

**CITY OF HARRINGTON
ORDINANCE NO. 14-07**

**AN ORDINANCE AMENDING CHAPTER 425, WATER, OF THE CODE OF
THE CITY OF HARRINGTON TO INCORPORATE A NEW RATE STRUCTURE**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
HARRINGTON IN COUNCIL MET:

Section 1. That Chapter 425 shall be organized into Article I, User Charge System, containing § 425-1, and all remaining sections shall be under Article II, Water Use.

Section 2. That § 425-1 shall be amended by deleting the existing section and substituting in lieu thereof the following:

§425-1. Water service charges established.

Base and usage charges shall be collected from the users of the public water system which proportions the cost of operation, maintenance and improvements to the public water system to the users of the public water system as well as supports payments to debt service and maintains reserve and contingency funds based on their water consumption, including replacement costs. These rates shall be reviewed annually.

A. Base and usage charges.

- (1) The base water service charge shall consist of a fixed amount, not associated with any flow allowance, deemed to be an availability charge assessed to all single-family residences, apartment units, businesses, institutions, and any other class of users not mentioned. It shall be determined by the City Council to be sufficient to reimburse the City for costs associated with water debt service and the maintenance of reserve and contingency funds or any other charges deemed fixed by the City Council. This rate shall be set forth in Chapter 180, Municipal Fees.
- (2) The City usage charge shall consist of an amount set by City Council sufficient to reimburse the City for costs associated with the cost of operating the water utility which includes personnel costs, insurance, general and administrative costs and costs specific to the utility such as chemicals, line repair, etc. This rate shall be set forth in Chapter 180, Municipal Fees. This fee shall be calculated based on water consumption by each user per 1,000 gallons per quarter.

B. Meter rate schedule.

(1) The base charge shall apply to all metered users with a flow rate of up to 250 gallons per day or 91,250 gallons per year of the previous calendar year. Metered users with flow rates exceeding 250 gallons per day or 91,250 gallons per year shall be assessed an additional base charge for each 250 gallons per day or 91,250 gallons per year. If this data is unavailable for calculation, partial calendar year data, historical data or engineering estimates may be used to calculate the base charge until such time as calendar year data is available. All multiplier calculations shall be rounded to the nearest even number. If two or more residences, apartments, businesses, institutions, or any other class of users not mentioned are connected through a single meter, the base amount shall be computed as though each user was a separate property or user with a separate connection. All units connected to the system shall be billed for no less than one base charge.

(2) Where there is no water meter for residential users, the City shall bill the usage fee based on the average flow of metered residential users on the system. Users with no water meters may be compelled by the City to install such meters at their cost.

- C. Billing. Water meters shall be read by the City and bills submitted quarterly to each user for usage during the previous quarter (three months).
- D. Rates for out of City users. Nothing herein shall require the City to charge the same water rates or other water system charges to users located outside the corporate limits of the City as those charges to users located within the corporate limits of the City.
- E. Service charge for out of City users. Water service charges to out-of-City users shall be at a rate of 1.33 times the in-City user rate established by the City unless special services agreements are executed between the City of Harrington and the user.
- F. Mailings. Bills for water service charges shall be mailed to the address of the property owner. Property owners may add a secondary address for bills to be sent to with written notification. Failure to receive a bill as a result of incorrect address or otherwise shall not excuse nonpayment of a bill or extend the time for payment.
- G. Due date. Bills for water service charges shall be payable not less than 30 days after the date of billing for the period.
- H. Penalty. There shall be assessed a late payment charge of 2% per month on all unpaid amounts due and owing the City commencing at least 30 days after the bill is issued by the City.

- I. Water meter calibration fee. A water meter calibration fee as set forth in Chapter 180, Municipal Fees, shall be paid to the City of Harrington for the cost of those services associated with determining and/or verifying the calibration of water meters. The City of Harrington has meters tested and determines the accuracy of said meters based on the American Water Works Association (AWWA) standard of 2% tolerance. Meters testing between 98% and 102% are deemed to be accurate. Said fee shall not be assessed if, after verification of calibration, it is determined that the meter was incorrectly measuring flow in the City of Harrington. Billing for inaccurately billed water or sewer service shall be estimated from previous readings, and any adjustments made following the next meter reading.
- J. Fire service connections. Fire service connections shall be addressed separately based on the size of the fire service line and charged according to the fee specified in Chapter 180, Municipal Fees.
- K. Sprinkler charges. Quarterly sprinkler charges shall be set forth in Chapter 180, Municipal Fees. New Customers are required to install a detector check valve on the sprinkler system line.

