

CHAPTER 115 - - Rates and Fees

115.010. Sewer Billing Accounts and Specified Procedures.

1. Class A Residential Users. Refers to residential single family units.

A. New Class A Residential Users shall be charged based on the *actual water used* for the first three months of service. After the first three months, the user will be charged according to the average of the first three months for the remainder of the billing year.

B. A new resident may submit documents from their *previous water company* showing accurate water meter readings for the months of October through March of the most current year. After review and determination of the authenticity of the documents, the Sewer Superintendent may waive the charge as determined under Subsection A above. The user will then be charged according to the six-month average as determined by the documents from the Water District for the remainder of the billing year.

C. The monthly sewer bill will be mailed to the owner of the property.

2. Class B Residential Users. Refers to Multi-family units and Mobile/Manufactured Home Parks.

A. The monthly sewer bill will be mailed to the owner of the property.

3. Class A Commercial Users. Refers to all commercial users that use on average less than 6,000 gallons of water per month, during the immediate proceeding January, February and March.

A. New Class A Commercial Users shall be charged based on the average monthly water usage during the months of January, February and March. If the user has not established a January, February and March average, the user will be charged for actual water consumption until an average can be determined during a January, February and March period.

B. The monthly sewer bill for Class A Commercial Users will be mailed to the tenant.

4. Class B Commercial Users. Refers to all commercial users that use on average more than 6,000 gallons of water per month, during the immediate proceeding January, February and March.

A. The monthly sewer bill for Class B Commercial Sewer Users will be mailed to the tenant.

5. Master Metered Customers. Refers to all sewer users whereby more than one unit is served by one water meter.

A. Master Metered Customers will be billed as follows: Basic monthly user's fee, times the number of units, plus the additional charge for each one thousand gallons of water used per month. Water consumption will be divided by the number of occupied units to determine usage.

B. The monthly sewer bill for Master Metered Customers will be mailed to the property owner or his agent.

6. Multiple Metered Customers. Refers to all sewer users whereby only one unit is served by more than one water meter.

A. Multiple Metered Customers will be billed as follows: Basic monthly user's fee, times the number of units, plus the additional charge for each one thousand gallons of water used per month.

B. The monthly sewer bill for Multiple Metered Customers will be mailed to the property owner or his agent.

115.020. Delinquent sewer accounts.

1. All bills for sewer services shall become delinquent if payment is not received by the 15th day of each month.

2. A charge of \$5 will be added to such bill for each month thereafter that payment is not made. The above mentioned charge will aide in the recoupment of costs associated with the processing of late notices.

3. If such charges become delinquent, pursuant to Section 250.234, RSMo (1986), such charges may become a lien upon any land within the corporate limits of the City of Holts Summit upon filing with the Recorder of Deeds for Callaway County, Missouri, a notice of said delinquency by the Board of Aldermen. Any such lien may be enforced by suit or foreclosure. If a lien is filed against the property, all costs associated with the lien shall be included in the cost of reconnection. Additionally, the City may discontinue sewer service to any user for nonpayment of a delinquent account.

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4. A delinquent notice will be sent to all accounts not paid by the 15th day of the month. The delinquent notice will be mailed to the owner of the property as well as the tenant, if applicable. The notice will notify the owner, and tenant when applicable, that the property will be physically disconnected from the municipal sewer system if payment in full is not received by 10 a.m. on the sixteenth of the following month. If payment in full is not received by 10 a.m. on the sixteenth of the following month, the City may proceed with disconnect procedures. Payment in full is defined as the total balance due on the sixteenth day of the month following the delinquent notice, and includes all charges, dispatch fees and monthly usage fees owed to the City as of that date. A delinquent account must be paid by cash, cashiers check, credit card or money order only.

15.030. Disconnect of service for nonpayment of fees, and reconnection of sewer service.

1. The City shall give at least five (5) calendar days' written notice of the intent to disconnect by mail to such user at such user's billing address. The delinquent notice shall serve as such notice if mailed at least five (5) calendar days' prior to the scheduled disconnect date. Service of notice is complete upon mailing.

2. If physical disconnection cannot be made due to circumstances beyond the control of the City, a lien against the property will be filed with the County per Section 115.020.3.

3. A fee of Fifty Dollars (\$50.00) shall be charged when a City employee or contractor is dispatched to disconnect sewer service for nonpayment of fees, regardless of whether the user then pays to prevent such physical disconnection.

4. A fee equal to the actual cost to the City shall be charged when it is necessary to physically disconnect sewer services.

