

**APPROVED USER CHARGE SYSTEM AND USER CHARGE ORDINANCE  
# 2012 - 02**

**AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF USER CHARGES FROM USERS OF THE GRAND VIEW WATER AND SEWER ASSOCIATION, INC. PUBLIC WATER WORKS.**

**Be it ordained by the Grand View Water and Sewer Association, Inc., Water and Sewer Board, and the City of Grand View, the Mayor and City Council intends to adopt as follows:**

**STATE OF IDAHO AS FOLLOWS:**

**ARTICLE I**

**DEFINITIONS**

**The following words and terms when used in this ordinance are intended to mean and shall mean as follows, to wit:**

**Superintendent** shall mean the general manager of the utilities of the Grand View Water and Sewer Association, Inc. in the City of Grand View, Idaho.

**Person** shall mean any person, firm or corporation, either as principal or as agent for another.

**Municipal Mains** shall mean any all water-carrying and water-distributing pipes, mains and conduits owned and maintained by the Grand View Water and Sewer Association, Inc. and the City of Grand View, Idaho.

**Water** shall mean the water service or water supply belonging to and furnished, or to be furnished, by the Grand View Water and Sewer Association, inc. and the City of Grand View.

**ARTICLE II**

**USER CHARGES**

Section 1. User charge shall be the charge levied on all users including, but not limited to, persons, firms, corporations or governmental entities that consume water from the public supply.

Section 2. The user charge shall include the costs of operation and maintenance (including replacement) of the public water works, retirement of existing debt included

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**Proposed on: 7 - 11 - 2012**

**1<sup>st</sup> Reading on: 7 - 11 - 2012, 2<sup>nd</sup> Reading on: 8 - 8 - 2012, and 3<sup>rd</sup> Reading on: 9 - 12 - 2012**

**Approved On: September 12, 2012**



herein, and repayment of any Drinking Water Systems Loans in accordance with the approved User Charge System, included herein by reference.

- Section 3. The Superintendent, Water and Sewer Board and the City Council shall review not less often than every two years the contributions of users, the total costs of operation and maintenance (including replacement) of the water works, and the user charge system. The Superintendent, Water and Sewer Board and the City Council shall revise the user charge, if necessary, to generate sufficient revenue to pay the total operation and maintenance (including replacement) costs of the water works, retirement of existing debt included herein, and repayment of any Drinking Water Systems Loans.
- Section 4. Each user shall be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charge which is attributable to operation and maintenance of the water works.
- Section 5. No free water shall be furnished to any user.
- Section 6. All private homes, residences and all trailer parks and apartment complexes having two or more users to a water meter shall pay per unit a set monthly rate charge of \$ 25.21 for the 1st 3,000 gallons of water and then \$ 1.00 per 1,000 gallons of water, with no quantity discount.
- Section 7. All current water customers or consumers who are supplied water beyond the corporate limits of the municipality will pay the applicable amounts shown herein.
- Section 8. Any and all future connections outside the corporate limits of the municipality will be evaluated on an individual basis to determine demand and supply capability, and any and all connections may or may not be approved if connection or connections are deemed to not be in the best interest of the municipality, and all connections made will not constitute a guarantee of continuing service or supply (pressure) during the period of service.
- Section 9. Charges and bills for water furnished to business or commercial customers or consumers or any other person furnished water shall mature on the 10th day of each month. Such charges and bills shall be due and payable on the 10th day of each month and any such charges or bills not paid on or before the 10th day of each month shall be in default.
- Section 10. Failure, neglect or refusal to pay any water bill on or before the 10th of each month shall subject the customer, consumer or user of the water to the loss and discontinuance of his water service and supply without notice. If any such water service and supply is lost or discontinued because of the nonpayment of any such

statement on or before 10th day of each month the service and supply of water shall not be resumed until the bill or statement is paid in full, together with a water off charge of \$ 25.00 and water on charge of \$ 25.00. This amount being determined as the reasonable cost to be incurred by the municipality in resuming such service.

