

ORDINANCE NO 1354

AN ORDINANCE AMENDING SUBSECTION 15-301 and SUBSECTION (A)(2) OF SECTION 15-338 (“SEWER RATES”) OF ARTICLE 3 (“SEWERS”) OF CHAPTER XV (“UTILITIES”) OF THE CODE OF THE CITY OF BALDWIN CITY, KANSAS PERTAINING TO SEWER RATE AVERAGING.

WHEREAS, the Governing Body finds it in the best interests of the community to modify the method of calculating the residential city wide sewer rate average.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BOARD OF THE CITY OF BALDWIN CITY, KANSAS;

Section 1. Section 15-301, entitled “Definitions,” of Article 3, entitled “Sewers,” of Chapter XV, entitled “Utilities,” of the Code of the City of Baldwin City, Kansas, is hereby amended to read as follows:

(nn) Sewer Average – For all residential customers, a sewer average will be calculated based on the water consumption during the following periods of occupancy:

<u>Date of Initial Occupancy</u>	<u>Consumption Period For Average</u>
Prior to October 1	October through the following March
October 1 through 31	November through the following March
November 1 through 30	December through the following March
December 1 through 31	January through the following March

Residential customers whose initial occupancy is after January 1 will not be eligible for sewer averaging in the current year.

Section 2. Subsection (a)(2) of Section 15-338, entitled “Sewer Rates,” of Article 3, entitled “Sewers,” of Chapter XV, entitled “Utilities,” of the Code of the City of Baldwin City, Kansas, is hereby amended to read as follows:

- (2) For residential contributors, monthly sewer service charges on sewer service billings distributed during the twelve months beginning in May of each year shall be based upon the Sewer Average as defined in Section 15-301. If a residential contributor has not established a Sewer Average, and until that residential contributor establishes such Sewer Average, then that residential contributor’s monthly sewer service charge shall be based upon actual water consumption during the most recent monthly billing period but allowing for the following exceptions:
 - (A) Any residential contributor who has not established a Sewer Average and is establishing a lawn for a newly constructed residence may apply for an exemption and a charge based on the city-wide average of 600 cubic feet of water consumption upon the city being satisfied, at the discretion of

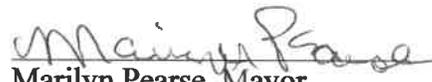
the City Administrator, that a newly constructed residence is in need of establishing a lawn.

(B) Any residential contributor who has not established a Sewer Average and is filling a swimming pool which contains more than ten thousand (10,000) gallons may apply for an exemption and a charge based on the city-wide average of 600 cubic feet of water consumption upon the city being satisfied, at the discretion of the City Administrator, that the swimming pool would contain more than ten thousand (10,000) gallons.

Section 3. This ordinance shall be in force and effect from and after its passage by the City Council, and its approval by the Mayor of the City of Baldwin City, Kansas and its publication in the official City newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF BALDWIN CITY, KANSAS THE 17th day of October, 2016.




Marilyn Pearce, Mayor


Laura E. Hartman, City Clerk

APPROVED AS TO FORM:


Matthew H. Hoy, City Attorney