

**AN ORDINANCE AMENDING, MODIFYING AND REENACTING ARTICLE 925 OF THE CODIFIED ORDINANCES OF THE TOWN OF STAR CITY FOR THE PURPOSE OF INCREASING SEWER RATES.**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE TOWN OF STAR CITY, MONONGALIA COUNTY, WEST VIRGINIA, THAT ARTICLE 925 OF THE CODIFIED ORDINANCES OF THE TOWN OF STAR CITY BE AMENDED, MODIFIED AND REENACTED AS FOLLOWS:**

ARTICLE 925  
Sewers

- 925.01 "User" defined.
- 925.02 Privies prohibited.
- 925.03 Septic systems prohibited.
- 925.04 Sewer connection permit required: fees.
- 925.05 Enforcement.
- 925.06 Owner and user jointly liable; delinquent payment.
- 925.07 Monthly rates; minimum charges; delinquent penalty.
- 925.08 Billing and collection.
- 925.09 Charges for those not using water service.
- 925.10 Disposition of funds.
- 925.11 Failure to pay.
- 925.12 Leak adjustment.

CROSS REFERENCES

Power to regulate utility systems - see W.Va. Code 8-12-5(32)

Sewer connection - see W.Va. Code 8-18-22

925.01 "USER" DEFINED.

When used in Articles 925 or 929 the term "user" includes any person within the town who subscribes to the water service of the Town water system.

(Passed 3-15-16)

925.02 PRIVIES PROHIBITED.

(a) All outside privies within the corporate limits are declared a nuisance and a hazard to the health, comfort, and wellbeing of the public.

(b) No person shall allow any outside privy to remain upon his property, where there is a sanitary sewer available for connection to the sanitary sewer system. All residences, public places and buildings occupied by one or more people shall be required to have an inside toilet of the water flushed type, wherever sewer connections are available.

(c) Any person who has existing such outside privies or is without inside toilets where sewers are available shall be given a reasonable notice for the removal of such privies and installation of such water flushed type closets as may be deemed sufficient by Council, not to exceed thirty days.

(d) Any person who fails to abide by and perform the requirements as directed by Council and who violates any of the provisions of this section shall be guilty of a misdemeanor, punishable as provided in Section 101.99.

(Passed 3-15-16)

#### 925.03 SEPTIC SYSTEMS PROHIBITED.

No septic system shall be installed within the Town limits, and no building permits shall be issued wherein the sewage of any new or existing structure shall be handled by a septic or like system.

(Passed 3-15-16)

#### 925.04 SEWER CONNECTION PERMIT REQUIRED: FEES.

(a) No person shall make a sewer connection with any Town-owned sewer without having made an application for a permit for the same.

(1) Residents or businesses of the Town shall pay a fee of seven hundred dollars (\$700.00) to the Town for making such connection and receive a permit authorizing the work to be done.

(2) Residents or businesses outside the Town shall pay a fee of seven hundred dollars (\$700.00) to the Town for making such connection and receive a permit authorizing the work to be done.

(b) Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, punishable in Section 101.99.

(Passed 3-15-16.)

#### 925.05 ENFORCEMENT.

Council shall have the right to make and promulgate from time-to-time suitable regulations governing the service herein and hereby provided, the making of statements of accounts, the collection thereof and other proper and appropriate regulations as it may deem proper or necessary for the enforcement of Articles 925 and 929.

(Passed 3-15-16)

#### 925.06 OWNER AND USER JOINTLY LIABLE; DELINQUENT PAYMENT.

Whenever any rates, rentals or charges for services or facilities furnished shall remain unpaid for a period of thirty days after the same shall become due and payable, the property and the owner thereof, as well as the user of the services and facilities, shall be delinquent until such time as all such rates and charges are fully paid. The Town water system collecting such charges shall be obligated, under reasonable rules and regulations, to shut off and discontinue both water and sewer services to all delinquent users of either water facilities or sewer facilities, or both, and shall not restore either water facilities or

sewer facilities to any delinquent user of either until all delinquent charges for both water facilities and sewer facilities, including reasonable interest and penalty charges, have been paid in full.

