

**SUMMARY OF
ORDINANCE NO. 020-009**

**AN ORDINANCE REPEALING ORDINANCE NO. 011-084 AND ESTABLISHING
FEES FOR USAGE OF THE CITY OF SHEPHERDSVILLE'S WASTEWATER
TREATMENT FACILITIES**

IN SUMMARY:

SECTION ONE: Sets forth that this ordinance is necessary for the health, safety, and welfare of the citizens of Shepherdsville with the proceeds being used for maintaining the wastewater facilities.

SECTION TWO: Sets forth the definitions.

SECTION THREE: Sets forth that monies collected shall be deposited in the Wastewater Operation, Maintenance, and Replacement Fund.

SECTION FOUR: Sets forth the following sewer collection charges for City of Shepherdsville residents/facilities:

Individual residence sewer connection tap-on fee: \$2000

Multifamily dwelling sewer connection tap-on fee, per unit: \$2000 plus the actual cost of bringing the sewer line from the main to the property line

Tourist home park or mobile home park sewer connection tap-on fee: \$2000 per tourist home or mobile home, plus the actual cost of bringing the sewer line from the main to the property line

Commercial, Industrial, or Institutional user sewer connection tap-on fee: \$4500 for 1 inch water line, \$5500 for 2 inch water line, \$6500 for 3 inch water line, larger than 3 inch water line \$6500 plus \$1000 for each inch larger than 3, plus the actual cost of bringing the sewer line from the main to the property line and the cost of testing related to an Industrial User Permit

Waste Hauler Discharge Permit: \$300

Access to interceptor line: \$1000 in addition to tap-on fee

Further sets forth the following sewer collection charges for out-of-city residents/facilities:

Individual residence sewer connection tap-on fee: \$5000

Multifamily dwelling sewer connection tap-on fee, per unit: \$5000 for a one-bedroom unit, \$6000 for a two-bedroom unit, \$7000 for a three-bedroom unit, plus the actual cost of bringing the sewer line from the main to the property line

Tourist home park or mobile home park sewer connection tap-on fee: \$5000 per tourist home or mobile home, plus the actual cost of bringing the sewer line from the main to the property line

Commercial, Industrial, or Institutional user sewer connection tap-on fee: \$11,000 for 1 inch water line, \$14,000 for 2 inch water line, \$17,000 for 3 inch water line, larger than 3 inch water line \$17,000 plus \$3000 for each inch larger than 3, plus the actual cost of bringing the sewer line from the main to the property line and the cost of testing related to an Industrial User Permit.

SECTION FIVE: Sets forth the following rates and charges:

Total Gallons of Water Consumption/Discharge Per Month	Volume-based Charge	Customer Charge	Minimum Bill
Customer Class RES-1 and RES-2			
0 – 2,000	\$13.18	\$8.90	\$22.08
Over 2,000	\$6.59 per 1,000 gallons	Not applicable	Not applicable
Customer Class COM-1 and COM-2			
0 – 2,000	\$14.02	\$8.90	\$22.92
Over 2,000	\$7.01 per 1,000 gallons	Not applicable	Not applicable
Customer Class COM-3			
0 – 2,000	\$14.82	\$8.90	\$23.72
Over 2,000	\$7.41 per 1,000 gallons	Not applicable	Not applicable
Customer Class INST			
Any flow	\$6.59 per 1,000 gallons	\$8.90	\$8.90
Customer Class IPT and IND			
Any flow	\$6.59 per 1,000 gallons	\$8.90	\$8.90
Customer Class Beam Facility			
Any flow	\$7.00 per 1,000 gallons	\$5,500.00	\$5,500.00

Further sets forth the following surcharge rates for Excessive Strength Sewage:

SURCHARGE RATES

BOD Surcharge Rate	\$0.544 per pound in Excess of 250 mg/l
TSS Surcharge Rate	\$0.43 per pound in Excess of 250 mg/l
NH3N Surcharge Rate	\$0.87 per pound in Excess of 30 mg/l
O & G Surcharge Rate	\$0.48 per pound in Excess of 100 mg/l

Further sets forth calculation of the capacity charge.

SECTION SIX: Sets forth the records and review policy.

SECTION SEVEN: Sets forth the billing schedule, penalty of 10%, and disconnection.

