

Ordinance 2004-3

AN ORDINANCE OF THE CITY OF HAMILTON FOR THE ESTABLISHMENT AND PRESERVATION OF AN EFFICIENT WATER AND SEWER DEPARTMENT AND TO ESTABLISH A FEE OR LEVY FOR SAME THE COLLECTION OF SAID LEVY; TO PROVIDE FOR THE ENFORCEMENT OF SAID ORDINANCE; AND TO PROVIDE PENALTIES FOR ITS VIOLATION

BE IT ORDAINED by the City of Hamilton, Alabama as follows:

SECTION I. SERVICE. The City hereby determines that the continuation of the City's water and sewer service to its citizens is a critical public enterprise and is necessary for the public welfare and safety of its citizens. Additionally, after reviewing the City's and the Water and Sewer Department's financial statements for the past four years, the City hereby determines that the Water and Sewer Department operates with dangerously low revenues. Accordingly, the City hereby determines that a new fee or rate structure is necessary for the continued operation of the City's Water and Sewer Department.

SECTION II. WATER AND SEWER SERVICE COST. FEES OR LEVY.

(A) In order to continue to provide for the health and welfare of the citizens of the city, there is hereby levied a water service fee to defray a part of the expenses of the Water and Sewer Department, together with the costs and expenses incurred in the collection of fees provided for and the enforcement of this ordinance, as follows:

Upon every customer of the City's Water and Sewer Department:

The following basic rates, per meter size:

3/4"	\$18.20
1.0"	20.65
1.5"	27.93
2.0"	41.30
3.0"	65.58
4.0"	95.91
6.0"	307.20
8.0"	550.00

For water usage in excess of 2,000 gallons per month, an additional charge shall be added, without regard to meter size as follows:

Usage of 2,000 to 10,000 gallons	\$3.83 per 1,000 gallons used over 2,000;
Usage of 10,000 to 25,000 gallons:	2.92 per 1,000 gallons used over 10,000;
Usage of 25,000 to 50,000 gallons:	2.00 per 1,000 gallons used over 25,000;
Usage of 50,000 to 100,000 gallons:	1.73 per 1,000 gallons used over 50,000;
Usage of 100,000 or more gallons:	1.36 per 1,000 gallons used over 100,000.

The said charges shall be paid to the City by every person who is a customer of the City's Water and Sewer Department beginning with the service to be rendered for the month of January, beginning on the first day of such month and ending on the last day of such month and continuing monthly thereafter.

(B) In order to continue to provide for the health and welfare of the citizens of the city, there is hereby levied a sewer service fee to defray a part of the expenses of the Water and Sewer Department, together with the costs and expenses incurred in the collection of fees provided for and the enforcement of this ordinance, as follows:

Upon every customer of the City's Water and Sewer Department:

Basic rate (usage to 50,000 gallons): 50% of the customer's water service fee as detailed in Section II (A).

For water usage in excess of 50,000 gallons per month, an additional sewer charge shall be added as follows:

Usage of 50,000 or more gallons: \$1.80 per 1,000 gallons used over 50,000 gallons.

The said charges shall be paid to the City by every person who is a customer of the City's Water and Sewer Department beginning with the service to be rendered for the month of January, beginning on the first day of such month and ending on the last day of such month and continuing monthly thereafter.

**SECTION III. BILLING.** All bills for service shall be rendered monthly on a statement rendered

by the Water and Sewer Department for water and sewer services. Each bill shall be due when rendered and shall become delinquent if not paid within ten (10) days thereafter. A bill shall not be rendered paid on time if actually received by the Water and Sewer Department after said delinquent date. If a bill is received and paid after said delinquent date, then a late fee of 10.4% of the customer's combined water and sewer bill shall be added to the customer's bill for that month. If any such bill shall not be paid within five (5) days after it becomes delinquent, the furnishing of water and sewer service shall thereupon be discontinued to the dwelling with respect to which such bill is so delinquent.

The Water and Sewer Department is hereby designated as the agent for collection of said water and sewer service fees, and said department shall remit the same to the City Clerk periodically as the fees are collected.

Failure to pay the charges herein provided shall constitute a violation of this ordinance and shall be unlawful. Furthermore, failure to pay the charges herein provided may result in the refusal of the City to provide water and sewer services to the customer in the future.

**SECTION IV. CONNECTION FEES.** In order for the City to ensure proper service and collection of its fees, the City hereby determines that water meter connections and sewer tap fees are necessary. Accordingly, the City adopts the following schedule for water meter connections and sewer tap fees:

**WATER METER CONNECTIONS:**

3/4" meter:	\$ 300.00
1" meter:	400.00
1.5" meter:	800.00
2" meter:	800.00
3" or greater:	To be determined by the Water and Sewer Department Manager.

**SEWER TAPS:**

Residential:	\$ 300.00
Commercial:	400.00
Industrial:	600.00

**SECTION V. DEPOSITS AND RE-CONNECTION FEES.** In order for the City to ensure proper collection of its fees, the City hereby determines that deposits and re-connection fees are necessary. Accordingly, the City adopts the following schedule for deposits and re-connection fees:

**DEPOSITS:**

Residential:	\$ 100.00
Non-Residential	200.00

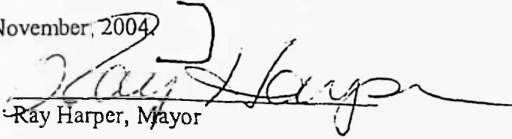
**RE-CONNECTION FEES:**

For the first re-connection:	\$ 25.00
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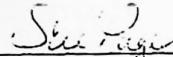
For any subsequent re-connection: 50.00

SECTION VI. SEVERABILITY. Each and every provision of this ordinance is hereby declared to be an independent provision, and the holding of any provision hereof to be void or invalid, shall not affect any other provision hereof, and it is hereby declared that the other provisions of this ordinance would have been enacted regardless of any provision which might be held invalid.

Adopted and approved this the 15<sup>th</sup> day of November, 2004

  
Ray Harper, Mayor

Authenticated:

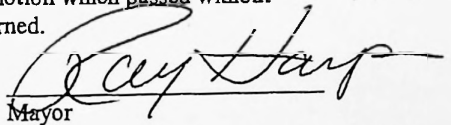
  
Sue Page, City Clerk

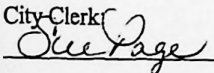
Shane Stidham then motioned that the foregoing Ordinance 2004-3 be approved. Richard Gann seconded the motion. Voting was as follows: Ayes: McDavid Franks, Annette Sherrill, Scotty Sanderson, Richard Gann, Shane Stidham. Nays: None. Mayor Harper then declared the Ordinance passed.

A contract between the City of Hamilton and Bradley, Arant, Rose and White (Bloom Group) was then presented for passage. This contract is to provide governmental affairs and economic development representation to the City of Hamilton for a period of fourteen months at a rate of \$5,500/month, plus all out of pocket expenses incurred on behalf of the City not to exceed \$2,500. Annette Sherrill asked that the beginning date be changed from November 1, 2004 to December 1, 2004 making it a thirteen month contract.. After Mayor Harper assured her that this could be arranged, Scotty Sanderson motioned that the contract be approved. Richard Gann seconded the motion which passed unanimously.

The Council then gave reports from each department.

There being no further official business to come before the Council, Richard Gann motioned that the meeting be adjourned. McDavid Franks seconded the motion which passed without opposition. Mayor Harper then declared the meeting adjourned.

  
Mayor

City Clerk  


Council:  
