All charges for specific supplies, or for fractional parts of the year, shall likewise be payable to the said Water Registrar, at his office, in advance, before the order to the Purveyor to tap the main is issued by the Registrar, or the water is let on, as also the cost of tapping the main, and furnishing and

inserting the Corporation stop, which shall, in every instance, except when the supply is for the use of the United States, be fixed at three dollars for each and every time the said water mains are tapped and the stop inserted.

SEC. 17. *And be it enacted,* That in all cases of the non-payment of the water rent for thirty days after the same is due and payable, as aforesaid, the Water Registrar shall notify the Purveyor of such delinquency, and the said Purveyor shall discontinue the supply of water immediately, and he shall not allow it to be again used in said delinquent's premises until the water rent is paid to the Registrar as aforesaid.

SEC. 18. *And be it enacted,* That a book, to be called the "Subscription Book," shall be kept in the office of the Water Registrar, with a caption importing that the owners of property whose names are undersigned request that water may be introduced into their premises mentioned, opposite their respective names, upon the terms and conditions prescribed by the ordinances of the Corporation, and consenting that in default of payment for the water used in said premises, the supply may be discontinued and the flow stopped until the water rent be paid. When the owner of any property applies for the introduction of water into his premises, he or his authorized agent shall write his name in said subscription book, under said caption, with the date and number of his application, the location of his premises, and the purpose for which the water is to be used; and the water shall not be introduced into the premises of any person or persons until there is written what is here required, and the price of the permit to tap the main is paid, as also the water rate, whether annual, fractional, or specific.

SEC. 19. *And be it enacted,* That after the requirements of the foregoing section are complied with, it shall be the duty of the Purveyor upon receiving the order from the Water Registrar, as soon as he is notified by the plumber engaged in making the connection for water, that the main is exposed at the desired place, without delay to tap the same and insert the Corporation stop. And the owner of the premises, after receiving a permit from said Registrar to open the avenue, street, or alley, and foot pavement, and from the Commissioner of Public Buildings, where the premises are to be supplied from a main laid in an avenue or street which the United States have, in whole or in part, improved, as required by the act of Congress of June twelve, eighteen hundred and fifty-eight, may have the water introduced into the desired premises: *Provided,* The work be done by a competent

plumber, to the satisfaction of the Purveyor, subject in case of grievance to an appeal to the Mayor, and the material used to be of the best quality of its kind, sufficiently strong to safely withstand double the required pressure, and be laid at least thirty-six inches in depth below the established grade. And every service pipe shall have a stop-cock inserted therein by the plumber, at the expense of the owner of the premises, in such situation as may be accessible at all times from the avenue, street or alley, with an opening above the same at least four inches square, secured by a cast-iron box, or wooden box if saturated with gas-tar, or walled up with bricks and cemented, and covered at the top with a cast-iron plate, marked "Potomac Water;" which stop-cock shall be only for the use and under the exclusive control of the Water Purveyor, so that the supply may be stopped at any time in case of leakage or on the non-payment of the water rent, as above provided. And every tenement or dwelling shall have its own independent service pipe from the main, so that but one tenement or dwelling shall receive its supply of water through one service.

SEC. 20. *And be it enacted*, That when directed by ordinance of the Corporation, it shall be the duty of the water Purveyor to cause without delay, one or more fire-plug hydrants to be erected complete, and connected with the the main by not less than a four-inch pipe, where the water mains shall have been laid down, unless the said fire-plug hydrants have been or shall be erected by the United States. The said fire-plug hydrants shall be placed at such point or points as will best serve for the extinguishment of fires, and shall be of the most approved pattern and manufacture, and fitted for steam and hand engines.

SEC. 21. *And be it enacted*, That as soon as each fire-plug hydrant shall have been erected and tested to the satisfaction of the Water Purveyor, the actual expense thereof, (which shall in no case exceed eighty-five dollars,) shall be paid to the Water Registrar out of the funds of the Ward in which it may be located.

SEC. 22. *And be it enacted*, That all fire-plug hydrants which may be erected as aforesaid, are hereby placed under the charge of the Water Purveyor, whose duty it shall be to see that they are at all times kept in good repair and filled with an abundant supply of water.

SEC. 23. *And be it enacted*, That the following regulations shall be considered a part of the contract with every person who takes the water, and every such person, by taking the

water, shall be considered to express his assent and be bound thereby. They shall be printed upon every bill for water rent, and whenever any one of them is wilfully violated, the water shall be shut off from the premises, and the flow not restored except upon the payment to the Registrar of the sum of two dollars.