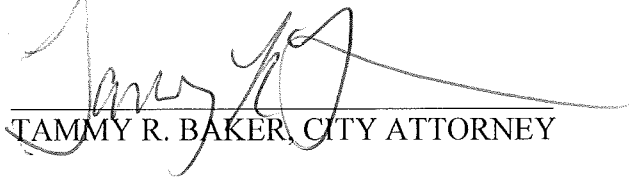
SECTION EIGHT: Sets forth that violation of this Ordinance is a misdemeanor with a fine of up to \$500 per violation.

SECTION NINE: Sets forth the publication requirement.

SECTION TEN:

Sets forth the severability clause.

SUMMARY PREPARED BY:



TAMMY R. BAKER, CITY ATTORNEY

ORDINANCE NO. 020-009

AN ORDINANCE REPEALING ORDINANCE NO. 011-084 AND ESTABLISHING FEES FOR USAGE OF THE CITY OF SHEPHERDSVILLE'S WASTEWATER TREATMENT FACILITIES

WHEREAS, it is the City Council for the City of Shepherdsville's intent to establish proportionate User Charges on the sources of pollution based on volume and surcharges based on strength and maintain financial self-sufficiency, and;

WHEREAS, these charges must be equitable and must be adequate to properly provide these services, and;

WHEREAS, the City Council has the duty to maintain the financial integrity of this system to provide these services on an equal nondiscriminatory basis to all current and future city residents, and;

WHEREAS, the City of Shepherdsville and Jim Beam Brands Co. entered into a Settlement Agreement and Mutual Release dated August 21, 2019 ("Settlement Agreement") to resolve certain disputes between them related to wastewater treatment services provided by the City of Shepherdsville to Jim Beam Brands Co., and;

WHEREAS, the City of Shepherdsville has completed a rate study of its fees and charges for wastewater treatment services; and

WHEREAS, the City Council desires to effectuate the terms of the Settlement Agreement and establish wastewater User Charge and surcharge rates for usage of the City of Shepherdsville's wastewater conveyance and Treatment Facilities consistent with the results of the rate study, and;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY THAT ORDINANCE NO. 011-084 IS HEREBY REPEALED IN ITS ENTIRETY AND THE FOLLOWING SHALL BE IN EFFECT FROM THE DATE OF PUBLICATION HEREOF AND UNTIL REPEAL AND/OR AMENDMENT BY THE LEGISLATIVE BODY OF THE CITY:

SECTION ONE: It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City of Shepherdsville to collect charges from all Users who contribute wastewater to the Shepherdsville Sewer Treatment Facilities. The proceeds of such charges so derived will be used for the purpose of operating and maintaining the public wastewater treatment facilities;

SECTION TWO: DEFINITIONS Unless the context specifically indicates otherwise, the meaning and terms used in this Ordinance shall be as follows:

1. “Beam Facility” shall mean the Jim Beam Brands Co. facility located at 526 Happy Hollow Road, Clermont, Kentucky that is connected to the Shepherdsville Sewer Treatment Facilities.
2. “BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C expressed in milligrams per liter (mg/l).
3. “Commercial User” shall mean a User who contributes, or causes or permits the contribution of wastewater into the Treatment Facilities from a commercial building, including but not limited to retail stores, restaurants, office buildings, laundries, hotels and motels. All Commercial Users fall into one of the following Customer Classes.

Sub-section 1: COM-1 - Commercial Users not included in COM-2, COM-3 or COM-4.

Sub-section 2: COM-2 – Commercial Users that contribute only domestic sewage from one to four restrooms and a single-family style or smaller kitchen.

Sub-section 3: COM-3 – Commercial Users that are covered by the Shepherdsville Fats, Oil and Grease (FOG) Program.

Subsection 4: COM-4 – Commercial Users that are a warehouse operation and contribute only domestic sewage from one to four restrooms and a single-family style or smaller kitchen.

4. “Customer Class” shall mean the classification of Users for purposes of establishing a volume-based User Rate and Customer Charge applicable to those Users.
5. “Debt Service” shall mean charges levied on Users of the wastewater Treatment Facilities to support the annual debt service obligations of the system.
6. “Excessive Strength Sewage” shall mean wastewater that has a greater strength than Normal Domestic Wastewater.
7. “Holding Tank Waste” shall mean domestic waste from a holding tank, such as a chemical toilet, camper, trailer, residential septic tank, and vacuum-pump tank trucks.
8. “Industrial User” shall mean a User who contributes, or causes or permits the contribution of wastewater into the Treatment Facilities from one or more manufacturing operations. All Industrial Users fall into one of the following Customer Classes:

Sub-section 1: IPT – Industrial Users, other than the Beam Facility, that are subject to Shepherdsville’s Industrial Pretreatment Program. This Customer Class includes Significant Industrial Users (SIU) and Categorical Industrial Users (CIU).

