

ORDINANCE NO. 803

AN ORDINANCE AMENDING CHAPTER 38 ("UTILITIES") OF
THE REVISED CODE OF THE CITY OF NOKOMIS AND
EXPRESSLY INCREASING THE WATER RATES AND SEWER RATES
FOR THE MUNICIPALITY

WHEREAS the Mayor and City Council of the City of Nokomis, upon the regular and long-standing counsel of its engineers, accountants and systems operators, have considered the obsolescence of major components of the water-distribution and sewer systems in, and for, the said City,

AND WHEREAS the Mayor and City Council have similarly been urged by the City's accountants for several years to establish a reserve for capital improvements to both the water-distribution system and the sewer system as such improvements become necessary,

AND WHEREAS the requirement for additional funds historically exists in the face of increased costs of maintenance to both systems as each of them continues to age,

AND WHEREAS future extensions of both systems and the needs to drill a replacement well are contemplated, none of which can be accomplished without municipal funds as either a primary source or collateral source for the funding of such public works,

AND WHEREAS the substantial burden of this City's most recent general-obligation bond issue for the sewer system was fully amortized and retired in January, 1994,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF NOKOMIS:

SECTION 1. That subsection (d) of the definition "GOVERNMENT, LOCAL". of Section 38-1-1 of Chapter 38 of the Revised Code

of the City of Nokomis shall be, and is hereby, amended to read as follows:

"Superintendent" shall mean the Superintendents of the Waterworks and Sewerage Departments of the City or their authorized deputy, agent, or representative."

SECTION 2. That Section 38-3-26 of Chapter 38 of the Revised Code of the City of Nokomis shall be, and is hereby, amended to read as follows:

"CONNECTION OF BUILDING SEWER. The connection of the building sewer into the public sewer shall be made at the "Y" or "T" branch, if such branch is available at a suitable location. If no properly located "Y" or "T" is available, the City shall install a "Y" or "T" branch in the public sewer at the location specified by the Superintendent. Special fittings may be used for the connection only when approved by the Superintendent. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the inspection of the Superintendent or his representative."

SECTION 3. That Section 38-5-25 of Chapter 38 of the Revised Code of the City of Nokomis shall be, and is hereby, amended to read as follows:

"RATES ESTABLISHED. All users of the water-distribution system shall pay a minimum bill of \$9.00 per billing period (two months) for each connection to the system. The purpose of this minimum bill is to recover the fixed overhead costs associated with operating and maintaining the water-distribution system. Thereafter, the following rates are hereby established for water service, based upon the amount of water consumed each two-month period as shown by the water meters:

(A) INSIDE CORPORATE LIMITS:
\$0.00365 per gallon.

- (B) OUTSIDE CORPORATE LIMITS:
\$0.00545 per gallon.
- (C) BULK WATER BY TANK LOADS:
Per Each 100 Gallons \$0.60
- (D) VILLAGE OF COALTON:
\$0.00350 per gallon monthly.
- (E) That effective May 1, 1995, the rate for water consumed by all persons, corporations and municipalities shall increase three per cent (3%).
- (F) That effective May 1, 1996, the rate for water consumed by all persons, corporations and municipalities shall increase three per cent (3%).
- (G) That effective May 1, 1997, the rate for water consumed by all persons, corporations and municipalities shall increase two per cent (2%)."

SECTION 4. That Section 38-5-19 of Chapter 38 of the Revised Code of the City of Nokomis shall be, and is hereby, amended to read as follows:

"USER RATE. All users of the Wastewater Facilities of the City shall pay a minimum bill of **\$2.00 per billing period** (two months) (for users inside the city limits) or **\$10.00 per billing period** (for users outside the city limits) for each connection to the system. The purpose of this minimum bill is to recover the fixed overhead costs associated with operating and maintaining the City's sewer system.

Thereafter, for users inside the city limits, a rate of **\$0.00240 per gallon**, metered or adjusted (as in Article IV, Section 44), shall be assessed for the consumption of water per two-month period (to apply to all users who discharge normal strength wastes into the system). This basic user rate for persons outside the city limits shall be **\$0.00360 per gallon**, metered or adjusted (as in Article IV, Section 44) and shall be assessed for the consumption of water per two-month period (to apply to all users who discharge normal strength wastes into the system).

Effective May 1, 1995, the user rate for all persons, corporations and municipalities shall increase three per cent (3%).

Effective May 1, 1996, the user rate for all persons, corporations and municipalities shall increase three per cent (3%).

Effective May 1, 1997, the user rate for all persons, corporations and municipalities shall increase two per cent (2%)."

SECTION 5. (Partial Invalidity) That if any section, subdivision or sentence of this ordinance is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance.

SECTION 6. That the rates increased herein shall begin for all periods on or after May 1, 1994.

SECTION 7. That this ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Introduced:	<u>April 11, 1994</u>
Passed:	<u>April 25, 1994</u>
Voting Yes:	<u>Brummet, Hard, Petty, Cohan</u>
Voting No:	<u>None</u>
Abstaining:	<u>None</u>
Absent:	<u>McCall</u>
Approved:	<u>April 25, 1994</u>

James F Cohan
Mayor

Attest: Mary Jean Scheller
City Clerk

Published _____