

ORDINANCE #974

AN ORDINANCE TO REPEAL ORDINANCE # 939 SECTION 98-304 ACTUAL USE RATE FOR SEWAGE, CHAPTER 98 UTILITIES, ARTICLE V WATER AND SEWER USER CHARGE SYSTEM AND REPLACE IN LIEU OF A NEW SECTION 98-304 ACTUAL USE RATE FOR SEWAGE.

WHEREAS, The City of Ava, Missouri deems it in the public interest and general welfare to provide a municipal sewage collection and treatment system, and

WHEREAS, The Code of Ordinances of the City of Ava, Missouri sets out policies and procedures for the utilities services, and

WHEREAS, The Code of Ordinances of the City of Ava, Missouri requires that the user charge system generate adequate annual system revenues to pay the costs of operation and maintenance, to pay the principal of and interest on the revenue bonds, and to provide funds to meet the requirements of the bond ordinances, including replacement, which the city may by ordinance designate or have designated to be paid by the user charge system,

THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF AVA, MISSOURI

Section 1. Chapter 98 Utilities, Article V Water and Sewer User Charge System, Section 98-304 Actual Use Rate for Sewage is repealed.

Section 2. Chapter 98 Utilities, Article V Water and Sewer Usage Charge System, Section 98-304 Actual Use Rate for Sewage is replaced in lieu of a new Section 98-304 Actual Use Rate for Sewage.

Section 3. The new Section 98-304 shall read as follows:

- (a) *Payment based on use.* This section will set the rates to be charged to users for collection and treatment of sewage. Each user shall pay for the sewage collection and treatment services provided by the city, based on his use of the system as determined by water meters acceptable to the city.
- (b) *Residential and industrial contributors.* For residential contributors, monthly user charges for the collection and treatment of sewage will be based on average water usage during the months of November, December and January; this will be consumption of water from October 15 through January 15. If a residential contributor has not established a November, December, and January average, his monthly user charge shall be the median charge of all other residential contributors. For industrial and commercial contributors, user charges for the collection and treatment of sewage shall be based on water used during the current month. If a commercial or industrial contributor has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that contributor may be based on wastewater meters or separate water meters installed and maintained at the contributor's expense, and in a manner acceptable to the city.

- (c) *Sewer charges.* The rate schedule for all classes of sewer users is hereby established as follows:

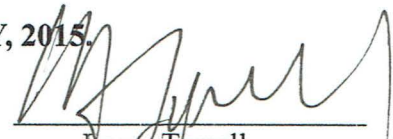
Minimum charge for first 1,000 gallons	Unit Charge	Fiscal Year
\$19.12	\$4.81	2015
\$21.03	\$5.29	2016
\$23.13	\$5.82	2017
\$25.44	\$6.40	2018
\$27.98	\$7.04	2019


- (d) *Surcharge for wastewater contributors.* For those contributors who contribute wastewater, the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal user charge will be collected. The surcharge is \$0.33 per pound of BOD; and \$0.42 per pound of SS.
- (e) *Payment by user of increased costs.* Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the city's system, or any user which discharges any substance which, singly or by interaction with other substances, causes identifiable increases in the cost of operation, maintenance or replacement of the system, shall pay for such increased costs. The charge to each such user shall be determined by the responsible plant operating personnel and approved by the board of aldermen.
- (f) *Application of rates established in section.* The user charge rates established in this section apply to all users, regardless of their location, of the city's system. This rate will go into effect on the utility bill prepared in March 2015 and due in April 2015.

Section 4. This ordinance shall take effect and be in force from and after its passage and approval by the Board of Aldermen of the City of Ava, Missouri. All ordinances or parts of ordinances in conflict with the terms hereof are void and of no effect.

PASSED AND APPROVED ON THIS 10th DAY OF FEBRUARY, 2015.

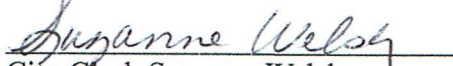
Reviewed and approved to form by City Attorney


Larry Tyrrell


Mayor David Norman



Attest:


City Clerk Suzanne Welsh