

ORDINANCE NO. 1436

AN ORDINANCE SETTING THE MONTHS THAT WILL BE USED TO CALCULATE SEWER RATES; EFFECTIVE DATES; REPEALING ALL PARTS OF THE MUNICIPAL CODE AND ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

WHEREAS, SECTION 7-313 OF THE MUNICIPAL CODE PROVIDES THAT THE GOVERNING BODY SHALL SET RATES TO BE CHARGED BY ORDINANCE.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA.

Section 1. For residential customers, the monthly sewer rate fee shall be based on the average quantity of water **used during the time period of December 20th thru March 19th, preceding April of the current year**. Customers who move within the City shall pay the same Sewer Use Fee at their new location as they paid for at their former location until which time the sewer rate fees are recalculated. For new residential customers in the City, an appropriate Sewer Use Fee will be determined by the Water/Sewer Supervisor.

Section 2. For commercial customers, who use water in a commercial business, industrial, or other non-residential way, a monthly Sewer Use Fee will be calculated monthly based on the current month's water usage. Commercial customers who do not want to pay a sewer use fee for water used for watering lawns or shrubs will be responsible, at their own cost, to hire a licensed plumber to install a separate water meter to separately meter such water usage.

Section 3. Notwithstanding Section 3, commercial customers who use more than 2,000,000 gallons of water per month, on average (referred to herein as "High Volume Commercial Customers"), shall have the option to install, at its own cost and subject to inspection/oversight by the Water/Sewer Supervisor, a separate meter to measure the outflow of wastewater, in which case the monthly Sewer Use Fee will be calculated monthly based on the current month's discharge of waste water.

Section 4. With respect to all residential customers and commercial customers who do not qualify as High Volume Commercial Customers, the following monthly Sewer Rates and customer charges became effective March 19, 2023, billed in April, and due May 1 - 10th.

Customer charge of \$11.35 per month
Plus @ \$3.60 per 1,000 gallons of water used

Section 5. With respect to High Volume Commercial Customers, the following monthly Sewer Rates and customer charges became effective March 19, 2023, billed in April, and due May 1 - 10th.

Customer charge of \$11.35 per month
Plus @ \$3.25 per 1,000 gallons of water used

Section 6. The monthly rates to be charged for sewer usage and customer charges will be reviewed by the City Council on an as needed basis;

Section 7. That any other ordinance or section of any ordinance passed and approved prior to passage, approval, and publication or posting of this ordinance and in conflict with its provisions, is hereby repealed.

Section 8. This ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage as provided by law.

PASSED AND APPROVED this 12th day of April, 2023.

Mayor Jessica Miller

(ATTEST)

City Clerk Tami Comte