

SEWER RATE SCHEDULE ORDINANCE

BILL NO. _____

ORDINANCE NO. 03-2010

AN ORDINANCE PRESCRIBING REGULATIONS AND RATES TO BE CHARGED FOR THE FACILITIES AND SERVICES MADE AVAILABLE BY THE SEWERAGE SYSTEM OF THE PUBLIC WATER SUPPLY DISTRICT NO. 13 OF JEFFERSON COUNTY, MISSOURI, PRESCRIBING THE MANNER OF PAYMENT OF ACCOUNTS WHEN DUE, PROVIDING FOR DISCONNECTON FOR NON-PAYMENT OF ACCOUNTS AND A RECONNECTION CHARGE, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the voters of the District at an election held therein on November 7 in the year 2006, authorized the issuance of sewerage system revenue bonds in the principal amount of \$ 8,000,000, the principal of and interest on said revenue bonds to be payable solely from the revenues derived and to be derived by said user rates from the operation of its sewerage system.

WHEREAS, the governing body of the PWSD No. 13 of Jefferson County, pursuant to the authority aforesaid, has authorized the issuance and delivery of said sewerage system revenue bonds of the District in the principal amount necessary to complete the project, and

WHEREAS, in order to meet the requirements of the Missouri Statutes under which said revenue bonds were voted and are being issued it is necessary that the District fix, maintain and collect reasonable rates, fees and charges for the use and services of the sewerage system of the District as herein provided.

NOW, THEREFORE, BE IT ORDAINED BY THE PUBLIC WATER SUPPLY DISTRICT NO. 13 OF JEFFERSON COUNTY, MISSOURI AS FOLLOWS:

Section 1. From and after the first day of the month following the delivery of \$2,243,000, principal amount of Sewerage system revenue bonds of the PWDS No. 13 of Jefferson County, Missouri, dated August 3 in the year 2010, the initial monthly rates required and which shall be charged and collected by the PWSD No. 13 of Jefferson County, Missouri, for sewerage service furnished by the sewerage system of said District shall be as follows:

The charge for sewerage service shall be a flat rate for all customers which is as follows:

FLAT RATE: \$72.00 per month

The user charge shall generate adequate annual revenues to pay the costs of annual operation and maintenance including the replacement and costs associated with debt retirement of bonded capital associated with financing the treatment works and collection system improvements. The portion of the total user charge that is designated for operation and maintenance, including the replacement of the sewage works shall be established from time to time.

Section 2. The governing body of the PWSD No. 13 of Jefferson County, Missouri, hereby binds and determines that the rates, fees and charges for the use and services of the sewerage system of the District, necessary and adequate at this time to meet the requirements of Sections 250.010 to 250.250, inclusive, Revised Statutes of Missouri, 2009, as amended, are as herein before specified.

Section 3. The bills for sewerage services shall be rendered monthly as such services accrue. The President, or other officer or representative of the District designated to prepare and render bills for sewerage services to each customer monthly. All such bills shall be due and payable at the office of the PWSD#13

during the regular hours of business. Payment for service to the District will be accepted in the form of cash, personal check, money order and bank check. Payments received from customers will first be applied to any outstanding late charges and fees that may be due on a customer's account. Any remaining funds from payments will be applied to outstanding balances for services. The application of payments will be made in accordance with the provisions of this section regardless of any customer request to the contrary.

Section 4. If any bill for sewerage services shall remain due and unpaid after ten (10) days from the date of the rendition thereof, an additional charge of Seven Dollars and Twenty Cents (\$7.20) shall be added thereto.

Section 5. If any bill for sewerage service shall be and remain past due and unpaid for as long as thirty (30) days, service to such customer shall be discontinued following due notice and opportunity for hearing. Service shall not be reconnected until all past due bills are paid in full, together with a reconnection charge of Two-Hundred Fifty Dollars (\$250.00). It shall be the duty of the Treasurer or other officer or representative of the District designated to notify the District of any such delinquency and the District shall proceed immediately to cause sewer service to such customer to be discontinued. The method of disconnection used will be at the discretion of the District and will be subject to change. Any disconnection from water and/or sanitary sewer service shall be made after compliance with the provisions of all applicable Missouri statutes.

Section 6. The District recognizes that there is a need to charge for the privilege of connecting to the public sanitary sewer collection system. Application for sewerage services shall be made to the President or other person designated by the District by the owner or occupant of the property to be served, and upon the approval of such application, such applicant shall have the right to connect with the District sewerage system, all costs of such connection to be borne by such applicant. The District may hereafter prescribe a connection charge of Three-Thousand Dollars (\$3,000.00) to be paid by any such applicant at the time of his application. This connection fee may be used to fund the District's maintenance and operation costs and to provide for the replacement costs of District owned assets, as identified in Section 1, above.

Section 7. The occupant and user of the premises receiving sewerage service and the owner of said premises shall be jointly and severally liable to pay for such services rendered on said premises. The District shall have power to sue the occupant or the owner, or both, of such real estate in a civil action to receive any sums due for such services, plus all reasonable costs and attorney's fee as fixed by the court.

Section 8. No free sewerage service shall be furnished to any premises, or the owner or occupant thereof.

Section 9. It shall be a misdemeanor for any person to tamper with any sewer line, or make any connection to the sewerage system for the District without written permission from the District, or to reconnect service when service has been discontinued for non-payment of a bill for service until such bill, including the reconnection charge, has been paid in full. Upon conviction, there shall be imposed a fine of not less than One-Hundred Dollars (\$100.00) nor more than Five-Hundred Dollars (\$500.00) for each occurrence. Each day shall be considered a new occurrence.

Section 10. The user of each premise receiving sewer service from the sewerage system shall be responsible for the proper use thereof. Plumbing facilities that are to be connected to the sewerage system shall be installed in accordance with the National Plumbing Code and shall be inspected for compliance with said Code by a designated representative of the District before any such connection is made. No grease, petroleum products, milk, whey, paints, acids, chemicals, metals, animal wastes, food products, or other materials detrimental to the sanitary sewer facilities or sewage treatment processes, shall be discharged into the sanitary sewer. Violation of this section shall subject the violator to disconnection as identified in Section 5, above.

Section 11. All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed in so far as they conflict herewith.

Section 12. This ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the Board of Public Water District No. 13 of Jefferson County Missouri, this _____ day of _____, 20____.

ATTEST: _____ (Signature)

_____ Clerk _____ (Title)

(SEAL)

APPROVED this _____ day of _____, 20 ____.

ATTEST: _____ (Signature)

_____ Clerk _____ (Title)

(SEAL)

CERTIFICATE

I, the undersigned _____ Clerk of the _____ of _____, _____ County, Missouri, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. _____ of said _____ as the same appears of record in my office, and as it was passed and approved by the Board of _____ of said _____. Ordinance No. _____ has not been altered, amended or repealed as of this _____ day of _____, 20 ____.

Clerk

(SEAL)