Section 3. That Chapter 425 shall be amended by renumbering the existing sections to accommodate a new § 425-2, which shall be read as follows:

§425-2 Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

CITY MANAGER

Means the duly appointed or designated City Manager of the City of Harrington, as well as such other person under his or her supervision who is appointed to enforce the provisions of this chapter.

CROSS CONNECTION

Actual or potential connections between a potable water supply and a non-potable source, where it is possible for a contaminant to enter the drinking water supply.

CURB or CURBLINE

The curb stop or service valve of the service connection to the customer.

EQUIVALENT DWELLING UNIT (EDU)

A term used to express the load produced on a water system approximately equal to one dwelling place or 250 gallons per day (91,250 gallons per year).

IMPACT FEE

A one-time fee imposed by the City upon the owner(s) of any new, remodeled, restored or enlarged residential, commercial, institutional or industrial structure or structures or any combination thereof which results in an increased water demand on the existing public water system.

MAY

Permissive (see also definition of "shall" below).

PERSON

Any individual, firm, company, association, society, corporation, or group.

PUBLIC WATER SYSTEM

A water system controlled by a governmental agency.

SHALL

Mandatory (see definition of "may" above)

USER

Any dwelling, commercial unit, industrial unit or any other type of classification not listed here connected to the public water system.

Section 4. That § 425-4 E shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- E. Mandatory connection to public system. All owners of improved property in the City of Harrington abutting upon but not presently connected with the existing water system are hereby required to connect their premises to the water system within 90 days from the effective date of this chapter. All owners of improved property which shall abut upon future water improvements when constructed shall thereupon connect therewith. All owners of unimproved property which shall be improved in the future shall connect immediately prior to the issuing of a Certificate of Occupancy with any such water then or subsequently abutting thereon. For complete disconnection from system of demolished properties see § 399-7.

Section 5. That § 425-2 shall be amended by re-lettering the existing subsections to accommodate a new § 425-2 F, which shall be read as follows:

- F. Users located outside of City Limits. Any user of the municipal water system of the City of Harrington who requests the furnishing of water from the City system to a place or property outside the corporate limits of the City of Harrington, and who is provided the same by the City of Harrington, shall be subject to any and all ordinances, rules, and regulations applicable to the City's water system and use thereof, whether currently enacted or to be enacted in the future. Acceptance of water service by an out-of-town user

shall constitute an agreement by said user to comply with and be subject to any such ordinances, rules, and regulations.

Section 6. That § 425-8 A shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- A. Opening and closing valves. The operation of a service stop or valve is absolutely prohibited to anyone other than an employee of the City in the regular line of duty.

Section 7. That § 425-9 B shall be amended by deleting the existing definition for Equivalent Dwelling Unit and substituting in lieu thereof the following:

EQUIVALENT DWELLING UNIT (EDU)

A term used to express the load produced on a water system approximately equal to one dwelling place or 250 gallons per day.

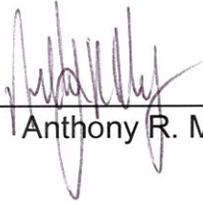
Section 8. That § 425-9 C shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- C. Fees. All developers or owners of newly constructed structures or enlarged/improved existing structures requiring water service shall pay prior to the issuance of a zoning compliance certificate a fee per EDU to the City. The City Council shall set the amount of the fee on an annual basis during the budget process. Neither the City Manager and/or his/her designee nor any other City representative shall issue a certificate of occupancy until such fee is paid. The City reserves the right to withhold water service until such time as the fee is paid in full.

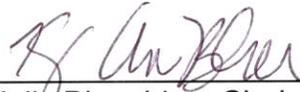
Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Effective Date. The Clerk of Council shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval by Council.

SO ORDAINED by the majority of Council Members present at a regular session of Harrington City Council, to be effective upon signing.



Anthony R. Moyer, Mayor

Attest: 

Kelly Blanchies, Clerk of Council

Date of Adoption: June 16, 2014

SYNOPSIS

This Ordinance amends Chapter 425 to outline a method for billing water users base and usage charges in order to operate and maintain the water system.

First Reading: May 19, 2014

Public Hearing: June 16, 2014

Second Reading: June 16, 2014