(Passed 6-11-62; 7-6-64)

925.07 MONTHLY RATES; MINIMUM CHARGES; DELINQUENT PENALTY.

There are hereby imposed, levied, and assessed upon each user of the essential and special service of sewerage and sewage disposal within and without the corporate limits the following charges and rates based upon the consumption of water from the Town water system.

(a) Schedule No. 1. Effective July 1, 2016.

General, domestic, commercial, and industrial service where water is supplied through meters five-eighths inch or larger in size:

0 - 2,000 gallons	\$13.71 (minimum charge)
2,000 – 50,000 gallons	\$6.11 per thousand gallons
Over 50, 000 gallons	\$5.28 per 1,000 gallons

(b) Minimum Charge:

		Equivalent Gallons
5/8-inch meter	\$13.71	2,000
1-inch meter	\$27.29	5,000
2-inch meter	\$113.59	16,000
4-inch meter	\$181.78	50,000

(c) Schedule No. 2. Effective July 1, 2022.

0 – 2,000 gallons	\$9.46 per 1,000 gallons (\$18.92 minimum charge)
2,000 – 50,000 gallons	\$8.43 per 1,000 gallons
Over 50,000 gallons	\$7.29 per 1,000 gallons

(d) Minimum Charge:

		Equivalent Gallons
5/8-inch meter	\$18.92	2,000 (minimum)
3/4-inch meter	\$27.35	3,000
1-inch meter	\$44.21	5,000
1 1/2-inch meter	\$86.36	10,000
2-inch meter	\$136.94	16,000
3-inch meter	\$254.96	30,000
4-inch meter	\$423.56	50,000

6-inch meter	\$957.19	123,200
8-inch meter	\$1,595.79	210,800

(e) Schedule No. 2. Effective July 1, 2023.

0 – 2,000 gallons	\$9.74 per 1,000 gallons (\$19.48 minimum charge)
2,000 – 50,000 gallons	\$8.68 per 1,000 gallons
Over 50,000 gallons	\$7.51 per 1,000 gallons

(f) Minimum Charge:

		Equivalent Gallons
5/8-inch meter	\$19.48	2,000 (minimum)
3/4-inch meter	\$28.16	3,000
1-inch meter	\$45.52	5,000
1 1/2-inch meter	\$88.92	10,000
2-inch meter	\$141.00	16,000
3-inch meter	\$262.52	30,000
4-inch meter	\$436.12	50,000
6-inch meter	\$985.85	123,200
8-inch meter	\$1,643.73	210,800

(g) Schedule No. 2. Effective July 1, 2024.

0 – 2,000 gallons	\$10.03 per 1,000 gallons (\$20.06 minimum charge)
2,000 – 50,000 gallons	\$8.94 per 1,000 gallons
Over 50,000 gallons	\$7.74 per 1,000 gallons

(h) Minimum Charge:

		Equivalent Gallons
5/8-inch meter	\$20.06	2,000 (minimum)
3/4-inch meter	\$29.00	3,000
1-inch meter	\$46.88	5,000
1 1/2-inch meter	\$91.58	10,000
2-inch meter	\$145.22	16,000
3-inch meter	\$270.38	30,000
4-inch meter	\$449.18	50,000
6-inch meter	\$1,015.75	123,200
8-inch meter	\$1,693.77	210,800

(i) Schedule No. 2. Effective July 1, 2025.

0 – 2,000 gallons	\$10.33 per 1,000 gallons (\$20.66 minimum charge)
2,000 – 50,000 gallons	\$9.21 per 1,000 gallons
Over 50,000 gallons	\$7.97 per 1,000 gallons

(j) Minimum Charge:

		Equivalent Gallons
5/8-inch meter	\$20.66	2,000 (minimum)
3/4-inch meter	\$29.87	3,000
1-inch meter	\$48.29	5,000
1 1/2-inch meter	\$94.34	10,000
2-inch meter	\$149.60	16,000
3-inch meter	\$278.54	30,000
4-inch meter	\$462.74	50,000
6-inch meter	\$1,046.15	123,200
8-inch meter	\$1,744.32	210,800

(Passed 4/19/22)

(k) Delayed Payment Penalty. Ten percent (10%) is to be added to the total amount of the sewer charge if the bill is not paid within ten days following the date rendered. (Passed 4/19/2022)

#### 925.08 BILLING AND COLLECTION.

(a) The rates, fees and rentals imposed, levied, and assessed pursuant to this article shall be collected by the Town water system. The amount due from each user of water shall be placed upon the water bill or statement to each user of water service of the Town water system, and the sum so due from each user shall be collected by such water system and shall be remitted by it and accounted for each month to the Recorder of the Town. Such monthly accounting shall be made on or before the last day of each month following the month in which such rates, fees and rentals are collected. Council shall reimburse and pay to the Town water system, for its services in the billing and collection of such rates, fees and rentals, an amount not to exceed the actual cost of the services so rendered by the water system in the billing, collection, and remittance to the Town of the rates, fees and rentals provided for in this article.

