

ORDINANCE NO. ____

AN ORDINANCE AMENDING CERTAIN SECTIONS OF
CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY
OF WINCHESTER, KENTUCKY, RELATING TO USER
CHARGES FOR WATER, SANITARY SEWER, SOLID WASTE
AND SEWER SURCHARGES

WHEREAS, the Winchester Municipal Utilities Commission is vested by ordinance with the management, control, maintenance, and operation of the combined and consolidated water system, wastewater system, and solid waste system; and

WHEREAS, the Winchester Municipal Utilities Commission has determined and recommended to the Winchester Board of Commissioners a schedule of user charges necessary to support the debt service, operation, maintenance, and replacement of the combined and consolidated water system, wastewater system, and solid waste system; and

WHEREAS, as an Enterprise Fund of the City of Winchester, the Winchester Municipal Utilities must generate sufficient revenues to cover all costs of debt service, operation, maintenance, and replacement of the combined and consolidated water system, wastewater system, and solid waste system; and

WHEREAS, public comment has been received and the proposed user rates have been reviewed by the Winchester Board of Commissioners.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF WINCHESTER, KENTUCKY, AS FOLLOWS:

Section 1. That Sections 14-81.1, 14-81.5, 14-81.6.1, 14-81.6.2 and 14-161 of the Code of Ordinances of the City of Winchester, Kentucky shall be and are hereby amended as follows:

WATER UTILITY RATES, FEES AND CHARGES

Sec. 14-81.1. Water utility rate schedules.

The monthly charge for water supplied by meter within the city shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
First 100 (minimum bill)	\$ 2.73 <u>3.46</u>
Next 400	1.99 <u>3.10</u>
Next 1,500	1.88 <u>3.10</u>
Next 15,000	1.77 <u>3.10</u>
Next 333,000	1.37 <u>1.97</u>
Over 350,000	0.85 <u>1.38</u>

Effective ~~June~~ January 1, 2000~~11~~, the monthly charge for water supplied by meter within the city shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
First 100 (minimum bill)	\$3.14 <u>4.05</u>
Next 400	2.29 <u>3.66</u>
Next 1,500	2.16 <u>3.66</u>
Next 15,000	2.04 <u>3.66</u>
Next 333,000	1.58 <u>2.30</u>
Over 350,000	0.98 <u>1.61</u>

Effective ~~June~~ January 1, 2004~~12~~, the monthly charge for water supplied by meter within the city shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
First 100 (minimum bill)	\$3.29 <u>4.60</u>
Next 400	2.41 <u>4.25</u>
Next 1,500	2.27 <u>4.25</u>
Next 15,000	2.14 <u>4.25</u>
Next 333,000	1.66 <u>2.77</u>
Over 350,000	1.03 <u>1.97</u>

Effective ~~June~~ January 1, 2002~~13~~, the monthly charge for water supplied by meter within the city shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
First 100 (minimum bill)	\$3.34 <u>4.76</u>
Next 400	2.44 <u>4.33</u>
Next 1,500	2.30 <u>4.33</u>
Next 15,000	2.17 <u>4.33</u>
Next 333,000	1.69 <u>4.33</u>
Over 350,000	1.04 <u>1.97</u>

Effective January 1, 2014 ~~June~~ 1, 2003, the monthly charge for water supplied by meter within the city shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
First 100 (minimum bill)	\$3.37 <u>4.98</u>
Next 400	2.46 <u>4.53</u>
Next 1,500	2.32 <u>4.53</u>
Next 15,000	2.20 <u>4.53</u>
Next 333,000	1.71 <u>4.53</u>
Over 350,000	1.05 <u>2.08</u>

The monthly charge for water supplied by meter outside the city limits shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
First 100 (minimum bill)	\$3.53 <u>4.49</u>
Next 400	2.62 <u>4.07</u>
Next 1,500	2.45 <u>4.07</u>
Next 15,000	2.33 <u>4.07</u>
Next 333,000	1.77 <u>2.60</u>
Over 350,000	1.25 <u>1.94</u>

