

(Summary First Published in the Times-Sentinel
on the 17 day of December, 2015.)

THE CITY OF CLEARWATER, KANSAS

ORDINANCE NO. 1007

AN ORDINANCE ESTABLISHING A DEBT SERVICE FEE FOR THE CITY OF CLEARWATER SEWER UTILITY BY AMENDING SECTION 13.20.040 – RATES AND CHARGES OF THE CLEARWATER, KANSAS MUNICIPAL CODE AND REPEALING ALL CONFLICTING ORDINANCES OR PARTS THEREOF.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

Section 1. Amending Section 13.20.040 of the Clearwater, Kansas Municipal Code.

Section 13.20.040 of the Clearwater, Kansas Municipal Code is hereby amended to read as follows:

“13.20.040 - Rates and charges.

A. Service Charge. All persons, firms, corporations, city departments, the United States of America, the state of Kansas and its political subdivisions, and any organization whose premises are connected or may hereinafter be connected directly or indirectly to the sanitary sewer system of the city, shall be assessed a monthly service charge as follows:

1. Residential, twenty-one dollars and eighty cents minimum charge for each residential sewer connection with the city;
2. Business, commercial or nonresidential establishments inside the corporate limits of the city that are not specified hereafter, twenty-one dollars and eighty cents;
3. Restaurants and cafes, fifty-five dollars and six cents;
4. Laundry and dry cleaning establishments, eighty-two dollars and sixty-five cents;
5. Car washes, fifty-five dollars and six cents;
6. Educational, two dollars and twenty-seven cents per month for each student, teacher, administrative or service person normally using such structure during the

month for which the service charge is assessed. Persons normally using the structure from September 20th of each year as reported to the State Board of Education; provided however, that in no event shall such charge for any educational building be less than fifty-one dollars per month;

7. A. Care home, nursing home, or assisted living facility, seventy-eight dollars and twenty-one cents;

B. Independent residential units affiliated with an assisted living facility, twenty-one dollars and eighty cents per residential unit;

8. Subsidized high-density residential complexes, per residential unit twenty-one dollars and eighty cents;

9. Residential structures outside the corporate limits of the city, seventy-three dollars and eighty-nine cents;

10. Business, commercial or nonresidential establishments inside the corporate limits of the city that have multiple offices with multiple facilities that connect to the city's sanitary sewer system although the customer only has one water meter will be charged the following: one office for a business, commercial or nonresidential establishment inside the corporate limits of the city will be charged the same as one residential connection; two or more offices will be charged equal to twice the amount of a single residential connection;

11. Business, commercial or nonresidential establishments outside the corporate limits of the city, such sum as may be assessed by the council upon resolution;

12. Any residence, business, commercial or non-residential establishments inside or outside the corporate limits of the city found to be creating additional problems for sewer maintenance and/or operation, the city council by resolution may assign fees for additional maintenance and/or raise the monthly base rate by thirty percent for the intended residence, business, commercial or nonresidential establishment for a length of time determined by the city council.

B. Usage Charges. A water usage charge of one dollar for each one thousand gallons or any portion thereof shall be assessed to each customer. This charge is shall be computed by averaging the usage for the months of January, February and March of each year, provided however, that if said average is adversely affected to the detriment of the customer by a customer water leak or by the city's necessity to estimate water usage, then the city shall use a four months' average. If water usage history is not available, the average shall be deemed to be five thousand gallons.

C. Prorated Charges. The above charges shall be prorated on the customer's first and final bills as follows: one day to ten days, customer shall be charged for ten days; eleven days to twenty days, customer shall be charged for twenty days; twenty-one days or more, customer shall be charged for the entire month. Each connection to either a main or lateral or each separate unit of a multiple occupied dwelling or building connected to a main or lateral shall constitute a separate connection under this chapter.

D. Annual increase—Changes of monthly charges.

The rates identified in subsection A. of this section shall increase by one percent each year beginning with the billing reading in March, 2010, and shall increase every March thereafter by one percent of the then current minimum charge.

E. Debt Service Fee.

Effective January 1, 2016, a monthly debt service fee shall be applied to all accounts connected to the sanitary sewer system for the City of Clearwater as follows;

0-2,999 gallons of average consumption – \$11.25 per month
3,000 – 5,999 gallons of average consumption - \$15.00 per month
6,000 – 10,999 gallons of average consumption - \$18.75 per month
11,000 and above of average consumption - \$21.75 per month

Said fee shall be in effect until December 31, 2023 unless otherwise amended by the Governing Body of the City of Clearwater. Said fee shall be \$7.22 for all users on and after January 1, 2024 unless otherwise amended by the Governing Body of the City of Clearwater.”

Section 2. Severability.

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. Repeal

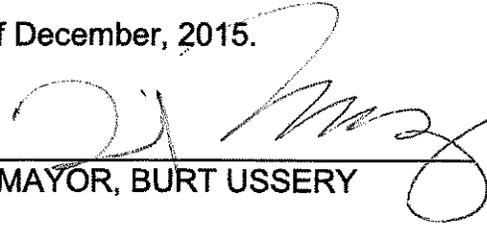
All ordinances or parts of ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

Section 4. Effective Date.

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

Adopted by the City Council this 8th day of December, 2015.

Approved by the Mayor this 8th day of December, 2015.


MAYOR, BURT USSERY




CITY CLERK, COURTNEY MEYER