

## **ORDINANCE NO. 10-19-2005**

An Ordinance establishing interim and final schedules of rates and charges to be collected by the Lake Santee Regional Waste & Water District from the owners of property served by the water works of said District during construction and after completion of the improvements, and other matters connected therewith.

WHEREAS, the Board of Trustees of the Lake Santee Regional Waste and Water District (hereinafter the "District") entered into an agreement to purchase the assets of Santee Utilities, Inc. and has heretofore approved plans, specifications and estimates to improve the water works; and

WHEREAS, the District anticipates it will receive a grant from the United States Department of Agriculture Rural Development; and

WHEREAS, the total estimated construction costs are in the amount of \$3,160,000; and

WHEREAS, the project costs will be paid in part by the grant mentioned above and the remainder shall be paid from the proceeds of revenue bonds, fees, rates and charges; and

WHEREAS, it is necessary to establish a schedule of rates and charges to produce sufficient revenue after consideration of the bond and grant revenues expected to pay expenses of construction, maintenance and operation of the water works, to pay the principal and interest on outstanding revenue bonds, and to provide funds for necessary replacements and improvements to the water works;

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Lake Santee Regional Waste and Water District that:

**Section 1.** Unless the context specifically indicates otherwise, the meaning of the terms used in this Ordinance shall be as follows:

- a. "Board" shall mean the Board of Trustees of the Lake Santee Regional Waste and Water District, or any duly authorized officials acting on its behalf.
- b. "District" shall mean the Lake Santee Regional Waste and Water District acting by and through the Board of Trustees.
- c. "Debt Service Costs" shall mean the average annual principal and interest payments on all outstanding revenue bonds or other long-term capital debt, relating to the water works.
- d. "Operation and Maintenance Costs" shall include all costs (including replacement costs), direct and indirect, necessary to provide water service to the District's customers.
- e. "User Rates" shall mean user charges for water consumed combined with the debt service charges.

- f. “Availability Fees” shall mean a fee charged to those property owners who have no water meter. This fee is to guarantee water availability to the property.
- g. “Other Service Charges” shall mean all charges other than User Rates and Availability Fees.
- h. “Seasonal Rate” shall mean user rates to those properties without dwellings desiring water service from April 15 through September 15. Availability fees will be charged the other months.
- i. “Person” shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

**Section 2.** Every person whose premises are served by said water works shall be charged for the services provided. These charges are established for each user, in order that the water works shall recover from each user, revenue which is proportional to its use of the water works in terms of volume and load. User charges are levied to defray the cost of operation and maintenance (including replacement) of the water works. Replacement costs, which are recovered through the system of user charges, shall be based upon the expected service life of the water works equipment.

**Section 3.** For the use and the service rendered by said water works, rates and charges shall be collected from the owners of each and every log parcel of real estate or building that is connected to the water works. The rates and charges to be collected by the District and paid by the customer shall include user charges, other service charges, and availability rates. During construction of the water works improvements, user fees shall be payable at current rates plus approximately 50% of the increase in the final rates. The final rates shall be effective at completion of the water works treatment plant.

**Section 4.** Such rates and charges shall be prepared, billed and collected by the District in the manner provided by law and any other applicable ordinances.

- (a) The rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required. The owners of properties served, which are occupied by a tenant or tenants, shall have the right to examine the collection records of the District for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such examination be made at the office at which said records are kept and during the hours that such office is open for business.
- (b) As is provided by statute, all rates and charges not paid when due are hereby declared to be delinquent and a penalty of ten percent (10%) of the amount of the rates or charges shall thereupon attach thereto. The bill shall be due upon the first day of the month billed and considered delinquent after the 20<sup>th</sup> day of the same month.

**Section 5.** The District shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient management of the District's water system.

**Section 6.** The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

**Section 7.** The interim rates and charges as herein set forth and on the attached Exhibit "A" shall become effective upon the closing of the sale of assets of Santee Utilities, Inc. to the District. The full rates and charges as herein set forth and on the attached Exhibit "B" shall become effective upon completion of the water treatment plant.

**Section 8.** This ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED by the Board of Trustees of the Lake Santee Regional Waste and Water District on the \_\_\_\_ day of \_\_\_\_\_, 2005.