5. A reconnection fee shall be levied on the account equal to the actual costs of reconnection.

6. If sewer service is discontinued for nonpayment of a bill, service shall not be reconnected prior to payment of all applicable fees, penalties, and charges for service. No person other than a City official, or such person as may be duly appointed or authorized by such city official, shall reconnect the service. The property owner, as well as any person found tampering with a disconnect apparatus shall be held liable for damages caused to the disconnect apparatus. Removal of the disconnect apparatus is a violation of the City Code and shall be referred to the Municipal Prosecutor for appropriate action. **Ord. #1227 (1-8-01)**

7. In addition to disconnection, the City shall have the right to institute a legal proceeding to collect the account debt against either the occupant or owner of the premises receiving such service as provided in Section 115.040. All collection costs, including legal expenses, shall be borne by the account debtor.

115.040. Real estate owner jointly responsible for payment of sewer service fees. In accordance with Section 250.140 RSMo. (1986), sewage services shall be deemed to be

furnished to both the occupant and owner of the premises receiving such service and the City of Holts Summit shall have the power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services, plus a reasonable attorney's fee to be fixed by the court.

115.050. Deposit of fees in sewer fund. All sewer service fees collected by the City pursuant to the schedule listed above, shall be deposited and maintained in the City's sewer fund and shall be kept and maintained separately from other City funds; and, until otherwise directed by the Board of Aldermen, all costs and expenses incurred by the City in connection with the operation and maintenance of its sewer system and the retirement of the City's sewer revenue bonds shall be paid out of the City's sewer fund.

115.060. Establishment of schedule of sewer service fees. The Board of Aldermen hereby determines in order to properly provide for the retirement of all sewer revenue bond indebtedness, and the operation and maintenance of, and an operating reserve for, the sewer system of the City of Holts Summit, Missouri, it is necessary to establish a schedule of sewer service fees. The Board of Aldermen hereby determines that the sewer service fee schedule listed below will provide for the retirement of said bond indebtedness and the operation and maintenance of the City's sewer system, and will establish an adequate operating reserve therefore. In the event a residence or business is occupied for a portion of a month by one user, and then occupied for the remainder of the month by a different user, each user shall pay for the number of days they occupied the building for that portion of that month.

The owner or tenant has the option of installing a water meter, at his or her own cost, to monitor the amount of water usage for that residence or business. The customer will then be billed according to the rates of Section 115.060.1. The Board of Aldermen, therefore, hereby establishes the sewer service fees set forth and described below and hereby authorizes and directs the city treasurer and the city sewer billing clerk to bill and collect all such sewer service fees in accordance with these fees:

All numbers are rounded to the nearest 1,000 gallons water used. If the water read indicates a usage of 499 gallons, the number shall revert to the lowest 1,000 gallons water used. If the water read shows a usage of 500 or more gallons, the number shall be rounded to the next 1,000 gallons water used.

1. Sewer Rate Schedule

A. Basic Monthly Connection Fee (Ord. No. 2362 12-09-2013)

Effective Date	Basic Monthly Connection Fee
Current	\$20.91 per month
April 1, 2014	\$21.56 per month
April 1, 2015	\$22.21 per month
April 1, 2016	\$22.86 per month
April 1, 2017	\$23.51 per month
April 1, 2018	\$23.51 per month

Revision dates: Ord. 1948 (04-27-09); Ord. 2362 (09-12-13);

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B. Monthly User Fee (Ord. No. 2362 09-2013)

<u>Effective Date</u>	<u>Monthly User Fee</u>
Current	\$4.12 per 1000 gallons of water used per month.
April 1, 2014	\$4.53 per 1000 gallons of water used per month.
April 1, 2015	\$4.65 per 1000 gallons of water used per month.
April 1, 2016	\$4.79 per 1000 gallons of water used per month.
April 1, 2017	\$4.93 per 1000 gallons of water used per month.
April 1, 2018	\$5.08 per 1000 gallons of water used per month.

Revision dates: Ord. 1948 (04-27-09); Ord. 2362 (09-12-13);

2. Class A Residential Users.

A. The basic monthly connection fee shall be charged per month regardless of water consumption for any Class A Residential user using sewer service during any month or portion thereof, plus an additional the additional monthly user fee charged for each one thousand (1,000) gallons of water used per month.

