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BURLEY, CASSIA, IDAHO
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Index to: ORDINANCE

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BEFORE THE MAYOR AND CITY COUNCIL FOR THE CITY OF ALBION, IDAHO

ORDINANCE No. 2019-04-01

AN ORDINANCE OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AMENDING ALBION CITY CODE TITLE 7, CHAPTER 6, SECTION 19 REPEAL LANGUAGE SETTING OLDER DATES TO LEVY WATER USER FEES; REPEALING WATER GALLONAGE USAGE RATE CHARGES; AMENDING EXCESS GALLONAGE LIMIT FOR CHARGE OF USER RATE FEES; PROVIDING AMENDMENT THAT WATER USAGE RATES FOR EXCESS GALLONAGE USE WILL BE SET BY RESOLUTION OF THE CITY COUNCIL; AND AMENDING LANGUAGE TO CLARIFY RATE REVIEW BY CITY COUNCIL; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Council conduct regular review of city ordinances and policies; and

WHEREAS, in the process of such review, the Mayor and City Council have determined that setting and changing rates and fees in ordinance process is unwieldy and unnecessarily expensive; and

WHEREAS, the Mayor and the City Council have determined to change ordinance language to reflect the more easily managed process of setting and changing fees, as is from time to time necessary, by the resolution process;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ALBION, CASSIA COUNTY, IDAHO, AS FOLLOWS:

Section 1. That Title 7 Chapter 6, Section 19 Monthly Water User Fees regulations be amended as follows, with repealed language being shown with "strike through" and added language being "underlined", to-wit:

7-6-19: MONTHLY WATER USER FEES:

(A) General: Each water user shall be levied a monthly water user fee for the privilege of utilizing water from the City water system. This water user fee shall be levied on all users of the water to cover the actual or estimated cost of operation, maintenance, updating, replacement, and financing of the City's water system facilities. All water users and property owners shall be levied a water user fee ~~beginning October 1, 1992 with their first payment being due November 15, 1992 for the first month of service.~~ Billings will be levied regularly after October 1992 at intervals set by the City Council, but no more often than monthly.

The actual monthly water user fee to be billed to each property owner or customer shall be determined by the addition of the calculated monthly base rate fee and the calculated monthly water usage fee. A description of the base rate fee and water usage fees to be assessed by this ordinance shall be described in the subsequent paragraphs of this Section 19.

(B) Base Rate Fees: The monthly water base rate fees for each user shall be established by resolution of the City Council. [*Amended September 7, 2001, Ordinance 2001-10-1*]

Where a user has been granted permission by the City to have more than one service line installed to his/her contiguous property, he/she shall only be assessed one monthly base rate fee. The sum total of water used on all lines servicing the property shall be added to calculate the water usage fees set hereafter.

(C) Water Usage Fees: In addition to the monthly base rate fee as defined and provided for above in Paragraph (B), and as hereafter set by Resolution of the City Council, and beginning on ~~April 1, 2006~~ March 5, 2019, each water user shall be charged a monthly water usage rate that will be calculated by multiplying the number of gallons of water used each month from the meter readings in excess of ~~25,000~~ 150,000 gallons times a gallonage charge. The gallonage charge shall be that rate per 1,000 gallons of water used and shall be ~~as follows:~~ established by resolution of the City Council.

~~.20~~ per 1000 gallons in excess of ~~25,000~~ gallons up to ~~150,000~~ gallons per month usage;
and

~~\$2.40~~ per 1000 gallons in excess of ~~150,000~~ gallons per month usage.
~~_____~~ [*amended Ordinance 2006-09-1*]

(D) Review and Revision of Rates: The water user base rate and usage fees shall, ~~as a minimum,~~ be reviewed by the City Council, from time to time, ~~annually~~ and when required, shall be updated by Resolution Ordinance of the City Council to reflect actual costs of operation, maintenance, updating, replacement, and financing of the water system.

Any revisions of the user connection and usage fees shall be based on actual operation, maintenance, updating, replacement, and financing expenses, and/or on significant changes in the total number of equivalent users and/or the total daily flow. All changes in user charges, fees and rates applicable to this Ordinance shall be computed by the methods outlined herein.

(E) User Request for Rate Change: Any water user, who feels his user charge is unjust and inequitable as applied to his premises within the spirit and intent of the foregoing provisions, may make written application to the City requesting a review of his user charge. Said written request shall, where necessary, show the actual or estimated average flow water in comparison with the values upon which the charge is based, including how the measurements or estimates were made. Any flow measurements shall be approved in detail by the City and/or its engineer. Review of the request by the City shall determine if it is substantiated or not, including recommended further study of the matter for the City and/or user by a registered professional engineer.

Section 2. This ordinance shall take effect and be in full force from and after its required reading, passage, approval and publication.

Section 3. The members of the City Council, by motion and vote and pursuant to Idaho Code § 50-902, waived and dispensed with the requirement of three (3) separate readings of this Ordinance, by title and in full. Therefore, this ordinance shall take effect and be in full force from and after its first and only reading, passage, approval and publication.

PASSED this 2nd day of April, 2019, by the City Council of the City of Albion, Idaho.

APPROVED this 2nd day of April, 2019, by the Mayor of the City of Albion, Idaho.

City of Albion, Idaho

ATTEST:

By:


Isaac Loveland, Mayor


Mary Yeaman, City Clerk

CERTIFICATION

I, Mary Yeaman, the duly appointed Clerk for the City of Albion, Idaho do hereby certify that the foregoing document is a true and correct copy of Ordinance No. 2019-04-01, adopted by the Mayor and City Council of Albion, Idaho, on the 2nd day of April, 2019 and that the original of said document is in my possession as part of the permanent minutes of the City Council of the City of Albion, Idaho.

Dated this 2nd day of April, 2019.

Clerk of the City of Albion, Idaho



Mary Yeaman, Clerk

SUMMARY OF ORDINANCE NO. 2019-04-01
City of Albion, Idaho

This is the summary of City of Albion ordinance 2019-04-01 amending Albion City Code Title 7, Chapter 6, Section 19 repealing language setting older dates to levy water user fees; repealing water gallonage usage rate charges; amending excess gallonage limit for charge of user rate fees; providing amendment that water usage rates for excess gallonage use will be set by resolution of the city council; and amending language to clarify rate review by city council; and setting an effective date.

The full text of City of Albion Ordinance No. 2019-04-01 is available at the City Office, 225 South Main, Albion, Idaho. A copy of the full ordinance will also be provided to any citizen, upon personal request during usual City business hours as posted at the City Office, excepting City recognized holidays.

This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

DATED this 2nd day of April, 2019.

City of Albion

By:


Isaac Loveland, Mayor

ATTEST:

By:


Mary Yeaman, Clerk