

CITY COUNCIL
CITY OF STANTON

ORDINANCE NO.

AN ORDINANCE TO AMEND SECTIONS 1.01, 4.01, 4.03 AND 6.04 OF ORDINANCE NO. 141, TO ADD A DEFINITION FOR "READINESS TO SERVE FEE," TO IDENTIFY CHARGES AND FEES FOR THE USE OF THE CITY'S WATER SUPPLY SYSTEM AND TO REMOVE REFERENCES TO QUARTERLY BILLINGS; TO REPEAL SECTION 6.01 OF ORDINANCE NO. 141 TO DELETE REFERENCES TO QUARTERLY BILLINGS; TO AMEND SECTION 802 OF ORDINANCE NO. 173 TO IDENTIFY SEWER USE FEES FOR THE CITY'S SEWER SYSTEM; AND, TO REPEAL SECTION 808 OF ORDINANCE NO 173 DELETING REFERENCES TO QUARTERLY BILLINGS.

The City of Stanton Ordains:

1. Amendment of Section 1.01 of Ordinance No. 141. That Section 1.01 of Ordinance No. 141 is amended to read in its entirety as follows:

Sec. 1.01: Whenever used in this ordinance, except when otherwise indicated by the context:

- (a) The term "Charges for Water Services" shall be deemed to mean the amount charged to each Premises connected to the system for water services which may include factors for operation and maintenance and debt service.
- (b) The term "City" shall be construed to mean the City of Stanton.
- (c) The term "Connection Fee" shall be deemed to mean the amount charged at the time and in the amount hereinafter provided to a Premises for connecting or being connected to the System and represents the proportionate cost allocable to such Premises for the facilities by which water services are immediately provided to the Premises and in addition, the cost of inspecting and approving the physical connection to the System and the issuance of a connection permit.
- (d) The term "Council" shall be construed to mean the Council of said City of Stanton, the legislative and governing body thereof.
- (e) The term "Department" shall be deemed to mean the City's Department of Public Works or its successor
- (f) The term "Disconnection Fee" shall be deemed to mean the amount charged by the City to the owner

of a Premises to offset the actual cost of disconnection said Premises from the System and the administrative procedures necessitated thereby.

(g) The term "Fire Protection Fee" shall be deemed to mean the amount charged to each Premises for fire protection afforded to said Premises by the System.

(h) The term "Hydrant Rental Charge" shall be deemed to mean the amount charged to the City for general fire protection of the public.

(i) The term "Premises" shall be deemed to mean the lands included within the boundaries of a single description as set forth, from time to time, on the general tax rolls of the City as a single taxable item in the name of the taxpayer or taxpayers at one address but in the case of platted lots shall be limited to a single platted lot unless an existing building or structure is so located on more than one lot as to make the same a single description for purposes of assessment or conveyance now or hereafter.

(j) The term "Readiness to Serve Fee" shall be deemed to mean the amount charged for the availability of the Water Supply System to each Premises.

(k) The term "Water Services" shall be deemed to refer to the provision of water by the Water Supply System to Premises, now or hereafter.

(l) The term "Water Supply System" shall be construed to include all wells, pumps, pumphouses, water mains, storage facilities, treatment facilities, and all other facilities used or useful in connection with the obtaining of a water supply, the treatment of water, and for the distribution of water for domestic, commercial or industrial uses and for fire protection purposes, including all appurtenances thereto now owned by the City or hereafter acquired and all extensions and improvements thereto hereafter made, located in the City. The term "System" when used alone shall be construed to refer to such water supply system.

2. Amendment of Section 4.01 of Ordinance 141. That Section 4.01 of Ordinance No. 141 is amended to read in its entirety as follows:

Sec. 4.01: The following monthly charges and fees shall apply to the provision of water service:

(a) A Readiness to Serve Fee for all Premises for which water service is available at the following rates:

Metered systems: \$16.24 per month or any portion thereof. Additional units for residential owner occupied \$7.74, and non owner occupied \$11.18.

