

ORDINANCE 2018 - _____

AN ORDINANCE TO AMEND CHAPTER 23, UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO INCREASE WATER RATES, TO INCREASE SEWER RATES AND TAP FEES, TO ESTABLISH TAP FEES FOR NATURAL GAS, TO INCREASE THE ENVIRONMENTAL PROTECTION AGENCY (EPA) FEE TO PROVIDE FUNDS FOR COMPLIANCE WITH THE EPA CONSENT AGREEMENT AND ORDER, AND FOR RELATED MATTERS

BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Vicksburg, Mississippi, that Section 23, Utilities, of the Code of Ordinances of the City of Vicksburg, Mississippi, shall be amended as follows:

SECTION ONE: Sec. 23-25. Tap Fees for natural gas. shall be added to the Code of Ordinances of the City of Vicksburg, Mississippi, as follows:

Sec. 23-25. Tap Fees for natural gas:

(a) The size of the tap on the main shall be governed by uses indicated on the original application.

(b) A fee for the original connection to mains shall be charged as provided in this section and shall be paid before any work shall be done.

(c) Such fees or charges for the original connection to mains shall be as follows:

(1) For each one quarter (1/4") inch to one (1") inch tap \$750.00

(2) For each two (2") inch tap 900.00

(d) Larger sizes, cut-ins and other such installations shall be made at cost, plus fifteen (15) percent. Variations from the standard sizes listed in this section shall also be made at cost, plus fifteen (15) percent.

(e) If such taps, cut-ins and other such installations are made under paved streets, there will be an additional charge for tearing out and replacing such pavement, such charge to be at cost, plus fifteen (15) percent.

(f) No fee or charge for the installation of the service pipe, cock, valve or meter shall convey ownership. All materials and equipment shall be and remain city-owned property when and where located in the streets, alleys, sidewalks or elsewhere.

(g) Tap fees for customers outside of the city limits shall be one hundred (100) percent more than the above rates.

(h) All charges shall be plus applicable sales tax.

SECTION TWO: Sec. 23-26. Scope of article. of the Code of Ordinances of the City of Vicksburg, Mississippi, shall be deleted in its entirety as it presently exists.

SECTION THREE: The following language shall be substituted in place of the deleted language:

Sec. 23-36. Scope of article.

The rules, regulations and rates contained in this article shall govern the waterworks of the city and the water consumers and customers of the city. The Mississippi Department of Health is the regulatory authority for the water utility.

SECTION FOUR: Sec. 23-24. Rates and charges. of the Code of Ordinances of the City of Vicksburg, Mississippi shall be deleted in its entirety as it presently exists.

SECTION FIVE: The following language shall be substituted in place of the deleted language:

Sec. 23-42. Rates and Charges.

(A) For customers inside and within one (1) mile of the corporate limits, deposits of thirty dollars (\$30.00) for water service for residential customers who own the property to which the water service is rendered, and deposits of fifty dollars (\$50.00) for water service for residential customers who are renting property to which the water services rendered shall be required before turning on the water. Commercial establishments shall pay to the water and gas administration a deposit in the amount of two (2) times the highest monthly water bill rendered to the location to which service is requested. If such location does not have an established history of such monthly billings, then the water and gas administration shall use a like commercial establishment to determine a monthly bill to be used to calculate a deposit amount for said location. In no event shall the deposit for commercial establishment be less than fifty dollars (\$50.00).

For customers outside one (1) mile of the corporate limits, water deposits shall be twenty dollars (\$20.00) for residential customers and thirty dollars (\$30.00) for commercial customers. Deposits for these customers will bear interest in accordance with Rules and Regulations of the Mississippi public service commission, Rule 9 (G).

For all customers, refund of deposits shall be made upon termination of services and only after payment of all indebtedness to the waterworks.

