

## TOWN OF DUBACH

### ORDINANCE NO. 404 (Amendment)

AN ORDINANCE OF THE TOWN OF DUBACH TO REPEAL ITS EXISTING ORDINANCE AND ADOPT A NEW ORDINANCE ESTABLISHING SEWER RATES

WHEREAS, the Town of Dubach owns and operates a Wastewater Treatment Plant for the processing of sewage and wastewater collected within the Town of Dubach;

WHEREAS, there have been repairs necessitated within the Wastewater Treatment Plant and that have increased the net operating costs of the plant and additional repairs and expansion are necessary to provide services to the Town;

WHEREAS, the Town's sewer rates have not been increased in many years such that the current rates are insufficient to cover the operating costs of the systems or meet the requirements to allow Town to borrow money and/or issue bonds for additional Town service projects;

WHEREAS, the Town of Dubach desires to bring sewer systems into compliance and expand and improve the services it provides to its citizens;

NOW THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Dubach that its prior Sewer Use Ordinance is hereby repealed and replaced in its entirety and the following Ordinance Number is adopted to read as follows:

#### Section 5. Rates for Sewer Service

- a. The rates for Sewer Service have been established in accordance with EPA guidelines and requirements to maintain the Wastewater Treatment Plant in compliance and to comply with existing bond rate covenants. The Sewer Service rates and charges shall be used defray the administrative costs, operational costs, maintenance costs, and repair and replacement costs of the sewer treatment facilities and the sewer collection system; to defray existing and any future debt service incurred to improve, repair and/or maintain the sewer treatment facilities and collection system. Transfers to the general and/or other fund shall be limited to reimbursement for funds actually transferred to or advanced to the sewer treatment facilities and the sewer collection system from one of the other funds.
- b. Effective for services rendered as of November 01, 2020, the rates and charges for the use of the wastewater services of the Town, for each and every residence, commercial or industrial establishment now or hereafter connected to the

the Town's treatment facilities shall be in accordance with this ordinance.

- c. Unless specified herein or otherwise approved by the Town Council, sewer service rates shall be based upon water consumption as determined by the water meter or by gallonage as measured by a flow meter installed at the owner's expense on the system.
- d. For all residential users located within the Town limits of Dubach, the sewer service base rate shall be \$15.50 for the first 2,000 gallons or less of wastewater discharge plus an additional user rate of \$3.50 per 1,000 gallon in excess of 2,000 gallons.
- e. For all large multi-residential complex users located within the Town limits of Dubach, the sewer service base rate shall be \$420.00 base rate plus a user rate of \$3.50 per 1,000 gallons usage.
- f. For all commercial users located within the Town limits of Dubach, the sewer service base rate shall be \$15.50 for the first 2,000 gallons or less of wastewater discharge plus an additional user rate of \$3.50 per 1,000 gallon in excess of 2,000 gallons.
- g. For all residential users located outside the Town limits of Dubach, the sewer service base rate shall be \$20.00 for the first 2,000 gallons or less of wastewater discharge plus an additional user rate of \$3.50 per 1,000 gallon in excess of 2,000 gallons.
- h. For all commercial users located outside the Town limits of Dubach, the sewer service base rate shall be \$25.00 for the first 2,000 gallons or less of wastewater discharge plus an additional user rate of \$2.00 per 1,000 gallon in excess of 2,000 gallons.
- i. Industrial users may be established based on size and type of industry but shall not be any less than commercial user rates.
- j. All residential users not billed for water usage by the Town, shall pay a sewer use charge equal to their respective base rate plus \$5.00.
- k. All commercial users not billed for water usage by the Town, shall pay a sewer use charge equal to their respective base rate plus \$5.00.
- l. Annual adjustment. The sewer service base rate and additional user charge shall be reviewed annually by the Public Works Department and others designated by the Mayor. On or before November 1, 2021 and every year thereafter, the Public

Works Department and others designated by the Mayor shall make a report made to the Town Council and Mayor regarding the Wastewater Treatment Plant and sewer collection system revenues and expenses for the previous year. Thereafter, the Mayor shall automatically order an increase or decrease of sewer rates effective the first day of January of each year whenever the ratio of revenue to expenses in effect changes; provided, that no annual adjustment of sewer rates shall go beyond or below the percentage increase or decrease in the Consumer Price Index (CPI) of the Bureau of Labor Statistics changes for the previous calendar year.

- m. The Town retains the right to make adjustments in the individual customer sewer bills where water rates have been adjusted due to broken water lines, tampered or broken meters, or other circumstances which generate inaccurate measurements of water consumption which result in an inaccurate measurement of sewage.
- n. Upon obtaining proper permits from Louisiana Department of Environmental Quality and any other federal and/or state agency waste from septic tank cleaning trucks shall be permitted at the Town treatment plant or at a point so designated by the Public Works Department. The charge per truck would be twenty-five dollars (\$25.00) for loads less than fifteen hundred (1,500) gallons of septic tank pumping's delivered to the Town sewer treatment plant. An additional fee of \$5.00 per 1,000 gallons shall be charged for each load over 1,500 gallons.
- o. All sewer service base rates and additional user charges shall be billed monthly and paid by the deadline set forth in the bill. Disconnection of water service to customers may be made by the Town if satisfactory payment of a bill is not received by the Town by the cutoff date established in the bill or other date as determined by resolution of the Town Council.
- p. Deposits for sewer services will be required when water service is not provided by the Town of Dubach to ensure prompt payment of same. Deposits shall be: \$50.00 for residential property owners, \$75.00 for residential property renters, \$500 for large multi-residential complexes, and \$100. for commercial and small industrial properties. Deposits and charges required on large industrial customers and any other type of customer shall be set by the Mayor based on the recommendation of the Public Works Department and the estimated monthly use of water. The amount of the deposit, without interest, will be refunded to the customer upon final discontinuance of service and after all indebtedness of the customer to the Town has been paid. The Town shall have the right to apply the deposit at any time to satisfy an indebtedness to the Town as result of sewer service
- q. Additional fees. There shall be a fee of \$25.00 charged for each check or automated clearing house (electronic) bank draft which is unpayable due to

If any provision or item of the Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this Ordinance which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this Ordinance are hereby declared severable.

This Ordinance shall become effective after its promulgation all in the manner and form prescribed by law.

This Ordinance was duly introduced, published in accordance with law, and then duly read and adopted by the following votes:

3 YEAS    0 NAYS    2 ABSENT    0 ABSTAIN.

This ordinance amendment was adopted on the 29<sup>th</sup> day of September, 2020 and presented to the Mayor for her signature on the 29<sup>th</sup> day of September, 2020 (which is less than 3 days from the date the ordinance was adopted).

  
TOWN CLERK

Approved by the Mayor on this 29<sup>th</sup> day of September, 2020.

\_\_\_\_\_  
MAYOR