The said regulations are as follows :

1. All persons taking the water are hereby required to keep their service pipes and all the fixtures connected with such service pipes, in good condition and repair, and protected from frost, all at their own expense; to prevent all unnecessary waste of water, and keep the trench in which their service pipe was laid, from the main to the building line, in good order and condition.
2. Applicants for water must state fully and truthfully all the purposes for which it is required, and without concealment, answer all questions put to them by the Water Registrar relative to its consumption and size of premises.
3. The hose shall not be used in the avenues or streets to wash off carriages, omnibusses, or other vehicles, or for watering or washing horses. Caps upon the said pavement or street washers must, when the washers are not in use, be kept screwed securely down, and not project more than three-fourths of an inch above the foot pavement.
4. No private hydrant will be permitted on the side walk or foot pavement, or in the front area, or in any other place where the waste water from its mouth or outlet will be cast on the side walk or foot pavement of any avenue or street in the city.
5. The Corporation reserves the right, whenever it may be deemed necessary in order to furnish the supply required for domestic uses, to cause the flow of water to be discontinued for all other purposes.
6. All waste water, if discharged into the gutters of the avenues or streets of the city, must be conducted across the side pavements or footways, through cast iron or fire-clay pipes, wooden boxes, or cemented drains below, and covered by the flagging or bricks of said pavements or footways.

SEC. 24. *And be it enacted*, That the annual rents to be collected by the water department shall be as follows, to wit:

On all tenements two stories in height having a front width of sixteen feet and under, the sum of three dollars, and for each additional front foot twenty-five cents, and for each additional story, one dollar per story.

SEC. 25. *And be it enacted*, That the extra and miscellaneous water rents shall be, in addition to the regular annual water rates on the houses when occupied as dwellings, as follows, to wit:

Bakeries. For the average daily use of flour, for each barrel, the sum of one dollar per annum.

Bathing Tubs. In all public bathing establishments and barber shops, three dollars per annum each.

Fountains. For the first jet of one-eighth of an inch, three dollars; for each additional jet of one-eighth, one dollar; for the first jet of one-fourth of an inch, five dollars; for each additional jet of one-fourth, two dollars; for the first jet of three-eighths of an inch, ten dollars; for each additional jet of three eighths, three dollars; for the first jet of one-half of an inch, fifteen dollars; for each additional jet of one-half of an inch, five dollars: but no fountain or jet shall be permitted on any premises where the water is not taken for other purposes, and to an extent sufficient for these purposes.

Horses, (private,) including water for washing carriages; for each horse, one dollar.

Livery Stables, including water for washing carriages; for each stall, twenty-five cents.

Horses, Omnibusses, Carts, Drays, or other vehicles; for each horse, fifty cents.

Hotels and Boarding-houses shall, in addition to the regular annual water rate for private families prescribed in the twenty-fourth section of this act, be charged for each bedroom for boarders or lodgers within the same, the sum of fifty cents.

Stationary Steam-engines; for each horse power, two dollars and fifty cents per annum.

Locomotive Engines, making not more than two trips per day, one hundred dollars each, per annum; if more than two trips per day, in the same proportion.

Refractories, Eating-houses, Club-houses, Confectioneries, Taverns, Ordinaries, Provision-shops or Stores, Market and

Fish stalls, refreshment and oyster Saloons, from five dollars to twenty dollars per annum, to be fixed by the Registrar.

Stores, Shops, Warehouses, Offices, Billiard Saloons, Barber shops, and Apothecary stores, from three dollars to fifteen dollars per annum, to be fixed by the Registrar.

All Manufacturing and other business requiring a large supply of water, are to be charged therefor at the rate of one cent per one hundred gallons, on the daily average estimated quantity during the year, the year to be computed at three hundred days.

All water required for purposes which are not specified in the foregoing tariff, shall be paid for at such rate as may be fixed by the Corporation.

The proprietors or persons having charge of the hotels, boarding houses, and manufacturing establishments, may place within their respective premises, at their own expense, a sufficient and accurate water meter, to be approved by the Purveyor, for the purpose of measuring the quantity of water used by them respectively. And when in any case the quantity used shall be so ascertained, the Water Registrar shall establish a water rate therefor instead of the specific rate hereinbefore required to be paid.

SEC. 26. *And be it enacted*, That the Mayor may grant permission to such persons as he may deem proper, who will comply with all the conditions of this or any other ordinance of this Corporation, to use the water from such of the fire-plug hydrants as may be designated by the Purveyor, or if created by the United States, then by the Engineer in charge of the Potomac Water-works, for the purpose of sprinkling any of the avenues, streets, or alleys, in this city; and no charge shall be made for the water so used.

SEC. 27. *And be it enacted*, That the sprinklers, when used by every such person shall be as follows: a tin or copper cylinder of six feet in length and three inches in diameter; it shall contain not exceeding five rows of holes which shall be at least one-half inch apart and of the size of eighteen inch wire gauge, or sixteen holes to the inch, and shall be made so as to throw the water directly on the avenue, street, or alley to be sprinkled, and the ends of the cylinder shall be without holes or openings of any kind.