(B) The rates adopted by Ordinance No. 2015-02 will remain in effect until September 30, 2018. Beginning October 1, 2018, until September 30, 2019, rates inside the city limits shall be as follows:

(1) Residential consumers of water inside the city limits shall be supplied, subject to the rules and regulations governing the city waterworks, at the following rates:

Basic monthly rates:

First 2,000 gallons minimum bill for up to ¾-inch meter \$9.41

First 2,000 gallons minimum bill for up to 1-inch meter 11.74

First 2,000 gallons minimum bill for up to 1½-inch meter 16.40

First 2,000 gallons minimum bill for up to 2-inch meter 21.06

Next 8,000 gallons, per 1,000 gallons 3.46
Next 10,000 gallons, per 1,000 gallons 3.72
Next 20,000 gallons, per 1,000 gallons 3.30
Next 60,000 gallons, per 1,000 gallons 2.88
Next 900,000 gallons, per 1,000 gallons 2.63
Next 1,000,000 gallons, per 1,000 gallons 2.10
Next 3,000,000 gallons, per 1,000 gallons 2.00
Next 5,000,000 gallons, per 1,000 gallons 1.95
Excess over 10,000,000 gallons, per 1,000 gallons 1.82

(2) Commercial consumers of water inside the city limits shall be supplied, subject to the rules and regulations governing the city waterworks, at the following rates:

Basic monthly rates:

First 4,000 gallons for up to 1½-inch meter \$38.50
First 4,000 gallons for 2-inch meter 48.82
First 4,000 gallons 2½-inch meter 59.14
First 4,000 gallons 3-inch meter 69.46
First 4,000 gallons for 4-inch meter 90.10
First 4,000 gallons for 6-inch meter 134.39
First 4,000 gallons for 8-inch meter 172.67
First 4,000 gallons for 10-inch meter 213.96

First 4,000 gallons for 12-inch meter 255.24

First 4,000 gallons for 14-inch meter 296.53

Next 8,000 gallons, per 1,000 gallons 4.56

Next 10,000 gallons, per 1,000 gallons 4.00

Next 20,000 gallons, per 1,000 gallons 3.58

Next 58,000 gallons, per 1,000 gallons3.16

Next 900,000 gallons, per 1,000 gallons 2.91

Next 1,000,000 gallons, per 1,000 gallons 2.38

Next 3,000,000 gallons, per 1,000 gallons 2.28

Next 5,000,000 gallons, per 1,000 gallons 2.23

Excess over 10,000,000 gallons, per 1,000 2.32

Minimum monthly charge shall be the above cost for the first four thousand (4,000) gallons according to meter size.

(3) Industrial consumers of water inside the city limits shall be supplied, subject to the rules and regulations governing the city waterworks, at the following rates:

Basic monthly rates:

First 4,000 gallons for up to 1½-inch meter \$38.50

First 4,000 gallons for 2-inch meter 48.82

First 4,000 gallons 2½-inch meter 59.14

First 4,000 gallons 3-inch meter 69.46

First 4,000 gallons for 4-inch meter 90.10

First 4,000 gallons for 6-inch meter 134.39

First 4,000 gallons for 8-inch meter 172.67

First 4,000 gallons for 10-inch meter 213.96

First 4,000 gallons for 12-inch meter 255.24

First 4,000 gallons for 14-inch meter 296.53

Next 8,000 gallons, per 1,000 gallons 4.56

Next 10,000 gallons, per 1,000 gallons 4.00

Next 20,000 gallons, per 1,000 gallons 3.58

Next 58,000 gallons, per 1,000 gallons 3.16

Next 900,000 gallons, per 1,000 gallons 2.91

Next 1,000,000 gallons, per 1,000 gallons 2.38

Next 3,000,000 gallons, per 1,000 gallons 2.28

Next 5,000,000 gallons, per 1,000 gallons 2.23

Excess over 10,000,000 gallons, per 1,000 gallons 2.32

Minimum monthly charge shall be the above cost for the first four thousand (4,000) gallons according to meter size.

