

ORDINANCE NO. 2016-1

AN ORDINANCE PROVIDING FOR THE REGULATION, FEES, AND CHARGES FOR SERVICE AND FACILITIES RELATING TO THE USE AND SALE OF WATER WITHIN AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF LIEBENTHAL, KANSAS, REPEALING EXISTING ORDINANCES CONFLICTING HEREIN, SPECIFICALLY ORDINANCE NO 130 OF THE CITY OF LIEBENTHAL, KANSAS.

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

SECTION 1.1 INSTALLATIONS; WATER METER, CONNECT FEES AND DISCONNECT/RECONNECT FEES

- A. All water service customers shall, at their own expense, connect their water lines to the water meters of the City. The connections to the water meters shall be under the supervision of the City and shall be in full compliance with all applicable ordinances and regulations of the City. The City shall not be required to extend service lines and meters more than one hundred feet (100) from a water main. All water mains and lines installed at the expense of the City shall remain sole and exclusive property of the City.
- B. All customers shall pay the sum of fifty-five dollars (\$55) as a connection fee for all service accounts before water service shall be commenced.
- C. If the premise served by a new service account does not have existing City water lines nor a water meter available to service that premises, then in such case, a water meter or water line installation charge shall be paid by the customer before water services shall be furnished. All fees for excavation for underground installation of any water line shall be at the customer's expense and prior approval of the contractor/excavator must be obtained from the City before any excavating or installation begins. In addition, a City official or designated representative of the City shall be present for hook-up and inspection prior to service being connected. No service shall be formally commenced until a final inspection is conducted by the City and the same is approved.

SECTION 1.2 WATER RATES

- A. The monthly water rates for individually metered service units within the corporate limits of the City, shall be as follows:

MINIMUM MONTHLY CHARGE:

All users shall pay a minimum charge of thirty-eight dollars (\$38) per month, which shall include water usage to and including the first one thousand (1,000) gallons of water used in the billable month.

ADDITIONAL USAGE CHARGE:

For water usage of more than one thousand (1,000) gallons per month, but less than ten thousand (10,000) gallons per month, there shall be an additional charge of five dollars (\$5) for each one thousand (1,000) gallons or any portion thereof.

For water usage of ten thousand (10,000) gallons or more per month there shall be an additional charge of six dollars (\$6) for each one thousand (1,000) gallons or any portion thereof.

APPLICABILITY:

Services provided under this schedule of rates are applicable to individually metered service units for all normal domestic water users within the corporate limits of the City. The City expressly reserves the right to require special contracts for service in the event of unusual water requirement or methods of dispensing water from the City water system and for users outside the corporate limits of the City.

MISCELLANEOUS SERVICES:

For miscellaneous and tank water sales provided at a dispensing station or by agreement with the City, at a hydrant, and not delivered to a service connection attached to the municipal distribution system, the charges will be set by the governing body as needed, provided that delivery of any such sales shall be made only on such terms and conditions as the City, in its sole discretion, shall deem to be appropriate under the circumstances.

SECTION 1.3 BILLING, DELINQUENCY, DISCONNECTION AND RECONNECTION OF SERVICES

- A. Bill due for water service for the previous one (1) month period will be sent by the City to the customer on or about the first day of each calendar month. Payment is due on all accounts on the fifteenth (15th) day of each calendar month.
- B. In the event a bill for water services has not been paid by that time, a late fee of \$10 will be charged. The delinquent account and late fee must be paid by the twenty fifth (25th) day of the calendar month.
- C. If water bills have not been paid as set forth in subsection B above, the City will disconnect water service for the delinquent account, after a hearing if the water service customer requests one.

- D. If service is disconnected, due to failure to pay as indicated, a fifteen dollar (\$15) disconnect fee will be charged to the delinquent account. The customer may have water service restored by the City upon the meeting of the following conditions:
1. The customer must pay a fifty-five dollar (\$55) reconnect fee.
 2. The customer must pay the fifteen dollar (\$15) disconnect fee.
 3. Any delinquent charges including late fee for water services must be paid in full.
- E. In the event a good standing water service customer provides a water supply to a water service customer that has had their water service disconnected due to delinquency, the minimum water charge will be assessed to the supplying water service customer.

SECTION 1.4 RIGHTS OF CITY OFFICIALS, EMPLOYEES AND AUTHORIZED AGENTS TO ENTER ONTO PRIVATE PROPERTY

- A. The officials, employees and authorized agents of the City have the sole and exclusive right to enter upon private property served by City water services under the provisions of this ordinance in order to read water meters and to inspect City water lines, mains and water meters or any other items that are subject to the providing of water service by the City to the customer. Any person using City water services consents to the entry upon the customer's private property by the City officials, employees and authorized agents for the purpose as set forth herein.

SECTION 2 APPLICABILITY AND REPEAL

- A. Ordinance No 130 and any other provisions of ordinances of the City of Liebenthal, conflicting herein, are hereby repealed.

SECTION 3 ENACTMENT

- A. This ordinance shall be in full force and effect from after the date of enactment and publication on the City website and summary publication in the official City newspaper.

APPROVED AND ADOPTED by the Governing Body of the City of Liebenthal, Kansas on this 9th day of January 2017.

CITY OF LIEBENTHAL, KANSAS

MAYOR