

ORDINANCE NO. 3213

**AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 43, WATER, SEWERS AND SEWAGE DISPOSAL, BY AMENDING ARTICLE III, SEWERS, SEWAGE DISPOSAL AND STORMWATER QUALITY, DIVISION 8, USAGE RATES AND CHARGES, SECTION 43-224(a), SEWER USER CHARGE; PROVIDING FOR REPEALER AND SEVERABILITY.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY THAT:

**ORDINANCE**

**SECTION 1.** The Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 8, Usage Rates and Charges, Section 43-224(a), Sewer User Charge, is hereby amended to read as follows:

**Sec. 43-224. Sewer user charge.**

(a) For the purpose of providing funds for the operation and maintenance of the sanitary sewerage system of the City and for other related purposes, there is hereby fixed and established sewer system user charges for the use of the sanitary sewerage system to be levied against each respective user thereof within the City as follows:

Sewer User Charge (minimum) shall be seven dollars and twenty-six cents (\$7.26) per month.

- (1) A minimum sewer user charge shall apply for wastewater discharges up to two thousand (2,000) gallons per month.
- (2) For users discharging more than two thousand (2,000) gallons of wastewater per month to the sanitary sewer system, each additional one thousand (1,000) gallons, or portion thereof, shall be charged at a rate of three dollars and thirteen cents (\$3.13) per thousand gallons.
- (3) The user's monthly wastewater contribution shall be estimated from the average of the user's monthly water billed during the months of December, January, February and March, as the water is measured by a water meter or meters of a type approved by the city, or as the wastewater contribution is otherwise currently established.
- (4) The estimated monthly wastewater contribution from a user shall prevail for a twelve-month period, until a new estimated monthly wastewater contribution is obtained.
- (5) For industrial and commercial users, the monthly wastewater contribution shall be actual water used.
- (6) In the event a lot, parcel of land, premise, or facility discharging sewage, industrial waste, water or other liquids, either directly or indirectly into the city's sewer system, or which ultimately enters the sewerage system, is supplied, either in whole or in part, with water from wells or any source other than the city's Utilities Department, then such wells or other source of supply shall be registered with the city's Utilities Department on or before June 10, 1986, and if the water from said wells or other supply is not measured by a water meter, the owner or occupant shall, or the city may at the city's option and at the city's cost, install and maintain a meter on said supplies in such a lo-

cation and in such a manner as is satisfactory to the city's Utilities Department. These meters shall serve as a basis for the establishment of the sewer user charge and shall be read monthly or bi-monthly by the city. If, in the opinion of the city, the installation of a meter would be impractical, residential water consumption will be determined by the number in the family for the sewer charge for that household, per the table in Section 43-224(10). The number of residents of the household will be certified annually. Failure to certify will result in billing at the maximum rate for the next fiscal year. Multi-family dwellings and mobile home parks will be determined by the total number of occupants divided by the number of units or occupied pad to find the average occupancy. This figure will be rounded to the nearest whole number. The sewer rate per unit will be based on the table in Section 43-224(10). The number of residents of the household will be certified annually. Failure to certify will result in billing at the maximum rate for the next fiscal year. A commercial business which has no means of measuring water consumption will be placed in a class of like businesses whose water consumption was averaged to determine a rate class. Each rate class was determined by a random selection with their water consumption averaged and rounded off to the nearest whole number and multiplied by the present sewer rate per one thousand (1,000) gallons usage. Class rates are as follows:

Class	Monthly Rate	Consumption (000's)	Avg (in 000's)
a.	\$592.57	over 125	189
b.	\$198.19	51—125	63
c.	\$ 47.95	11—50	15
d.	\$ 32.30	Minimum	10

Any other type of sewer user who does not fall within the definitions above will be billed in the same manner as a commercial business.

- (7) Multi-family complexes that contain three (3) or more units, including apartments, shall be charged seven dollars and twenty-six cents (\$7.26) per unit per month, plus three dollars and thirteen cents (\$3.13) per one thousand (1,000) gallons based on actual usage each month unless the use of outside water or product water can be determined by the superintendent, whether such unit is occupied or vacant.
- (8) Mobile home parks shall be charged seven dollars and twenty-six cents (\$7.26) per pad, plus three dollars and thirteen cents (\$3.13) per one thousand (1,000) gallons based on actual usage each month unless the use of outside water or product water can be determined by the superintendent, based upon the highest number of pads occupied for the month.
- (9) Users who reside in two-family residential units with one (1) meter shall be charged thirteen dollars and fifty-two cents (\$13.52) per month, plus three dollars and thirteen cents (\$3.13) per one thousand (1,000) gallons based on water consumption on average billed during December, January, February, and March or, in the case of separate water meters for each user, seven dollars and twenty-six cents (\$7.26) per month, plus three dollars and thirteen cents (\$3.13) per one thousand (1,000) gallons based on water consumption on average billed during December, January, February, and March.

- (10) For new residential users, there shall be a minimum sewer rate established based on the number of people in the family as per the following table:

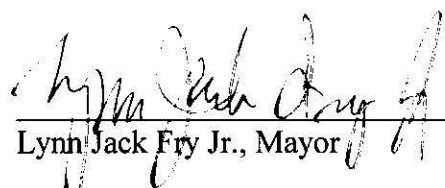
Number of People	Minimum Gallons	Amount
1	2,000	\$ 7.26
2	4,000	\$13.52
3	6,000	\$19.78
4	8,000	\$26.04
5 or more	10,000	\$32.30

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

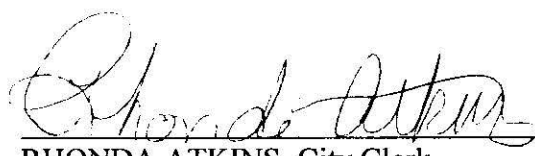
**SECTION 3. SEVERABILITY.** If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid, such decision shall not effect the validity of the remaining portions of the ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, this 27th day of May, 2014.

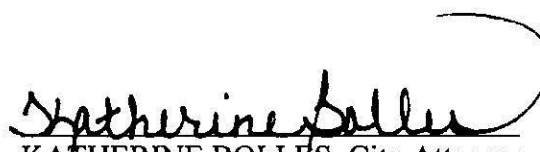
CITY OF MIDWEST CITY, OKLAHOMA

  
Lynn Jack Fry Jr., Mayor

ATTEST:

  
RHONDA ATKINS, City Clerk

APPROVED as to form and legality this 27th day of May, 2014.

  
KATHERINE BOLLES, City Attorney