(C) Beginning October 1, 2019 and continuing until changed, rates inside the city limits shall be as follows:

(1) Residential consumers of water inside the city limits shall be supplied, subject to the rules and regulations governing the city waterworks, at the following rates:

Basic monthly rates:

First 2,000 gallons minimum bill for up to $\frac{3}{4}$ -inch meter \$10.06

First 2,000 gallons minimum bill for up to 1-inch meter 12.56

First 2,000 gallons minimum bill for up to 1½-inch meter 17.54

First 2,000 gallons minimum bill for up to 2-inch meter 22.53

Next 8,000 gallons, per 1,000 gallons 3.70

Next 10,000 gallons, per 1,000 gallons 3.98

Next 20,000 gallons, per 1,000 gallons 3.53

Next 60,000 gallons, per 1,000 gallons 3.08

Next 900,000 gallons, per 1,000 gallons 2.81

Next 1,000,000 gallons, per 1,000 gallons 2.24

Next 3,000,000 gallons, per 1,000 gallons 2.14

Next 5,000,000 gallons, per 1,000 gallons 2.08

Excess over 10,000,000 gallons, per 1,000 gallons 1.93

(2) Commercial consumers of water inside the city limits shall be supplied, subject to the rules and regulations governing the city waterworks at the following rates:

Basic monthly rates

First 4,000 gallons for up to 1½-inch meter \$41.18

First 4,000 gallons for 2-inch meter 52.22

First 4,000 gallons 2½-inch meter 63.26

First 4,000 gallons 3-inch meter 74.30

First 4,000 gallons for 4-inch meter 96.38

First 4,000 gallons for 6-inch meter 146.55

First 4,000 gallons for 8-inch meter 184.71

First 4,000 gallons for 10-inch meter 228.88
 First 4,000 gallons for 12-inch meter 273.04
 First 4,000 gallons for 14-inch meter 317.22
 Next 8,000 gallons, per 1,000 gallons 4.86
 Next 10,000 gallons, per 1,000 gallons 4.28
 Next 20,000 gallons, per 1,000 gallons 3.83
 Next 58,000 gallons, per 1,000 gallons3.38
 Next 900,000 gallons, per 1,000 gallons 3.11
 Next 1,000,000 gallons, per 1,000 gallons 2.54
 Next 3,000,000 gallons, per 1,000 gallons 2.44
 Next 5,000,000 gallons, per 1,000 gallons 2.38
 Excess over 10,000,000 gallons, per 1,000 2.67

Minimum monthly charge shall be the above cost for the first four thousand (4,000) gallons according to meter size.

(3) Industrial consumers of water inside the city limits shall be supplied, subject to the rules and regulations governing the city waterworks, at the following rates:

Basic monthly rates:

First 4,000 gallons for up to 1½-inch meter \$41.18
 First 4,000 gallons for 2-inch meter 52.22
 First 4,000 gallons 2½-inch meter 63.26
 First 4,000 gallons 3-inch meter 74.30

First 4,000 gallons for 4-inch meter	96.38
First 4,000 gallons for 6-inch meter	146.55
First 4,000 gallons for 8-inch meter	184.71
First 4,000 gallons for 10-inch meter	228.88
First 4,000 gallons for 12-inch meter	273.04
First 4,000 gallons for 14-inch meter	317.22
Next 8,000 gallons, per 1,000 gallons	4.86
Next 10,000 gallons, per 1,000 gallons	4.28
Next 20,000 gallons, per 1,000 gallons	3.83
Next 58,000 gallons, per 1,000 gallons	3.38
Next 900,000 gallons, per 1,000 gallons	3.11
Next 1,000,000 gallons, per 1,000 gallons	2.54
Next 3,000,000 gallons, per 1,000 gallons	2.44
Next 5,000,000 gallons, per 1,000 gallons	2.38
Excess over 10,000,000 gallons, per 1,000 gallons	2.67

Minimum monthly charge shall be the above cost for the first four thousand (4,000) gallons according to meter size.

(D) Multiple service through single meter. Separate houses, multifamily residences, and apartment complexes with more than one family unit served through a common meter shall be billed under the above rate schedule in the following manner:

(1) Step 1. Determine average monthly water usage by each family unit by dividing the total monthly metered water usage by total number of family units served by a respective meter.