(b) Charges for water services shall include a commodity charge of \$3.15 per thousand gallons per month.

(c) On July 1st of each year after the effective date of this Ordinance, the readiness to serve fee and commodity charge shall be increased by the amount of two percent or the consumer general price level, whichever is greater. The adjustments to the readiness to serve fee and commodity charge shall thereafter constitute the readiness to serve fee and commodity charge for purposes of administering Ordinance No. 141, as amended. For purposes of Ordinance No. 141, amended, consumer general price level shall mean the annual averages of the 12 monthly values of the preceding calendar year for the United States consumer price index for all urban consumers as developed and officially reported by the United States Department of Labor, Bureau of Labor Statistics.

3. Amendment of Section 4.03 of Ordinance 141. That Section 4.03 of Ordinance No. 141 is amended to read in its entirety as follows:

Sec. 4.03: The minimum charge shall be due and payable for each Premises without regard to the use of any such Premises on a part-time or seasonal basis.

4. Repeal of Section 6.01 of Ordinance 141. That Section 6.01 of Ordinance No. 141 is deleted in its entirety.

5. Amendment of Section 6.04 of Ordinance 141. That Section 6.04 of Ordinance No. 141 is amended to read in its entirety as follows:

Sec. 6.04: At the discretion of the City, an estimated bill based upon the prior billing period may be prepared in lieu of a bill based upon actual meter readings. Except in the case of an inoperative or malfunctioning water meter, however, estimated bills may not be utilized for more that two consecutive billing periods.

6. Amendment of Section 802 of Ordinance 173. That Section 802 of Ordinance No. 173 is amended to read in its entirety as follows:

Section 802. Sewer Use Fee.

Users shall be charged monthly fee for use of the public sewer as follows:

A. Users Connected to the City's Public Water System. The fee shall be computed as follows:

(i) A Readiness to Serve Fee and Sewer Use Fee for all Premises for which sewer service is available at the following rates:

(a) Metered systems: \$17.64 per unit per month or any portion thereof. Additional units for residential owner occupied \$9.74, and non owner occupied \$12.18.

- (b) Non-metered systems: \$24.05 per unit per month or any portion thereof.
- (ii) Commodity charges shall be \$2.89 per thousand gallons of metered public water usage per billing period.
- (iii) The volume of public water used for lawn sprinkling, irrigation and similar outdoor uses, as recorded by a separate meter installed by the Owner of the Premises at the Owner's cost on the external faucet of a building (provided that the meter type and installation shall be subject to approval and inspection by the City), shall be subtracted from the total metered public water usage used in calculating the Sewer Use Fee.

B. On July 1st of each year after the effective date of this Ordinance, the readiness to serve fee, sewer use fee, and commodity charge shall be increased by the amount of two percent or the consumer general price level, whichever is greater. The adjustments to these fees shall thereafter constitute the readiness to serve fee, sewer use fee, and commodity charge for purposes of administering Ordinance No. 173, as amended. For purposes of Ordinance No. 173, amended, consumer general price level shall mean the annual averages of the 12 monthly values of the preceding calendar year for the United States consumer price index for all urban consumers as developed and officially reported by the United States Department of Labor, Bureau of Labor Statistics.

7. Repeal of Section 808 of Ordinance 173. That Section 808 of Ordinance No. 173 is deleted in its entirety.

8. Effective Date. This Ordinance shall become effective upon its publication but not less than ten days after its adoption as provided by law.

YEAS: _____
 NAYS: _____
 ABSENT: _____

Ordinance No. ____ adopted.

 _____, City Clerk

I hereby certify the foregoing to be a true copy of an ordinance duly adopted at a regular meeting of the City Council of the City of Stanton held on _____, 2011.

 _____, City Clerk

Introduced: _____

Adopted: _____

Published: _____

Effective: _____