

BILL NO. 9468

ORDINANCE NO. 9468

**AN ORDINANCE REPEALING ORDINANCE NO. 9340 AND 9417 AND ENACTING A NEW ORDINANCE ESTABLISHING RATES FOR WATER AND SEWER RENTAL FURNISHED BY THE CITY OF MOBERLY, MISSOURI AND ESTABLISHING THE AMOUNT OF OTHER RELATED CHARGES AND FEES.**

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBERLY, MISSOURI, TO-WIT:**

**SECTION ONE:** Ordinance No. 9340 passed and adopted June 19, 2017 and Ordinance 9417 passed and adopted February 5, 2018, is hereby repealed.

**SECTION TWO:** Each consumer of filtered water furnished by the City, inside the City, shall pay to the City for such water and sewerage rental according to the following rates and schedules:

**Rate Per One Hundred Gallons**

	<u>Water</u>	<u>Sewerage</u>	<u>Total</u>
Effective 8/7/2018	\$0.61	\$0.90	\$1.51

**SECTION THREE:** Each consumer of water from the City waterworks system that has an active water meter, where such water is furnished to such consumer inside the city, shall pay a minimum monthly water bill and sewerage rental to the City of an amount of not less than the minimum hereinafter set out according to the size of the water meter used by consumer, to-wit:

**Meter Size**

**Monthly charges for connection to the water and sewer system**

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
5/8" & 3/4"	\$ 9.00	\$ 10.00	\$ 19.00
1"	\$ 12.00	\$ 13.00	\$ 25.00
2"	\$ 25.00	\$ 26.00	\$ 51.00
3"	\$ 50.00	\$ 51.00	\$101.00
4"	\$100.00	\$101.00	\$201.00
6"	\$200.00	\$201.00	\$401.00

The charge for being connected to the water and sewer system does not include any water or sewerage volume. State Regulations (IOCSR 60-16.010) require public water systems to collect primacy fees from their customers and remit the fees collected to the Missouri Department of Natural Resources (640.100 RSMo.). These fees shall be collected once per year for water and once per year for sewer.

The minimum monthly charge for sewer rental shall be in addition to the amount charged for sewerage based on the water usage under Section 2.

**SECTION FOUR:** Each customer of water or sewer rental furnished by the City, where such filtered water or sewer is furnished to such customer outside the city, shall pay to the City for such water and sewer rental according to the following rates and schedules:

**For Property Contiguous to the Corporate Boundaries, Outside the Corporate Boundaries of the City**

Properties connected to the water or sewer system that are not within the corporate boundaries of the City, but are contiguous to the corporate boundary, a rate equal to three times the rate charged to City customers shall apply for all water and sewer volumes. This rate shall not apply to properties that have signed an annexation agreement as outlined in Paragraph (6) of this Subsection

**Rate Per One Hundred Gallons**

	<u>Water</u>	<u>Sewerage</u>	<u>Total</u>
Effective 8/7/2018	\$1.83	\$2.70	\$4.53

**For Properties Not Contiguous to the Corporate Boundaries, Outside the Corporate Boundaries of the City**

Properties connected to the water or sewer system that are not within the corporate boundaries of the City, but are not contiguous to the corporate boundary, a rate equal to two times the rate charged to City customers shall apply for all water and sewer volumes. This rate shall not apply to properties that have signed a voluntary annexation agreement as outlined in Paragraph (6) of this Subsection

**Rate Per One Hundred Gallons**

	<u>Water</u>	<u>Sewerage</u>	<u>Total</u>
Effective 8/7/2018	\$1.22	\$1.80	\$3.02

**SECTION FIVE:** Each customer of water and/or sewer rental from the City waterworks system that has an active water meter and/or sewer connection, where water or sewer service is furnished to such customer outside the City, shall pay a minimum monthly water bill and sewerage rental to the City of an amount of not less than the minimum hereinafter set out according to the size of the water meter used by the customer, to wit:

**Meter Size**

**Monthly charge for connection to the water and sewer system:**

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
5/8"	\$ 18.00	\$ 20.00	\$ 38.00
1"	\$ 24.00	\$ 26.00	\$ 50.00
2"	\$ 50.00	\$ 52.00	\$102.00
3"	\$100.00	\$102.00	\$202.00
4"	\$200.00	\$202.00	\$302.00
6"	\$400.00	\$402.00	\$802.00

The charge for being connected to the water and sewer system does not include any water or sewerage volume. State Regulation CSR60-16.010 requires public water systems to collect primacy fees from their customers and remit the fees collected to the Missouri Department of Natural Resources. These fees shall be collected once per year for water and once per year for sewer.

The minimum monthly charge for sewer rental shall be in addition to the amount charged for sewerage based on the water usage under Paragraph 4.