(2) Step 2. Determine monthly water bill for each family unit by applying the residential rate for 2000 gallons minimum bill for the $\frac{3}{4}$ -inch meter, to the water usage determined in step 1.

(3) Step 3. Determine the total monthly water bill for each metered service by multiplying the monthly family unit water bill, determined in step 2, by eighty (80) percent of the number of family units, rounded to the higher whole number, served by the respective meter.

(E) Single point delivery. The above rates are based upon the supply of service to the customer's premises through a single delivery and metering point. Separate supply for the same customer to other points of consumption shall be separately metered and billed.

(F) Educational institutions; large users.

(1) Educational institutions embracing elementary or grammar schools, high schools, colleges, and any combination thereof, which have a regular course of study and which issue a certificate or diploma of achievement (but not including educational institutions operated for profit) and churches of religious denominations, but not including affiliated organizations thereof, shall be given such rates as the mayor and aldermen direct, but in no event shall such rates be less than cost, which cost may be determined annually by the records of the administration office.

(2) The mayor and aldermen shall have the right to make special rates to large consumers of water whose largest usage is during the interim or season of low peak demand, or where other conditions as to amount and time of water usage make such a contract in their judgment desirable or profitable to the waterworks, but no rate shall be granted which does not in their best judgment ensure the waterworks against loss.

(G) Fire protection:

(1) Charge for each consumer. The following fire protection rates shall apply:

- a. On each fire hydrant, per month \$ 4.167
- b. On each sprinkler head, per month 0.0042
- c. On special fire protection connections, to which a hose must be kept continually attached:
 - i. First connection, one-inch to two-inch pipe, per month 3.00
 - ii. Second connection, one-inch to two-inch pipe, per month1.35
 - iii. All other connections, one-inch to two-inch pipe, per month....1.00
- d. For each flow test per fire hydrant 100.00

(2) Billing and collection:

a. The fire department, during their annual survey of each commercial water consumer, shall obtain the number and type of connections as outlined in the above subsection and submit same to the water and gas administration.

b. The water and gas administration shall calculate a monthly charge for each commercial consumer, and notify said consumer of said charge.

c. For consumers connected to city water or gas utilities, the monthly charges shall be added to the water and gas bills of the appropriate unit and collected at the same time that the latter bills are collected. Failure to pay such charges within the time schedule adopted by the department shall result in the discontinuance of service of water and gas to the delinquent unit.

d. If a consumer does not purchase water or gas utilities from the city, then that consumer will be billed separately for the fire protection. Failure to pay such charges within the time schedule adopted by the water and gas department shall result in the disconnection of the fire protection water line to the delinquent consumer.

(H) Rates outside of city limits. Water rates for customers outside of the corporate limits shall be one hundred (100) percent more than the above rates for inside city limits.

SECTION SIX: Section 23-59 of the Code of Ordinances of the City of Vicksburg, Mississippi shall be deleted in its entirety as it presently exists.

SECTION SEVEN: The following language shall be substituted in place of the deleted language in Sec. 23-59:

Sec. 23-59. Fluoridation of water supply.

Upon receipt of the consent and approve of the state board of health, and until further direction by the mayor and aldermen, the city water department is hereby authorized and directed to provide the means and to provide the introduction of six tenths (0.6) to nine tenths (0.9) parts of fluoride to every one million (1,000,000) part of water being distributed in the water supply system in the city.

SECTION EIGHT: Sec. 23-61. Definitions. of the Code of Ordinances of the City of Vicksburg, Mississippi shall be amended to add the following amended definitions:

Regulatory agency shall mean the Mississippi Department of Environmental Quality.

Standard Methods shall mean the examination and analytical procedures set forth in the most recent edition of *Standard Methods for the Examination of Water and Wastewater* published by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

SECTION NINE: Sec. 23-90. Connection charges. as it presently exists shall be deleted in its entirety.

