

AN ORDINANCE AMENDING MULTIPLE SECTIONS (114-2, 114-41 & 114-86) OF ARTICLES I, II, AND III WITHIN CHAPTER 114 UTILITIES OF THE CODE OF ORDINANCES OF THE CITY OF OXFORD, MISSISSIPPI, TO ADJUST THE WATER RATE OUTSIDE THE CORPORATE LIMITS

An Ordinance authorizing the City of Oxford to adopt and establish rates for City owned and operated water supply system.

WHEREAS, pursuant to Section 21-17-5(1) of the Mississippi Code (1972) the Mayor and Board of Aldermen have the power to adopt any orders, resolutions or ordinances with respect to municipal affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code from 1972 or any other Statute or Law of the State of Mississippi, and

WHEREAS, pursuant to Section 21-27-23(d) of the Mississippi Code (1972) the Mayor and Board of Aldermen have the authority to own, operate and maintain a water supply system for the City of Oxford; and

WHEREAS, pursuant to Section 21-27-23(e) of the Mississippi Code (1972) the Mayor and Board of Aldermen have broad authority to establish, maintain and collect rates for the facilities and services offered by the systems provided by the City of Oxford; and

WHEREAS, the City of Oxford has received recommendations from Oxford Utilities regarding rate changes and amendments necessary for the operation, improvement and expansion of the City water system; and

WHEREAS, current rates needed to acquire and maintain the Punkin Water Association water system are insufficient given the current demands and recent improvements; and

WHEREAS, the Mayor and Board of Aldermen intend to file a Notice of Intent to Change Rates for service in the City's certificated area with the Mississippi Public Service Commission ("MPSC") for authority to increase the water and sewer rates for customers who are located in the service areas of the Punkin Water Association ; and

WHEREAS, the Mayor and Board of Aldermen find that it is in the best interest of the citizens of the City of Oxford to adopt and establish the water rates to be charged to customers thereof as follows:

WATER

Inside the City:

Minimum Charge:	\$7.10
Over 2,000 gallons:	\$3.55 per thousand gallons

Outside the City:

Minimum Charge:	\$9.74
Over 2,000 gallons:	\$4.87 per thousand gallons

Outside the City (within the former Punkin Water Association service area):

Minimum Charge:	\$9.74
Over 2,000 gallons:	\$4.87 per thousand gallons
Monthly Surcharge:	\$12.25

NON-METERED CUSTOMERS

For customers on a water system which is either 1) not metered or 2) metered but which meter readings are not accessible to the City, a flat rate of \$24.30 per month shall be charged for water. The City may install meters and charge these customers metered rates when feasible.

FORMER PUNKIN WATER ASSOCIATION MEMBERS

In addition to the rates above, customers lying outside the City limits and within the areas described in the MPSC- Lafayette County Certificates of Public Convenience and Necessity formerly held by Punkin Water Association, shall continue to be charged the same additional monthly fee as is currently applied, as set out in amended Sections 114-41 (e) below.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF OXFORD, MISSISSIPPI:

Section I. That Section 114-2 *Utility Service-Application required of Article I, IN GENERAL,*

is hereby amended to read as follows:

~~(a.)~~ Utility service to individuals. Any person desiring any utility service furnished by the city inside the corporate limits shall make application for the same to Oxford Utilities. Any application which may require an extension of the city's water and/or sewer system inside the corporate limits or any request for water and/or sewer service outside the corporate limits shall be made to Oxford Utilities.

Section II. That Section 114-41 *Water Rates of Article II, RATES AND CHARGES,* is

hereby amended to read as follows:

Section 114-41. Water Rates.

Inside city limits. Inside the city limits the monthly water rate shall be \$3.55 per 1,000 gallons over 2,000 gallons. The minimum charge shall be \$7.10 per month per occupied residential unit

connected to the meter, unless otherwise provided for by this Code. The minimum charge for business, commercial or industrial units shall be \$7.10 per month for each meter.

Outside city limits. Consumers residing outside the city limits using water furnished by the city shall pay the monthly rate of \$4.87 per 1,000 gallons over 2,000 gallons. The minimum charge shall be \$9.74 per month.

Non-metered customers. For customers on a water system which is either (1) not metered or (2) metered but which meter readings are not accessible to the city, a flat rate of \$24.30 per month shall be charged for water. The city may install meters and charge these customers metered rates when feasible.

Bell Utilities service areas. In addition to the rates above, water system customers lying outside the city limits, but within the areas described in and which were held by Bell Utilities of Mississippi, LLC's MPSC-Lafayette County Certificates of Public Convenience and Necessity, shall be charged one additional monthly fee per water utility bill as follows: Water customers with monthly water usage metered at under 3,000 gallons shall be charged a \$4.00 monthly fee. Water customers with a monthly water usage metered at 3,000 gallons and above shall be charged a \$6.00 monthly fee. Non-metered customers shall be charged a \$6.00 monthly fee. The charge reflects the costs of maintenance, including replacement of the water works and retirement of existing debt related to the systems.

Punkin Water Association service areas. In addition to the rates above, water system customers lying within the areas described in and which were held by Punkin Water Association-Lafayette County Certificates of Public Convenience and Necessity, shall be charged a monthly fee of \$12.25.

(a) *Annual review.* The city will annually review all water rates as part of the yearly budget process.