(b) The rates, fees and rentals imposed, levied, and assessed pursuant to this article shall be regularly levied, collected and assessed as herein provided, either upon a monthly or quarterly basis as the case may be.

(Passed 3-15-16)

#### 925.09 CHARGES FOR THOSE NOT USING WATER SERVICE.

(a) Any person residing within or without the corporate limits who is not a subscriber to the water service of the Town water system and who, if he were such a subscriber, could be classified as a general domestic, commercial and industrial user of such water service shall enter into an agreement with the Town, to be approved by Council, which agreement shall fix the charges and the time and method of payment for the sewer fees to be paid by such person for the use of the sewer system of the Town outside the corporate limits thereof.

(b) It appearing to Council that certain of the users of the sewerage and sewage disposal facilities and system of the Town are not residents of or citizens of the Town, but live outside the corporate limits thereof and/or are not subscribers to the water services of the Town water system, but nonetheless it appearing that such persons are users of the essential and special service of sewerage and sewage disposal and of the facilities provided by the Town and that it is proper that each of such users, as users of such service, should pay the same rates, fees and charges as set forth in Section 925.07.

(Passed 3-15-16)

#### 925.10 DISPOSITION OF FUNDS.

The funds received from the collections of the rates, fees and rentals herein provided for shall be used only for the continuance, maintenance, installation, or improvement of the essential or special service of sewerage and sewage disposal within the Town, and no part of such collections shall be used for any other Municipal purpose.

(Passed 3-15-16)

#### 925.11 FAILURE TO PAY.

(a) No person shall refuse to pay the rates, fees or rentals provided for herein or for any person to aid or abet to avoid the payment of such fees or rentals imposed by this article.

(b) The rates, fees and rentals imposed, levied and assessed by this article shall be in addition to all other licenses and taxes levied by law or by the Codified Ordinances or other ordinances of the Town, and the payment thereof shall be a condition precedent to the use and enjoyment of the sewerage and sewage disposal system and/or facilities as the same may be continued, maintained, installed or improved within the Town and outside the Town in territory adjacent thereto, and shall be a condition precedent to the enjoyment of such essential or special service or the use thereof. The rates, fees and rentals imposed, levied, and assessed by this article shall be a debt due the Town from each such user of such service and may be collected in a civil action before any court having jurisdiction thereof under State law.

(Passed 3-15-16)

#### 925.12 LEAK ADJUSTMENT.

Whenever a bill for service reflects unusual consumption, which can be attributed to eligible leakage on the customer's side of the meter, the following rate(s) per one thousand (1,000) gallons (or portion thereof) shall be applied to all consumption above the customer's historical usage. Leaking commodes, dripping faucets, malfunctioning

appliances and similar situations shall not constitute leaks which entitle the customer to a recalculated bill.

(a) Schedule No. 1. Effective July 1, 2022.

Five dollars and eighty-two cents (\$5.82) per thousand gallons (or portion thereof.)

(b) Schedule No. 2. Effective July 1, 2023.

Five dollars and ninety-nine cents (\$5.99) per thousand gallons (or portion thereof.)

(c) Schedule No. 3. Effective July 1, 2024.

Six dollars and seventeen cents (\$6.17) per thousand gallons (or portion thereof.)

(d) Schedule No. 4. Effective July 1, 2025.

Six dollars and thirty-six cents (\$6.36) per thousand gallons (or portion thereof.)

(Passed 4/19/22)

**This Ordinance shall be effective 45 days from the date of adoption.**

**1<sup>st</sup> Reading** \_\_\_\_\_

**2<sup>nd</sup> Reading** \_\_\_\_\_

**Adopted** \_\_\_\_\_

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Recorder**