

Ordinance No. 16-06

AN ORDINANCE OF THE TOWN OF LUMBERPORT, WEST VIRGINIA, AMENDING THE ORDINANCE OR RATE SCHEDULE AND ESTABLISHING A REVISED SCHEDULE OF JUST AND EQUITABLE RATES FOR THE SERVICES AND FACILITIES FURNISHED THE CUSTOMERS OF THE WATER 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, being a percentage increase of approximately 18% for each class of customers, effective 45 days from adoption.

RULES AND REGULATIONS

Rules and Regulations for the Government of Sewerage 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.

SECTION 1

SCHEDULE 1

APPLICABILITY

Applicable in entire territory served

AVAILABILITY OF SERVICE

Available for general, domestic, commercial and industrial service.

RATES (Customers with metered water supply)

First 2,000 gallons used per month	\$12.20 per 1,000 gallons
Next 8,000 gallons used per month	\$11.85 per 1,000 gallons
Next 25,000 gallons used per month	\$11.19 per 1,000 gallons
Next 25,000 gallons used per month	\$10.53 per 1,000 gallons
All Over 60,000 gallons used per month	\$10.18 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	\$24.40 per 1,000 gallons
1 inch meter	\$61.00 per 1,000 gallons
2 inch meter	\$195.20 per 1,000 gallons
3 inch meter	\$390.40 per 1,000 gallons
4 inch meter	\$609.99 per 1,000 gallons

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the Town of Lumberport or a minimum of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by their bank due to insufficient funds.

DELAYED PAYMENT CHARGE

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

RECONNECTION

\$25.00. To be charged whenever the supply of water is turned off for violation of rules, non-payment of bills or fraudulent use of water.

TAP FEE

The following charges are to be made whenever the utility installs a new tap to serve an applicant. A tap fee of \$550.00 will be charged to all customers who apply for service for each new tap to the system.

LEAK ADJUSTMENT

\$3.21 per 1,000 gallons is to be used when the bill reflects unusual consumption which can be attributed to eligible leakage on customer's side of the meter. This rate shall be applied to all such consumption above customer's historical average usage.

SECURITY DEPOSIT

A refundable 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, or in the case of tenant when said tenant discontinues water service and vacates premises per 4.2.a.4. Not to exceed two-twelfths (1/12) of the annual estimated charge for residential service or one-sixth (1/6) of the annual estimated charge for commercial service.

TRAILER COURTS

When house trailer courts are provided with a master meter, no bill shall be rendered for less than twenty-four dollars and forty cents 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.

SECTION 2. EFFECTIVE DATE

The rates and charges provided herein shall become effective 45 days after adoption.

SECTION 3. 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.

SECTION 4. STATUTORY NOTICE AND PUBLIC HEARING

Upon introduction hereof, the Recorder shall cause to be published a notice of the proposed rates as a Class II legal advertisement (published twice), with the first publication being at least ten 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 _____, 2016, at 7:00 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 Building, Town of Lumberport, West Virginia.

This ordinance shall take effect 45 days after adoption.

Passed by Council on 1st Reading on this _____ day of _____, 2016.

Public Hearing held on this _____ day of _____, 2016.

Passed by Council on 2nd Reading on this _____ day of _____, 2016.

By: _____
Sherry Exline, Mayor

ATTEST: _____
Town Recorder