Sub-section 2: IND – Industrial Users that are not subject to Shepherdsville’s Industrial Pretreatment Program.

Sub-section 3: Beam Facility – the Industrial User that owns or operates the Beam Facility.

9. “Industrial User Permit” shall mean a permit issued to Industrial Users which authorizes a discharge to the Treatment Facilities.
10. “Institutional User” shall include social, charitable, religious, and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.
11. “Normal Domestic Wastewater” shall mean wastewater that has a BOD concentration of not more than 250 mg/l, a Total Suspended Solids concentration of not more than 250 mg/l, a NH₃N concentration of not more than 30 mg/l, an oil and grease concentration of not more than 100 mg/l, or any other Pollutant as may be later established by the City Engineer.
12. “OM&R” shall mean Operation and Maintenance and Replacement.
13. “Operation and Maintenance” shall mean those functions that result in expenditures during the Useful Life of the Treatment Facilities for materials, labor, utilities, and other items which are necessary for managing and for which such facilities were designed and constructed. The term Operation and Maintenance includes replacement as defined hereinafter.
14. “Replacement” shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the Useful Life of the Treatment Facilities to maintain the capacity and performance for which such facilities were designed and constructed.
15. “Residential User” shall mean a User who contributes, or causes or permits the contribution of domestic sewage into the Treatment Facilities from a residential dwelling that is not an institutional residence, such as a school dormitory or assisted living facility. All Residential Users fall into one of the following Customer Classes:

Sub-section 1: RES-1 - Single family residential dwelling.

Sub-section 2: RES-2 - Multi-family residential dwelling.
16. “Shall” is mandatory; “May” is permissive.
17. “Suspended Solids” (SS) suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids and that is removable by laboratory filtering as prescribed in “Standard Methods for Examination of Water and Wastewater.”
18. “Treatment Facilities” shall mean any devices and systems for the storage, treatment, recycling and reclamation of municipal wastewater, domestic wastewater or liquid industrial wastes owned or operated by the City of Shepherdsville. These include

intercepting sewers, outfall sewers, wastewater collection systems, pumping, power and other equipment and their appurtenances; extensions, improvements, remodeling, additions and alterations thereof, elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost and land used for the storage of treated wastewater inland treatment systems before land applications); or any other method of system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in a combined storm water and sanitary sewer systems.

19. "Useful Life" shall mean the estimated period during which a treatment facility will be operated.
20. "User" shall mean any person who contributes or causes or permits the contribution of wastewater into the Treatment Facilities.
21. "User Charge" shall mean the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, replacement and debt service expenses of the wastewater Treatment Facilities.
22. "Waste Hauler Discharge Permit" shall mean a permit issued to a User that hauls Holding Tank Waste authorizing the User to discharge Holding Tank Waste to the Treatment Facilities for treatment and disposal.
23. "Water Meter" shall mean a water volume measuring and recording device, furnished and/or installed by the City of Shepherdsville or by a User in accordance with an approval issued by the City of Shepherdsville.

SECTION THREE:

1. The revenues collected, as a result of the wastewater User Charges and Customer Charges levied, shall be deposited in a separate non-lapsing fund known as the Wastewater Operation, Maintenance and Replacement Fund.
2. Fiscal year-end balances in the Wastewater 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 Wastewater Operation, Maintenance and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the wastewater user charge rates for operation, maintenance and replacement. The wastewater user charge rate(s) 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.

SECTION FOUR: SEWER CONNECTION FEES

- A. The sewer connection charges applicable to all property within the municipal boundaries of the City of Shepherdsville, Bullitt County, Kentucky, which are connected to the Treatment Facilities, are as follows:
 - 1. For each connection of an individual residence to the public sewer a tap-on-fee of Two Thousand Dollars (\$2,000.00) plus an amount equal to the actual cost of the City of bringing the sewer line from the sewer main located nearest the property line of the owner and/or renter shall be paid to the City with the application for a building sewer permit.
 - 2. On all multifamily dwellings there shall be charged a tap-on-fee of Two Thousand Dollars (\$2,000.00) for each separate residential dwelling unit, plus an amount equal to the actual costs of the City of bringing the sewer line from the sewer main located nearest to the property line of the owner and/or renter to a point located at the edge of the property line or easement of such owner and/or renter, shall be paid to the City with the application for a building sewer permit.
 - 3. For each connection of a tourist home park and/or mobile home park to the public sewer, a tap-on-fee of Two Thousand Dollars (\$2,000.00) per tourist home or mobile home, plus an amount equal to the actual cost of the City of bringing the sewer line from the sewer main located nearest to the property line of the owner and/or renter to the point located at the edge of the property line or easement of such owner and/or renter shall be paid to the City with the application for a building sewer permit.
 - 4. For each connection of a Commercial User, Industrial User, or Institutional User to the Treatment Facilities, a tap-on-fee shall be charged on the following basis:

Water Service Line Size	Cost
1 inch	\$4,500.00
2 inch	\$5,500.00
3 inch	\$6,500.00

Larger than three (3) inch water service line size shall be charged the cost to the three (3) inch water line size plus One Thousand Dollars (\$1,000.00) per inch for each line of water service line size in excess of three (3) inches.

Plus an amount equal to the actual cost of the City bringing the sewer line from the sewer main located nearest the property line of the owner and/or renter to a point located at the edge of the property line or easement of such owner and/or renter shall be paid to the City with the application for a building sewer permit.

In addition to the above tap-on-fee, persons obtaining an Industrial User Permit shall reimburse the City for the actual costs of all testing required to evaluate the industrial effluent.

Payment for the charges set forth herein for sewer service shall be made with the application for a building permit for new construction or for existing units before sewer service is begun as well as any deposits required by any ordinances of the City of Shepherdsville.

5. The annual fee of a Waste Hauler Discharge Permit shall be \$300.00. Truckers who haul Holding Tank Waste and discharge it to the Treatment Facilities shall be charged \$50.45 per 1,000 gallons. All trucks shall be considered to be fully loaded for purposes of assessing this charge. The fee for discarded sludge from other waste water plants shall be the sum of \$64.15 per 1000 gallons.
 6. All persons discharging waste into the Treatment Facilities shall be charged a Customer Charge as set forth below for the use of such facilities in addition to volume-based and strength-based User Charges. Said charges shall be assessed monthly.
 7. Any sewer service utilizing the sewer line service referred to as the “interceptor line” shall be surcharged and assessed a one-time assessment of the sum of \$1,000 in addition to the prevailing sewer tap-on fee.
- B. The sewer connection charges applicable to all property outside the municipal boundaries of the City of Shepherdsville, Bullitt County, Kentucky, which are connected to the Treatment Facilities, are as follows:
1. For each connection of an individual residence to the Treatment Facilities a tap-on-fee of Five Thousand Dollars (\$5,000.00) plus an amount equal to the actual cost of the City of bringing the sewer line from the sewer main located nearest the property line of the owner shall be paid to the City with the application for sewer connection.
 2. On all multifamily dwellings there shall be charged a tap-on-fee of Five Thousand Dollars (\$5,000.00) for each one bedroom unit, Six Thousand Dollars (\$6,000.00) for each two bedroom unit, and Seven Thousand Dollars (\$7,000.00) for each three bedroom unit or above, plus an amount equal to the actual costs of the City of bringing the sewer line from the sewer main located nearest to the property line of the owner to a point located at the edge of the property line or easement of such owner, shall be paid to the City with the application for sewer connection.
 3. For each connection of a tourist home park and/or mobile home park to the public sewer, a tap-on-fee of Five Thousand Dollars (\$5,000.00) per tourist home or mobile home, plus an amount equal to the actual cost of the City of bringing the sewer line from the sewer main located nearest to the property line of the owner to the point located at the edge of the property line or easement of such owner shall be paid to the City with the application for a building sewer permit.

4. For each connection of a commercial building outside of city limits to the public sewer a tap-on-fee shall be charged on the following basis:

Water Service Line Size	Cost
1 inch	\$11,000.00
2 inch	\$14,000.00
3 inch	\$17,000.00

Larger than three (3) inch water service line size shall be charged the cost to the three (3) inch water line size plus Three Thousand Dollars (\$3,000.00) per inch for each line of water service line size in excess of three (3) inches.

Plus an amount equal to the actual cost of the City of bringing the sewer line from the sewer main located nearest the property line of the owner and/or renter to a point located at the edge of the property line or easement of such owner and/or renter shall be paid to the City with the application for sewer connection.

In addition to the above tap-on-fee, persons obtaining an Industrial User Permit shall reimburse the City for the actual costs of all testing required to evaluate the industrial effluent.

