

ORDINANCE NUMBER 1889

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.

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**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 and the surrounding areas;

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**

**Beginning August 1, 2021 until and including December 31, 2021 the water and sewer rates shall be as follows:**

<u>Consumption</u>	<u>Water Rates</u>	<u>Sewer Rates</u>
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Residential Rates Inside City Limits

0-2000 gallons (Minimum)	\$17.43	\$18.50
Per 1000 gallons in excess of minimum	\$4.18	\$4.18

Commercial Rates Inside City Limits

Base Rate	\$27.13	\$28.21
Per 100 gallons	\$0.441	\$0.441

Large Commercial Rates Inside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$32.73	\$33.81
Per 1000 gallons	\$6.78	\$6.78

Residential Rates Outside City Limits

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0-2000 gallons (Minimum)	\$21.76	\$22.83
Per 1000 gallons in excess of minimum	\$5.21	\$5.21

Commercial Rates Outside City Limits

Base Rate	\$33.98	\$35.06
Per 100 gallons	\$0.570	\$0.570

Large Commercial Rates Outside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$41.42	\$42.49
Per 1000 gallons	\$8.55	\$8.55

**Beginning January 1, 2022 until and including September 30, 2022 the water and sewer rates shall be as follows:**

<u>Consumption</u>	<u>Water Rates</u>	<u>Sewer Rates</u>
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Residential Rates Inside City Limits

0-2000 gallons (Minimum)	\$18.73	\$19.89
Per 1000 gallons in excess of minimum	\$4.50	\$4.50

Commercial Rates Inside City Limits

Base Rate	\$29.17	\$30.32
Per 100 gallons	\$0.474	\$0.474

Large Commercial Rates Inside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$35.19	\$36.34
Per 1000 gallons	\$7.29	\$7.29

Residential Rates Outside City Limits

0-2000 gallons (Minimum)	\$23.39	\$24.55
Per 1000 gallons in excess of minimum	\$5.60	\$5.60

Commercial Rates Outside City Limits

Base Rate	\$36.53	\$37.68
Per 100 gallons	\$0.612	\$0.612

Large Commercial Rates Outside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$44.53	\$45.68
Per 1000 gallons	\$9.19	\$9.19

**Beginning October 1, 2022 until and including September 30, 2023 the water and sewer rates shall be as follows:**

<u>Consumption</u>	<u>Water Rates</u>	<u>Sewer Rates</u>
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Residential Rates Inside City Limits

0-2000 gallons (Minimum)	\$19.67	\$20.88
Per 1000 gallons in excess of minimum	\$4.72	\$4.72

Commercial Rates Inside City Limits

Base Rate	\$30.63	\$31.84
Per 100 gallons	\$0.497	\$0.497

Large Commercial Rates Inside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$36.95	\$38.16
Per 1000 gallons	\$7.66	\$7.66

Residential Rates Outside City Limits

0-2000 gallons (Minimum)	\$24.56	\$25.77
Per 1000 gallons in excess of minimum	\$5.89	\$5.89

Commercial Rates Outside City Limits

Base Rate	\$38.36	\$39.57
Per 100 gallons	\$0.643	\$0.643

Large Commercial Rates Outside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$46.75	\$47.97
Per 1000 gallons	\$9.65	\$9.65

**Beginning October 1, 2023 until and including September 30, 2024 the water and sewer rates shall be as follows:**

<u>Consumption</u>	<u>Water Rates</u>	<u>Sewer Rates</u>
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Residential Rates Inside City Limits

0-2000 gallons (Minimum)	\$20.65	\$21.93
Per 1000 gallons in excess of minimum	\$4.96	\$4.96

Commercial Rates Inside City Limits

Base Rate	\$32.16	\$33.43
Per 100 gallons	\$0.522	\$0.522

Large Commercial Rates Inside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$38.80	\$40.07
Per 1000 gallons	\$8.04	\$8.04

Residential Rates Outside City Limits

0-2000 gallons (Minimum)	\$25.79	\$27.06
Per 1000 gallons in excess of minimum	\$6.18	\$6.18

Commercial Rates Outside City Limits

Base Rate	\$40.27	\$41.55
Per 100 gallons	\$0.675	\$0.675

Large Commercial Rates Outside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$49.09	\$50.36
Per 1000 gallons	\$10.13	\$10.13

**Beginning October 1, 2024 until and including September 30, 2025 the water and sewer rates shall be as follows:**

<u>Consumption</u>	<u>Water Rates</u>	<u>Sewer Rates</u>
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Residential Rates Inside City Limits

0-2000 gallons (Minimum)	\$21.69	\$23.02
Per 1000 gallons in excess of minimum	\$5.20	\$5.20

Commercial Rates Inside City Limits

Base Rate	\$33.77	\$35.10
Per 100 gallons	\$0.548	\$0.548

Large Commercial Rates Inside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$40.74	\$42.07
Per 1000 gallons	\$8.44	\$8.44

Residential Rates Outside City Limits

0-2000 gallons (Minimum)	\$27.08	\$28.41
Per 1000 gallons in excess of minimum	\$6.49	\$6.49

Commercial Rates Outside City Limits

Base Rate	\$42.29	\$43.63
Per 100 gallons	\$0.709	\$0.709

Large Commercial Rates Outside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$51.54	\$52.88
Per 1000 gallons	\$10.64	\$10.64

**Beginning October 1, 2025 until and continuing thereafter the water and sewer rates shall be as follows:**

<u>Consumption</u>	<u>Water Rates</u>	<u>Sewer Rates</u>
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Residential Rates Inside City Limits

0-2000 gallons (Minimum)	\$22.77	\$24.17
Per 1000 gallons in excess of minimum	\$5.46	\$5.46

Commercial Rates Inside City Limits

Base Rate	\$35.45	\$36.86
Per 100 gallons	\$0.576	\$0.576

Large Commercial Rates Inside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$42.77	\$44.18
Per 1000 gallons	\$8.86	\$8.86

Residential Rates Outside City Limits

0-2000 gallons (Minimum)	\$28.43	\$29.84
Per 1000 gallons in excess	\$6.81	\$6.81

Commercial Rates Outside City Limits

Base Rate	\$44.40	\$45.81
Per 100 gallons	\$0.744	\$0.744

Large Commercial Rates Outside City Limits (customers with a water line size of 10 inches or larger)

Base Rate	\$54.12	\$55.53
Per 1000 gallons	\$11.17	\$11.17

**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 minimum rate will be reviewed and may be 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>. Any such increase in rates as a result of changes to CPI shall be implemented by the Water & Sewer Department Manager after consultation with the City Manager regarding the same. 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 October 1, 2021. By way of example only, if the Effective Date is October 1, 2021, the adjustment would be effective on October 1, 2022, following publication of the CPI-U on or before September 30, 2022. 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
Over \$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
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**

Upon adoption, this ordinance repeals Ordinance No. 1844 and all ordinances, resolutions and/or regulations inconsistent therewith except as the same shall provide for water and sewer rates and rate changes for periods prior to August 1, 2021.

## **Adoption and Effective Date**

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

**ADOPTED and APPROVED** this the 19<sup>th</sup> day of July, 2021.

Council President Betty C. Spratlin

Councilman Horace Patterson

Council Member Vickey Hall

Councilman Joe Power

Councilman Trae Williams

City Manager Seddrick Hill

**Attested to : Joanna Medlen, City Clerk**