

BILL NO. 16-40

ORDINANCE NO. 4.368

AN ORDINANCE CORRECTING A TYPOGRAPHICAL ERROR IN ORDINANCE NO. 4.352 THAT AMENDED SECTION 6.110.570 OF THE CODE OF ORDINANCES OF THE CITY OF GLADSTONE, MISSOURI, LEVYING SEWER SERVICE CHARGES AND COMMODITY RATE CHARGES IN THE CITY.

WHEREAS, pursuant to Section 250.233 RSMo., notice of a public hearing regarding proposed sewer rate changes in the City was provided by newspaper publication; and

WHEREAS, on May 23, 2016, a public hearing was held on the proposed sewer rate changes; and

WHEREAS, information presented at the public hearing reflected the correct sewer rates but Bill No. 16-24, adopted as Ordinance No. 4.352 on May 23, 2016, contained a typographical error in the maximum sewer commodity charge for residential accounts with no acceptable history of winter water use; and

WHEREAS, the City Council desires to correct this typographical error as provided in this Ordinance.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

SECTION 1. Section 1 of Ordinance No. 4.352 amending Section 6.110.570 of the Code of Ordinances of the City of Gladstone, Missouri is hereby revised to correct a typographical error and read as follows:

Sec. 6.110.570 Sewer Service Charges and Commodity Charges.

There is hereby levied a charge against every person occupying property having a sewer connection with the city sewer system or having sewers available for connection, or otherwise, discharging sewage, industrial waste, water or other liquid into the city's sewer system, such charge to be used to pay the cost of operating, maintaining, repairing, or enlarging the existing or future sewer systems. Such charge is to be the sum of a monthly service charge and a commodity rate charge to be computed and levied as follows:

- (a) Domestic Users. For residential water service accounts (one and two-family residences), a monthly service charge and a commodity rate charge each as established in subsection (c) of this section, except, that for the billing periods April through December, the commodity rate charge shall be based upon the lesser of actual water used or an average of water used during the winter period of December, January, and February, billed in January, February, and March, such charges shall be payable with each bill rendered throughout the year. Where residential water service accounts do not

have an acceptable history of winter water use, the commodity rate charge for the period April through November shall be the commodity rate charge established in subsection (c) of this section, or forty-seven dollars and four cents (\$47.04) per monthly billing, whichever is the lesser.

(b) Commercial and Industrial Users. For commercial and industrial users (all persons and corporations other than the occupants of one and two-family residences), a monthly service charge and a commodity rate charge as established in subsection (c) of this section.

(c) Charges

- (1) A monthly service charge of twelve dollars and fifty cents (\$12.50).
- (2) A commodity rate charge based on the total volume of water purchased by the customer during the billing period of \$7.84 per 1,000 gallons.

SECTION 2. Effective Date. The corrected Sewer Service Charge and Commodity Rate Charges as set forth in this ordinance are effective May 23, 2016.

SECTION 3. Severability. The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

PASSED, SIGNED AND MADE EFFECTIVE BY THE COUNCIL OF THE CITY OF GLADSTONE, MISSOURI THIS 14TH DAY OF NOVEMBER, 2016.


Jean B. Moore, Mayor

Attest:


Ruth Bocchino, City Clerk

First Reading: November 14, 2016

Second Reading: November 14, 2016



***Department of Finance
Memorandum***

DATE: November 10, 2016

TO: Scott Wingerson

FROM: Debra Daily
Beth Saluzzi

RE: Correction to sewer rate ordinance

Bill No. 16-24, adopted in May as Ordinance 4.352, contained a typographical error concerning the maximum amount of the sewer commodity charge. This maximum amount should be \$47.04, as stated in the memo that accompanied Bill 16-24. The maximum charge is \$59.54 per month or \$47.04 commodity charge plus the \$12.50 monthly service charge. The attached will amend the sewer ordinance to reflect the correct maximum commodity charge for new customers who do not have enough history to calculate a true winter average. It does not affect the rates for established customers.