

AN ORDINANCE AMENDING SECTION 114-41 WATER RATES AND SECTION 114-44 SEWER RATES OF THE CODE OF ORDINANCES OF THE CITY OF OXFORD, MISSISSIPPI, TO ADJUST THE WATER AND SEWER RATES INSIDE AND OUTSIDE THE CORPORATE LIMITS

An Ordinance authorizing the City of Oxford to adopt and establish certain water and sewer rates.

WHEREAS, pursuant to Section 21-17-5(1) of the Mississippi Code (1972) the Mayor and Board of Aldermen have the power to adopt any orders, resolutions or ordinances with respect to municipal affairs, property and finances which are not inconsistent with the Mississippi Constitution of 1890, the Mississippi Code from 1972 or any other Statute or Law of the State of Mississippi, and

WHEREAS, pursuant to Section 21-27-23(d) of the Mississippi Code (1972) the Mayor and Board of Aldermen have the authority to own, operate and maintain a water and sewer system for the City of Oxford; and

WHEREAS, pursuant to Section 21-27-23(e) of the Mississippi Code (1972) the Mayor and Board of Aldermen have broad authority to establish, maintain and collect rates for the facilities and services offered by the systems provided by the City of Oxford; and

WHEREAS, the City of Oxford has received recommendations from the Oxford Public Works Department regarding rate changes and amendment necessary for the operation, improvement and expansion of the City water and sewer system; and

WHEREAS, current rates for water and sewer generate insufficient income to operate the water and sewer systems, given the costs of current demands and recent improvements to certain services; and

WHEREAS, the Mayor and Board of Aldermen intend to file a Notice of Intent to Change Rates for service in the City's certificated area with the Mississippi Public Service Commission ("MPSC") for authority to increase the water and sewer rates for customers who are located more than one (1) mile outside of the City limits; and

WHEREAS, the Mayor and Board of Aldermen find that it is in the best interest of the citizens of the City of Oxford to adopt and establish the water and sewer rates to be charged to customers thereof as follows:

WATER

Inside the City:

Minimum Charge: \$7.10
Over 2,000 gallons: \$3.55 per thousand gallons

Outside the City:

Minimum Charge: \$9.74
Over 2,000 gallons: \$4.87 per thousand gallons

SEWER

Inside the City:

Minimum Charge: \$9.44
Over 2,000 gallons: \$4.72 per thousand gallons

Outside the City:

Minimum Charge: \$10.94
Over 2,000 gallons: \$5.47 per thousand gallons

NON-METERED CUSTOMERS

For customers on a sewer or water system which is either 1) not metered or 2) metered but which meter readings are not accessible to the City, a flat rate of \$27.35 per month shall be charged for sewer and a flat rate of \$24.30 per month shall be charged for water. The City may install meters and charge these customers metered rates when feasible.

FORMER BELL UTILITIES OF MISSISSIPPI, LLC

In addition to the rates above, City customers lying outside the City limits and within the areas described in the MPSC- Lafayette County Certificates of Public Convenience and Necessity formerly held by Bell Utilities of Mississippi, LLC, shall continue to be charged the same additional monthly fee as is currently applied, as set out in amended Sections 114-41 (d) and 114-44 (d) below.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF OXFORD, MISSISSIPPI:

Section 1. That Section 114-41 Water Rates is hereby amended to read as follows:

Section 114-41. Water Rates.

