

ORDINANCE NO. 2598

AN ORDINANCE AMENDING TITLE 13, UTILITIES CODE OF THE CITY OF GARDNER, KANSAS, 2008, INCREASING VARIOUS RATES AND CHARGES AND AMENDING OR REPEALING ALL ORDINANCES OR REGULATIONS NOT IN CONFORMITY HEREWITH.

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

SECTION ONE: Title 13, Chapter 13.15.010, Water Rates, is hereby amended to read as follows:

13.15.010 WATER RATES. All persons, firms or corporations having a connection with the City of Gardner water system shall be charged a monthly water service charge for each meter by which they are served and a water usage charge in accordance with the following rates. When multiple persons, firms or corporations are served by one water meter, a monthly water service charge shall be billed for each residential dwelling unit.

A. Residential Water Users Inside Corporate Limits

1. Monthly Service Charge \$13.95 Per Month
(prorated by number of days of service in the month for new customers)
2. First 6,000 Gallons \$ 6.21 Per 1,000 Gallons
3. 6,001 to 10,000 Gallons \$ 6.84 Per 1,000 Gallons
4. 10,001 to 14,000 Gallons \$ 7.14 Per 1,000 Gallons
5. 14,001 to 18,000 Gallons \$ 7.47 Per 1,000 Gallons
6. 18,001 or more Gallons \$ 7.81 Per 1,000 Gallons

B. Residential Water Users Outside Corporate Limits

1. Monthly Service Charge \$25.10 Per Month
(prorated by number of days of service in the month for new customers)
2. First 6,000 Gallons \$ 8.11 Per 1,000 Gallons
3. 6,001 to 10,000 Gallons \$ 8.92 Per 1,000 Gallons
4. 10,001 to 14,000 Gallons \$ 9.32 Per 1,000 Gallons
5. 14,001 to 18,000 Gallons \$ 9.74 Per 1,000 Gallons
6. 18,001 or more Gallons \$10.17 Per 1,000 Gallons

C. Non Residential Water Users Inside Corporate Limits

1. Monthly service charge
 - a. 1" Meter \$ 17.49
 - b. 1 ½" Meter \$ 26.49
 - c. 2" Meter \$ 49.13
 - d. 3" Meter \$ 85.97
 - e. 4" Meter \$150.45
2. First 6,000 Gallons \$ 6.21 Per 1,000 Gallons
3. 6,001 to 10,000 Gallons \$ 6.84 Per 1,000 Gallons
4. 10,001 to 14,000 Gallons \$ 7.14 Per 1,000 Gallons
5. 14,001 to 18,000 Gallons \$ 7.47 Per 1,000 Gallons
6. 18,001 or more Gallons \$ 7.81 Per 1,000 Gallons

D. Non Residential Water Users Outside Corporate Limits

1. Monthly service charge.
 - a. 1" Meter \$ 17.49
 - b. 1 ½" Meter \$ 26.49
 - c. 2" Meter \$ 49.13
 - d. 3" Meter \$ 85.97
 - e. 4" Meter \$150.45
2. First 6,000 Gallons \$ 8.11 Per 1,000 Gallons
3. 6,001 to 10,000 Gallons \$ 8.92 Per 1,000 Gallons
4. 10,001 to 14,000 Gallons \$ 8.32 Per 1,000 Gallons
5. 14,001 to 18,000 Gallons \$ 9.74 Per 1,000 Gallons
6. 18,001 or more Gallons \$10.17 Per 1,000 Gallons

E. 3" Hydrant Meters

1. Monthly Service Charge \$85.97
2. Rate Per 1000 Gallons \$ 7.67
3. A deposit of \$500.00 is required to obtain a hydrant meter. The deposit will be refunded after the hydrant meter is returned in good condition to the City of Gardner and all charges are paid in full.

F. Nothing in this Article shall preclude the City of Gardner from entering into contractual agreements with customers for the sale of wholesale water. The City of Gardner shall determine the rates to be charged for wholesale water on a case by case basis.

G. City Interdepartmental

1. Monthly Service Charge \$0.00 Per Month
2. Per 1,000 Gallon Usage Charge \$3.33

H. Coin Operated Bulk Water Sales

1. Rate Per 1,000 Gallons \$ 7.75

I. The rates, service charges and meter charges shall be adjusted annually as provided for within Exhibit A attached hereto.

SECTION TWO: Title 13, Chapter 13.40.010, 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.

A. Residential Wastewater Users

1. A monthly service charge of \$13.73.
2. A monthly wastewater usage charge of \$8.78 per one thousand (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. Non-Residential Wastewater Users

1. A monthly service charge of \$13.73
2. A monthly wastewater usage charge of \$8.78 per one thousand (1,000) gallons. Monthly wastewater usage charges will be based on actual metered water usage.

C. 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:

\$ 0.75 per pound B.O.D.
\$ 0.70 per pound S.S.

D. 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.

E. The rates, and service charges shall be adjusted as provided for within Exhibit B attached hereto.

SECTION THREE: All other ordinances not in conformity herewith are hereby repealed or amended to conform hereto.

SECTION FOUR: This Ordinance shall take effect upon January 1, 2020 or after its passage, approval and publication as provided by law, whichever occurs later.

PASSED by the City Council this 22nd day of January, 2019.

SIGNED by the Mayor this 22nd day of January, 2019.

(SEAL)

CITY OF GARDNER, KANSAS

/s/ Steve Shute
Steve Shute, Mayor

Attest:

/s/ Amy Nasta
Amy Nasta, City Clerk

Approved as to form:

/s/ Ryan B. Denk
Ryan B. Denk, City Attorney