### **Wholesale Customers and Special User Agreements**

The City of Moberly may develop user agreements with wholesale customers and other large customers outside the corporate limits of the City and assign rates as applicable. Special rates shall be approved by the City Council as part of the user agreements.

### **Connections outside corporate limits restricted. Exceptions.**

1. No property shall be connected to the municipal water or sewer system, nor shall the Director of Public Utilities permit any such connection, unless:
  - a. Said property is wholly within the city boundaries, or
  - b. The owners sign an irrevocable agreement, binding on their successors and assigns, to be annexed without objection should the City seek to annex the property, or
  - c. The property is exempt as provided in subsection 5, below.
2. The provisions of subsection 1. B. of this Paragraph notwithstanding, the Director of Public Utilities may refuse to issue a permit connect to the City water or wastewater system for a property outside the city boundaries where the Director of Public Utilities believes that it is not in the City's best interest. The Director may report the basis of his decision if requested by the City Council.
3. Connections to properties outside the city boundaries which existed prior to the enactment of this Paragraph may be maintained; however, such connections may not be expanded nor may any additional connections be added.
4. Nothing in this section shall require the City to allow a connection to the City system where, in the judgment of the Director such connection would exceed the capacity of the existing collection or treatment system, where such connection would be detrimental to the system or any part thereof, or where such connection would otherwise be disallowed.
5. Exceptions.
  - a. If the property is, or is part of, a platted subdivision which plat had been finally approved prior to January 31, 2018, an annexation will not be required.
  - b. Connections to properties outside the city boundaries which existed prior to January 31, 2018 may be maintained, subject to the other provisions of this Code.
  - c. Lots which are not in a platted subdivision, and which were connected as of January 31, 2018, will not be required to sign an annexation agreement. If a non-platted lot is sub-divided a signed agreement will be required, except than any newly created parcel which contains a structure that had been actually connected prior to the lot split will be exempt.
  - d. If a platted subdivision is replatted, the replatted portions will be treated as a new Subdivision.

**Pre-annexation Agreements.**

If a potential water/sewer customer wishes to enter into a Pre-annexation Agreement with the city agreeing to the annexation of their real property into the City of Moberly, Missouri, upon such terms and conditions as are approved by the City Council, then such potential water/sewer customer shall be charged the same service/use rates as customers located within the corporate boundaries of the city.

**SECTION SIX:** Fees to be assessed and collected for tapping to City water main for purposes of new construction are as follows:

<u>Meter Size</u>	<u>Cost Per Tap</u>
5/8'	\$200.00
1'	\$275.00
2'	\$400.00
>2'	\$200.00 X pipe diameter

**SECTION SEVEN:** Fee to be assessed for tapping to the City sewer main: \$100.00

**SECTION EIGHT:** A contract for water service and sewer rental is required of all customers. A service deposit is required of all customers who meet the criteria in Subsection 42-29. For purposes of notification, the owner's name, address, and telephone number as well as the tenant's name and telephone number shall be listed on each water contract. Tenants upon application for water service are required to show proof of identification and furnish a copy of the lease or rental agreement between such tenant and said property owner defining who is responsible for water and sewerage services.

**SECTION NINE:** The charge for resumption of water service after discontinuance due to failure to pay the bill within the prescribed time period shall be \$30.00 plus the amount of the delinquent bill, payable during normal business hours of 8:00 a.m. to 4:30 p.m. on weekdays other than legal holidays. Requests for water to be turned on after 4:30 p.m. and prior to 8:00 a.m. of the following day, or after 4:30 p.m. on Friday and prior to 8:00 a.m. the following Monday, will require payment of \$60.00 plus the amount of the delinquent bill prior to resumption of service. Request for water to be turned on during any legal city holiday will require payment of \$60.00 plus the amount of the delinquent bill prior to resumption of service.

**SECTION TEN:** A late payment penalty of ten percent (10%) of the water use charges, sewer rental charge, and trash fees will be added to each delinquent bill after the due date (either the 17<sup>th</sup> of the 5<sup>th</sup> of each month, depending on billing date).

**SECTION ELEVEN:** The charge for new water service turn-ons requested to be made between 4:00 p.m. on Friday and 8:00 a.m. on the following Monday shall have a water service contract executed, assessed a service charge of \$60.00, and a water service deposit as required assessed. All must be paid to the City Water Department immediately following the request for such service, before such connection is made, and before the water service is turned on. No connections of sewer services will be made outside of normal business hours, without express permission of the enforcement officer.

**SECTION TWELVE:** The rates, fee, procedures, and related matters herein contained shall supersede and be the governing regulation over prior ordinances that address the same matters.

**SECTION THIRTEEN:** This Ordinance shall take effect and be in force on the seventh day of August, 2018.

**PASSED AND ADOPTED** by the Council of the City of Moberly, Missouri, this 6 day of August, 2018.

**ATTEST:**

  
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**Presiding Officer at Meeting**

DK Galloway  
**City Clerk**