Effective ~~June~~ January 1, 200011, the monthly charge for water supplied by meter outside the city limits shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
First 100 (minimum bill)	\$4.06 <u>5.17</u>
Next 400	3.04 <u>4.81</u>
Next 1,500	2.82 <u>4.81</u>
Next 15,000	2.68 <u>4.81</u>
Next 333,000	2.04 <u>3.04</u>
Over 350,000	1.44 <u>2.27</u>

Effective ~~June~~ January 1, 200112, the monthly charge for water supplied by meter outside the city limits shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
First 100 (minimum bill)	\$4.27 <u>6.12</u>
Next 400	3.17 <u>5.56</u>
Next 1,500	2.96 <u>5.56</u>
Next 15,000	2.82 <u>5.56</u>
Next 333,000	2.14 <u>3.63</u>
Over 350,000	1.54 <u>2.73</u>

Effective ~~June~~ January 1, 200213, the monthly charge for water supplied by meter outside the city limits shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
First 100 (minimum bill)	\$4.32 <u>6.20</u>
Next 400	3.24 <u>5.64</u>
Next 1,500	3.00 <u>5.64</u>
Next 15,000	2.86 <u>5.64</u>
Next 333,000	2.46 <u>5.64</u>
Over 350,000	1.53 <u>2.73</u>

Effective January 1, 2014 ~~June 1, 2003~~, the monthly charge for water supplied by meter outside the city limits shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
First 100 (minimum bill)	\$4.37 <u>6.52</u>
Next 400	3.24 <u>5.93</u>
Next 1,500	3.03 <u>5.93</u>
Next 15,000	2.88 <u>5.93</u>
Next 333,000	2.49 <u>5.93</u>
Over 350,000	1.54 <u>2.89</u>

The rates charged for bulk water sales through coin-operated loading stations shall be \$4.75 per 100 cubic feet purchased.

There shall be added to the billings of utilities customers a charge of five cents (\$0.05) per one (100) hundred cubic feet of water consumed, which charge shall be shown on all water bills as a separate item and shall be identified as a Kentucky River Authority, or "KRA" charge. The effective date of this paragraph shall be December 1, 1995. This charge shall be adjusted in proportion to the fee assessed by the Kentucky River Authority Board.

Water service connection /disconnection fee, next day service \$0.00

Water service connection/disconnection fee, same day service	30.00
Water service reconnection fee:	
During business hours on cutoff day	20.00
After business hours 3:30 p.m.--7:00 a.m.	50.00
Leak inspection by utility personnel (during business hours only)	20.00
Miscellaneous service call during hours	15.00
Miscellaneous service call after hours:	
3:30 p.m.--11:00 p.m.	40.00
11:00 p.m.--7:00 a.m.	50.00
Temporary service disconnection/reconnection fee, during business hours	20.00
The fees for testing of water meters shall be:	
WMU customer meter found faulty	0.00
WMU customer meter found functioning properly	35.00
Non-WMU customer per meter tested, per hour, min. 2 hrs	25.00
In addition to established volumetric rates for water service, the fees for use of a water meter for construction purposes shall be:	
Installation..... Time/Materials/Overhead	
Extension of Time for Use of Meter (additional 90 days)	\$30.00
The fee for testing of private backflow prevention devices by certified utility personnel shall be \$40.00 per device tested.	

WASTEWATER UTILITY RATES, FEES, AND CHARGES

Sec. 14-81.5. Wastewater utility rate schedules.