Section 11. Security Deposits--Any water customer or consumer shall not be entitled to any water service or supply unless and until such person makes a security deposit with the association and municipality as follows, to wit:

- A. All residences or businesses: \$ 50.00 per unit security deposit.
- B. For a 1-inch tap or larger, a security deposit shall be required in advance, in such amount as shall be determined from time to time as reflected in the official minutes of the association and city.
- C. The size of the meter installed shall be determined by the Superintendent, Water and Sewer Board and City Council, who shall give consideration to the estimated consumption and use of water by the respective customer and consumer. Any security deposit made shall not bear interest but shall be refunded after one year of good credit. The making of any such security deposit shall not affect the right of the association and municipality to discontinue water service for non-payment of the charge and bill therefore. However, in the event of any such non-payment, the association and municipality may cut off and discontinue the services if the charges or statement remain in default after the 10th day of each month.
- D. The association and municipality may, at its option, apply any such security deposits toward payment of any amount due the association and municipality for water that was furnished.
- E. Any and all water meters installed by the association and municipality shall remain the exclusive property of the association and municipality.

### ARTICLE III

#### WATER RATE SCHEDULE

The following rate system shall apply to each unit user of the water works. This system includes the user charge as established herein and the charge for debt service and recovery of other costs, each based on volume of flow.

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*Handwritten signature*

Water Rate Schedule

	<u>O,M &amp; R</u>	<u>Debt Service</u>	<u>Total</u>
Initial Increment	3/4" 1st 3,000 gal	\$ 25.21	\$ 25.21
	1" 1st 3,000 gal	\$ 31.53	\$ 31.53
	1 1/2" 1st 3,000 gal	\$ 47.20	\$ 47.20
	2" 1st 3,000 gal	\$ 62.82	\$ 62.82
	3" 1st 3,000 gal	\$116.22	\$116.22
Second Increment	\$ 1.00 per each 1000 gal for all sizes of water meters		

**ARTICLE IV**

**TRANSFERS**

No person shall be entitled to transfer his water service from one location to another, except as hereinafter set forth. When premises are vacated, or the use thereof discontinued by a water customer, he shall pay his bill in full for the old location and make all necessary arrangements for the new cut-in before being entitled to any further water service, and the customer will not be charge a transfer fee of water service from one location to another. Relocation, at the request of an owner or customer, of a water meter, connection or tap on the same property shall require advance payment of a charge determined from time to time as reflected on the official minutes of the association and municipality. No person shall be entitled to a water cut-in or to water service at any location if he is in arrears for water service rendered at that or any other location.

**ARTICLE V**

**TAMPERING WITH METERS**

If any person tampers with or in anywise makes or attempts to make any improper use or adjustment of any water meter, or service pipes, or attempts in any way to avoid payment of the proper amount due or to become due for the water obtained or to be obtained or used by such person or for his benefit, then in any of said events the superintendent, association and municipality shall have the right, without notice, to immediately discontinue the water service of such person and/or charge costs for all resulting damages and costs to be reflected on the following month's water bill.

**ARTICLE VI**

**PENALTIES**

Any person willfully violating any of the prohibitions or provisions of this ordinance shall have their water service terminated and a fine of \$ 100.00 will be charged.

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**ARTICLE VII  
AMENDMENTS**

This Ordinance shall be amended, as necessary, to comply with Federal or State Regulations.

**ARTICLE VIII  
VALIDITY**

Section 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2. 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.

The above Ordinance will be first reduced to writing, read by title only and considered by Sections at the regular July 11, 2012, August 8, 2012 and the September 12, 2012 - (Public Hearing), public meetings of the Grand View Water and Sewer Association, Inc., and the City of Grand View on motion duly made for the adoption of said Ordinance and seconded, a vote was taken as follows - on September 12, 2012:

Yeah: four (4)      Nay: zero (0)

Thereupon the Mayor will declare the Ordinance duly adopted this the day of September 12, 2012, and declared same to be full force and effect according to law.

**ARTICLE IX  
ORDINANCE IN FORCE**

Section 1. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publications as provided by law on September 12, 2012.

Section 2. I, Helana Race, City Clerk and official custodian of the records of Grand View Water and Sewer Association, Inc., and The City of Grand View and Tammy M. Payne Mayor of the City of Grand View, do hereby certify that the foregoing User Charge Ordinance was passed and adopted at a Public Hearing Meeting of the Grand View Water and Sewer Association, Inc. and City of Grand View City Council is further a matter of record in the September 12, 2012 association and municipality minutes.

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*Tammy*