

ORDINANCE NO. 812

AN ORDINANCE AMENDING CERTAIN SECTIONS AND PROVISIONS OF CHAPTER 21 OF THE CODE OF THE CITY OF WASHINGTON, KANSAS REGARDING UTILITIES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WASHINGTON, KANSAS:

Section One. (a) Chapter 21, Article 1, General Provisions, Sections 21-101, Definitions shall be amended as follows: Subsection (w) of Section 21-101 shall now reflect the following:

(w) "Irrigation Meter" shall mean a water meter that is installed separately to account for water used for irrigation purposes which does not enter the sanitary sewer system.

(b) The definition of "KDHE" previously defined in subsection (w) shall be recodified in subsection (x) and the remaining codification of definitions shall be adjusted accordingly.

Section Two. A new subsection (4) of Section 21-103(d) of Article 1 of Chapter 21 shall be codified to read as follows:

4. Once service to a premise has been disconnected due to non-payment, if the city has not received a response from the customer nor has a payment agreement been established within sixty (60) days of the shutoff date, then the utility account will be terminated and the utility deposit(s) will be applied to the account in order to stop the accrual of minimums being applied to the account's outstanding uncollected balance.

Section Three. Section 21-108(b)(1) of Article 1 of Chapter 21 shall be amended to read as follows:

1. Nonpayment of utility bills and charges as provided in Section 21-103.

Section Four. Section 21-109 shall be amended to read as follows:

21-109. RECONNECTION CHARGES: Prior to reconnecting utility service disconnected following a delinquency, the customer shall fulfill the requirements set out in Sections 21-103(e) through (g) of this code.

Section Five. Section 21-111 (b) shall be amended to delete the words "or curb cock".

Section Six. Section 21-113 of Article 1 of Chapter 21 shall be amended by replacing "Section 21-331" at the end of said Section with "Section 21-326."

Section Seven. (a) Section 21-213 of Article 2 of Chapter 21 shall be amended to read as follows:

21-213. BILLED MONTHLY. All users shall be billed monthly on the number of gallons of water used during the current billing cycle. Meters will be read on the first of each month or as close as possible, allowing for weekends, holidays, or unacceptable weather conditions.

(b) Sections 21-214 and 21-215 shall be deleted in their entirety. Section 21-216 shall be recodified as Section 21-214 and the remaining sections shall be recodified accordingly.

Section Eight. (a) Section 21-305 of Article 3 of Chapter 21 shall be amended to read as follows:

21-305. SEPTIC TANKS. Septic tanks intended for the use of disposal of sewage shall not be allowed within the city limits; provided, however, that these provisions shall not pertain to septic tanks currently in existence so long as the same are in good condition and proper working order.

(b) Section 21-306 shall be amended to read as follows:

21-306. SEWER CONNECTION REQUIRED. The owner of all houses, buildings or properties used for human habitation, employment, recreation or other purposes situated within the city limits and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the city, is hereby required at said owner's expenses to install suitable toilet facilities, therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within ninety (90) days after date of official notice to do so; provided, however, that this section shall not apply to lots that continue to remain vacant or empty.

(b) Section 21-307 shall be amended to read as follows:

21-307. SAME; EXCEPTION. Where a public sanitary or combined sewer is not available under the provisions of Section 21-306, the city administrator, with direction from the City Council, will evaluate and make recommendations.

(c) Sections 21-308, 21-309 and 21-310 shall be deleted in their entirety.

(d) Section 21-311 shall be recodified as Section 21-308.

(e) Section 21-312 shall be deleted in its entirety.

(f) Sections 21-313, 21-314, and 21-315 shall be recodified as Sections 21-309, 21-310, and 21-311, respectively.

(g) Section 21-316 shall be recodified as Section 21-312 and shall be amended to read as follows:

21-312. OWNER'S EXPENSE. All costs and expense incident to the installation and connection of the building sewer shall be borne by the property owner. The property owner shall

indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(h) Sections 21-317 through 21-326 shall be recodified as Sections 21-313 through 21-322, respectively.

(i) Section 21-327 shall be recodified as Section 21-323 and subsection (i)(1) shall be amended to correct the spelling of “Fullers” to “Fuller’s.”

(j) Sections 21-328 through 21-334 shall be recodified as Sections 21-324 through 21-330, respectively.

(k) Section 21-335 shall be recodified as Section 21-331 and shall be amended to change “Section 21-334” to “Section 21-330.”

(l) Sections 21-336 through 21-339 shall be recodified as Sections 21-332 through 21-335, respectively.

(m) Section 21-340 shall be deleted in its’ entirety.

(n) Sections 21-341 and 21-342 shall be recodified as Sections 21-336 and 21-337.

(o) Section 21-343 shall be recodified as Section 21-338 and shall be amended to read as follows:

21-338. SAME; RESIDENTIAL. All residential users shall be billed monthly on the number of gallons of water used during the current billing cycle.

(p) Section 21-344 shall be recodified as Section 21-339 and shall be amended to read as follows:

21-339. SAME; COMMERCIAL, INDUSTRIAL. All commercial and industrial users shall be billed monthly on the number of gallons of water used during the current billing cycle. If a commercial or industrial contributor has a consumption use of water, or in some other manner uses water which is not returned to the Wastewater Treatment System, the user charge for that contributor may be based on a wastewater meter or a separate water meter installed and maintained at the contributor’s expense and in a manner acceptable to the city. The proof of use is up to the contributor, at said contributor’s expense.

(q) Section 21-345 shall be recodified as Section 21-340 and shall be amended to read as follows:

21-340. SAME; USER FEES, MINIMUM, EXCEPTIONS. Each user shall pay a minimum fee per month of \$15.50. In addition, each user shall pay a fee of Two Dollars and Twenty-Five Cents (\$2.25) per 1,000 gallons, or any part thereof, of water used as determined under the provisions of Section 21-338 hereof for residential contributors and under the

provisions of Section 21-339 hereof for commercial and industrial contributors. User fees will not be applied to any residential or commercial designated irrigation meter.

(r) A new Section 21-341 shall be codified as follows:

21-341. SAME; ADJUSTMENTS. User fee adjustments may be requested by the account holder if the user has experienced a water leak or water line break in which the water did not enter the city's sewer collection system. The leak and associated repairs must be verified by the City Administrator or his/her designee.

(s) Sections 21-346 and 21-347 shall be recodified as Sections 21-342 and 21-343, respectively.

(t) Sections 21-348 through 21-352 shall be deleted in their entirety.

Section Nine. (a) Section 21-401 of Article 4 of Chapter 21 shall be amended by deleting an extra "to" located within the body of the section.

(b) Section 21-403 shall be amended by deleting "17-103A" contained in the body of the section immediately before "SCHEDULE LIS-88: LARGE INDUSTRIAL SERVICE."

(c) Section 21-404 shall be deleted in its entirety.

(d) Section 21-405 shall be recodified as Section 21-404.

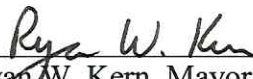
(e) Sections 21-406 through 21-408 shall be deleted in their entirety.

(f) Sections 21-409 and 21-410 shall be recodified as Sections 21-405 and 21-406, respectively.

(g) Paragraph 7 of Section 3 of previous Section 21-410, now recodified as 21-406, shall be amended to correct the spelling of "Stage" to "State."

Section Ten. This Ordinance shall take effect and be in full force and effect after its publication in the Washington County News, the official city newspaper.

Passed by the Governing Body of the City of Washington, Kansas, this 7th day of September, 2021.



Ryan W. Kern, Mayor

ATTEST:



Denise M. Powell, City Clerk

