

COUNCIL BILL NO. 1825, AS AMENDED

INTRODUCED BY JAMES AUGHENBAUGH

ORDINANCE NO. 1732

AN ORDINANCE

AMENDING CHAPTER 18, PART IV, SECTION 403 OF THE CODE OF ORDINANCES OF THE CITY OF DUBOIS TO AMEND THE RATES FOR TREATMENT OF SANITARY SEWAGE.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of DuBois, in Council assembled, and it is hereby enacted and ordained by authority of the same, as follows:

SECTION 1. That the following provisions of Section 403 of Chapter 18, Part IV are hereby amended to read as follows:

Section 403. Rates for Treatment of Sanitary Sewage

- 1. All persons owning property within the boundary lines of the City of DuBois and connecting to the sewer system shall pay the City a monthly rental for sanitary sewage service based on the quantity of water used as evidenced by meter readings of water meters installed for the purpose of measuring water purchased from and furnished by the Water Works and such other meters as may be installed pursuant to any provisions of the Code of Ordinances of the City of DuBois. The amount of such rental shall be the sum of \$7.50 per 1,000 gallons of water per month or portion thereof.
- 2. All municipalities with residents or taxpayers owning property that connects to the DuBois Collection System shall pay to the City a monthly rental for sanitary sewage service based on the quantity of water used as evidenced by meter readings of water meters installed for the purpose of measuring water used. The amount of such rental shall be the sum of \$7.50 per 1,000 gallons of water per month or portion thereof subject to any additional payments related to excessive infiltration and inflow as noted in Paragraph 3 of this Section 403.

SECTION 2. That the provisions of Paragraph 4. of Section 403 in Chapter 18, Part IV, are hereby amended to read as follows:

Section 403. Rates for Treatment of Sanitary Sewage

4. The foregoing language of Section 403 notwithstanding, the rate charged to all industries and manufacturing companies located within the corporate boundaries of the City of DuBois shall be billed on a monthly basis at the following rates:

| <u>Monthly Usage</u> | <u>Rate Per 1,000 Gallons</u> |
|--|-------------------------------|
| 1 to 400,000 gallons | \$ 7.50 |
| 400,000 to 800,000 gallons | \$ 4.90 |
| 800,001 to 1,200,000 gallons | \$ 3.20 |
| Any usage over 1,200,000 gallons per month | \$ 2.20 |

SECTION 3. That the language of Chapter 18, Part IV, Section 403, is hereby amended to add Paragraph 5. providing as follows:

Section 403. Rates for Sanitary Sewage

5. A \$2.00 surcharge rate shall be added to every monthly bill for every customer of the City's Sewer System to allow recovery of the principal and interest payments owing on the loans secured to complete the construction projects for the repair or replacement of main sewer transmission lines.

SECTION 4. Nothing herein shall alter, change, amend or otherwise affect any other sections of Chapter 18 of the Code of Ordinances, and all other provisions of Chapter 18, including the amendments thereto effected by Ordinance No. 1675, not in conflict herewith, are hereby reaffirmed and re-ratified as if set forth at length herein.

SECTION 5. All ordinances or parts of ordinances or resolutions in conflict herewith be and the same are herewith repealed.

SECTION 6. It is hereby declared to be the intention of City Council that the parts, sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable. If any section, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not affect any of the remaining parts, sections, paragraphs, sentences, clauses or phrases of this Ordinance.

SECTION 7. This Ordinance shall become effective five (5) days after final passage and the rates enacted herein shall be imposed on all bills due for months beginning after December 31, 2008, and shall continue in effect until altered or changed by ordinance.

ATTEST:

Francis L. Lewis
City Secretary

By John F. Suplizio
John F. Suplizio
Mayor and President of City Council

APPROVED:

11/24/08