5. All discharges of wastewater into the Treatment Facilities by Users not connected to a public water supply at a rate established by the City Engineer based on estimated sewerage usage.
6. All persons discharging waste into the Treatment Facilities shall be charged a Customer Charge as set forth below for the use of such facilities in addition to volume-based and strength-based User Charger. Said charges shall be assessed monthly.

SECTION FIVE: RATES AND CHARGES

1. Starting on August 1, 2020, the volume-based User Charge Rate and Customer Charge for each Customer Class shall be as follows:

Total Gallons of Water Consumption/Discharge Per Month	Volume-based Charge	Customer Charge	Minimum Bill
Customer Class RES-1 and RES-2			
0 – 2,000	\$13.18	\$8.90	\$22.08
Over 2,000	\$6.59 per 1,000 gallons	Not applicable	Not applicable
Customer Class COM-1 and COM-2			
0 – 2,000	\$14.02	\$8.90	\$22.92
Over 2,000	\$7.01 per 1,000 gallons	Not applicable	Not applicable

Customer Class COM-3			
0 – 2,000	\$14.82	\$8.90	\$23.72
Over 2,000	\$7.41 per 1,000 gallons	Not applicable	Not applicable
Customer Class INST			
Any flow	\$6.59 per 1,000 gallons	\$8.90	\$8.90
Customer Class IPT and IND			
Any flow	\$6.59 per 1,000 gallons	\$8.90	\$8.90
Customer Class Beam Facility			
Any flow	\$7.00 per 1,000 gallons	\$5,500.00	\$5,500.00

2. All volume-based User Charges will be based on actual water usage unless the User has a consumptive use of water, or, in some other manner, uses water which is not discharged into the Treatment Facilities, or discharges wastewater to the Treatment Facilities that is not easily captured by water use measurements, in which case the User Charge for that contributor may be based on readings of a wastewater meter(s) or separate water meter(s) installed and maintained at the User's expense. An additional surcharge shall be applicable to multi-dwelling Residential Users such as apartments and mobile home parks that have one water measuring (meter) usage device for more than one dwelling unit. The surcharge shall equal a sum equal to the minimum (2000 gallons) usage rate for each unit up to 10 units on any one metering device. The Residential User rate charge shall apply to the remainder of the usage of the remaining units as measured by the metering device.
3. For those Users whose wastewater is Excessive Strength Sewage, a surcharge in addition to the User Charge will be collected.

The following surcharge rates shall apply to each User of the Treatment Facilities that has received permission from the Superintendent or Designated Authority to contribute Excessive Strength Sewage:

SURCHARGE RATES

BOD Surcharge Rate	\$0.544 per pound in Excess of 250 mg/l
TSS Surcharge Rate	\$0.43 per pound in Excess of 250 mg/l
NH3N Surcharge Rate	\$0.87 per pound in Excess of 30 mg/l
O & G Surcharge Rate	\$0.48 per pound in Excess of 100 mg/l

4. Method of Billing Surcharges - The Excessive Strength Surcharge shall be based on a formula, with the total applied to the monthly bill of affected users:

EXAMPLE FORMULA

$$(A - B) \times C \times D \times E = F$$

Where formula components are as follows:

- A. Parameter concentration (BOD, TSS, NH₃N, O & G)
- B. Allowable concentration (250 mg/l, 250 mg/l, 30 mg/l, 100 mg/l)
- C. The weight of one (1) gallon of water (8.34 lbs)
- D. The flow expressed in million gallons per day (i.e. 1,000 gal. = 0.001)
- E. The cost per pound of the parameter
- F. The total surcharge rate

No reduction in wastewater service charges, fees, or taxes shall be permitted because of the fact that certain wastes discharged to the wastewater works contain less than 250 mg/l of BOD, 250 mg/l of TSS, 30 mg/l of NH₃N, or 100 mg/l of O & G.

5. Capacity Charge

The City of Shepherdsville provides a public sewerage system and has and will continue to add properties to the City in order to further the interests of the City and to protect its residents and businesses from non-treated wastewater outside of the then current limits of the City, as the developer and operator of such system it must eventually provide capacity within its Treatment Facilities for all developed properties within the City. New developments, even when using the City's existing capacity, contribute to future capacity needs. Therefore, Capacity Charges shall be collected from developers/builders of properties to help defray the future cost of providing and maintaining sufficient capacity at the City's Treatment Facilities.

