

ORDINANCE NO. 582

AN ORDINANCE AMENDING SECTIONS 15-239 AND 15-240 OF ARTICLE 2 OF CHAPTER XV OF THE CITY CODE PERTAINING TO SEWER SERVICE RATES AND CONNECTION FEES, AND REPEALING ORDINANCE NO. 580

WHEREAS, the City previously adopted and published Ordinance No. 580 making changes to the City Code pertaining to monthly sewer rates and sewer connection fees; and

WHEREAS, following adoption and publication of Ordinance No. 580, City Staff discovered that a directive of Council pertaining to an annual increase of the monthly sewer rate was inadvertently not included in the Ordinance.

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

Section 1. Section 15-239 of Article 2 of Chapter XV of the Basehor City Code is amended to read as follows:

- 15-239. **RESIDENTIAL SEWER SERVICE CHARGE.** (a) As of January 1, 2011, the individual monthly charge for residential sewage treatment will be \$10.61 per thousand gallons of water consumed, based on the average water consumption for the month of December, and January and February of the next year. Said monthly rate per thousand gallons of water shall automatically increase by 2.5% effective January 1 of each year. Monthly water consumption records will be obtained by the city from Consolidated Rural Water District No. 1, Suburban Water Company, or any other water provider.
- (b) The average water consumption shall be based upon the average of the water consumed for the month of December of the previous year and the months of January and February of the current year. Each year thereafter, the average usage will be calculated utilizing the historical data in the same manner. Monthly billing changes will be effective May 1st of each year.
- (c) In the event that a customer establishes from reasonable evidence that the three month average is not representative of their actual usage, then the billing clerk with the consent of the city administrator is authorized to recalculate the appropriate usage based upon the information provided. Adjustments shall not be retroactive and will take effect with the next monthly billing cycle. No adjustments to utility accounts shall be made until the customer's account is paid in full.
- (d) Units that water consumption records may not be available for all of the months of December, January and February may be charged based on the average of one to three months preceding or following these months.

(e) Units that are connected to the sewer system after the effective date, or units that do not receive water service from Consolidated Rural Water District No. 1 or Suburban Water Company, or units that water usage records are otherwise not available, shall be assigned an average monthly water consumption of 6,350 gallons, until an actual average can be determined or the unit may be charged on a per capita basis of 100 gallons per day per occupant.

(f) The monthly charge for new units that will significantly exceed the monthly average of 6,350 gallons may be based on actual water usage, on a month-to-month basis, until an accurate average can be determined.

(g) The minimum monthly sewer rate charge will be equal to the charge per thousand gallons of water set forth in subsection (a) above multiplied by 1.5. Units that are vacant will be charged the minimum fee for each month they are vacant.

Section 2. Section 15-240 of Article 2 of Chapter XV of the Basehor City Code is amended to read as follows:

15-240 CONNECTION FEES; SERVICE OUTSIDE THE CITY. (a) Each individual unit connected to the city wastewater system shall be charged a connection fee at the time a building permit is issued for construction of the unit, or upon connection to the wastewater system in the case of existing units. In the case of multi-unit buildings, a separate fee shall be charged for each separate unit. Effective January 1, 2011, the connection fee shall be \$3,450.

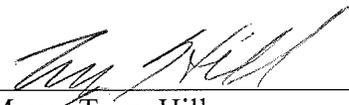
(b) The connection fees and the monthly wastewater treatment fees for development outside of the city shall be 150% of the established rates, unless otherwise determined by the city council. The connection fee shall be charged at the time a building permit is issued for construction of the unit, or upon connection to the wastewater system for existing units.

Section 3. This ordinance shall be in full force and effective from and after its passage and publication in the official city newspaper.

Section 4. Ordinance No. 580 is hereby repealed.

Approved by the City Council this 28th day of February, 2011.

Approved by the Mayor this 28th day of February, 2011.



Mayor Terry Hill

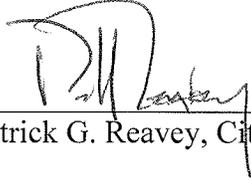
Attest:



Corey Swisher, City Clerk



APPROVED AS TO FORM:



Patrick G. Reavey, City Attorney