**ORDINANCE NO. 597**

**AN ORDINANCE PRESCRIBING RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE MUNICIPAL WATER SYSTEM OF THE CITY OF ARGONIA, KANSAS; ESTABLISHING RATES FOR THE USE OF WATER THEREFOR AND REGULATING THE SAME IN ALL RESPECTS.**

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

**SECTION I**

A. Service Connection. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the city abutting on any street, alley, or right-of-way in which there is now located or may in the future be located near public water mains, is hereby required at his or her own expense to make connection to such public water main.

B. Deposit. Any person, firm or corporation desiring to receive water from the water 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 one hundred ($100.00); for a commercial customer the sum of two hundred dollars ($200.00) as security for the payment of bills for water used before proper connection to the City of Argonia Water 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.

C. Taps and Fees. The following definitions shall apply:

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

All taps shall be given, street excavations made, pipes installed from main to curb, and the curb cock installed in a meter box to which the service pipe is to be connected by city employees only.

There shall be a curb cock in every service line attached to the city main, the same to be placed within the meter box. Curb cocks shall be supplied with strong and suitable “T” handles.

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.

This shall exclude those taps that are located within the boundaries of the Argonia Development, since they are covered by the Developer’s Agreement filed with the Sumner County Register of Deeds.

D. Meters. All water furnished to customers shall be metered. Meters shall be located between the sidewalk or property line and curbing when the main is in the street and on private property within three feet of the alley line when the main is in the alley. The city’s responsibility stops at the meter.

**SECTION II**

The city shall pay the customer simple interest at the rate set by the state per annum on all deposits put up to secure the payment of bills for water used. Upon disconnecting a customer’s service from the city water system, the deposit made by the customer with his application for service shall be first applied to the customer’s unpaid water bills, if any, and any balance remaining shall be refunded to the customer.

**SECTION III**

A. Billing: All bills shall be mailed out on or around the twenty-fifth (25th) of every month for water used in the preceding 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.

B. 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.

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; this amount shall be discussed and agreed upon between the customer and the City of Argonia.

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.

**SECTION IV**

1. Residential Customer Rates. The rate charges for water sold from the City water system shall be as follows:
2. A monthly service charge of: $32.00
3. First 40,000 gallons, per one-month period per 1,000 gallons shall be: $6.50
4. Any water usage over 40,000 gallons per one-month period shall be per 1,000 gallons shall be $7.71.
5. Commercial, Agriculture, School, or Business Rates. The rate charges for water sold from the City water system shall be as follows:
6. A monthly service charge of $35.00
7. First 40,000 gallons, per on-month period per 1,000 gallons shall be: $6.50

(3) Any water usage over 40,000 gallons per one-month period shall be per 1,000 gallons shall be $7.71.

**SECTION V**

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

**SECTION VI**

This ordinance shall take effect and be in full force after its passage and approval and after its publication (summary) in the official city newspaper, as provided by law.

Adopted by the Governing Body on this 13th day of May, 2023.

[SEAL]

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ATTEST:

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Tara Pierce, City Clerk