- (a) *Inside city limits.* Inside the city limits the monthly water rate shall be \$3.55 per 1,000 gallons over 2,000 gallons. The minimum charge shall be \$7.10 per month per occupied residential unit connected to the meter, unless otherwise provided for by this Code. The minimum charge for business, commercial or industrial units shall be \$7.10 per month for each meter.
- (b) *Outside city limits.* Consumers residing outside the city limits using water furnished by the city shall pay the monthly rate of \$4.87 per 1,000 gallons over 2,000 gallons. The minimum charge shall be \$9.74 per month.
- (c) *Non-metered customers.* For customers on a water system which is either (1) not metered or (2) metered but which meter readings are not accessible to the city, a flat rate of \$24.30 per month shall be charged for water. The city may install meters and charge these customers metered rates when feasible.
- (d) *Bell Utilities service areas.* In addition to the rates above, water system customers lying outside the city limits, but within the areas described in and which were held by Bell Utilities of Mississippi, LLC's MPSC-Lafayette County Certificates of Public Convenience

and Necessity, shall be charged one additional monthly fee per water utility bill as follows: Water customers with monthly water usage metered at under 3,000 gallons shall be charged a \$4.00 monthly fee. Water customers with a monthly water usage metered at 3,000 gallons and above shall be charged a \$6.00 monthly fee. Non-metered customers shall be charged a \$6.00 monthly fee. The charge reflects the costs of maintenance, including replacement of the water works and retirement of existing debt related to the systems.

(e) *Annual review.* The city will annually review all water rates as part of the yearly budget process.

Section 2. That Section 114-44 Sewer Rates is hereby amended to read as follows:

Section 114-44. Sewer Rates.

(a) *Inside city limits.* Inside the city limits, the monthly volumetric charge for sanitary sewer service shall be \$4.72 per 1,000 gallons over 2,000 gallons. The minimum monthly charge shall be \$9.44.

(b) *Outside city limits.* Outside the city limits, the monthly volumetric charge for sanitary sewer service shall be \$5.47 per 1,000 gallons over 2,000. The minimum monthly charge shall be \$10.94.

(c) *Non-metered customers.* For customers on a sewer system which is either (1) not metered or (2) metered but which meter readings are not accessible to the city, a flat rate of \$27.35 per month shall be charged for sewer. The city may install meters and charge these customers metered rates when feasible.

(d) *Bell Utilities service areas.* In addition to the rates above, sewer customers lying outside the city limits, but within the areas described in and which were held by Bell Utilities of Mississippi, LLC's MPSC-Lafayette County Certificates of Public Convenience and Necessity, shall be charged one additional \$6.00 fee monthly per sewer utility bill. The charge reflects the costs of maintenance, including replacement of the sewer works and retirement of existing debt related to the systems.

(e) *Review of sewer rates.* The city will annually review sewer rates as part of the yearly budget process.

Section 3. Repealing Clause.

All ordinances or parts of ordinances in conflict herewith shall be, and the same are hereby repealed.

Section 4. Effective Date.

This Ordinance shall take effect for areas inside the City and up to one (1) mile outside the City as soon as such Ordinance would ordinarily be effective pursuant to State law, and shall not be delayed by awaiting PSC approval for areas more than one (1) mile outside the City. The City of Oxford hereby gives notice of its intent to petition the Mississippi Public Service Commission for approval of the increase in the water and sewer rates for customers who are located more than one (1) mile outside the City limits, and this Ordinance shall take effect for these areas as provided by law.

Section 5. Publication.

This Ordinance shall be published as prescribed by law.

Section 6. Rate Calculation.

The rates established herein are intended to be sufficient to support anticipated demands on and repairs and improvements to the systems and are part of the municipality's good faith effort to calculate rates sufficient to operate the systems and provide for future maintenance of the systems.

The above ordinance having been first reduced to writing and considered at a public meeting of the governing authorities of the City of Oxford, Mississippi, on motion of Alderman _____, seconded by Alderman _____, and the roll being called, the same was adopted by the following vote:

Alderman Hughes	voted ___
Alderman Tannehill	voted ___
Alderman Antonow	voted ___
Alderman Howell	voted ___
Alderman Taylor	voted ___
Alderman Bailey	voted ___
Alderman Morgan	voted ___

Approved and Adopted this the _____ day of November, 2013.

GEORGE G. PATTERSON, MAYOR

ATTEST:

LISA CARWYLE, CITY CLERK