

The following ordinance having been introduced at a duly convened meeting on April 19, 2016, and notice of its introduction having been published in the official journal and a public hearing having been held in connection therewith on this date, was offered for final adoption by Mr. Francis Touchet, Jr. and seconded by Mr. Wayne Landry :

ORDINANCE

16-04

WHEREAS, the Ordinance Committee recommends that the fees charged for water and sewage be amended to reflect the charges in effect as of January 1, 2016; as well as the master meter charge for apartment complexes; and provide for the automatic three per cent increase of said rates on the 1st of January of each ensuing year;

BE IT ORDAINED by the City Council of the City of Abbeville, acting as the governing authority of the City of Abbeville, State of Louisiana, that:

Chapter 15 Sec.-23 (a), (b), (d), (e) and (g) be amended, and (i) be added as follows:

Sec. 15-23. - Charges—Amount; billing

- (a) *Residential inside or outside corporate limits.* A minimum sewerage charge, effective January 1, 2016, in the amount of ten and 15/100 dollars (\$10.15) is hereby levied on every residential sewerage connection served by the city for the first two thousand (2,000) gallons of water usage metered for each residential account. For each one thousand (1,000) gallons in excess of the above quoted minimum, commencing with the first additional gallon, there shall be an additional charge of three dollars and 32/100 (\$3.32) per one thousand (1,000) gallons.
- (b) *Commercial-general inside or outside corporate limits.* A minimum sewerage charge, effective January 1, 2016, in the amount of nineteen and 03/100 dollars (\$19.03) is hereby levied on every commercial sewerage connection served by the city for the first two thousand (2,000) gallons of water usage metered for each commercial establishment. For each one thousand (1,000) gallons in excess of the above quoted minimum, commencing with the first additional gallon, there shall be an additional charge of three and 32/100 dollars (\$3.32) per one thousand (1,000) gallons.
- (d) *Commercial-car washes, laundries, dry cleaners.* For every commercial sewerage connection where the business conducted on the premises is primarily a self-service or full-service car wash or a clothes or garment laundry and/or dry cleaning establishment, effective January 1, 2016, the sewerage charge shall be flat rate of sixty-nine and 68/100 dollars (\$69.68) per month or 0.0191 cents per gallon of actual water usage per month, whichever is less. For the purposes of this section, "primarily" shall mean having derived at least fifty-five (55) percent of its gross revenues from the business indicated during the immediately preceding calendar year. In all other instances, the general commercial sewerage rate shall apply.
- (e) *Large industrial inside or outside corporate limits.* All large industrial customers, defined as customers discharging or using the wastewater system for discharging waste

in addition to normal domestic sewage waste and connected to the sanitary wastewater system shall be charged the following rate, effective January 1, 2016:

- (1) *Monthly volumetric charge:* Two and 52/100 dollars (\$2.52) per thousand (1,000) gallons or part thereof of **water discharged through a separate meter.**
- (2) *Monthly service charge:* In addition to the volumetric charge, industrial customers will be charged one hundred seventy-three and 91/100 dollars (\$173.91) per month for service.

(g)

Minimum charge.

- (i) Except as provided for in (ii) of this section, notwithstanding the absence of a water meter, or a monthly water usage, there shall be a monthly minimum service charge imposed and levied upon each and every sewerage connection either inside the corporate limits. Effective January 1, 2016, in the minimum charge of each residential sewerage connection shall be ten and 15/100 dollars (\$10.15). Effective January 1, 2016, in the minimum charge on each non-residential sewerage connection shall be nineteen and 03/100 dollars (\$19.03).
- (ii) Effective January 1, 2016, in the flat charge for any unmetered sewage customer located outside the corporate limits shall be twenty-two and 65/100 (\$22.65) dollars.

(i)

Adjustment of rates.

The rates established in Section 15-23 shall automatically increase at the rate of three (3) percent, adjusted annually on the first day of January, without the necessity of further action by the mayor or city council

Chapter 15 Sec.-28 be repealed and re-enacted as follows:

Sec. 15-28. – Apartment Complexes with a master water meter.

- (a) All apartment complexes located within the corporate limits which are equipped with a master water meter, effective January 1, 2016, shall pay a monthly sewerage connection fee equal to ten and 15/100 (\$10.15) dollars per unit.
- (b) The above rate shall automatically increase at the rate of three (3) percent, adjusted annually on the first day of January, without the necessity of further action by the mayor or city council.

Chapter 18 Sec.-10; 11 & 14 be amended as follows:

Sec. 18-10. - Rates for consumers within city (schedule W-1).

The following rates, rules and regulations shall govern the sale of water to consumers in the city:

(1) *Residential.*

- a. *Applicability.* This schedule is applicable under the regular terms and conditions of the city to all customers served by the city water system, and applies to water used for residential purposes.
- b. *Monthly rate.* Effective January 1, 2016 the monthly rate shall be as follows:
 1. First 2,000 gallons or less - \$10.45
 2. All in excess of above, per 1,000 gallons - \$3.42
- c. These above rates shall automatically increase at the rate of three (3) percent, adjusted annually on the first day of January, without the necessity of further action by the mayor and city council.

