

(First published in the *Basehor Sentinel* on)

ORDINANCE NO. 619

AN ORDINANCE AMENDING SECTION 15-239, ENTITLED " RESIDENTIAL SEWER SERVICE CHARGE", OF THE CITY CODE OF THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS.

WHEREAS, after due consideration, the City Council of the City of Basehor desires to amend and update Section 15-239 of the City Code of the City of Basehor, Kansas; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASEHOR, KANSAS AS FOLLOWS:

Section 1. That Section 15-239 of the City Code of the City of Basehor, Kansas, shall be amended with the addition of the underlined text set forth in the pertinent existing section set forth herein:

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 1 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.

(h) Each single or multi family unit consisting of four or less sewer connections to be made will be charged a connection fee based on the current connection fee of the city for each individual unit. Structures that consist of five units or more, including but not limited to apartments, motel/hotel, commercial, light industrial and any other complexes that only require one connection shall be charged as follows:

1. Up to 11,500 square feet: \$3450

2. Over 11,500 square feet: \$.30 per square foot based off of the structure's square footage listed on the approved final plat

This fee shall be based off of the occupied space only and shall not include any green spaces, or non-permeable surfaces as required by the City of Basehor's development codes.

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of the ordinance shall be and are hereby repealed.

Section 3. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED by the Governing Body this 19th day of November, 2012.

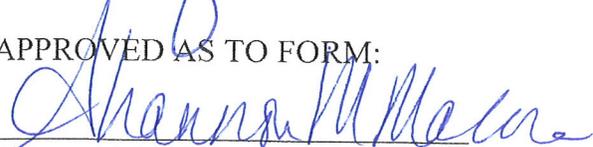
APPROVED by the Mayor this 19th day of November, 2012.

[SEAL]

ATTEST:


Corey Swisher, City Clerk

APPROVED AS TO FORM:


Shannon M. Marcano, City Attorney


David K. Breuer, Mayor