B. In the event that a Class A Residential User's residence is vacant and no sewage is actually discharged into the City's sewer system during any portion of any month, the owner of such residential property shall nevertheless be obligated to pay to the City a basic monthly connection fee to compensate the City for the fixed costs associated with providing the sewage collection and treatment capacity necessary to service such residential property, provided that such Class A Residential User's property has a building sewer line which is physically connected to the City's municipal sewer system at any time during any portion of any such month.

C. For Class A Residential User's, monthly user charges will be based on average monthly water usage during the months of January, February and March. If a Class A Residential User has not established a January, February and March average, or if such user does not have a water meter, his monthly user charge shall be the median charge of all other Class A Residential User's, except as otherwise provided in Section 115.050. (Ord No. 2006 1-11-2010)

3. Class B Residential Users.

A. The basic monthly connection fee shall be charged per dwelling unit per month, with the definition of dwelling unit including, but not limited to, any mobile/manufactured home pad, which has a sewer connection available to it whether or not a mobile/manufactured home is located on such pad. A mobile/manufactured home pad shall be deemed to not have a sewer connection available to it only after any sewer line connecting such pad to another sewer main or line has been removed.

B. In addition to the basic monthly connection fee there shall be charged a monthly user fee per thousand gallons of water used per month.

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C. The basic monthly connection fee and additional monthly user fee shall be calculated on the basis of water usage for multiple-family units.

D. The basic monthly connection fee and additional monthly user fee shall be calculated on the basis of outflow for mobile/manufactured homes, where such outflow metering exists. The City may but is not obligated to, install outflow meters for the purpose of measuring wastewater discharged into the municipal sewer system. For mobile/manufactured home users where the City has not installed an outflow meter the amount discharged into the municipal sewer system shall be deemed to be equal to the user's water usage for that month. (Ord No. 2006 1-11-2010)

4. Commercial and all other customers not covered above. The following user's fees and charges shall be imposed:

A. Basic monthly connection fee - In the event that a commercial building is vacant and no sewage is actually discharged into the City's sewer system during any portion of any month, the owner of such commercial building shall nevertheless be obligated to pay to the City a basic monthly connection fee to compensate the City for the fixed costs associated with providing the sewage collection and treatment capacity necessary to service such commercial building provided that such commercial building has a building sewer line which is physically connected to the City's municipal sewer system at any item during any portion of any such month.

B. Additional monthly user fee - The monthly user fee for each one thousand (1,000) gallons of water used in that month. Each month, numbers are rounded to the nearest 1,000 gallons water used.

C. Additional charge for sewage waste with biochemical oxygen demand (BOD) exceeding 250 mg/l - Twelve Cents (\$0.12) per pound per month.

The establishment of additional charges for excess BOD and TSS does not relieve any user from meeting all requirements for users under Chapter 113 of the Holts Summit, Missouri, City Code, including, but not limited to, the requirements pertaining to BOD and TSS as established in Section 113.135 through Section 113.210. That user shall be responsible for all measurements, tests, and analyses of the characteristics of its water and waste and such measurements, tests and analyses shall be carried out in accordance with Section 113.165. The users responsibility, including cost responsibility, for carrying out all necessary measurements, tests, and analyses does not diminish or restrict the authority of the sewer superintendent and other duly authorized employees or representatives of the City to inspect and

verify the user's testings in accordance with Section 113.180 of the Holts Summit, Missouri, City Code and any other applicable provision. (Ord No. 2006 1-11-2010)

5. Construction and inspection fee:

- A. Residential and commercial services: Fifty Dollars (\$50)
- B. Establishments producing industrial waste: One Hundred Dollars (\$100)

6. Fair-share sewer system cost recovery fee: The following fees shall be imposed on all new connections to the public sewer system of the City of Holts Summit, Missouri:

A. Residential. Six Hundred Dollars (\$600) per customer connection.

B. Mobile/manufactured Homes per pad and Multiple-family Units per dwelling unit. Four Hundred Dollars (\$400) per mobile/manufactured home pad or dwelling unit.

C. Industrial Users. The fair-share sewer system cost recovery fee for industrial users shall be negotiated and agreed upon by such industrial user and the City of Holts Summit, Missouri, but in no event shall such fee be less than Twelve Hundred Dollars (\$1200) per industrial user connection. All industrial users must receive prior approval from the Missouri Department of Natural Resources (MoDNR) for heavy concentrations of waste proposed to be introduced into the City's public sewer system.

