

THE  
ALTON CITY CODE

COMPRISING THE

LAWS OF THE STATE OF ILLINOIS

RELATING TO THE GOVERNMENT OF THE  
CITY OF ALTON, AND THE

ORDINANCES OF THE CITY COUNCIL,

REVISED AND CODIFIED.

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BY

JOHN H. YAGER,  
ATTORNEY AT LAW.

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PUBLISHED BY AUTHORITY OF THE CITY COUNCIL.

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ALTON, ILLINOIS:  
SENTINEL-DEMOCRAT PRINTING HOUSE AND BINDERY.  
1889.

railroad sixty-nine feet, more or less, to the place of beginning.

861. (2) The plat heretofore made of said alleys and parts of streets, and duly recorded in the Recorder's office, in Edwardsville, Madison county, State of Illinois, be made a part of the ordinance. Said plat having been filed for record June 30, 1887, in record of plats, book 30, page 138.

### WATER WORKS.

AN ORDINANCE Granting unto Henry Watson and Harry Taylor the right to build, erect and maintain water works in the city of Alton.

*Be it ordained by the Common Council of the City of Alton :*

SEC. 862. (1) That license and permission is hereby granted unto Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns, to build, erect, construct and maintain water works in the city of Alton, State of Illinois, according to the following plans and specifications:

*System, Direct Pressure*—Reservoirs or stand pipes, if deemed advantageous can be used.

*Elevation*—The highest elevation above high water mark to surface line is about 187 feet, maximum between high and low water mark about thirty-two feet.

*Excavation*—The pipes are to be laid not less than three feet six inches from the grade of the streets to the top of the pipe.

*Filter*—All water for domestic purposes must be filtered.

*Pressure of Streams*—The pressure required to be kept up during a fire will be three streams simultaneously out of one and one-quarter inch nozzles, each one hundred and fifty feet high in the valleys, or two streams one hundred feet high on the hills.

*Valves*—Valves shall be used in the mains at such point along the mains as will control the water properly in distribution.

*Hydrants*—There shall be eighty fire hydrants, with double discharge nozzles of the most approved make, all to be connected with street mains, and in said hydrants a suitable valve or stop cock shall be placed to disconnect the water in the mains from the hydrant.

*Engines and Pumps*—Duplicate engines and pumps, of sufficient steam and water capacity, so that either will furnish the water required.

*Boilers*—Two tubular boilers of the most approved make are to be used.

*House*—Engine and boiler house and smoke-stack are to be built of stone and brick, in a good substantial manner.

*Pipes*—Cast iron pipes of sufficient tonnage for the required pressure. Junction pipes are to be maintained as now laid in the streets of Alton.

863. (2) That the main pipes shall be laid in the following streets in the city of Alton: From the pumping works near Basse's, on Short, or Second, street to State street, the main pipe is not to be less than sixteen inches in diameter; from Second street on State street to Third street, on Third street from State street to Piasa street, on Piasa street from Third street to Second street, on Second street from State street to Cherry street, on Belle street from Third to Ninth street, the main pipe shall not be less than ten inches in diameter; on State street from Third street to Jefferson street, from State street on Prospect street to Summit street, from State street on Dry street to Main street, from Dry street on Main street to Belle street, from Ninth street on Belle street to Seventeenth street, from Belle street on Seventeenth street to Alby street, on Alby street from Seventeenth street to Second street, from Belle street on Ninth street to Alby street, from Alby street on Twelfth street to Henry street, from Alby street on Eighth street to Henry street, from Eighth street on George street to Court street, on Court street to Alton street, from Fifth street on Alton street to Second street, from Second street on Henry street to Suspension street, on Suspension street to Liberty

street, on Liberty street to Grove street, from Henry street on Sixth street to Liberty street, on Liberty street to Fifth street, from Liberty street on Fifth street to Cherry street, and on Cherry street from Fifth to Second street, and the main pipe on all these streets shall not be less than six inches in diameter.

864. (3) That said Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns, shall have the exclusive privilege of supplying the city of Alton and the citizens thereof with water for the term of twenty-five years and an equal privilege after said time with any other person or corporation.

