

ORDINANCE NUMBER 1844

THIS ORDINANCE ESTABLISHES THE RATE TO BE CHARGED FOR WATER AND SEWER USAGE, BOTH RESIDENTIAL AND COMMERCIAL/INDUSTRIAL, AND TO REPEAL ANY ORDINANCE, REGULATION OR RESOLUTION INCONSISTENT HEREWITH.

Section I Introduction

Whereas, it is in the public interest to protect the health, safety and welfare of the citizens of the City of Talladega, Alabama by maintaining a safe and efficient water and sewer system within the corporate limits and the police jurisdiction of the City of Talladega;

Now, Therefore, be it ordained and enacted by the City Council of the City of Talladega, Alabama, as follows:

Section II Water and Sewer Rates

<u>Consumption</u>	<u>Water Rates</u>	<u>Sewer Rates</u>
<u>Residential Rates Inside City Limits</u>		
0-3000 gallons (Minimum)	\$15.66	\$16.66
Per 1000 gallons in excess of minimum	\$ 3.76	\$ 3.76
<u>Commercial Rates Inside City Limits</u>		
Minimum	\$24.39	\$25.39
Plus Per 100 gallons	\$ 0.40	\$ 0.40
<u>Large Commercial Rates Inside City Limits</u> (customers with a water line size of 10 inches or larger)		
Minimum	\$29.42	\$30.42
Plus per 1000 gallons	\$ 6.10	\$ 6.10
<u>Residential Rates Outside City Limits</u>		
0-3000 gallons (Minimum)	\$19.56	\$20.56
Per 1000 gallons in excess of minimum	\$ 4.69	\$ 4.69
<u>Commercial Rates Outside City Limits</u>		
Minimum	\$30.54	\$31.54
Plus Per 100 gallons	\$ 0.51	\$ 0.51
<u>Large Commercial Rates Outside City Limits</u> (customers with a water line size of 10 inches or larger)		
Minimum	\$37.23	\$38.23
Plus per 1000 gallons	\$ 7.68	\$ 7.68

Section III CPI Adjustment

Notwithstanding the published rate schedule hereinabove, the rate for any amount of water and/or sewer used in excess of the amount in the base rate will be reviewed and adjusted annually to reflect increases in the Consumer Price Index for All Urban Consumers, South Region, for all items, published by the United States Department of Labor on its website at <http://www.bls.gov/cpi>. The adjustment will be effective on the first day of the month following the publication of the CPI-U by the United States Department of Labor for the South Region 12-month percent change, after each one-year anniversary of the Effective Date, the Effective Date for the purpose of this paragraph being September 1, 2019. By way of example only, if the Effective Date is September 1, 2019, the adjustment would be effective on October 1, 2019, following publication of the CPI-U on or before September 30, 2019. The Rate Fee for water consumption and sewer usage in excess of the Minimum Rate will be multiplied by the percent increase in the CPI-U during each subsequent twelve-month period to determine the rate to be applied to the volume of water and sewer used by the customer.

Section IV Utility Service Use Tax

There is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, an excise tax on the storage, use, or other consumption of domestic water supplied by the City of Talladega. The term “domestic water” is all water except water that is sold to persons for use or consumption in industrial processes and not primarily for human consumption. The amount of the tax shall be determined by the application of rates against the sales price of such services in the City of Talladega and its police jurisdiction. The tax shall be computed monthly in accordance with the following table:

If the total sales price of the utility services furnished by a utility and stored, used, or otherwise consumed by a person in one month is:	The tax with respect to the utility service is:
Not over \$40,000.00	4% of the sales price
\$40,000.00 but not over \$60,000.00	\$1,600.00 plus 3% of excess over \$40,000.00
Over \$60,000.00	\$2,200.00 plus 2% of excess over \$60,000.00

Section V Additional Charges

Turn on service deposit fee:	\$50.00 to \$100.00 (based on credit check for non-owners and businesses)
Connection fee:	\$20.00
Late/delinquent fee:	\$10.00
Sewer impact fee:	Additional \$1.00 per 1000 gallons used for customers located outside of the city limits or customers on special sewer lines/pumping stations
After hours charge	\$30.00
Cut-off valve replacement	\$50.00
Broken lock	\$30.00
Returned check fee	\$26.00
Authorized use of fire hydrant	\$30.00 plus the cost of water
Unauthorized use of fire hydrant	\$100.00

Meter tampering fee for any customer whose service has been tampered with in the following manner: meter lock broken; meter dial damaged or disconnected; meter lock removed; meter broken; meter stolen; unauthorized connection inserted; or any unauthorized water usage:

First occurrence:	\$100.00
Second occurrence:	\$200.00
Each occurrence after second occurrence:	\$500.00

Section VI Penalties

Theft of water service occurs when any customer re-connects water service in any manner after the City of Talladega Water and Sewer Department has disconnected the water service. In addition to the amount of the delinquent bill, a reconnection fee and meter tampering fee shall be due before water service will be reconnected.

Theft of water service occurs when someone knowingly and intentionally makes an illegal physical connection to the water system for the purpose of receiving water service in their home or business, or when any person knowingly has water service in their home or business without notifying the Talladega Water and Sewer Department.

In addition, a person commits the crime of theft of services and may be prosecuted if:

- (1) That person intentionally obtains services known by the person to be available only for compensation by deception, threat, false token or other means to avoid payment for the services; or
- (2) Having control over the disposition of services of others to which the person is not entitled, that person knowingly diverts those services to his/her own benefit or to the benefit of another not entitled thereto.

Section VII Severability

The provisions of this ordinance are severable. If any provision, section, paragraph, sentence, or part thereof or the application thereof to any person or thing shall be held unconstitutional or invalid by any court of competent jurisdiction, such holding shall not affect or impair the remainder of this ordinance or the remaining persons or things to which it applies, it being the legislative intent to enact each provision, section, sentence, paragraph, and part hereof, and the application thereof, separately and severally from each other.

Section VIII Repeal of inconsistent Ordinances

All ordinances, resolutions and/or regulations inconsistent with this ordinance are hereby repealed.

Adoption and Effective Date

This Ordinance shall take effect immediately upon its passage and publication as provided by law.

ADOPTED AND APPROVED this the 5th day of November, 2018.

Council President Horace Patterson
Councilman Jarvis Elston
Councilman David Street
Councilman Ricky Simpson
Councilman Gerald Cooper
City Manager Elizabeth Cheeks

Attested to: Joanna Medlen, Acting City Clerk