

authorities; provided that whenever any highway is disturbed, said highway shall be repaired and left by said authorities in the same or a not inferior condition to that existing before entry, and that all costs incident thereto shall be borne by said authorities.

1929, ch. 27, sec. 12.

377. All individuals, firms and corporations having buildings, conduits, pipes, tracks or other physical obstructions in, over or under the public road, streets, or alleys of the county or municipality which shall block or impede the progress of the municipal water supply system while in process of construction, establishment, alteration or repair, shall upon reasonable notice from the authorities of said municipality promptly so shift, adjust, accommodate or remove the same at their own cost and expense, as to fully meet exigencies occasioning such notice; and should the exigencies of any case involve the taking in a constitutional sense of the franchise or right, in the exercise of which such obstruction had its origin the municipality shall be empowered to condemn an easement in said franchise or right. Any individual, firm or corporation before laying any pipe or conduit under the public highways in any municipality, shall present to the proper municipal authorities adequate plans showing the size, type and location of any pipe or conduit to be laid, and shall not lay any such pipe or conduit until said plans have been approved and a permit issued by said authorities. Any such pipe or conduit shall be laid in accordance with the approved plan. Any proposed deviation from said plans shall be subject to the approval of said authorities. In case any new pipe or conduit is laid without the receipt of a permit or not in accordance with the approved plan, or any approved deviation therefrom, the individual, firm or corporation so laying said pipe or conduit shall, upon notice from said authorities, remove it or readjust it to the satisfaction of said authorities, but any conduits or pipes laid by individuals, firms or corporations, in accordance with approved plans and the terms of permits given under this section, if they interfere with the construction of water mains installed by said authorities, shall be removed or readjusted by said authorities without cost to said individuals, firms or corporations.

1929, ch. 27, sec. 13.

378. Said authorities shall be empowered and authorized to establish and enforce compliance with such establishment, street lines and grades wherever they may deem it necessary or expedient so to do for the proper construction, establishment or extension of a water supply system under their control; or street lines and grades established by individuals, firms or corporations shall be approved by said authorities wherever they deem it necessary for the proper construction, establishment or extension of a water supply system at the time of such establishment, or at a future time; and if any street lines or grades are established by individuals, firms or corporations without such approval, said authorities may refuse to give water service to the properties abutting on streets the lines and grades of which have been so established.