

ORDINANCE NO. 07 - 2014

**AN ORDINANCE OF THE CITY OF ELIZABETHTOWN, KENTUCKY
AMENDING PREVIOUS ORDINANCES FIXING WATER AND SEWER RATES**

WHEREAS, the City of Elizabethtown in Hardin County, Kentucky, owns and operates a municipal waterworks and sanitary sewer system, and said City presently has outstanding Kentucky Infrastructure Authority loans payable from the income and revenues of said system, and

WHEREAS, it is deemed necessary and desirable and for the best interest of the City that certain rates and charges for the services provided by said waterworks and sanitary sewer system be increased in order to adequately provide for the proper operation of said system, including additions, extensions, and improvements thereto, and to meet the City's obligations for outstanding Kentucky Infrastructure Authority loans payable from the revenues of said system;

NOW, THEREFORE, THE CITY OF ELIZABETHTOWN, KENTUCKY DOES ORDAIN AS FOLLOWS:

Section 1. PREVIOUS RATE ORDINANCES AMENDED.

All previous Rate Ordinances of the City fixing the respective water and sewer rates applicable to water and sewer services furnished by the municipal waterworks and sanitary sewer system of the City are hereby amended so as to increase the applicable water and sewer rates for services rendered by the municipal waterworks and sanitary sewer system of the City.

Section 2. MONTHLY WATER AND SEWER RATES.

The rates and charges to residents and users of the existing municipal waterworks and sanitary sewer system of the City of Elizabethtown are hereby fixed and established on a monthly basis as follows:

A. MONTHLY WATER RATES – FOR BILLS RENDERED AFTER NOVEMBER 1, 2014

<u>Number of Gallons of Water per Month</u>	<u>Monthly Water Charge</u>
First 2,000 gallons	\$12.80 Minimum Bill
Next 3,000 gallons	\$4.85/1,000 gallons
Next 5,000 gallons	\$4.65/1,000 gallons
Next 490,000 gallons	\$4.40/1,000 gallons
Over 500,000 gallons	\$2.60/1,000 gallons

B. MONTHLY WATER RATES – FOR BILLS RENDERED AFTER JULY 1, 2015

<u>Number of Gallons of Water per Month</u>	<u>Monthly Water Charge</u>
First 2,000 gallons	\$14.70 Minimum Bill
Next 3,000 gallons	\$4.95/1,000 gallons
Next 5,000 gallons	\$4.85/1,000 gallons
Next 490,000 gallons	\$4.65/1,000 gallons
Over 500,000 gallons	\$2.70/1,000 gallons

C. MONTHLY WATER RATES – FOR BILLS RENDERED AFTER JULY 1, 2016

<u>Number of Gallons of Water per Month</u>	<u>Monthly Water Charge</u>
First 2,000 gallons	\$16.60 Minimum Bill
Next 3,000 gallons	\$5.05/1,000 gallons
Next 5,000 gallons	\$5.05/1,000 gallons
Next 490,000 gallons	\$4.90/1,000 gallons
Over 500,000 gallons	\$2.80/1,000 gallons

D. MONTHLY WATER RATES – FOR BILLS RENDERED AFTER JULY 1, 2017

<u>Number of Gallons of Water per Month</u>	<u>Monthly Water Charge</u>
First 2,000 gallons	\$18.50 Minimum Bill
Next 3,000 gallons	\$5.15/1,000 gallons
Next 5,000 gallons	\$5.15/1,000 gallons
Next 490,000 gallons	\$5.15/1,000 gallons
Over 500,000 gallons	\$2.90/1,000 gallons

E. MONTHLY SEWER RATES – FOR BILLS RENDERED AFTER JULY 1, 2013 REAFFIRMED

The rates or charges for sewer service shall be based upon the quantity of water supplied in each month to the respective premises as follows:

Number of Gallons
of Sewer Per Month

First 2,000 gallons
Over 2,000 gallons

Monthly Sewer Charge

\$10.00 **Minimum Bill**
\$4.40/1,000 gallons

- F. Sewer charges shall be paid for all structures served by any water service if sewer service is available to the property.

Section 3. RATES UNIFORM; SURCHARGES FOR EXTRA STRENGTH SEWER WASTE.

A. UNIFORM RATES

The schedule of rates herein prescribed for both monthly water and sewer service shall be uniformly charged to all customers of the waterworks and sanitary sewer systems.