SEC. 28. *And be it enacted*, That any person permitted to use the water for the purpose of sprinkling the avenues or streets aforesaid, who shall violate the provisions of any ordi-

nance of this Corporation, shall have his said permission revoked by the Mayor.

SEC. 29. *And be it enacted*, That the Water Purveyor shall cause mains to be laid wherever ordered by act of the Corporation, and permit service pipes to be put down in any of the avenues, streets, or alleys, upon the condition of procuring from the Commissioner of Public Buildings permission to make the necessary excavations in all such avenues and streets, as may have been improved in whole or in part by the United States, and the said water mains and service pipes, from time to time, to cause to be repaired or renewed, and for that purpose to open or cause to be opened any part of such avenue, street or alley, (subject to the condition aforesaid) and of the pavements or footways thereof, leaving at all times a sufficient passage for carriages, horses and foot passengers; and cause to be restored forthwith to their former condition, all such avenues, streets, alleys, pavements, and footways, as shall, from time to time, and any time, be so opened and disturbed as aforesaid.

SEC. 30. *And be it enacted*, That whenever the water Purveyor, shall cause or permit any part of the avenues, streets, alleys, pavements, or footways, to be opened for the purpose of laying or repairing the pipes for distributing the water through the city, or permitting it to be conducted into the premises of the inhabitants thereof, he shall cause the work to proceed without delay, and when the mains or service pipes are so laid, to require the earth to be securely filled in before sundown or all trenches so guarded by barricades or otherwise, as to prevent accidents or injuries arising therefrom; and shall also cause to be immediately removed all stones, earth, or rubbish of any kind remaining after the laying or repairing of such mains or service pipes.

SEC. 31. *And be it enacted*, That as often as any of said mains shall prove defective and become leaky from any cause, so as to allow the water to escape therefrom and flow upon the surface of the ground, it shall be the duty of the said Water Purveyor to cause the same to be immediately repaired. And in case of leakage from any service pipe, it shall be the duty of the said Water Purveyor, to cause the owner or agent of the premises supplied by such service to be notified in writing, of the fact, without delay, and to require said owner or agent to repair the same, and upon failure to do so, the said owner or agent shall be liable to a fine of not less than five dollars nor more than ten dollars, for each and every day af-

ter the delivery of such notification, that the said repairs are not made, and be held liable for all damage which may result from such leakage.

SEC. 32. *And be it enacted*, That if any person or persons, shall open any foot pavement, avenue, street or alley, or tap or cause to be tapped, any water mains, pipe or private connexion therewith, for the purpose of conducting the water into any premises, or for any other use without the written permit of the Water Registrar, as provided in the nineteenth section of this act, he or they shall forfeit and pay a fine of not less than thirty dollars, nor more than fifty dollars, for each offence, and be liable, in addition, to the penalty imposed by the fifth section of the act of Congress of March third, eighteen hundred and fifty-nine upon this subject.

SEC. 33. *And be it enacted*, That if any person or persons shall open or assist in opening, any fire-plug under the control of the city, except in case of actual fire in the vicinity; or remove the cover from any valve-box or stop-cock box; or turn on or off the supply of water by means of said valve on the main, or stop-cock on the service pipe, or otherwise, without the authority of the Water Purveyor, such person or persons shall be liable to a fine of not less than ten dollars nor more than fifty dollars, for each offence.

SEC. 34. *And be it enacted*, That if any person or persons shall obstruct the access to any valve or stop-cock connected with the water mains or service pipe, by placing thereon stone, brick, lumber, dirt, or any other material, or who shall permit any such material to be placed thereon by those in his or their employ, shall be liable to a fine of not less than ten dollars nor more than twenty dollars, for each offence, and likewise to a penalty of not less than five dollars nor more than thirty dollars per day, for every day the said access shall so continue obstructed, after receiving a notice from the Water Purveyor to remove the same.

SEC. 35. *And be it enacted*, That if any occupant of premises into which has been introduced the water, shall permit the same to run or waste unnecessarily from any hydrant, cock, jet, street-washer, or other fixture; or to overflow or flood the sidewalk or foot pavement, and thus, by wetting, be annoying, or by freezing, dangerous to foot passengers; or to flow from his fountain into adjacent premises and there used, or be taken from or used by any person other than said occupant or a member or visitor of his family, except in case of fire; or if any hydrant, jet, cock, street-washer or other fixture be found leaking, and said occupant, owner or agent of

the premises, shall refuse or neglect to have the necessary repairs made without delay; or refuse admission to the Water Registrar, Purveyor, or other authorized agent of the Corporation, into his premises when in the official discharge of his duty, as hereinbefore provided, the person so offending, shall forfeit and pay a fine of not less than five dollars nor more than thirty dollars, for each offence, and the supply of water shall be stopped from said premises until satisfactory assurance is given the Water Registrar that the like case will not again occur.