SECTION TEN: The following language shall be substituted in place of the deleted language Sec. 23-90:

Sec. 23-90. Tap Fees for sewer utility.

Sec. 23-90. Tap Fees for sewer:

(a) The size of the tap on the main shall be governed by uses indicated on the original application.

(b) A fee for the original connection to mains shall be charged as provided in this section and shall be paid before any work shall be done.

(c) All taps, cut-ins and other such installations shall be made at cost, plus fifteen (15%) percent.

(d) If such taps, cut-ins and other such installations are made under paved streets, there will be an additional charge for tearing out and replacing such pavement, such charge to be at cost, plus fifteen (15) percent.

(e) No fee or charge for the installation of the service pipe, cock, valve or meter shall convey ownership. All materials and equipment shall be and remain city-owned property when and where located in the streets, alleys, sidewalks or elsewhere.

(f) Tap fees for customers outside of the city limits shall be one hundred (100) percent more than the above rates.

(g) All charges shall be plus applicable sales tax.

SECTION ELEVEN: Sec. 23-93 of the Code of Ordinances of the City of Vicksburg, Mississippi, shall be deleted in its entirety as it presently exists.

SECTION TWELVE: The following language shall be substituted in place of the deleted language in Sec. 23-93:

A. There shall be five (5) classes of charges:

(1) Shall be a volumetric charge, that is, shall be based on the amount of water used,

(2) There shall be a flat rate for those properties owned by the Vicksburg Housing Authority, inside the city limits, that are not served water by the City of Vicksburg,

(3) There shall be a flat rate for those residential properties that are not served water or gas by the city that lie outside the city limits,

(4) There shall be a surcharge for excessive strength of wastewater,

(5) There shall be an EPA fee for each sewer account.

(B) The rates adopted in Ordinance 2015-02 shall be in effect until September 30, 2018. From October 1, 2018 through September 30, 2019, the Volumetric charges will be:

a. Residential:

First 2,000 gallons (minimum charge) \$14.50

Over 2,000 gallons, per 1,000 gallons 4.46

b. Commercial:

First 2,000 gallons (minimum charge) \$35.78

Over 2,000 gallons, per 1,000 gallons 4.46

c. Industrial:

First 200,000 gallons (minimum charge) \$446.00

Over 200,000 gallons (per 1,000 gallons) 2.34

From and after October 1, 2019, the Volumetric charges will be:

a. Residential:

First 2,000 gallons (minimum charge) \$16.10

Over 2,000 gallons, per 1,000 gallons 4.96

b. Commercial:

First 2,000 gallons (minimum charge) \$43.31

Over 2,000 gallons, per 1,000 gallons 4.96

c. Industrial:

First 200,000 gallons (minimum charge) \$446.00

Over 200,000 gallons (per 1,000 gallons) 2.34

(C) Commercial customers outside city limits: Sewer charges for commercial customers outside of the city limits (except customers who are connected to city-owned, self-contained water treatment facilities and not connected to the city's main wastewater treatment plant) shall be one hundred (100) percent more than the above rates inside the city limits.

(D) Residential customers outside city limits that are also served water and/or gas shall be charged one hundred (100) percent more than the above rates inside the city limits.

(E) Multifamily residences: Separate houses, multifamily residences, and apartment complexes with more than one (1) family or residential unit served through a common water meter shall be billed for sanitary sewer service under the above rate schedule in the following manner:

1. Step 1. Determine the average monthly water usage by each family unit by dividing the total monthly metered water usage by the total number of family units served by the respective meter.

2. Step 2. Determine the monthly sewer service bill for each family unit by applying the above sewer rate schedule to the water usage determined in Step 1.

3. Step 3. Determine the total monthly sanitary sewer service charge for each metered water service by multiplying the monthly family unit sanitary sewer service bill, determined in Step 2, by the total number of family units served by the respective water meter.

