

St. Louis City Ordinance 63653

FLOOR SUBSTITUTE

BOARD BILL NO. [95] 290

INTRODUCED BY ALDERMAN FRED WESSELS

An ordinance to amend subsection 23.04.070 of Section One of Ordinance 59363 relating to a program for repair of certain water service lines in the City of St. Louis by providing for such service to residential accounts having six or less dwelling units, and further providing for an election on this proposition as required by Art. X Sec. 22(a) of the Missouri Constitution, and containing a severability clause and an emergency clause.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The subsection numbered 23.04.070 of Section One of Ordinance 59363 approved February 5, 1985 is hereby amended to read as follows:

23.04.070. Service Pipe Repairs - How Made.

Whenever any underground service pipe or its attachment that leads from any water main that is maintained by the City Water Division to and including the service line, T-head valve, and stop box and its cover, which line exceeds one year in age and is found to be leaking or is otherwise determined by the Water Commissioner to be in need of repair or replacement, and the water assessment is billed to any flat rate residential or metered account having six or less dwelling units, it shall be the duty of the City Water Division to repair same, if the leak is located within any public street, alley, right-of-way or easement. Whenever any service pipe or attachment leading from the outlet side of the T-head valve to the delivery connection on the premises is out of repair and the owner of said premises, his agent or the occupant thereof refuses or neglects to repair said defect immediately, the water shall be shut off by the Water Commissioner. In case of repairs requiring immediate attention and constituting an emergency impairment, the water shall be shut off by the Water Commissioner without notice until such repairs are made by the owner of the premises, his agent, or the occupant thereof. Said public street, alley, right-of-way or easement shall be left as nearly as possible in a condition of repair as the same is required by the Code of the City of St. Louis.

SECTION TWO. The Water Commissioner shall have the responsibility of administering all contracts awarded under the provisions of this ordinance, and shall be responsible for determining: if the need to repair or replace a service line, T-head valve and/or stop box and cover exists; if the aforementioned need is eligible for repair funded by this ordinance; in which service area the condition exists; which contractor shall be assigned to repair the condition; and otherwise seeing that the necessary services are provided.

SECTION THREE. The procedures and processes established for reporting, contracting, minority participation, and administration of the program established by Ordinance 59363 shall also apply to the funds used pursuant to this ordinance.

SECTION FOUR. An election shall be and the same is hereby called and ordered to be held in the City of St. Louis on August 6, 1996, for the purpose of submitting to the qualified electors of the City of St. Louis a proposal to approve the proposition set forth and described in Section Eight (8) of this ordinance.

SECTION FIVE. That the polling places in the various wards and precincts of the City of St. Louis whereat the said proposal shall be submitted to the qualified electors of said City shall be those polling places established or to be established by the Board of election Commissioners for the City of St. Louis, as provided by law.

SECTION SIX. That notice of the submission of the said proposal at the said Election shall be given jointly by the said Board of Election Commissioners and by the City Register of the City of St. Louis by publication in the City Journal, in the St. Louis Post-Dispatch, in the Argus, in the South Side, Southwest North Side and West End Journals, and in the Sentinel, once each week for three (3) consecutive weeks, the first publication in each instance to be at least twenty-one (21) days before, and the last publication within two (2) weeks of the day of said election. The notice shall be in substantially the following form:

NOTICE OF ELECTION
CITY OF ST. LOUIS, MISSOURI
TUESDAY, AUGUST 6, 1996

NOTICE IS HEREBY GIVEN that an election will be held in the City of St. Louis, Missouri on Tuesday, August 6, 1996 at which there will be submitted to the qualified electors of said City the following proposition:

Proposition No. ____

Shall the water line insurance program on all flat rate residential accounts and metered residential accounts having six (6) or less dwelling units be expanded, without raising the current maximum charge of \$3.00 per quarter, to include all service lines extending from the water main to the T-head, T-heads, stop boxes and covers determined by the Water Commissioner to be in need of maintenance, replacement and repair.

____ FOR THE PROPOSITION

____ AGAINST THE PROPOSITION

SECTION SEVEN. That the Board of Election Commissioners for the City of St. Louis shall provide the ballots, conduct the election, and certify the results of said election to the Board of Aldermen of the City of St. Louis, as required by law.

SECTION EIGHT. That the ballot to be used at said election shall be in substantially the following form, to wit:

OFFICIAL BALLOT
CITY OF ST. LOUIS, MISSOURI
INSTRUCTIONS TO VOTERS:

To vote in favor of the proposal submitted upon this ballot, punch through the ballot card by inserting the punching tool into the hole opposite the word "YES" following such proposal; and to vote against any proposal submitted upon this ballot punch through the ballot card by inserting the punching tool into the hole opposite the word "NO" following such proposal.

Proposition No. ____

Shall the water line insurance program on all flat rate residential accounts and metered residential accounts having six (6) or less dwelling units be expanded, without raising the current maximum charge of \$3.00 per quarter, to include all service lines extending from the water main to the T-head, T-heads, stop boxes and covers determined by the Water Commissioner to be in need of maintenance, replacement and repair; such coverage extending from any water main maintained by the City Water Division to and including the T-head valve?

____ FOR THE PROPOSITION
 ____ AGAINST THE PROPOSITION

SECTION NINE. That, immediately upon the passage and approval of this ordinance, the City Register shall certify a copy thereof to the Board of Election Commissioners for the City of St. Louis for action and proceedings by said Board in accordance herewith and as required by law.

SECTION TEN. The provisions of this ordinance providing for expanded maintenance of service lines, T-heads and stop boxes and covers by the City of St. Louis therefore shall be null and void and given no effect if the voters of the City of St. Louis do not approve said proposition.

SECTION ELEVEN. Severability.

If any provision, section, paragraph, sentence or clause of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such division shall not affect the validity of the remaining portions of this ordinance, and to this end the provisions are held to be severable. The Board of Aldermen declares that it would have passed this ordinance, and each provision, section, paragraph, sentence, and clause thereof, irrespective of the fact that any one or more of the provisions, sections, paragraphs, sentences, and/or clauses hereof be declared invalid or unconstitutional.

SECTION TWELVE. This being an ordinance for the immediate preservation of the public peace, health and safety for the residents of the City of St. Louis, it is hereby declared to be an emergency measure within the meaning of Section 20, Article IV of the Charter of the City of St. Louis and shall become effective immediately upon its passage and approval by the Mayor.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
01/19/96	01/19/96	PU		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
02/09/96			02/16/96	02/23/96

ORDINANCE	VETOED	VETO OVR
63653		