D. Commercial and all other customers not covered above. Twelve Hundred Dollars (\$1200) per connection. In the event that the customer makes modifications or constructs additional facilities which cause an increase in the ultimate waste discharge design capacity of customer's facility, an additional fair-share sewer system cost recovery fee shall be paid based upon the amount of such increase in discharge capacity, which additional fee shall be determined by multiplying the sum of Two Dollars (\$2.00) times the number of gallons of additional daily design waste discharge capacity.

7. Payment of fees: The construction and inspection fees, fair share sewer maintenance costs, sewer capital recovery costs for subdividers, and sewer capital recovery costs for additional connections to existing collector lines, set forth and described above, shall be paid at the time an application for a connection permit is submitted to the City in accordance with the provisions and requirements of Ordinance No. 262 of the City of Holts Summit, Missouri. In no event shall any connection to the City sanitary sewer system be made unless and until payment of said fees and costs have been made. The owner of all houses, buildings, or

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properties used for human residence, employment, recreation, or other purposes, situated within the City, that is connected to the municipal sewer system by the City because of the construction of a new sewer main, is required to pay the fair-share sewer system cost recovery fee as stated in Section 115.050.5, within sixty (60) days after date of official notice to do so.

115.070. **RESERVED**

(Section 115.070 formerly “Developer Reimbursement for Construction Cost” which was previously established by Ord#1768 was deleted in its entirety and designated as “Reserved” by Ord #2383; 2014-01-27)

115.080. Additional charge for disposal of hauled waste into a City lagoon. The purpose of this Sub-section is to allow for the disposal of waste that is generated from an on-site sewer system, during the close out of the particular system. The disposal of such waste shall be done under the supervision of the Sewer Superintendent or his agent.

1. The Sewer Superintendent shall direct the process of disposal (times site, amount allowed) and may refuse disposal at his discretion. The Sewer Superintendent or his agent must be notified a minimum of twenty-four (24) hours in advance of any proposed hauling and disposal.

2. The owner of the property of the on-site system being discharged is responsible, including cost responsibility, for all tests, measurements, and analyses. This responsibility does not diminish or restrict the authority of the Sewer Superintendent and other duly authorized employees or representatives of the City to inspect and verify the testing. This cost shall be in addition to the charge for the disposal of hauled waste.

3. The Sewer Superintendent will figure the gallons discharged by determining the size of the waste unit tank, through measurement and calculation.

A. The additional charge for the disposal of hauled waste shall be 3.5 cents per gallon.

4. Additional charges will apply for biochemical oxygen demand (BOD) and total suspended solids (TSS) as set out in Section 115.060.3.c.

5. If an on-site system is decommissioned due to construction by the City of Holts Summit, the resident may discharge waste from a septic tank or lagoon into the Holts Summit sanitary sewer system at no charge to the resident.

115.090 Connections outside corporate limits restricted. Exceptions.

1. No property shall be connected to the municipal sewer system, nor shall the Sewer Superintendent permit any such connection, unless:

- A. said property is wholly within the city boundaries, or
- B. the owners sign an irrevocable agreement, binding on their successors and assigns, to be annexed without objection should the City seek to annex the property, or
- C. the property is exempt as provided in Subsection E, below.

2. The provisions of subsection 1(B) of this section notwithstanding, The Sewer Superintendent may refuse to issue a permit to connect to the City wastewater system for a property outside the city boundaries where the Sewer Superintendent believes that it is not in the City's best interest. The Sewer Superintendent shall make a full report stating his findings and recommendations.

3. Connections to properties outside the city boundaries which existed prior to the enactment of this section may be maintained, however such connections may not be expanded nor may any additional connections be added.

4. Nothing in this section shall require the City to allow a connection to the City system where, in the opinion of the Sewer Superintendent such connection would exceed the capacity of the existing collection or treatment system, where such connection would be detrimental to the system or any part thereof, or where such connection would otherwise be disallowed.

5. Exception:

A. If the property is, or is part of, a platted subdivision which plat had been finally approved prior to December 31st, 2011, an annexation will not be required.

B. Connections to properties outside the city boundaries which existed prior to December 31st, 2011, may be maintained, subject to the other provisions of the Code

C. Lots which are not in a platted subdivision, and which were connected as of December 31st, 2011, will not be required to sign an annexation agreement. If a non-platted lot is subdivided a signed agreement will be required, except that any newly created parcel which contains a structure that had been actually connected prior to the lot split will be exempt.

D. If a platted subdivision is replatted, the replatted portions will be treated as a new subdivision. **Ord. # 2181 (12-12-2011)**