When a developer of property wishes to obtain sewer service by extension of or connection to the City's Treatment Facilities, the developer is responsible for constructing and paying for all sewerage facilities necessary for the development. The builder/developer prior to issuance of the building permit shall pay the appropriate Capacity Charge for the property/lot.

The Capacity Charge shall be calculated by multiplying the unit capacity charge times the gallons per day (GPD) estimated to flow from the new development connecting to the City's Treatment Facilities as determined by the City. For point of reference and not by way of limitation, the estimated flow of a single family unit for residential purposes is 214 GPD as of August 1st, 2007. Such Unit Capacity Charge and estimated flow shall be posted and available at the City's Sewer Department. Commercial and Industrial development flows will be determined on a case by case basis as construction plans are submitted.

SECTION SIX:

1. The City of Shepherdsville shall maintain financial records to accurately account for revenues generated by the treatment system and expenditures for operation and maintenance of the system, including normal replacement costs.
2. The City of Shepherdsville shall review not less once every five years the wastewater contribution of Users, the total cost of OM&R of the Treatment Facilities, Debt, Service obligations, and User Charge rates. Based on such review, the City of Shepherdsville shall revise, when necessary but not before December 31, 2024, the schedule of volume-based User Charges, Customer Charges and Excessive Strength Sewage Surcharges set forth in Section Five to accomplish the following:

Sub-section 1: Maintain an equitable distribution of OM&R costs among Users of the treatment system; and,

Sub-section 2: Generate sufficient revenues to offset costs associated with the proper operation and maintenance of the Treatment Facilities to meet Debt Service requirements.

Sub-section 3: Each User shall be notified, at least annually, in conjunction with a regular bill of the volume-based User Charge Rate, Customer Charge and Surcharge Rates applicable to that User.

SECTION SEVEN: BILLING; COLLECTION; PENALTY.

The sewer charges shall be billed monthly or bi-monthly, on such statements which shall be issued on or about the first of each month or every other month, and, with the exception of the Beam Facility, all bills for such service shall be considered due and payable fifteen (15) days after the date of issue. The sewer charges for the Beam Facility shall be billed monthly and shall be considered due and payable thirty (30) days after the date issued. For each bill not paid by the date it was due and payable there shall be imposed a penalty in an amount equal to ten percent (10%) of the charges (other than sales tax) shown on the face amount of such delinquent bill. The City may serve a User written notice of his delinquency and of the fact that such User is entitled, upon written request, to a hearing on the question of termination of service. If such bill is not paid within ten (10) days after the mailing of such notice, and if no hearing is requested and timely held, and such User's delinquency is thereby established, the City may disconnect the water and/or sewer service of such User without further notice. If an employee of the City is dispatched to the premises of a delinquent account, for the purpose of disconnecting the water and/or sewer service by reason of delinquency in the payment of any water and/or sewer bill, said service shall not be continued or reconnected until the property owner and/or User pays all charges and penalties owed, plus the amount of Thirty Dollars (\$30.00) or the actual disconnection/reconnection cost incurred, whichever is larger, as a disconnection/re-connection charge. If any deadline date falls on a Sunday or legal holiday, such deadline shall not expire until the next secular day thereafter.

SECTION EIGHT: PENALTIES

1. Any person found to be in violation of any provisions of this Ordinance shall be served by the City with written notice stating the nature of the violation and providing a reasonable

time limit for the satisfactory correction thereof. The offender shall within the period of time stated in such notice, permanently cease all violations.

2. Any person who shall continue any violation beyond the time limit provided for herein shall be guilty of a misdemeanor, and on conviction thereof shall be fined the amount of Five Hundred Dollars (\$500.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
3. Any person violating any of the provisions of this Ordinance shall become liable to the City for any expense, loss, or damage occasioned to the City by reason of such violation.

SECTION NINE: This Ordinance shall take effect upon publication.

SECTION TEN: Should any clause, line, paragraph or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance.

SECTION ELEVEN: All Ordinances or parts of Ordinances in conflict with this Ordinance or any part of this Ordinance including are hereby repealed.

The first reading of this ordinance was held on the 27th day of July 2020.

The second reading of this ordinance was held on the 10th day of August 2020.

Votes for: 5; Votes Against: 0; Not Voting: 1.

Lisa Carter	x	
Stacey Cline	x	
Bonnie Enlow	x	
Larry Hatfield	x	
Deb Huffman		x
Kenny Newton	x	



HONORABLE CURTIS HOCKENBURY
MAYOR

ATTEST:



TAMMY RICHMOND, CITY CLERK

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