

ORDINANCE NO. 1111

AN ORDINANCE AUTHORIZING THE SALE OF CITY WATER OUTSIDE THE CANBY CITY LIMITS; FIXING THE COSTS FOR THE METER INSTALLATION; LIMITING THE WATER USE; AND DECLARING AN EMERGENCY.

WHEREAS the CANBY FRUIT PACKERS, INC., an Oregon corporation, with principal office at North Puyallup, Washington, has purchased a parcel of real property which is outside of the Canby city limits but adjacent to a Canby city water main; and said corporation proposes to construct a fruit processing plant on said property and desires to purchase water from the City of Canby for operating such plant, and has made an application to the Canby City Council to purchase water, and

WHEREAS the Canby City Council has considered said application and feels that the development of a commercial enterprise as planned by the applicant would be of a benefit to the City and the inhabitants thereof, and that the sale of City water for such purpose is desirable and in the best interest of the City, now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: That the City of Canby hereby approves the application of CANBY FRUIT PACKERS, INC., hereinafter called "Applicant" for the purchase of City water to be metered outside the Canby City limits provided said applicant shall first pay the sum of \$300.00 for such permit, which costs shall include the installation of a one-inch commercial water meter. Title to such meter and appurtenances shall remain in the City.

Section 2: That the applicant shall be responsible for making connections at its own expense to the City's water main which extends to the Zion Cemetery, but the point of connection shall be designated by the Canby City Superintendent, who shall also be responsible for supervising the installation and connection of the applicant's service line.

Section 3: None of the water metered at the applicant's premises shall be used for commercial irrigation purposes; and all water metered to the applicant shall be paid for at the applicable

water rate schedule as provided by Canby City Ordinance number 433 or any amendments thereof.

Section 4: That the continued sale of City water to applicant under the terms of this Ordinance shall be conditioned on the availability at any time of water for such use, a faithful observance by Applicant of all ordinances of the City which pertain to the sale and use of City water, rules and regulations of the City's water department that may be imposed from time to time on the City's water users, and the prompt payment by applicant of all water bills when due. Failure of applicant to abide by the provisions of this Ordinance or other applicable water ordinances shall be just cause for immediate disconnection of applicant's water service line from the City's water mains and without prior notice.

Section 5: That this permit for applicant to purchase City water shall not extend to or inure to the benefit of any other person or persons, firm or corporation without the prior approval of the Canby City Council being first obtained, excepting however any subsidiary firm or corporation owned by or controlled by the applicant corporation, which subsidiary engages in a commercial enterprise at the premises where such water is to be metered.

Section 6: It being deemed by the City Council that an emergency exists this Ordinance shall take effect immediately upon its final passage and approval by the Mayor.

Passed on first reading of the Canby City Council at a regular meeting thereof this 5th day of February, 1962; Ordered posted at full length for a period of two weeks as provided by the Canby City Charter, and to come up for final reading and action at a regular meeting of said Council to be held on the 5th day of March, 1962 at 8:00 o'clock P.M. Oregon Standard Time at the Canby City Hall.

Earl Oliver
EARL OLIVER - Mayor

ATTEST:
J. Richardson
J. R. RICHARDSON - City Recorder

Passed on final reading this 5th day of March, 1962
by the following vote:

Yeas 6
Nays 0

Submitted to the Mayor this 5th day of March, 1962
and approved by the Mayor this 5th day of March, 1962.

Earl Oliver
EARL OLIVER - Mayor

ATTEST:
J. Richardson
J. R. RICHARDSON - City Recorder