The monthly charge for wastewater utility (sanitary sewer) service shall be computed and based on the quantity of water consumed as determined by water meter readings. The monthly charge for wastewater utility service within the city shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
0-- 350,000 <u>349,999</u>	\$2.68 <u>4.35</u>
Over 350,000	2.33 <u>3.80</u>

Effective ~~March~~ January 1, 200011, the monthly charge for wastewater utility service within the city shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
0-- 350,000 <u>349,999</u>	\$3.16 <u>5.24</u>
Over 350,000	2.75 <u>4.57</u>

Effective ~~March~~ January 1, 200412, the monthly charge for wastewater utility service within the city shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
0-- 350,000 <u>349,999</u>	\$3.44 <u>6.32</u>
Over 350,000	2.97 <u>5.51</u>

Effective ~~March~~ January 1, 200213, the monthly charge for wastewater utility service within the city shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
0-- 350,000 <u>349,999</u>	\$3.48 <u>7.61</u>
Over 350,000	3.03 <u>6.64</u>

Effective January 1, 2014 ~~March 1, 2003~~, the monthly charge for wastewater utility service within the city shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
0-- 350,000 <u>349,999</u>	\$3.54 <u>7.99</u>
Over 350,000	3.06 <u>6.97</u>

Effective January 1, 2015, the monthly charge for wastewater utility service within the city shall be:

<u><i>Cubic Feet Consumed</i></u>	<u><i>Rate per 100 Cubic Feet</i></u>
0-- 350,000 <u>349,999</u>	\$8.39
Over 350,000	<u>7.32</u>

The monthly charge for wastewater utility service outside the city limits shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
0-- 350,000 <u>349,999</u>	\$3.55 <u>5.76</u>
Over 350,000	3.09 <u>5.00</u>

Effective ~~March~~ January 1, 2000~~11~~, the monthly charge for wastewater utility service outside the city limits shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
0-- 350,000 <u>349,999</u>	\$4.49 <u>6.94</u>
Over 350,000	3.64 <u>6.03</u>

Effective ~~March~~ January 1, 2004~~12~~, the monthly charge for wastewater utility service outside the city limits shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
0-- 350,000 <u>349,999</u>	\$4.52 <u>8.36</u>
Over 350,000	3.93 <u>7.27</u>

Effective ~~March~~ January 1, 2002~~13~~, the monthly charge for wastewater utility service outside the city limits shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
0-- 350,000 <u>349,999</u>	\$4.64 <u>10.08</u>
Over 350,000	4.04 <u>8.76</u>

Effective January 1, 2014 ~~March 1, 2003~~, the monthly charge for wastewater utility service outside the city limits shall be:

<i>Cubic Feet Consumed</i>	<i>Rate per 100 Cubic Feet</i>
0-- 350,000 <u>349,999</u>	\$4.65 <u>10.58</u>
Over 350,000	4.04 <u>9.20</u>

Effective January 1, 2015, the monthly charge for wastewater utility service outside the city limits shall be:

<u><i>Cubic Feet Consumed</i></u>	<u><i>Rate per 100 Cubic Feet</i></u>
0-- 350,000 <u>349,999</u>	\$11.11
Over 350,000	<u>9.66</u>

Where it is shown to the satisfaction of the Winchester Municipal Utilities Commission that a substantial quantity of the water consumed by the owner or occupant served by the system does not flow on a regular and continuing basis into the wastewater

collection and treatment system, the Commission may, by order entered in its minutes, permit such owner or occupant to meter the water not flowing into the wastewater collection and treatment system and may exclude such metered quantity of water in calculating the wastewater volumetric usage charge.

Any customer requesting or receiving such exclusion from its wastewater utility charges shall provide authorized representatives of the Winchester Municipal Utilities Commission reasonable access to such areas of the customer's premises as may be deemed necessary by said representatives in order to ascertain that such water is not flowing into the sanitary sewer system.

All meters installed pursuant hereto shall be supplied, installed, and maintained by the Winchester Municipal Utilities; provided, however, that the customer shall pay to the Winchester Municipal Utilities the cost of said meter installation and maintenance.

Any customer receiving such exclusion shall pay a monthly fee to defray the costs of reading and maintaining additional meters and shall pay all other costs directly related to the providing of this service.

SOLID WASTE UTILITY RATES, FEES, AND CHARGES

Sec. 14-81.6.1. Residential solid waste utility rate schedules.