(2) *Commercial.*

- a. *Applicability.* This schedule is applicable under the regular terms and conditions of the city to all customers served by the city water system, and applies to water used for commercial, industrial, institutional or other purposes.
- b. *Monthly rate.* Effective January 1, 2016 the monthly rate shall be as follows:
 1. First 2,000 gallons or less - \$19.60
 2. All in excess of above, per 1,000 gallons - \$3.42
- c. These above rates shall automatically increase at the rate of three (3) percent, adjusted annually on the first day of January, without the necessity of further action by the mayor and city council.

Sec. 18-11. - Rates for users of city water system outside city limits (schedules XWR and XWC).

- (a) There is hereby established a water rate for residential users of the city water system whose connections are outside of the city limits.
 - (1) *Applicability.* These schedules are applicable to all customers served by the city water system and apply to all water for residential purposes, whose connections are not within the city limits.
 - (2) *Ex-city water rate (schedule XWR).* Effective January 1, 2016 under XWR, the monthly rate shall be as follows:
 - a. *Monthly rate:*
 1. First 2,000 gallons or less - \$10.45
 2. All in excess of above, per 1,000 gallons - \$3.42
 - b. In addition to the volumetric charge, residential customers located outside the corporate limits will be charged eleven and 95/100 dollars (\$11.95) per month for service.

- (3) These above rates shall automatically increase at the rate of three (3) percent, adjusted annually on the first day of January, without the necessity of further action by the mayor and city council.
- (b) There is hereby established a water rate for commercial, industrial, institutional or purposes other than residential, for users whose connections are outside of the city limits:
 - (1) *Applicability.* These schedules are applicable to all customers served by the city water system and apply to all water for commercial, industrial, institutional and purposes other than residential, whose connections are not within the city limits;
 - (2) *Ex-city water rate (schedule XWC).* Effective January 1, 2016 under schedule XWC, the monthly rate shall be as follows:
 - a. *Monthly rate:*
 - 1. First 2,000 gallons or less - \$19.60
 - 2. All in excess of above, per 2,000 gallons - \$3.42
 - b. In addition to the volumetric charge, commercial, industrial, institutional and purposes other than residential who are located outside the corporate limits will be charged eleven and 95/100 dollars (\$11.95) per month for service.
 - (3) These above rates shall automatically increase at the rate of three (3) percent, adjusted annually on the first day of January, without the necessity of further action by the mayor and city council.

Sec. 18-14. - Bulk sales.

- (a) *Bulk sales at water treatment plant:*
 - (1) Effective January 1, 2016 there is hereby established a rate of seventeen and 91/100 dollars (\$17.91) per one thousand (1,000) gallons for all customers who purchase water from the city in bulk or by tank load.
 - (2) In addition to the water rate established in subsection (1), there is hereby established a permit fee of one hundred dollars (\$100.00) per load to be assessed for each individual bulk sale or tank load.
 - (3) All bulk water sales shall be supervised by the water/wastewater superintendent or his designee at such time and hours as set by the water/wastewater superintendent in consultation with the mayor and city council.
 - (4) All bulk sales related to swimming pools shall be conducted only after the party requesting said service has entered into a contract with the city waiving any and all rights and causes of action against the city for

- damages to persons or property arising out providing this service.
- (5) The service fee and seventy-five (75) percent of the estimated usage shall be in advance of delivery.
 - (6) The above rates shall automatically increase at the rate of three (3) percent, adjusted annually on the first day of January, without the necessity of further action by the mayor and city council.
 - (7) All sales made in pursuant to this section shall be made without warranty of fitness.
- (b) *Bulk sales at a fire hydrant location:*
- (1) Effective January 1, 2016 there is hereby established a rate of six and 76/100 dollars (\$6.76) per one thousand (1,000) gallons for all customers who purchase water from the city in bulk or the tank load.
 - (2) In addition to the water rate established in subsection (1) there is hereby established a permit fee of one hundred dollars (\$100.00).
 - (3) All bulk water sales shall be supervised by the water/wastewater superintendent or his designee at such time and hours as set by water/wastewater superintendent in consultation with the mayor and city council.
 - (4) All bulk sales related to subsection (b) limited to customers requesting said service for use on construction projects within the city limits of the City of Abbeville, and cannot be used for resale.
 - (5) The above rates shall automatically increase at the rate of three (3) percent, adjusted annually on the first day of January, without the necessity of further action by the mayor and city council.
 - (6) All sales made in pursuant to this section shall be made without warranty of fitness.

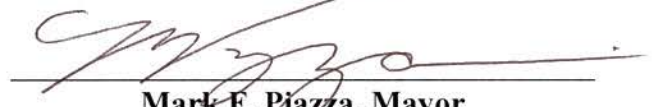
Effective Date. This Ordinance shall become effective thirty days after publication.

This ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: 5
NAYS: 0
ABSENT: 0

And the ordinance was declared adopted on this, the 19th day of April, 2016.


Kathleen Faulk, Clerk


Mark F. Piazza, Mayor

Presented to mayor for signature: 4/19/16
Received back signed: 4/19/16