

ORDINANCE NO. 55-3

"AN ORDINANCE TO AUTHORIZE A CONTRACT OR CONTRACTS BETWEEN THE CITY OF BELLE MEADE AND THE NASHVILLE SUBURBAN UTILITY DISTRICT TO PROVIDE FOR THE INSTALLATION AND MAINTENANCE OF FIRE HYDRANTS, AND TO PROVIDE FOR PAYMENT FOR SAME."

BE IT ORDAINED BY THE CITY OF BELLE MEADE AS FOLLOWS:

SECTION 1. The City Manager of the City of Belle Meade is hereby expressly authorized to negotiate, enter into, and execute, on behalf of the City, a contract or contracts with the Nashville Suburban Utility District, a corporation created in compliance with provisions of a General Act of the General Assembly of the State of Tennessee of 1937, such contract to provide for the installation and maintenance of one or more fire hydrants within the limits of the City of Belle Meade; each such contract shall be executed by the City Manager only after same shall have been approved by appropriate resolution of the Board of Commissioners of the City of Belle Meade.

SECTION 2. Each such contract shall provide in substance as follows: (a) the hydrant or hydrants will be installed by the said Utility District at a location to be designated by an authorized official of the said City. The Utility District will install such hydrants as shall have been approved by and installed in accordance with the requirements of the Tennessee Inspection Bureau. Upon completion of installation the Utility District will back-fill with earth and with Size No. 8 limestone not less than six inches in depth any cut made in the pavement of any street of the City which is required to be made in order to connect the hydrant to the existing water main. Repaving of the street surface will be accomplished by the City of Belle Meade, at its own expense.

(b) Ownership of each hydrant so installed shall remain vested in the Utility District, and each such hydrant shall be maintained and kept in good working order and condition at all times, and replaced, if necessary, at the expense of the Utility District. No hydrant, after same shall have been installed, shall be moved or disconnected without express permission of an authorized official of the City.

(c) Hydrants so installed shall be used for fire fighting purposes only, and neither District nor the City shall give permission for the use of any hydrant except for such purpose. This provision shall not prevent the District from flushing its mains by opening one or more such hydrants from time to time, as it may find necessary. The Utility District makes no warranty concerning the supply of water, the quantity of water, or the pressure or flow of the water at any time, but shall exercise reasonable care in keeping available water for all hydrants in as great quantities and with as high pressure as is possible, at all times.

(d) The City shall pay the District the actual cost of the equipment, materials, and labor furnished in the installation of such hydrant or hydrants, plus a fixed percentage of such cost of not more than fifteen (15%) percent of the total actual cost. In determining the amount of such total actual cost, the District shall keep strict and accurate records of its expenditures for equipment, materials and labor furnished in the installation of each such hydrant. As the work progresses, the City shall pay the Utility District as follows:

i. On or about the fifth day of each month after the effective date of the contract, the City shall pay to the District, upon receipt of a certificate signed by an authorized officer of the District, one hundred (100%) percent of the cost of the hydrants, pipes, valves and fittings purchased by the District for the purpose of carrying out the agreement, as to such hydrants, pipes, valves and fittings as shall have been installed, or such as shall have been delivered to the premises of the District and are on hand awaiting installation, as of the end of the previous calendar month.

ii. On or about the fifth day of each month after the effective date of the contract, the City shall pay to the Utility District the cost of labor and materials furnished by District in the installation of such hydrants, plus the agreed percentage of cost, both of equipment previously purchased and installed, and the cost of such installation, upon receipt of certificate of an authorized officer of District that such installation has been completed, and the

cost thereof paid by the District but not by the City,
as of the end of the previous calendar month.

(e) Authorized officials of the City of Belle Meade shall be any duly elected Commissioner and the duly appointed City Manager. Authorized officials of the Utility District shall be any duly elected Commissioner and the duly appointed Manager of the Utility District.

(f) Hydrants agreed upon between the City and the District for installation shall be installed, from time to time, within the discretion of the District, provided, however, completion of installation of any hydrant or hydrants agreed upon will be accomplished prior to the end of each fiscal year of the City of Belle Meade, which is the calendar year.

(g) All the provisions of the contract as hereinabove provided shall be effective and binding upon the City and the Utility District, their successors and assigns, and shall apply as to all fire hydrants now installed, as well as those installed pursuant to a contract or contracts made under authority of this Ordinance.

SECTION 3. There is hereby appropriated for the purpose of this ordinance the sum of SEVEN THOUSAND FIVE HUNDRED (\$7,500.00) DOLLARS, to be used in making payment for hydrant or hydrants installed in accordance with the provisions of this ordinance, the City Treasurer having certified that such funds are available in the treasury for such use.

Jo E. Libon Jr.
MAYOR

James Brantley
VICE MAYOR

Ed. J. Hill
COMMISSIONER

W. T. Morrison
CITY RECORDER

Passed on First Reading
May 12, 1955

Passed on Second Reading
July 11, 1955

Passed on Third Reading
and Adopted
August 4, 1955