

ORDINANCE NUMBER 2019 - 09

AN ORDINANCE OF THE PULASKI COUNTY SEWER DISTRICT NUMBER 1 ESTABLISHING, RE-ESTABLISHING, APPROVING AND ADOPTING A FEE POLICY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, as permitted by Section 250.233 RSMo the District has established, and makes and collects charges for sewerage services, including tap-on fees, which permitted charges are in addition to those charges which may be levied and collected for maintenance, repair and administration, including debt service expenses; and

WHEREAS, Section 204.250 RSMo provides that the powers granted to a sewer district in Chapter 204 are so granted to allow a means to secure proper sanitary conditions for the preservation of the public health; and

WHEREAS, Section 250.240 RSMo provides that it is the purpose of Chapter 250 RSMo to enable sewer districts to protect the public health and welfare by preventing or abating the pollution of water and creating means for supplying wholesome water, and to these ends every such sewer district shall have the power to do all things necessary or convenient to carry out such purpose, in addition to any specific powers conferred in said chapter; and

WHEREAS, Section 204.320 RSMo provides that the Board of Trustees of a sewer district shall have the power to pass all necessary rules and regulations for the proper management and conduct of the business of the board of trustees, and of the district, and for carrying into effect the objects for which the district is formed; and

WHEREAS, Section 204.455 RSMo permits the District to impose a lien upon real property for unpaid and delinquent amounts for user charges, connection or sewer impact fees or other charges levied by the District; and

WHEREAS, Section 250.140 RSMo grants power to the District to sue in a civil action to recover any sums due for any sewerage services provided, plus a reasonable attorney's fee to be fixed by the court; and

WHEREAS, the Board of Trustees has determined that, to meet and fulfill the District's legal obligation to secure proper sanitary conditions for the preservation of the public health and to protect the public health and welfare by preventing or abating the pollution of water, and to bill and collect payment for rates and charges which have been fixed and maintained according to law for the use and services of a sewerage system, it is necessary to approve and adopt a policy for the imposition and collection of sewer connection fees and administrative fees.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE PULASKI COUNTY SEWER DISTRICT NUMBER 1 AS FOLLOWS:

Section 1. The Board of Trustees hereby approves, in form and content, the fee policy, attached hereto, incorporated herein, and made a part of the rules and regulations of the Pulaski County Sewer District Number 1.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

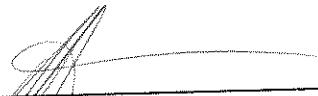
Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

First and Second Reading

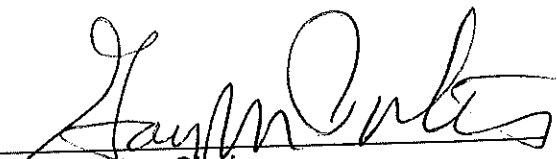
ROLL CALL VOTE:	AYE	NAY	ABSENT
GARY PORTER, Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CARL JENSEN, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOM MILLS, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LARRY HELMS, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RICK HARNE, Trustee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

READ TWO TIMES, PASSED AND APPROVED THIS 28th DAY OF MAY, 2019.

ATTEST:



Carl Jensen, Secretary



Gary Porter, Chairman

FEE POLICY
OF
PULASKI COUNTY SEWER DISTRICT NUMBER 1

- A. In addition to all other fees and charges required by this and/or any current and approved Ordinance or Policy of the District, a separate fee, known as a Sewer Extension Construction Permit Fee, shall be charged, in accordance with the following:
1. A Sewer Extension Construction Permit Fee shall be charged to ensure that the cost of a sewer extension and/or development of a sewage treatment plant for new development shall not burden existing customers.
 2. The Sewer Extension Construction Permit Fee shall be paid prior to a District Engineer proceeding with the plan review.
 3. Said Sewer Extension Construction Permit Fee shall be charged in accordance with the following fee schedule and in compliance with any and all applicable provisions of the Design and Construction Manual and:
 - \$150.00 for a sewer extension under 1,000 feet in length
 - \$350.00 for a sewer extension over 1,000 feet in length
 - \$750.00 for a sewage treatment plant having a design flow of 500,000 gpd.
 - \$1,750.00 for a sewage treatment plant having a design flow over 500,000 gpd.
 4. Application for extension and/or sewage treatment plant shall be made in full compliance with any then-existing Design and Construction Manual enacted by the District.
 5. If plan changes are necessary, or required, an additional fifty percent (50%) fee will be assessed to cover cost for a new review of the plans and specifications by District Engineer.
- B. In addition to all other fees and charges required by this and/or any current and approved Ordinance or Policy of the District, a separate fee, known as a Sewer Connection Fee, shall be charged, in accordance with the following:
1. A Sewer Connection Fee in the amount of \$1,500.00 shall be charged to ensure that existing Patrons are not unduly bearing the cost of providing wastewater treatment services to new connections. The amount of the Sewer Connection Fee shall be charged as \$1,000.00 towards a treatment plant upgrade and \$500.00 for the collection system extension.
 2. Said Sewer Connection Fee shall be charged for each Housing Unit or Single-Family Equivalent, whichever is greater, as determined by the District Engineer, applying the

provisions and standards set forth in the then applicable User Rate Ordinance based on the calculated Household Equivalent.

