

ORDINANCE NO. 2760

AN ORDINANCE OF THE CITY OF GARDNER, KANSAS, AMENDING CHAPTER 13.40 OF THE GARDNER MUNICIPAL CODE RELATING TO WASTEWATER RATES

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: Title 13, Chapter 13.40, Wastewater Rates, is hereby amended to read as follows:

13.40.010 WASTEWATER CHARGES. All persons, firms or corporations having a connection with the City of Gardner wastewater system shall pay monthly wastewater charges consisting of a wastewater service charge, a wastewater usage charge and an extra strength surcharge as provided herein. When multiple persons, firms or corporations are served by one water meter, a monthly wastewater service charge shall be billed for each residential dwelling unit. When persons, firms or corporations have only a wastewater connection with the City of Gardner, and no water connection, they shall pay a flat rate as provided herein.

A. Residential Wastewater Users

1. A monthly service charge of \$14.31.
2. A monthly wastewater usage charge of \$9.15 per 1,000 gallons. Monthly wastewater usage charges will be based on actual metered water usage except during the months of April through November, for which wastewater usage will be for not more than the average water usage for utility bills issued in December, January, February and March (winter average) with the highest usage of the four months being removed from the calculation. The City Administrator or his/her designee will consider appeals, fully supported and documented, for adjustments due to non-sewered water use and may approve adjustments if warranted. Residential customers initiating wastewater service after March, or otherwise unable to establish a winter average, will be billed for actual wastewater use or 5,000 gallons, whichever is less, until an actual winter average can be established. Nothing in this section shall prohibit the City from determining wastewater usage charges on an individual basis for those customers with large consumptive use of water. The City shall not be prohibited from charging new customers with expected large water usage, wastewater usage charges based on actual water usage until a winter average can be established.

B. Nonresidential Wastewater Users

1. A monthly service charge of \$14.31
2. A monthly wastewater usage charge of \$9.15 per 1,000 gallons. Monthly wastewater usage charges will be based on actual metered water usage.

C. Residential Wastewater Only Users

1. A monthly flat rate of \$60.06

D. Multi-Family Wastewater Only Users

1. A monthly flat rate of \$32.61 per unit

E. Small Commercial Wastewater Only Users

1. A monthly flat rate of \$87.51

This rate class will include, but are not limited to auto sales, auto supply stores, auto mechanics, banks, chiropractic offices, coffee shops, dentist offices, equipment sales, fitness centers, insurance offices, optometrist offices, pharmacies, salons, spas, storage facilities, other office buildings not specifically assigned to another rate class, and retail space identified by staff as a small retail space based on similar business type.

F. Medium Commercial Wastewater Only Users

1. A monthly flat rate of \$535.86 per unit

This rate class will include, but are not limited to bar and grills, churches, daycare centers, event centers, gas stations, laundromats, restaurants, veterinary clinics, and retail space identified by staff as a medium retail space based on similar business type.

G. Large Commercial Wastewater Only Users

1. A monthly flat rate of \$1,194.66 per unit

This rate class will include, but are not limited to carwashes, grocery stores, hotels, medical facilities, motels, multi-unit commercial property companies, and retail space identified by staff as a large retail space based on similar business types.

H. Those customers discharging sewage, the strength of which is in excess of normal domestic sewage, will be billed a surcharge in addition to the normal charges. The surcharge shall be as follows:

\$ 0.78 per pound B.O.D.

\$ 0.73 per pound S.S.

I. Any customer who discharges any pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any customer who discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each such customer shall be as determined by the City of Gardner.

13.40.020 EXCEPTIONS.

If a customer has consumptive use of water, or in some other manner uses water which is not returned to the sewer system and such use is metered separately, no wastewater service charges or usage charges will be assessed. The wastewater usage charge shall not apply to customers having consumptive use of water which is returned to the sewer system and treated by a waste stabilization pond. For purposes of this section, "waste stabilization pond" shall mean a multicelled, protected embankment constructed to confine and biologically treat wastewater.

