

## COUNCIL BILL NO. 1826, AS AMENDED

INTRODUCED BY DIANE L. BERNARDOORDINANCE NO. 1733**AN ORDINANCE**

AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF DUBOIS TO MODIFY THE WATER RATES; ELIMINATE MINIMUM QUARTERLY CHARGES; INCREASE THE ANNUAL FEE FOR UNMETERED FIRE HYDRANTS AND IMPOSE A SURCHARGE FOR THE RECOVERY OF PRINCIPAL AND INTEREST PAYMENTS ON DEBT INCURRED TO FINANCE WATER SYSTEM CONSTRUCTION PROJECTS.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the 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 Chapter 26, Part 1, §162 is hereby revised to read as follows:

**§162. Water Rates.** The water rates imposed by the City of DuBois shall be billed on a monthly basis at the following rates:

<u>Monthly Usage</u>	<u>Rates per 1,000 Gallons</u>
For up to 100,000 gallons	\$ 6.00
Any usage of 100,001 gallons and above	\$ 3.00

**SECTION 2.** That Chapter 26, Part 1, §163 of the Code of Ordinances setting forth the formula for determination of the average daily consumption is hereby repealed in its entirety.

**SECTION 3.** That Chapter 26, Part 1, §164 of the Code of Ordinances imposing Minimum Quarterly Charges is hereby repealed in its entirety.

**SECTION 4.** That the following language shall be adopted as the new §163 of Chapter 26, Part 1 of the Code of Ordinances:

**§163. Imposition of surcharge to recover principal and interest on debt incurred for specific water construction projects.**

A monthly surcharge to recover the cost of principal and interest payable on the debt incurred by the City of DuBois for water construction projects shall be imposed on each monthly bill based on the size of the meter as follows:

5/8 – 3/4 inch meter	\$ 8.00
1 inch meter	\$ 12.00
1.5 inch meter	\$ 35.00
2 inch meter	\$ 55.00
3 inch meter	\$ 90.00
4 inch meter	\$175.00
6 inch meter	\$225.00
8 inch meter	\$300.00

**SECTION 5.** That the following language shall be adopted as the new §164 of Chapter 26, Part 1 of the Code of Ordinances:

**§164. Furnishings of and expense of meters within the corporate boundaries of the City of DuBois.**

All applicants or consumers shall furnish the meter or meters and

meter accessories and bear all expense for making the tap and work incidental thereto and shall pay the costs of all future maintenance, repair or replacement of the meter, meters or meter accessories.

**SECTION 6.** That Chapter 26, Part 1, §170 shall be amended to read as follows:

**§170. Furnishing of and expense of meters outside of the City's corporate limits.**

All applicants or consumers shall furnish the meter or meters and meter accessories and bear all expense for making the tap and work incidental thereto and shall pay the costs of all future maintenance, repair or replacement of the meter, meters or meter accessories. The type of meter to be used shall be the same as those used within the City limits.

**SECTION 7.** That Chapter 26, Part 1, §171 of the Code of Ordinances shall be amended to read as follows:

**§171. Charges for fire protection**

1. Whenever water is used on any metered premises for fire protection in an actual case of conflagration, no charge will be made for the same, and the amount so used shall be ascertained by comparison with the previous average use shown by the meter.
2. The charge for unmetered fire protection service shall be \$200.00 per hydrant per year on all hydrants served by the Water System of the City of DuBois.

**SECTION 8.** Nothing herein shall alter, change, amend or otherwise affect any other sections of Chapter 26 of the Code of Ordinances, and all other provisions of Chapter 26, not in conflict herewith, are hereby reaffirmed and re-ratified as if set forth at length herein.

**SECTION 9.** All ordinances or parts of ordinances or resolutions in conflict herewith be and the same are herewith repealed.


**SECTION 10.** 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 P.U.C. or any court of competent jurisdiction, that invalidity shall not affect any of the remaining parts, sections, paragraphs, sentences, clauses or phrases of this Ordinance.

**SECTION 11.** 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 unless a different date for the time when said rates can be imposed shall be declared by the Public Utility Commission in which case that date will be the date when the rates enacted herein shall be imposed.

ATTEST:

  
 \_\_\_\_\_  
 City Secretary

By

  
 \_\_\_\_\_  
 John F. Suplizio  
 Mayor and President of City Council

PASSED BY COUNCIL:  
 11/10/08