(b)

Section III. That the title of Article III, *REQUIREMENTS FOR DELIVERY OUTSIDE CORPORATE LIMITS*, is hereby amended to read as follows:

REQUIREMENTS FOR DELIVERY OF WATER AND SEWER SERVICES OUTSIDE CORPORATE LIMITS FOR SUBDIVISIONS AND INDIVIDUALS RESIDING INSIDE ONE MILE RADIUS AND OUTSIDE ONE MILE RADIUS

Section IV. That Section 114-86, *To subdivisions*, of ARTICLE III, *REQUIREMENTS FOR DELIVERY OUTSIDE CORPORATE LIMITS*, is hereby amended to read as follows:

Section 114-86. To subdivisions

(a.) (a.) Subdivisions outside the corporate limits of the city, but within a one-mile radius of the corporate limits, may receive water from the municipal water system and deliver wastewater into the municipal sewer system upon the following terms and conditions:

(1.) Upon recommendation of Oxford Utilities and the City Engineer, the Mayor and Board of Aldermen may authorize the developer of such subdivision to proceed with preparation of preliminary plans for such subdivision.

- (2.) Plans for such subdivision shall be prepared and developed in accordance with the City of Oxford Land Development Code and the standard water and sewer specifications of the City of Oxford.
- (3.) The total cost of extension of the city's water and/or sewer system to serve such subdivision shall be borne by the developer.
- (4.) Any connection required to provide the services contemplated hereby shall be made to the city water and/or sewer system at a point and in such manner as determined by the Oxford Utilities and City Engineer.
- (5.) All easements or rights-of-way required for extension of water and/or sewer facilities to serve the subdivision shall be obtained by the developer, and such easements shall be obtained in the name of the city, or be transferable to the city.
- (6.) In the event water and/or sewer facilities to be extended to serve the subdivision are determined by Oxford Utilities and City Engineer to have a capacity larger than that required by this Code, then, in such event, the excess cost of the larger facility shall be borne by the city; provided, however, that the city may declare such excess cost not to be economically feasible, and decline to allow such subdivision to be connected to the city's water or sewer system.
- (7.) All water and/or sewer facilities contemplated by this article shall be dedicated to the city for operation and maintenance.
- (8.) A formal, written agreement may be required between the developer and the city in instances involving cost-sharing of excess capacity facilities or other situations where a written agreement would be appropriate.

(b.)(b.) Subdivisions outside the corporate limits of the city, and outside a one-mile radius of the corporate limits, may receive water from the municipal water system and deliver wastewater into the municipal sewer system upon the following terms and conditions:

- (1.) Upon recommendation of Oxford Utilities and the City Engineer, and approval by the Mayor and Board of Aldermen.
- (2.) Agreement to develop in accordance with the standard water and sewer specifications of the City of Oxford.
- (3.) The total cost of extension of the city's water and/or sewer system to serve such subdivision shall be borne by the developer.
- (4.) Any connection required to provide the services contemplated hereby shall be made to the city water and/or sewer system at a point and in such manner as determined by Oxford Utilities and the City Engineer.
- (5.) All easements or rights-of-way required for extension of water and/or sewer facilities to serve the subdivision shall be obtained by the developer, and such easements shall be obtained in the name of the city, or be transferable to the city.
- (6.) In the event water and/or sewer facilities to be extended to serve the subdivision are determined by Oxford Utilities and City Engineer to have a capacity larger than that required by this Code, then, in such event, the

excess cost of the larger facility shall be borne by the city; provided, however, that the city may declare such excess cost not to be economically feasible, and decline to allow such subdivision to be connected to the city's water or sewer system.

(7.) All water and/or sewer facilities contemplated by this article shall be dedicated to the city for operation and maintenance.

(c)(8.) A formal, written agreement may be required between the developer and the city in instances involving cost-sharing of excess capacity facilities or other situations where a written agreement would be appropriate.

Section 3. Repealing Clause.

All ordinances or parts of ordinances in conflict herewith shall be, and the same are hereby repealed.

Section 4. Effective Date.

This Ordinance shall take effect for areas inside the City and up to one (1) mile outside the City as soon as such Ordinance would ordinarily be effective pursuant to State law, and shall not be delayed by awaiting PSC approval for areas more than one (1) mile outside the City. The City of Oxford hereby gives notice of its intent to petition the Mississippi Public Service Commission for approval of the increase in the water rates for customers who are located more than one (1) mile outside the City limits, and this Ordinance shall take effect for these areas as provided by law.

Section 5. Publication.

This Ordinance shall be published as prescribed by law.

Section 6. Rate Calculation.

The rates established herein are intended to be sufficient to support anticipated demands on and repairs and improvements to the systems and are part of the municipality's good faith effort to calculate rates sufficient to operate the systems and provide for future maintenance of the systems.

The above ordinance having been first reduced to writing and considered at a public meeting of the governing authorities of the City of Oxford, Mississippi, on motion of Alderman Addy, seconded by Alderman Bailey, and the roll being called, the same was adopted by the following vote:

Alderman Addy	voted aye
Alderman Hulse	voted aye
Alderman Hyneman	voted aye
Alderman Howell Atkinson	voted aye
Alderman Taylor	voted aye
Alderman Bailey	voted aye

Alderman Crowe

voted aye

Approved and Adopted this the 19th day of March, 2024.

/s/Robyn Tannehill
ROBYN TANNEHILL, MAYOR

ATTEST:

/s/Ashley Atkinson
ASHLEY ATKINSON, CITY CLERK