3. A Developer who has installed the collection system in a subdivision may, at the discretion of the Board of Trustees, have that portion of the Sewer Connection Fee waived. Such an agreement shall be made in writing before any connections are made. This waiver only applies to the Developer that installed the collection system and that paid for the District and Missouri DNR construction permits.
 4. The Sewer Connection Fee shall be due and payable upon connection to an existing water system, or, if no water system is readily available to the subject property, upon the connection of electricity to the subject property.
 5. If the Sewer Connection Fee payment in full is not made when due, then the entire unpaid balance shall bear interest at the rate of 18% per annum. Accounts that default are subject to the District's Collection Policy to include disconnection of water services.
 6. Application for sewer connection shall be made in full compliance with any then-existing Design and Construction Manual enacted by the District.
- C. In addition to all other fees and charges required by this and/or any current and approved Ordinance or Policy of the District, a separate fee, known as a Sewer Connection Permit Inspection Fee, shall be charged, in accordance with the following:
1. A Sewer Connection Inspection Fee in the amount of \$250.00 shall be charged to ensure that the cost of providing the additional administrative, staff, and equipment cost for the inspection service is not burdened to existing customers.
 2. The Sewer Connection Inspection Fee shall be paid prior to a District inspection being conducted. Current Certificates of Insurance in compliance with existing ordinances, rules and regulations of the District shall be on file with the Sewer District as well as a completed sewer tap permit agreement.
 3. Said Sewer Connection Inspection shall be charged for each Housing Unit or Single-Family Equivalent, whichever is greater, as determined by the District Engineer, applying the provisions and standards set forth in the then applicable User Rate Ordinance based on the calculated Household Equivalent.
 4. The Sewer Connection Inspection Fee shall be due and payable upon connection to an existing water system, or, if no water system is readily available to the subject property, upon the connection of electricity to the subject property.
 5. If the Sewer Connection Inspection Fee payment in full is not made when due, then the entire unpaid balance shall bear interest at the rate of 18% per annum. Accounts

that default are subject to the Districts Collection Policy to include disconnection of water services.

D. In addition to all other fees and charges required by this and/or any current and approved Ordinance or Policy of the District, a separate fee, known as an Operations & Maintenance Fee, shall be charged, in accordance with the following:

1. Sewer connection(s) shall comply with the specifications and instructions outlined in the District's Construction Design Manual. An additional \$500.00 Operation and Maintenance Fee shall be required for any pressure or small diameter variable grade collection systems.
2. The Operation and Maintenance Fee shall be paid prior to a District inspection being conducted. Current Certificates of Insurance in compliance with existing ordinances, rules and regulations of the District shall be on file with the Sewer District as well as a completed sewer tap permit agreement.
3. Said Operation and Maintenance Fee shall be charged for each Housing Unit or Single-Family Equivalent, whichever is greater, as determined by the District Engineer, applying the provisions and standards set forth in the then applicable User Rate Ordinance based on the calculated Household Equivalent.
4. The Operation and Maintenance Fee shall be due and payable upon connection to an existing water system, or, if no water system is readily available to the subject property, upon the connection of electricity to the subject property.
5. If the Operation and Maintenance Fee payment in full is not made when due, then the entire unpaid balance shall bear interest at the rate of 18% per annum. Accounts that default are subject to the Districts Collection Policy to include disconnection of water services.

E. In addition to all other fees and charges required by this and/or any current and approved Ordinance or Policy of the District, a separate fee, known as a Tank Waste Hauler Fee, shall be charged, in accordance with the following:

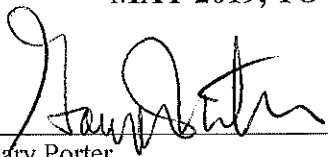
1. Septic tank waste haulers discharging septic tank waste at the Weeks Hollow WWTF septage receiving station shall pay to the District a fee of \$25.00 per 1,500 gallons of waste discharged.


F. In addition to all other fees and charges required by this and/or any current and approved Ordinance or Policy of the District, a separate fee, known as a Return Check Fee, shall be charged, in accordance with the following:

1. A fee in the amount of \$25.00 per occurrence for return check (including electronic versions), for any reason, will be assessed immediately upon receipt of notice from District financial institution.

- G. In addition to all other fees and charges required by this and/or any current and approved Ordinance or Policy of the District, payment of the following deposit and prorated user fees shall be required:
- H. A deposit in the amount of \$150.00 per Housing Unit shall be paid by any person or entity making application for services.
1. A deposit shall be charged for each Housing Unit or Single-Family Equivalent, whichever is greater, as determined by the District Engineer, applying the provisions and standards set forth in the then applicable User Rate Ordinance based on the calculated Household Equivalent; as an example, if a 12-unit apartment was connected to the District Facilities, the deposit would be \$1,800 (\$150.00 X 12 units).
 2. The deposit shall be refunded when services are terminated; provided, however, if an unpaid balance for services remains on an account at the time services are terminated, the deposit shall be paid toward any unpaid balance and only the unused portion of the deposit shall be refunded. Any portion of a deposit not utilized to pay an unpaid balance on an account may be transferred to another service account at a different location by a residential applicant who moves from one location to another within the District. The deposit will be applied to any monthly fee balance that is three months overdue or in which water disconnection has been requested by the district. No deposit will be available at termination if the deposit has been utilized to pay an overdue sewer fee.
 3. A payment for any prorated user fee services shall be provided as a part of the application process, to be calculated from the date the applying Patron began receiving services, for example the date water services were available.
- I. Applications for service shall be made in full compliance with any then-existing service application policy enacted by the District.

**APPROVED AND RESOLVED BY THE BOARD OF TRUSTEES OF THE
PULASKI COUNTY SEWER DISTRICT NUMBER 1 THIS 28th DAY OF
MAY 2019, TO BE EFFECTIVE IMMEDIATELY AS DESCRIBED.**


_____, Chairman
Gary Porter

ATTEST:

_____, Secretary
Carl Jensen