

ORDINANCE NO. 2044

AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR WASTEWATER AND SEWER SERVICES OF THE MINICIPALLY OWNED AND OPERATED WASTEWATER UTILITY OF THE CITY OF AUGUSTA; CLASSIFYING THE USERS OF SUCH WASTEWATER AND SEWER SERVICES; PROVIDING FOR THE EFFECTIVE DATE FOR SUCH RATES AND CHARGES; AND AMENDING CHAPTER 15, ARTICLE FOUR, OF THE CODE OF THE CITY OF AUGUSTA, 2010.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS.

SECTION 1: Section 442 of Article 4, Chapter 15 of the Code of the City of Augusta, Kansas, 2010, is hereby changed and amended to read as follows:

15-442 SEWER SERVICE RATES. The monthly sewer charge for service connections to the public sanitary sewer system of the City shall be based upon the average monthly water usage during the months of December, January and February as rounded to the nearest 1,000 gallons, herein after referred to as the average winter water usage and calculated using the following rates:

A. Inside the City

1. Minimum charge for all individual residential, commercial and industrial billing units contributing sewage to the system shall be \$9.50 per month.
2. Based upon the average winter water usage each billing unit shall pay the following commodity charges per 1,000 gallons per month:
  - a. First 10,000 gallons                      \$0.61 per 1,000 gallons
  - b. Next 40,000 gallons                      \$0.72 per 1,000 gallons
  - c. Next 50,000 gallons                      \$0.77 per 1,000 gallons
  - d. Over 100,000 gallons                      \$0.88 per 1,000 gallons
3. For calculating the monthly sewer service rates for a building with multiple billing units which share a common water meter and sewer connection and where one customer is billed for all water and sewer service to that building, the rate shall include the minimum charge for each billing unit within the facility and the commodity charge per 1,000 gallon usage based upon the average winter water usage.
4. For the purpose of calculating the commodity charge for sewer customers who are not connected to the City's water system or for those sewer customers where there exists no established average winter water usage, the City will use an average of 6,000 gallons per month.

5. The average winter water usage from which the service fees are based will be adjusted annually on or after April 1.

B. Sewer Capital Fee – Inside the City

1. Each residential, commercial and industrial billing unit with service connections contributing sewage to the system shall pay a monthly sewer capital fee that is to be used toward the retirement of the debt for the wastewater treatment plant, annual costs related to inflow and infiltration maintenance and repairs within the sewer collection system, sewer collection system equipment and a wastewater system capital reserve fund. This monthly fee is in addition to the regular monthly sewer service charges as identified in Section 15-442 (A).
2. The monthly sewer capital fee shall be based upon the average winter water usage as rounded to the nearest even 1,000 gallons. For calculating this monthly fee for sewer customers who are not connected to the City's water system or for those sewer customers where there exists no established water usage, the City shall use the average of 6,000 per month.
3. Upon determining the average winter water usage, each sewer customer shall be placed within a user class tier and pay the monthly sewer capital fee for that usage tier. The average winter water usage used to determine the sewer capital fee will be reviewed annually and adjusted at the same time the average winter water usage is adjusted for the regular monthly sewer commodity charges.
4. Based upon the average winter water usage, each sewer customer shall pay the following sewer capital fee:

a.	Tier One	0 to 5,000 gallons	\$ 15.00
b.	Tier Two	5001 to 10,000 gallons	\$ 25.00
c.	Tier Three	10,001 to 20,000 gallons	\$ 50.00
d.	Tier Four	20,001 to 50,000 gallons	\$ 75.00
e.	Tier Five	50,001 to 100,000 gallons	\$120.00
f.	Tier Six	Over 100,000 gallons	\$180.00

5. The average winter water usage will be used to determine the sewer capital fee for a building with multiple billing units which share a common water meter and sewer connection and where one customer is billed for all water and sewer service to that building.

C. Outside the City

1. Minimum charge for all individual residential, commercial and industrial billing units contributing sewage to the system shall be \$11.00 per month.

2. Based upon the average winter water usage each billing unit shall pay the following commodity charges per 1,000 per gallon per month:
  - a. First 10,000 gallons \$0.72 per 1,000 gallons
  - b. Next 40,000 gallons \$0.83 per 1,000 gallons
  - c. Next 50,000 gallons \$0.88 per 1,000 gallons
  - d. Over 100,000 gallons \$0.99 per 1,000 gallons
3. For calculating the monthly sewer service rates for a building with multiple billing units which share a common water meter and sewer connection and where one customer is billed for all water and sewer service to that building, the rate shall include the minimum charge for each billing unit within the facility and the commodity charge per 1,000 gallon usage based upon the average winter water usage.
4. For the purpose of calculating the commodity charge for sewer customers who are not connected to the City's water system or for those sewer customers where there exists no established average water usage, the City will use an average of 6,000 per month.
5. The average winter water usage from which the service fees are based will be adjusted annually on or after April 1.

D. Sewer Capital Fee – Outside the City

1. Each residential, commercial and industrial billing unit with service connections contributing sewage to the system shall pay a monthly sewer capital fee that is to be used toward the retirement of the debt for the wastewater treatment plant, annual costs related to inflow and infiltration maintenance and repairs within the sewer collection system, sewer collection system equipment and a wastewater system capital reserve fund. This monthly fee is in addition to the regular monthly sewer service charges as identified in Section 15-442 (C).
2. The monthly sewer capital fee shall be based upon the average winter water usage rounded to the nearest even 1,000 gallons. For calculating this monthly fee for sewer customers who are not connected to the City's water system or for those sewer customers where there exists no established water usage, the City shall use the average of 6,000 per month.
3. Upon determining the average winter water usage, each sewer customer shall be placed within a user class tier and pay the monthly sewer capital fee for that usage tier. The average winter water usage used to determine the sewer capital fee will be reviewed annually and adjusted at the same time the average winter water usage is adjusted for the regular monthly sewer commodity charges.

