

August 2013

AN ORDINANCE OF THE TOWN OF LUMBERPORT, WEST VIRGINIA, AMENDING THE ORDINANCE OR RATE SCHEDULE, ESTABLISHING A REVISED SCHEDULE OF JUST AND EQUITABLE RATES, FOR THE SERVICE AND FACILITIES FURNISHED THE CUSTOMERS OF THE WATER DISTRIBUTION SYSTEM OF THE TOWN OF LUMBERPORT, WEST VIRGINIA.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LUMBERPORT that the water rate schedule established for the customers of the water system of the Town of Lumberport be amended to reflect the following new rates: generally being a percentage increase of 28% effective in 45 days:

SECTION 1. RULES AND REGULATIONS

Rules and Regulations for the Government of Water Utilities, adopted by the Public Service Commission of West Virginia, and now in effect, and all amendments thereto and modifications thereof hereafter made by said Commission shall automatically be a part of any contract between any Consumer and the Town of Lumberport.

SECTION 2. SCHEDULE OF RATES, CHARGES AND PENALTIES

APPLICABILITY

Applicable within and outside Corporate Limits of Lumberport.

AVAILABILITY

Available for residential, commercial, and industrial service.

WATER RATES

0 - 2,000 gallons	\$	10.34	per 1,000 gallons
2,000 - 10,000 gallons	\$	10.04	per 1,000 gallons
10,000 - 35,000 gallons	\$	9.48	per 1,000 gallons
35,000 - 60,000 gallons	\$	8.92	per 1,000 gallons
Over - 60,000 gallons	\$	8.63	per 1,000 gallons

MINIMUM CHARGE

No Bill will be rendered for less than the following amounts, according to the size of the meter installed, to-wit:

5/8" inch Meter	\$	20.68	per 1,000 gallons
1" inch Meter	\$	51.71	per 1,000 gallons
2" inch Meter	\$	165.48	per 1,000 gallons
3" inch Meter	\$	330.96	per 1,000 gallons
4" inch Meter	\$	517.12	per 1,000 gallons

MULTIPLE OCCUPANCY

On apartment buildings or other multiple occupancy buildings, each family or business unit shall be required to pay not less than the minimum monthly charge herein established for five-eighths inch (5/8") meter. Motels and hotels shall pay according to the size of meter installed.

TRAILER COURTS

When house trailer courts are provided with a master meter, no bill shall be rendered for less than twenty dollars, sixty-eight cents (\$20.68) multiplied by the number of units situated on the court site at the time the meter is read or the actual charge for the size meter installed, whichever is greater. House trailer (as used herein above) shall include both mobile and immobile units. House trailers, either mobile or immobile, located on sites other than a park or court, shall be billed in the same manner as any other family or business unit.

DELAYED PAYMENT PENALTY

The above tariff is net. On all current usage billings not paid within twenty (20) days, a ten percent (10%) charge shall be added to the net current amount unpaid. The delayed payment penalty is not interest and is only to be collected once for each bill where it is appropriate.

RECONNECTION SERVICE CHARGE

Whenever water service which has been previously disconnected or otherwise withheld for non-payment of water bills is reconnected, a fee of \$15.00 shall be charged.

TAP FEE

A tapping fee of Five Hundred dollars (\$500.00) shall be charged each new customer inside and outside the corporate limits.

SECURITY DEPOSITS

A refundable security deposit of \$50.00 shall be required of all residential, commercial, and industrial customers. Said deposit will be refunded with interest (at a rate provided annually by the Public Service Commission) after 12 consecutive months of on time payments.

TRANSFER OF SERVICE

Transfer of service from one customer to another will involve a \$25.00 charge to the new customer for institution of account. Other conditions will constitute a \$5.00 charge.

RETURNED CHECK CHARGE

If a check received is returned by the bank for any reason, the bank's charge to the Town shall be the Town's charge to the customer for such returned check and under no circumstances shall the fee collected by the Town exceed \$20.00.

INCREMENTAL COST OF WATER

\$1.30 per 1,000 gallons. To be used when the bill reflects unusual consumption which can be attributed to eligible water leakage on the customer's side of the meter. This rate shall be

applied to all such unusual consumption above the customer's historical average usage.

SEPARABILITY: REPEAL OF CONFLICTING ORDINANCES

The provisions of this ordinance are separable, and if any clause provision or section hereof shall be held void or unenforceable by the West Virginia Public Service Commission or any court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance. Upon the effective date hereof, all ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and to the extent that the provisions of this Ordinance do not touch upon the provisions of prior ordinances, resolutions, orders or parts thereof, the same shall remain in full force and effect.

STATUTORY NOTICE AND PUBLIC HEARING

Upon introduction hereof, the Town Clerk shall cause to be published a pre-adoption notice as a Class I legal advertisement (published once), at least five days before the hearing, in The Clarksburg Exponent Telegram, being a qualified newspaper of general circulation in the Town of Lumberport, and said notice shall state that this Ordinance has been introduced, and that any person interested may appear before the Council of the Town of Lumberport on August 22, 2013, at 6:30 P.M., and be heard on the subject, following which hearing, the Council of the Town of Lumberport shall take such action as it shall deem proper. Copies of this Ordinance shall be available to the public for inspection at the municipal office of the Town of Lumberport, West Virginia.

This ordinance shall take effect 45 days from passage.

Passed by Council on 1st Reading on this 13th day of August, 2013.

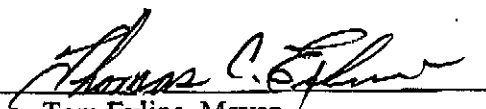
Public Hearing held on this 22nd day of August, 2013.

Passed by Council on 2nd Reading on this 22nd day of August, 2013.

ATTEST:


Meshelle Gregory, Town Clerk

By:


Tom Exline, Mayor