865. (4) That during all of said term of twenty-five years, the said Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns, are hereby licensed and authorized to and shall have the right to use the streets mentioned above in section two, and any other street or lane, alley or sidewalk in the city of Alton, for the purpose of laying down cast iron pipes, service pipes or other fixtures for the conveyance of water and distributing the same to the citizens throughout the city; but they are required to and must put the said streets, lanes, alleys and sidewalks in as good condition as they were previous to laying the pipes; and in case they refuse or neglect to repair any street, lane, alley or sidewalk, in which they have laid pipes, within a reasonable time after the work is completed, then, upon being notified by the city marshal to repair the same and they should refuse or neglect to do so, then the city of Alton by its common council, may direct the necessary repairs to be made upon said street, lane, alley or sidewalk, and the cost or expense of making such repairs shall be re-paid to the city of Alton by said Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns.

866. (5) That said Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns, during all of said term of twenty-five years, are hereby licensed and authorized to build and erect engine houses, pumping works

and all other buildings and structures, that may be necessary or convenient for them in operating their water works, upon the following described piece of land in and belonging to the city of Alton: Beginning at a point on the bank of the Mississippi river, thence running parallel with the west line of Basse's mill lot, and distant therefrom twenty-five feet, to intersect the south line of the county road, thence westerly along the south line of the county road one hundred and fifty feet, thence south to the low water line of the Mississippi river, thence along low water line to the place of beginning; they to pay the city of Alton an annual rent of one dollar for said land.

867. (6) The said Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns, shall be liable and responsible for any and all damages sustained by reason of the negligence, incompetency or willful acts of their servants or employes whilst constructing, building or operating said water works and for any and all damages sustained by any person or persons caused by the bursting of any street pipe or main, or other pipe; and in no event shall the city of Alton be liable for any such damage, or any damages attributable to or caused directly or indirectly by the building or operating of said water works. And in case any suit or suits should be commenced against the city of Alton by any person or persons claiming in some way to be damaged either by said building, constructing or operating said water works, or any part of the same, or otherwise, then, upon the city of Alton notifying the said Henry Watson and Harry Taylor, their executors, administrators and assigns of said suit or suits, it shall be their duty to defend any such suit or suits, and pay whatever judgment, if any, shall be rendered in the same against the city of Alton.

868. (7) The said Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns, shall extend the main pipes to any part of the city of Alton when requested so to do by a resolution of the common council: *Provided, however,* that there shall be upon each street upon which they

shall be so requested to lay pipes, at least an average of six buildings for every four hundred feet, the owners or occupants of which buildings shall first agree in writing to use and pay for water, which will be furnished them from the water works.

869. (8) That said Henry Watson and Harry Taylor, their heirs, executors and administrators and assigns, shall lay down and extend all service pipe from the main pipes to the line of the lot on which each building to be supplied with water may be situated. And whenever any person desiring to be supplied with water shall have laid pipe on his premises to the line of his own lot fronting on a street on which such main pipes may be located, it shall thereupon be the duty of said Henry Watson and Harry Taylor, their heirs, executors, administrators or assigns, to lay down and extend said service pipe as aforesaid, and to make the proper attachments at said point when requested so to do by the owner or occupant of such building.

870. (9) The said Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns are to establish a tariff or rates of charges for the use of water from their water works. Said tariff or rates of charges shall not, however, exceed that of other cities similarly situated and of about the same population. Such tariff or rate of charges, whether for domestic use or otherwise, shall be established at an uniform price per thousand gallons as near as practicable.

871. (10) The said Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns shall furnish water free of charge to all public schools and all public buildings in the city of Alton which are owned or used by the city, and in three places in the city for public watering troughs, to be located by the city somewhere along the mains.

872. (11) The said Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns shall at all times during the term of twenty-five years furnish or rent the city of Alton the free and unobstructed use of eighty fire hydrants for fire purposes, for the sum of \$100 per annum for each

hydrant, and should the city of Alton desire to use more than eighty then the maximum price for each hydrant shall be \$75 per annum. The rent in each case to be payable semi-annually.

873. (12) That during all the term of twenty-five years the city of Alton will, and agrees to use eighty fire hydrants for fire purposes, and shall pay the said Henry Watson and Harry Taylor, their heirs, executors, administrators and assigns, an annual rental of \$100 for each of said hydrants, the payments to be made semi-annually, and for any other purposes, except for additional fire hydrants and when furnished free, the city of Alton shall pay the same rate for water as individuals pay for domestic purposes. The city of Alton has, however, the right to retain and keep out of said semi-annual rents, sufficient to pay the semi-annual interest, when due on the notes to be given by the said Watson and Taylor, as mentioned in section 15 of this ordinance.

