**ORDINANCE NO. 587**

**AN ORDINANCE PROVIDING FOR A GAS TRANSMISSION AND DISTRIBUTION SYSTEM IN, ON, UNDER AND OVER THE STREETS, ALLEYS AND PUBLIC PLACES IN THE CITY OF ARGONIA, KANSAS, FOR THE PROVISION, DISTRIBUTION, AND SALE OF GAS, ARTIFICIAL, NATURAL, OR OTHERWISE, FOR HEATING, DOMESTIC, INDUSTRIAL AND OTHER PURPOSES; FIXING THE RATES THEREFOR AND REGULATING THE SAME IN ALL RESPECTS.**

Be it ordained by the Governing Body of the City of Argonia, Kansas:

**SECTION I**

The City of Argonia shall maintain and operate a gas transmission and distribution system, including mains, pipes, conduits, services and other necessary structures and appliances there appertaining in, under, upon, over, across and along the streets alleys, bridges and public places within the present and future corporate limits of the City of Argonia, Kansas, for the furnishing, transmission, distribution and sale of gas, whether artificial, natural, mixed or otherwise, for heating, domestic, industrial and other purposes, and for transmitting gas into, through and beyond said city.

**SECTION II**

The following rates are established for the sale of natural gas in the City of Argonia and will become effective upon publication.

From zero to the first 1,000 cubic feet, or any part thereof, per month, the price shall be figured using the following: The actual charge, plus the transportation charge, plus the KMGA fee, plus a markup of $3.25 for the month being billed by the gas company supplying gas to the City of Argonia. This amount shall be figured monthly with the billing prices going up or down each month.

For the next 29 MCF, or any part thereof, per month, the price shall be figured using the following: The actual charge, plus the transportation charge, plus the KMGA fee, plus a markup of $3.25 for the month being billed by the gas company supplying gas to the City of Argonia. This amount shall be figured monthly with the billing prices going up or down each month.

For any and all in excess of 30 MCF, or any part thereof, per month, the price shall be figured using the following: The actual charge, plus the transportation charge, plus the KMGA fee, plus a markup of $3.25 for the month being billed by the gas company supplying gas to the City of Argonia. This amount shall be figured monthly with the billing prices going up or down each month.

The monthly minimum charge shall be $20.00 for regular residential and commercial meters. The monthly minimum charge shall be $35.00 for large school and agricultural meters. These charges will be assessed as a monthly service charge on the utility billing.

**SECTION III**

The Governing Body of the City of Argonia is hereby authorized to provide by resolution such reasonable rules and regulations for the proper distribution and sale of gas and operations in connection therewith, and the City of Argonia shall have the right to enter the premises of consumer at all reasonable times to read meters, inspect pipes and appliances, disconnect and remove meters, and any other related purpose.

**SECTION IV**

1. Taps. The City shall make all taps from the gas mains and pipes of the City, install all service pipe from the mains to the property line, install all meters, and make all excavations in all streets and alleys. Installation of pipe from the property line to the home (yard line) shall be at the cost of the owner; costs shall be assessed per foot of line installed at the following rates:

(1) First 100 feet of line installed shall be **$15.00** per foot.

(2) From 100 feet and beyond of line installed shall be **$12.50** per foot.

B. Tap Fees. The following definitions shall apply:

(1) Tap - Any and all connections to the city’s main distribution line.

(2) Re-tap - To move a pre-existing tap for a specific address to a new location

at the same address in the city’s main distribution line and reattach

the connection; this includes capping the old tap.

All taps on plastic line shall be done by city maintenance and be charged a flat fee of $600.00 This includes excavating the main line, tapping the main line and any parts or materials needed to tap the main.

All taps on steel line shall be done by the gas certified contractor under contract with the City of Argonia, the costs incurred from the gas certified contractor will be passed on to the customer. This includes excavating the main line, tapping the main line and any parts or materials needed to tap the main. Any additional parts or materials utilized by city maintenance for the tap will be assessed in a separate bill from the gas certified contractor.

