

ORDINANCE NO. 207-09

**AN ORDINANCE TO AMEND CHAPTER 62, ARTICLE III,
DIVISION 1, DIVISION 3, DIVISION 4 AND DIVISION 5 OF THE LUDINGTON
CITY CODE TO DEFINE THE TERM “INFLATION RATE”, TO ESTABLISH
NEW RATES FOR CERTAIN WATER AND SEWER CHARGES AND TO
REPEAL ALL ORDINANCES IN CONFLICT HEREWITH**

THE CITY OF LUDINGTON ORDAINS:

Section 1. Chapter 62, Article III, Division 1, Section 62-71 is hereby amended to read as follows:

Sec. 62-71. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Premises means each lot or parcel of land, building or premises having any connection to the city water distribution system or the city sewage disposal system.

Inflation rate shall have the meaning ascribed to it in Section 34d of the General Property Tax Act, 1893 P.A. 206, being MCL 211.34d, as amended, but for purposes of this Chapter 62, the inflation rate shall never be less than 1.

Section 2. Chapter 62, Article III, Division 3, Section 62-131 is hereby amended to read as follows:

Sec. 62-131. Consumption charges.

- (a) Commencing with the February 1, 2010 bill, the charges for water furnished to all consumers within the city shall be \$1.43 per 100 cubic feet used in each quarter.
- (b) Commencing January 1, 2011, and for each calendar year thereafter, the charges for water furnished to all consumers within the city shall be the rate charged for calendar year 2010 multiplied by the lesser of 1.04 or the inflation rate unless the City Council, not later than the 1st day of December preceding an increase in rates under this section, shall adopt a resolution suspending the planned increase for the ensuing calendar year. Not later than the 1st day of November preceding an increase in rates under this section, the City Manager will advise City Council of the

inflation rate for the ensuing year. The Clerk shall post and maintain on the city website and at the City Hall, the current rates for water services as determined in accordance with this section.

Section 3. Chapter 62, Article III, Division 3, Section 62-133 is hereby amended to read as follows:

Sec. 62-133. Services rates outside city.

(a) Commencing with the February 1, 2010 bill, the charges for water furnished outside the corporate limits of the city and not otherwise provided for in an intergovernmental agreement shall be \$2.63 per 100 cubic feet used in each quarter.

(b) Commencing with the February 1, 2010 bill, the charges for water furnished to the Charter Township of Pere Marquette, pursuant to the Restated Water and Sewer Agreement, dated November 30, 1983, shall be \$1.43 per 100 cubic feet used in each quarter.

(c) Commencing with the February 1, 2010 bill, the charges for water furnished to the City of Scottville pursuant to an Agreement dated June 16, 1975, shall be \$1.23 per 100 cubic feet used in each quarter.

(d) Commencing January 1, 2011 and for each calendar year thereafter, the rates called for in this section shall be the prior year's rate multiplied by the lesser of 1.04 or the inflation rate, unless the City Council, not later than the 1st day of December preceding an increase in rates under this section, shall adopt a resolution suspending the planned increase for the ensuing calendar year. Not later than the 1st day of November preceding an increase in rates under this section, the City Manager will advise City Council of the inflation rate for the ensuing year. The City Clerk shall post and maintain on the city website and at the City Hall, the current rates for water services as determined in accordance with this section.

Section 4. Chapter 62, Article III, Division 4, Section 62-168 is hereby amended to read as follows:

Sec. 62-168. Sewer Rates.

The rates to be charged for sanitary sewer service for all users of the system are fixed and determined to be a quarterly service charge plus a commodity charge as follows:

(1) Quarterly readiness to serve charge (based upon water meter size) shall be as follows:

<i>Meter Size (inches)</i>	<i>Charge per Quarter</i>
Less than 1	\$ 8.00
1	11.00
1 to 1-1/2	20.00
2	58.00
3	74.00
4	134.00
6	290.00

- (2) Commencing with the February 1, 2010 bill, commodity charges (sewage use will be based upon the quarterly metered water flow) shall be as follows:
- a. Per 100 cubic feet, \$1.60.
 - b. Residential properties served with a private water source using the city sewer system shall be assessed a flat rate of \$42.86 per quarter for each dwelling unit.
 - c. If a resident requests, the city will provide a second water meter for outdoor water usage for which no sewer charges shall be made, however, such meters shall be subject to normal charges for water and such additional meters shall be subject to applicable meter connection or disconnection charges as provided by this Code.
- (3) Commencing with the February 1, 2010 bill, the sewer rate charged to non-city residents whose sewage flows directly into the city's wastewater treatment plant pursuant to an intergovernmental agreement shall be \$1.01 per 100 cubic feet.
- (4) Commencing with the February 1, 2010 bill, the rates for services furnished by the sewage disposal plant and system to users outside the corporate limits of the city and not covered by an intergovernmental agreement or by subsection (3) above shall be \$3.08 per 100 cubic feet used in each quarter.
- (5) The rates described in (2), (3) and (4) above shall be increased on January 1, 2011 and for each calendar year thereafter by multiplying the prior year's rate times the lesser of 1.04 or the inflation rate unless the City Council, not later than the 1st day of December preceding an increase in rates under this section, shall adopt a resolution suspending the planned increase for the ensuing calendar year. Not later than the 1st day of November preceding an increase in rates under this section, the City Manager will advise City Council of the inflation rate for the ensuing year. The City Clerk shall post and maintain on the city website and at the City Hall, the current rates for sewer services as determined in accordance with this section.

Section 5. Chapter 62, Article III, Division 4, Section 62-169 is hereby amended to read as follows:

Sec. 62-169. Tap charge.

A tap charge of \$500.00 plus time at the city's then prevailing rates for labor and material costs shall be made when it becomes necessary to make a connection with the user's premises.

Section 6. Chapter 62, Article III, Division 5, Section 62-198 is hereby amended to read as follows:

Sec. 62-198. Water connection fees.

When it becomes necessary to make a connection or reconnection with the user's premises to a water main, a charge shall be made according to the following schedule:

(1) New taps.

The following charges apply, regardless of the size of the main:

1.	1" Tap	\$345.00
2.	1.5" Tap	\$400.00
3.	2" Tap	\$430.00
4.	Greater than 2" Tap	\$550.00

(2) Replacement taps.

The following charges apply, regardless of the size of the main:

1.	1" Tap	\$250.00
2.	1.5" Tap	\$300.00
3.	2" Tap	\$350.00
4.	Greater than 2" Tap	\$450.00

(3) Labor and material.

All fees provided for in this section shall be in addition to time at the city's then prevailing rates for labor and material costs.

Section 7. Repeal all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. This ordinance shall be become effective 20 days after its adoption and publication as required by the city charter.

Dated: _____

Deborah L. Luskin
City Clerk