874. (13) That during said term of twenty-five years, the city of Alton shall and agrees to pass all ordinances, penal and otherwise, which said Watson and Taylor, their heirs, executors, administrators or assigns may require, which are reasonable for the protection and use of the water works, and the rights herein granted to them.

875. (14) That the city of Alton bargains and sells to said Watson and Taylor, for the sum of fifty thousand dollars, all the pipe and property of every name and description which it now has, which was bought for the object and purpose of the city of Alton building water works. And that the mayor and clerk of the city of Alton execute a bill of sale for said property, affixing the seal of the city of Alton to the same, and delivering said bill of sale to Watson and Taylor.

876. (15) That the said mayor and clerk of the city of Alton, however, before delivering said bill of sale to said Watson and Taylor, take from them their three notes, one for \$15,000, due on or before ten years from date; one for \$15,000 due on or before fifteen years from date; one for

\$20,000, due on or before twenty years from date; said notes bearing eight per cent. interest, payable semi-annually, and to be secured by a deed of trust on their franchise and upon all the property hereby sold them by the city of Alton, as well as upon all the buildings and all the property and machinery hereafter to be acquired by them, their heirs, executors, administrators or assigns and used in or appertaining to said water works.

877. (16) In granting herein the license and franchise to said Watson and Taylor for twenty-five years, the city of Alton, however, reserves and has the right, at the expiration of fifteen years from the date of the notes given by said Watson and Taylor, to take and purchase from said Watson and Taylor, their heirs, executors, administrators or assigns, the entire water works, at a valuation to be agreed upon in the following manner to-wit: By giving notice in writing six months before the expiration of the fifteen years, of such intention, whereupon said city of Alton shall appoint two appraisers and the said Watson and Taylor, or their heirs, executors, administrators or assigns, whoever of them may then own said water works, shall appoint two appraisers, and the four so chosen shall select a fifth; the five so selected and appointed shall proceed to value all the machinery, pipes, buildings, franchises and materials on hand then belonging to said owner or owners of said water works, as aforesaid, and a decision of a majority shall be binding on both parties. And upon the payment of the amount so determined, after first deducting and excluding therefrom whatever may be then owing to the city of Alton upon the notes and deed of trust given by said Watson and Taylor, as mentioned in section 15 of this ordinance, the owners of said water works shall at once deliver up to the city of Alton, all said water works and property. Should the city of Alton fail or neglect to notify at, or before the time required, then the city shall have the same right at the end of each five years thereafter, until the expiration of said twenty-five years, when the same method shall be adopted



for the valuation of the machinery, buildings, pipe, franchises and materials on hand, provided, if said city of Alton shall purchase said works at the end of twenty-five years, the franchise granted herein to said Watson and Taylor shall not be appraised and shall not be considered by said appraisers in fixing the amount which said city shall pay for said works. The amount so determined in any case, by said appraisers, must be paid by the city of Alton within thirty days from said appraisement and from said time all the profits of said water works belong to the city of Alton and all expenses in and about said water works are to be paid by the city. If the city of Alton does not pay the amount so determined within thirty days, and the owners of said water works do not within ten days thereafter, notify the city of Alton that they will hold said city of Alton to said appraisement then the said appraisement shall not be binding on either party.

878. (17) That the said Watson and Taylor, their heirs, executors, administrators and assigns must proceed at once, without any unnecessary delay, to finish and complete said water works, according to sections one and two of this ordinance and after completing said water works must during all of said term of twenty-five years, maintain, operate and keep up said water works, so as at all times to fully supply the city of Alton and the citizens thereof with water, and a failure at any time to do so for two months in succession, unavoidable accidents or casualties excepted, or a failure by said Watson and Taylor, their heirs, executors, administrators or assigns to comply with any of the requirements of this ordinance, on their part to be observed or performed, shall, if not complied with on their part within thirty days after being notified so to do by the city marshal, work a forfeiture of all the rights and privileges granted them by this ordinance.

Passed in common council, Nov. 8th, 1875. Approved.

ALEX. W. HOPE, Mayor.

[SEAL.] Attest: FRANK H. FERGUSON, City Clerk.

*THE CITY OF ALTON.*

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We, the said Harry Taylor and Henry Watson, desire the city of Alton to pass this ordinance as it now reads, and agree, if the same is done, that it shall be a contract binding upon us, our heirs, executors, administrators or assigns and the city of Alton in all respects as therein mentioned.

WATSON & TAYLOR.

Alton, Nov. 8, 1875.

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