B. SURCHARGE FOR EXTRA STRENGTH WASTES

The City may allow for the treatment of extra strength wastes, the constituents, requirements and charges of such shall be as provided by the Sewer Use Ordinance. The surcharges for extra strength wastes are as follows:

NH3-N	\$0.70/pound over	30	mg/l monthly average
BOD	\$0.34/pound over	250	mg/l monthly average
COD	\$0.03/pound over	1000	mg/l monthly average
TSS	\$0.14/pound over	250	mg/l monthly average

Section 4. TAPPING OR CONNECTION FEES. (WATER)

Tapping or connection fees, not including material costs, for water services shall be as follows:

<u>Size of Service</u>	<u>Fee</u>
¾"	\$150.00
1"	\$150.00
1 ½"	\$150.00
2"	\$150.00
3"	\$300.00
4"	\$300.00
6"	\$300.00
8"	\$300.00

Section 5. TAPPING OR CONNECTION FEE. (SEWER)

Tapping or connection fees for sewer service shall be \$300.00.

Section 6. STANDBY FIRE PROTECTION TAPS.

There shall be charged a yearly rate for standby fire protection taps located outside the City limits as follows:

<u>Size of Service</u>	<u>Cost per year</u>
4" Tap	\$250.00
6" Tap	\$500.00
8" Tap	\$1,000.00
12" Tap	\$1,500.00

Section 7. PRIVATE FIRE HYDRANTS OUTSIDE CITY.

It is hereby levied a charge of \$100.00 per year on all private fire hydrants located on private property outside the City limits.

Section 8. DEPOSIT REQUIRED.

Deposit for service shall be required of customers at the rate of \$30.00 for residents and \$60.00 for commercial and industrial users.

Section 9. SPECIAL CONTRACTS.

The City reserves the right to enter into separate contracts with specific users of sanitary sewer services including collection or treatment services and to provide for said contracts by municipal order.

Section 10. FINANCIAL RECORDS

Subsection 1: The revenues collected, as a result of the user charges levied, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund.

Subsection 2: Fiscal year-end balances in the operation, maintenance, and replacement fund shall be used for no other purposes than those designated Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance and replacement fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate shall be adjusted such that the transferred monies will be returned to their respective accounts within six months of the fiscal year in which the monies were borrowed.

Subsection 3: The City shall maintain financial records to accurately account for revenues generated by the water and wastewater treatment systems and expenditures for operation and maintenance of the system, including normal replacement costs.

Subsection 4. The City shall review not less often than annually the sewage contribution of users, the total cost of operation and maintenance of the sewage works, debt services obligations, and sewer service charges. Based on such review, the City shall revise, when necessary, the schedule of sewer service charges to accomplish the following:

- 1) Maintain an equitable distribution of operations and maintenance cost among users of the treatment system, and
- 2) Generate sufficient revenues to offset costs associated with the proper operation and maintenance of the sewage system and to meet debt service requirements of all outstanding Revenue Bond Issues and the Kentucky Infrastructure Authority.

Subsection 5: Each user shall be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the total charge which is attributable to operation and maintenance of the Sewage System.

Section 11. BILLING PROCEDURES

Users shall be billed monthly. Payments are due within ten (10) days after the bills are rendered. Any payment not received on their due date shall be delinquent. When any bill is more than thirty (30) days in default water and/or sewer service to such premise may be discontinued until such bill plus an applicable service charges are paid.

Section 12. ALL OTHER EXISTING PROVISIONS REAFFIRMED.

All existing provisions as to reading of meters, rendition of bills and payments, collection and disconnection charges and related provision of existing ordinances are hereby reaffirmed, re-enacted and readopted, except to the extent that same may be inconsistent herewith.

Section 13. RATES SUBJECT TO FUTURE REVISIONS.

That said rates shall be revised from time to time as necessary to meet the requirements or any Ordinances authorizing the issuance of Bonds or Loans constituting an encumbrance against said waterworks and sanitary sewer system, or for such other reasons as may be deemed necessary.

Section 14. ORDINANCE EFFECTIVE DATE.

This Ordinance shall become effective forthwith upon its passage, approval and publication as provided by law and the rates hereinabove provided shall be for all billings rendered after the dates hereinabove set out.

Section 15. IN EVENT PARTS OF ORDINANCE DECLARED UNCONSTITUTIONAL OR UNENFORCEABLE.

In the event a part or parts of this Ordinance are declared unconstitutional or unenforceable, then the same shall not affect the enforceability of the remaining portions of this Ordinance.

READ first time this the 3rd day of February, 2014.

READ, ADOPTED AND APPROVED this the 18th day of February, 2014.

EDNA B. BERGER, MAYOR

ATTESTED TO:

MARY CHAUDOIN, CITY CLERK