4. Based upon the average winter water usage, each sewer customer shall pay the following sewer capital fee:

a.	Tier One	0 to 5,000 gallons	\$ 18.00
b.	Tier Two	5001 to 10,000 gallons	\$ 30.00
c.	Tier Three	10,001 to 20,000 gallons	\$ 60.00
d.	Tier Four	20,001 to 50,000 gallons	\$ 90.00
e.	Tier Five	50,001 to 100,000 gallons	\$145.00
f.	Tier Six	Over 100,000 gallons	\$215.00

5. The average winter water usage will be used to determine the sewer capital fee for a building with multiple billing units which share a common water meter and sewer connection and where one customer is billed for all water and sewer service to that building.

SECTION 2. That the rates and charges, including the minimum charges set forth above, shall become effective and apply to all sewer system services billed on or after January 1, 2013.

SECTION 3. AMENDMENTS. All provisions of Article 4 of Chapter 15 of the Code of the City of Augusta, Kansas, 2010, shall be amended only insofar as to reflect the above changes.

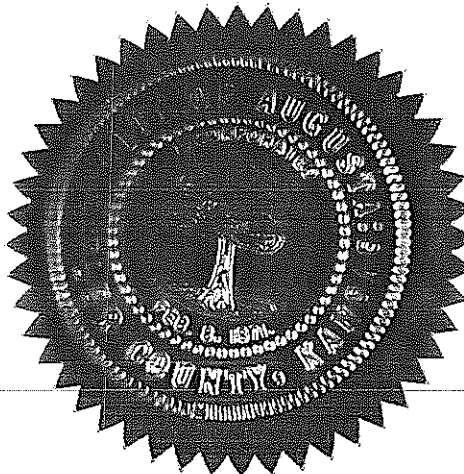
SECTION 4. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

Passed by the Governing Body of the City of Augusta, Kansas, on the 19<sup>th</sup> day of November, 2012.

  
\_\_\_\_\_  
Kristey Williams, Mayor

ATTEST:

  
\_\_\_\_\_  
Erica L. Jones, City Clerk



## **ORDINANCE NO. 2045**

### **AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS IMPOSING A GENERAL PURPOSE ONE PERCENT (1.0%) CITY- WIDE SALES TAX AND RELATED MATTERS.**

**WHEREAS**, by Resolution No. 2012-17 of the governing body of the City of Augusta, Kansas (the "City"), authorized and provided for a special election in the City for the purpose of submitting to the electors of the City the question of imposing, under K.S.A. 12-187 *et seq.* (the "Act"), a one percent (1.0%) general purpose city-wide retailers' sales tax, with (1) 90% of such tax applied to pay the costs of public water system improvements to serve the City, including, but not limited to, the replacement of raw water lines, upgrade of water treatment plant, development of a new source of water, and related improvements, and (2) 10% of such tax applied to the City General Fund expenditures (the "Sales Tax Proposition"), with collection of such sales tax to commence on April 1, 2013; and

**WHEREAS**, a special election was held in the City on November 6, 2012, at which time there was submitted to the qualified electors of the City the Sales Tax Proposition, and a majority of the qualified electors of the City voting on this proposition voted in favor thereof; and

**WHEREAS**, pursuant to Resolution No. 2012-17, the Act and the results of the aforementioned special election, the governing body deems it necessary and advisable to authorize the levy of a one percent (1.0%) general purpose City-wide sales tax (the "Sales Tax") and apply the revenue received therefrom as follows: (1) 90% of such tax applied to pay the costs of public water system improvements to serve the City, including, but not limited to, the replacement of raw water lines, upgrade of water treatment plant, development of a new source of water, and related improvements, and (2) 10% of such tax applied to the City General Fund expenditures (jointly, the "Sales Tax Purposes").

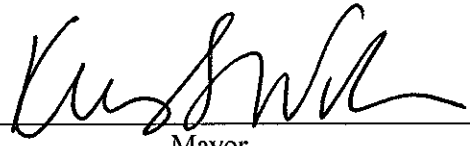
**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS:**

**SECTION 1.** The levy and imposition of the Sales Tax and application of the revenue received therefrom to the Sales Tax Purposes is hereby authorized, with collection of the Sales Tax to commence on April 1, 2013.

**SECTION 2.** The City Clerk, upon passage of this Ordinance, shall provide a certified copy of the same to the State Director of Taxation pursuant to K.S.A. 12-189.


**SECTION 3.** This Ordinance shall be effective upon passage by the governing body, approval and execution by the Mayor and publication hereof, or a summary hereof, once in the official City newspaper.

**PASSED** by the governing body of the City of Augusta, Kansas on December 3, 2012, and **APPROVED** and **SIGNED** by the Mayor.

  
\_\_\_\_\_  
Mayor

(SEAL)

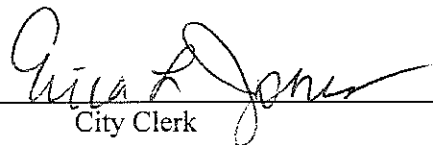
ATTEST:

  
\_\_\_\_\_  
City Clerk

**CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said Ordinance was passed on December 3, 2012; that the record of the final vote on its passage is found on page \_\_\_\_ of journal \_\_\_\_; and that it or a summary was published in *The Augusta Gazette* on December 6, 2012.

DATED: December 3, 2012.

  
\_\_\_\_\_  
City Clerk