_____	_____
_____	_____
_____	_____
_____	_____

## LAKE SANTEE REGIONAL WASTE AND WATER DISTRICT

SCHEDULE OF WATER RATES AND CHARGES  
INTERIM RATES

	<u>INTERIM RATES</u>
<u>MONTHLY BASE CHARGE:</u>	\$ 30.00
<u>MONTHLY FLOW CHARGE (PER 1,000 GALLONS):</u>	\$ 2.34
<u>MONTHLY AVAILABILITY FEE:</u>	\$ 4.00
BILLED SEMI-ANNUALLY @\$24 ON APRIL 1 <sup>ST</sup> AND OCTOBER 1 <sup>ST</sup> OF EACH YEAR	

NON-RECURRING CHARGES

<u>CONNECTION CHARGE (WITHOUT BORE):</u>	
5/8 TO 3/4 INCH CONNECTION	\$ 1,100.00
ALL OTHER CONNECTIONS	COST, BUT NOT LESS THAN \$1,100

<u>CONNECTION CHARGE (WITH BORE):</u>	
5/8 TO 3/4 INCH CONNECTION	\$ 1,500.00
ALL OTHER CONNECTIONS	COST, BUT NOT LESS THAN \$1,500

PENALTIES: 10% OF THE AMOUNT OF THE CHARGE

VALVING FEES:

CUSTOMER REQUESTED TURN ON/OFF	
DURING NORMAL WORKING HOURS	\$ 10.00
AFTER NORMAL WORKING HOURS	\$ 20.00

EMERGENCY TURN OFF (DUE TO LEAKAGE WHEN OWNER IS ABSENT) \$ 20.00

DELINQUENT ACCOUNT RECONNECT FEE \$ 30.00

TERMINATION AND RECONNECTION OF TERMINATED SERVICE: \$ 45.00

(APPLIES TO TERMINATING SERVICE UPON CUSTOMERS REQUEST OR RECONNECTING SERVICE THAT HAS BEEN TERMINATED, BY REMOVING OR RE-INSTALLING THE WATER METER)

RETURNED CHECK CHARGE: \$ 25.00

METER TESTING CHARGE: \$ 45.00

(INITIAL TEST WILL BE PROVIDED FREE OF CHARGE IN ACCORDANCE WITH 170 IAC 6-11-11, AND A SECOND TEST OF THE CUSTOMER'S METER MAY BE MADE AFTER TWELVE MONTHS. THE CUSTOMER MAY BE REQUESTED TO BEAR THE FULL COST OF ANY SUBSEQUENT METER TESTS IF REQUESTED LESS THAN THIRTY SIX MONTHS AFTER THE PRECEDING TEST, IF THE METER IS FOUND TO BE IN COMPLIANCE WITH RULE 9 (170 IAM 6-1-9).

COLLECTION FEE: \$ 15.00

(IF A CUSTOMER, WHO IS BEING DISCONNECTED DUE TO FAILURE TO PAY THE WATER BILL, PAYS THE ARREARAGE AT THE CUSTOMER'S RESIDENCE TO THE WATER WORKS SERVICE PERSONNEL, WHO HAVE BEEN DISPATCHED TO DISCONNECT THE CUSTOMERS'S SERVICE, THERE WILL BE A CHARGE ASSESSED TO THE CUSTOMER TO COVER THE COST OF THE SERVICE PERSONNEL'S TRIP TO THE CUSTOMER'S PREMISES.

TEMPORARY AND BULK WATER SALES

\$30.00 PER MAN HOUR FOR SERVICES PROVIDED PLUS THE USAGE FEES FOR THE WATER USED

LAKE SANTEE REGIONAL WASTE AND WATER DISTRICT

SCHEDULE OF WATER RATES AND CHARGES  
FINAL RATES

	<u>FINAL RATES</u>
<u>MONTHLY BASE CHARGE:</u>	\$ 40.00
<u>MONTHLY FLOW CHARGE (PER 1,000 GALLONS):</u>	\$ 2.62
<u>MONTHLY AVAILABILITY FEE:</u>	\$ 4.00
BILLED SEMI-ANNUALLY @\$24 ON APRIL 1 <sup>ST</sup> AND OCTOBER 1 <sup>ST</sup> OF EACH YEAR	

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