(F) Flat rate for housing authority properties inside city limits: Effective October 1, 2018, the flat rate of thirty dollars (\$30.00) per month will apply to each unit owned by the Vicksburg Housing Authority lying within the city limits that is not served water by the City of Vicksburg. From and after October 1, 2019, the flat rate for each unit will be thirty-two (\$32.00) dollars per month.

(G) Flat rate for residential customers outside of city limits: Effective October 1, 2018, the flat rate of forty-seven dollars (\$47.00) per month will apply to each residential unit lying outside the city limits that is not served water or gas by the City of Vicksburg. From and after October 1, 2019, the flat rate of forty-nine (\$49.00) dollars per month will apply to each residential unit lying outside the city limits that is not served water or gas by the City of Vicksburg.

(H) Surcharge for excessive waste water strength: The sewer service surcharge for excessive wastewater strength shall be as indicated by the following sewer schedule:

- a. The following surcharges will be assessed for wastewater discharges to the sewer system having strengths in excess of the following:

1. Biological oxygen demand (BOD); mg/l — 250 mg/l \$0.039/lb

2. Suspended solids (SS); mg/l — 300 mg/l \$0.033/lb

- b. All users subject to a sewer service surcharge shall, at the request and with the approval of the city approving authority and regulatory agency, and at the users' expense:

1. Install and maintain a suitable flow measuring device.

2. Provide and maintain an accessible sampling manhole in the user's waste water discharge line or lines.

3. Report the average monthly flow, biochemical oxygen demand and suspended solids. All analytical results shall be made by an approved laboratory.

4. Provide instrumentation for and report results of any characteristics of the waste water which are required in order to be in compliance with Division 5 of this article.

5. Provide flow regulation to limit the maximum hourly flow to four (4) times the average twenty-four-hour flow of the individual user.

(I) EPA fee: There shall be added to each sewer account a monthly EPA fee which shall be used for the assessment and necessary repairs of the sewage system and treatment plant pursuant to the EPA Consent Order dated July 23, 2013.

a. Residential customers: Effective October 1, 2018, the EPA fee for residential customers who use 2000 gallons of water or less in a month, shall pay \$5.00 for that month. The EPA fee those residential customers who use more than 2000 gallons of water in a month, shall pay \$8.00 for that month.

b. Commercial and Industrial Customers: Effective October 1, 2018, the EPA fee for commercial and industrial customers who use 4000 gallons of water or less in a month, shall pay \$8.00 for that month. For those commercial and industrial customers who use more than 4000 gallons of water in a month, the EPA fee will be \$12.00 for that month.

C. Customers who are provided sewer only will pay a flat EPA fee of \$8.00 per month.

SECTION THIRTEEN: Sec. 23-121. Size, Slope, etc., of the Code of Ordinances of the City of Vicksburg, Mississippi, shall be deleted in its entirety as it presently exists.

SECTION FOURTEEN: The following language shall be substituted in place of the deleted language Sec. 23-121:

Sec. 23-121. Size, Slope, etc.

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavation, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials and recommended Standards for Wastewater Facilities (aka Ten State Standards) shall apply.

SECTION FIFTEEN: Sec. 23-124. Connection of building sewers to public sewer. of the Code of Ordinances of the City of Vicksburg, Mississippi, shall be deleted in its entirety as it presently exists.

SECTION SIXTEEN: The following language shall be substituted in place of the deleted language Sec. 23-124:

Sec. 23-124. Connection of building sewers to public sewer.

The connection of the building sewer to the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, of the procedures set forth in appropriate specifications of the American Society for Testing materials and the Standards for Wastewater Facilities (aka Ten State Standards). All such connections shall be made gastight and watertight. Any deviation from the proscribed procedures and materials must be approved by the approving authority before installation.

This Ordinance shall be in effect thirty (30) days after publication.

SO ORDAINED THIS THE ____ DAY OF _____ 2018.

**THE MAYOR AND ALDERMEN OF
THE CITY OF VICKSBURG, MISSISSIPPI**

George Flaggs, Jr., Mayor

Michael A. Mayfield, Sr., Alderman

Alex J. Monsour, Jr. , Alderman

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