The monthly charge for residential solid waste utility service is ~~\$15.00~~ 18.30 for each residential house, apartment, mobile home, unit, or other residential establishment served. The rate shall be adjusted as follows:

<u>January 1, 2011</u>	<u>\$21.73</u>
<u>January 1, 2012</u>	<u>\$25.79</u>
<u>January 1, 2013</u>	<u>\$30.61</u>
<u>January 1, 2014</u>	<u>\$32.14</u>

If a customer's business establishment, business function, co-exists and operates in the same physical space as that customer's residential establishment, residential function, the commercial rate for solid waste utility service shall apply to the entire establishment.

If a customer's business establishment and residential establishment do not co-exist and operate in the same physical space, even if located under the same roof and being served by one meter at the same street address, each establishment will be charged a separate solid waste utility charge based upon the definitions contained in section 14-82.

Curbside yard waste collection and disposal service is provided to residential customers at no additional cost. Yard waste curbits are available for customer convenience and rental for the residential customer. The charge for the yard waste curbit shall be ~~sixteen dollars (\$16.00)~~ \$16.45 annually and shall be billed as a one-time charge on the combined utility bill due in May of each year.

Curbside large trash collection and disposal service is provided to residential customers at no additional cost. Said service is limited to one pickup per month per service address and customer must call the transfer station to request pickup.

Sec. 14-81.6.2. Commercial, industrial, and other non-residential rate schedules.

Commercial, industrial, and other non-residential establishments shall be provided with containerized solid waste services commensurate with their solid waste disposal needs.

The curbit service with one 90-gallon curbit furnished at a minimum monthly non-residential charge of ~~\$24.00~~ 34.95. Effective August 1, 2000, the minimum monthly non-residential charge shall be ~~\$34.00~~ 34.95. Non-residential customers may, depending upon solid waste disposal needs, be required to or may optionally rent additional curbits. The monthly charge for curbit rental shall be ~~\$2.00~~ 2.06 per curbit rented. The charge for disposal of additional curbits in excess of one per pickup is ~~\$3.00~~ 4.37 per additional curbit. ~~Effective August 1, 2000, the charge for disposal of additional curbits shall be \$4.25 per additional curbit.~~

Customers in the downtown central business district may, at the discretion of the Winchester Municipal Utilities, be provided bag program service in lieu of curbit service. Where this service is provided, up to 20 bags per month will be provided to the customer included in the minimum monthly charge. Additional bags may be purchased at a rate of \$1.20 per bag.

The monthly rental and disposal rates for each type of container are hereby established, subject to a minimum charge of ~~\$24.00~~ 34.95 per month for each such establishment:

Container Size-- Cubic Yards	Monthly Rental	Charge per Disposal (Pickup)	
		Noncompactible Material	Compactible Material
4	\$24.00	\$33.00	\$18.00
6	33.00 <u>20.25</u>	44.00 <u>23.75</u>	22.00
8	40.00 <u>27.00</u>	55.00 <u>28.00</u>	26.00
10	45.00	66.00	30.00
12	48.00	78.00	34.00
20	62.00 <u>100.00</u>	140.00 <u>160.00</u>	60.00
30	66.00	196.00	84.00
40	70.00 <u>200.00</u>	230.00 <u>320.00</u>	108.00

Compactor Size Cu. Yd.	Monthly Rental	Disposal (Pickup) Rate
17	\$180.00 <u>260.00</u>	\$122.00 <u>300.00</u>
40	230.00 <u>360.00</u>	230.00 <u>500.00</u>

Effective August ~~August~~ January 1, 2000~~11~~, the monthly rental and disposal rates for each of the following types of containers are hereby established, subject to a minimum charge of

\$34.95 per month for each such establishment. Other container rates will remain the same.