**SECTION V**

All consumers shall keep their own service pipes and apparatus in good repair at their expense, and no claim shall be made against the City by reason of any defect or leakage of any service pipes. All meters shall be furnished and installed by the City.

**SECTION VI**

The City reserves the right to discontinue service to any and all consumers, without notice, when the same is necessary for repair of the system or any part thereof or for the extension of the system by giving an 8-hour notice of such extension.

**SECTION VII**

1. Billing: All bills shall be mailed out on or around the twenty-fifth (25th) of every month for gas used in the preceding month. All bills are due and payable without penalty on the tenth (10th) of the next month. A penalty of 10% shall be added to all bills not paid on or before the 10th day of the month. If a utility bill has not been paid on or before the due date as provided in this chapter, a shut off notice, in the form of a door hanger, will be written and hung on the tenants door on the 11th of the month unless the date falls on a Saturday, Sunday or legal holiday, in which event such notice will be given the following business day which shall state that the tenant has 24 hours to pay the charges, or make arrangements by contacting the city offices. The notice shall state:

(1) The amount due, plus delinquency charge;

(2) The date in which services will be terminated and what time.

1. Disconnect and Reconnect Fees: All accounts shut off for non-payment shall be subject to a disconnect fee of $50.00 and a reconnect fee of $50.00 for a total of $100.00.
2. (1) If a customer or business requests and disconnect and reconnect for the non-use of any meter at the owned location, the disconnect fee of $25.00 and reconnect charge of $25.00 will be added to the first bill when service is reconnected per request. (Emergency shut offs will not be charged a disconnect or reconnect fee for temporary suspension of the service)
3. (2) If landlord of a rental property requests the gas to be temporarily disconnected for any amount of time between a tenant vacating the premises and a new tenant occupying a rental property, the fee of $25.00 to disconnect the service will be added to the expense of a landlord. The $25.00 of a reconnect fee will be added to the expense of the tenant. (Emergency shut offs will not be charged a disconnect or reconnect fee for temporary suspension of the service)

C. Reconnection of Service: Reconnections shall only be done during normal business hours Monday through Friday. A payment must be made prior to utilities being reconnected.

D. Hearing Process: If any customer believes that they have been disconnected or shut off unfairly they may request a hearing before the governing body of the City of Argonia. This hearing must be requested in writing within seven (7) days of being disconnected. The customer shall be notified if a special meeting is scheduled, otherwise all hearings will be held at the next regularly scheduled council meeting.

E. Deposit: Any person, firm or corporation desiring to receive gas from the gas system of the City shall file a written application with the City and at that same time deposit with the city; for a resident the sum of three-hundred dollars ($300.00); for a commercial customer the sum of five hundred dollars ($500.00) as security for the payment of bills for gas used before proper connection to the City of Argonia Gas System.

1. Deposits are returned after one full year of on time payments and no late payments during that period. Deposits are returned in January after at least one year of those non-missed payments. If the owner of the property can show on time payments (letter of credit) from their previous utilities on letterhead from the utility company the deposit will not be required.
2. If the person filing an application for services with the City and the applicant is a rental tenant of a property the deposit is required and no letter of credit will be accepted. The deposit stays with that said property until the renter moves out and either pays their last bill to receive the deposit back, or have the deposit applied to the account. If there is a refund due back to the tenant after the bill is paid in full the City of Argonia will mail a check to the new address the tenant provides with the City.

**SECTION VIII**

Any ordinances or parts thereof, are in conflict with the provisions of this ordinance is hereby repealed.

**SECTION VIII**

This ordinance shall take effect and be in force from and after its summary publication in the official newspaper of the City of Argonia, Kansas.

Adopted by the Governing Body on this 5th day of July, 2022.

[SEAL]

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Mayor, Rick Dolley

ATTEST:

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Tara Pierce, City Clerk