SEC. 36. *And be it enacted*, That if any person or persons shall wilfully or maliciously break, injure or deface, or destroy any water main, bend, branch, sleeve cap, valve, hydrant, jet, fountain, street-washer, fire-plug hydrant, service pipe, stop-cock, valve-box, stop-cock box, plate, or covering, or any other fixture or thing used for or connected with the distribution of water throughout the avenues, streets, or alleys in Washington, or for its introduction into the houses or tenements or buildings of the inhabitants of said city, such person or persons so offending, shall be liable to a fine of not less than forty dollars nor more than fifty dollars, for each and every such offence, and, in addition thereto, to a criminal prosecution, under the fifth section of the act of Congress of March third, eighteen hundred and fifty-nine, upon this subject.

SEC. 37. *And be it enacted*, That immediately after the passage of this act, it shall be the duty of the Water Registrar to notify, in writing, all persons who may have introduced, or are using or prepared to use in their premises in this city, (except the Public Buildings departments, or offices of the General Government) water from any of the mains or pipes laid by the United States or the Corporation, that they are forthwith required to sign the "Subscription Book" in his office, as provided in the eighteenth section of this act, pay in advance the water rate herein designated, and insert the stop-cock, for the use of the Corporation, in the service pipe, if not already there. And if any such person or persons shall after receiving the notice aforesaid, refuse or neglect to comply therewith, he or they shall be liable to a fine of not less than ten dollars nor more than forty dollars per day, for each and every day that the said notice is disregarded; and after the lapse of two days from the day of the receipt of said notice, if its requirements shall not be complied with, then it is hereby made the duty of the Water Purveyor, to disconnect the service or supply pipe, and stop the flow of water to all such premises, and the flow shall not be again established or the

water permitted therein, until all the requirements of this ordinance are obeyed, and the expense of cutting off and connecting the service-pipe with all excavations and paving, shall first have been paid to the Water Registrar.

SEC. 38. *And be it enacted,* That all fines, forfeitures, and penalties imposed by this and all future water ordinances, shall be prosecuted, recovered and collected, as other fines, forfeitures, and penalties are prosecuted, recovered, and collected by this Corporation; and when paid, shall be placed to the credit of the General Fund.

SEC. 39. *And be it enacted,* That it is hereby made the duty of all Police officers to report in writing or otherwise, to the Water Registrar, all leaks or breaks in the water mains, service pipes, fire-plug hydrants, and street-washers, all valves, stop-cocks, and street washers without proper or secure covers or plates; of all openings made in the avenues, streets, or alleys, for repairing, renewing, or laying down service pipes, and the name of the person doing the work; to attend all fires, assist in opening all fire-plugs, hydrants, and see that they are properly and securely closed when no longer in use; report the number and location of the buildings destroyed, if supplied with water; the discharge from the fire-plug hydrants, during the fire, whether free or obstructed, and, generally, all violations of this and other water ordinances, and communicate such further information as in their judgment may be useful or important.

SEC. 40. *And be it enacted,* That the Mayor be, and he is hereby authorized, whenever and as the same may be required for and in the prosecution of the work of distributing the Potomac water throughout the city of Washington, to borrow such sums of money as may be necessary, on bonds or certificates of stock of this Corporation, bearing interest, payable quarter yearly on the first days of January, April, July, and October, at the rate of six per centum per annum, and redeemable or payable at the pleasure of this Corporation within a period of ten years from the date of the issue thereof; *Provided,* That the whole sum for which bonds or stock certificates shall be issued, shall not exceed in the aggregate one hundred and fifty thousand dollars, in compliance with the act of Congress approved third March, eighteen hundred and fifty-nine; *And provided further,* That previous to the issue of any bonds or stock certificates under this act, the Mayor shall advertize daily, for one week, in two newspapers published in this city, for proposals for the sale of the bonds or stock that he may require, and that the same shall be awarded

to the highest bidder therefor; *Provided*, That no bonds or stock shall be issued at less than its par value.

SEC. 41. *And be it enacted*, That the stock certificates or bonds that may be issued under this act, shall be designated and known as water stock, and shall be signed by the Mayor, countersigned by the Register, and sealed with the seal of this Corporation, and shall be transferable on the books of this Corporation in the same way and under the same regulations as is now transferable, the stock of the city now outstanding.

SEC. 42. *And be it enacted*, That all acts or resolutions conflicting with this act, in any manner or form, be, and the same are hereby, repealed.

Approved, June 2, 1859.





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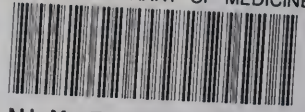
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