<i>Container Size-- Cubic Yards</i>	<i>Monthly Rental</i>	<i>Charge per Disposal (Pickup)</i>	
		<i>Noncompactible Material</i>	<i>Compactible Material</i>
4	\$12.00	\$33.00	\$18.00
6	16.50 <u>21.00</u>	44.00 <u>24.25</u>	22.00
8	20.00 <u>28.00</u>	55.00 <u>28.50</u>	26.00
10	22.50	66.00	30.00
12	24.00	90.00	40.00
20	90.00	150.00	64.00
30	135.00	225.00	97.00
40	180.00	300.00	140.00

<i>Compactor Size Cu. Yd.</i>	<i>Monthly Rental</i>	<i>Disposal (Pickup) Rate</i>
17	\$250.00	\$250.00
40	350.00	350.00

Effective January 1, 2011, the monthly rental and disposal rates for each of the following types of containers are hereby established, subject to a minimum charge of \$34.95 per month for each such establishment. Other container rates will remain the same.

<i>Container Size-- Cubic Yards</i>	<i>Monthly Rental</i>	<i>Charge per Disposal (Pickup)</i>	
<u>6</u>	<u>\$21.75</u>	<u>\$24.25</u>	
<u>8</u>	<u>29.00</u>	<u>28.50</u>	

Effective January 1, 2013, the monthly rental and disposal rates for each of the following types of containers are hereby established, subject to a minimum charge of \$34.95 per month for each such establishment. Other container rates will remain the same.

Charge per Disposal (Pickup)

<u>Container Size-- Cubic Yards</u>	<u>Monthly Rental</u>	
<u>6</u>	<u>\$22.50</u>	<u>\$24.75</u>
<u>8</u>	<u>30.00</u>	<u>29.00</u>

The Winchester Municipal Utilities Commission may provide other non-residential solid waste services for special or unusual cases with rates fixed by contract and established to recover all costs of providing service.

Sec. 14-161. Industrial pretreatment program fee and surcharges.

(a) *Industrial pretreatment program fee.* Industrial customers required to participate in the Industrial Pretreatment Program are charged a monthly administrative fee based upon the costs of the program associated with each customer as determined under Section 14-188 of \$250.00 to defray the administrative cost of the program. ~~Effective March 1, 2000, industrial customers required to participate in the Industrial Pretreatment Program shall be charged a monthly administrative fee of \$275.00 to defray the administrative cost of the program.~~

(b) *Surcharges.* Any water or waste which has characteristics based on a twenty-four-hour composite sample, or a shorter period composite sample if more representative, which exceeds the following normal maximum domestic wastewater parameter concentrations shall be surcharged as follows:

<i>Parameter</i>	<i>Maximum Allowable Concentration Without Surcharge</i>
BOD	350 <u>220</u> mg/l
TSS	350 <u>200</u> mg/l
NH ₃ -N	30 <u>15</u> mg/l

Surcharge Costs

BOD	\$0. 40 <u>18</u> /pound in excess of maximum allowable concentration
TSS	\$0. 08 <u>18</u> /pound in excess of maximum allowable concentration
NH ₃ -N	\$0.25/pound in excess of maximum allowable concentration

The surcharge will be calculated as follows:

$$\text{Surcharge} = (X - Y) \times Q \times 8.34 \times R$$

Where:

X = Actual parameter concentration;

Y = Allowable parameter concentration;

Q = Total discharge quantity in million gallons for a specific Surcharge calculation period; and

R = Surcharge rate in \$/pound.

~~Effective March 1, 2000, any wastewater which has characteristics based on a twenty-four hour composite sample, or a shorter period composite sample if more representative, which exceeds the following normal maximum domestic wastewater parameter concentrations shall be surcharged as follows:~~

<i>Parameter</i>	<i>Maximum Allowable Concentration Without Surcharge</i>
BOD	220 mg/l
TSS	200 mg/l
NH₃-N	15 mg/l

Surcharge Costs

BOD	\$0.11/pound in excess of maximum allowable concentration
TSS	\$0.13/pound in excess of maximum allowable concentration
NH₃-N	\$0.41/pound in excess of maximum allowable concentration

Introduced for the first reading at the regular session of the Board of Commissioners of the City of Winchester, Kentucky, held on the ____ day of _____, _____, and finally adopted after second reading at the regular session of said Board held on the ____ day of _____, _____.

Ed Burtner, Mayor

ATTEST

Marilyn Rowe, City Clerk