

TOWN OF DAVIS

AN ORDINANCE SETTING FORTH THE RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE SEWERAGE SYSTEM OF THE TOWN OF DAVIS.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF DAVIS: The following rules, rates and charges are hereby fixed, determined and established for municipal sewerage services provided to all customers of the Town of Davis's Municipal Sewage Treatment Plant and Collection System, commencing upon the effective date as hereinafter provided, and in accordance with the following Rates and Schedules:

RULES AND REGULATIONS

- I. *Rules and Regulations for the Government of Sewer Utilities*, adopted by the Public Service Commission of West Virginia, and now in effect, and all amendments thereto and modifications thereof hereafter made by said Commission.

SECTION 1 – TARIFF

PHASE 1
(Effective 45 Days After Enactment)

SCHEDULE NO. 1

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY

Available for general domestic and commercial sewer service.

RATES (Based upon the metered amount of water supplied)

\$8.13 per 1,000 gallons used per month.

MINIMUM MONTHLY CHARGE

The minimum monthly charge to any use of the sewerage system shall be \$24.39 (0 to 3,000 gallons).

MULTIPLE OCCUPANCY

Apartment buildings and other multiple-occupancy buildings shall be required to pay not less than the minimum monthly charge for each unit, multiplied by the number of units in such building at the time the meter is read or the actual charge for the sewer used, whichever is greater.

Hotels and motels shall pay according to the amount of sewer used.

House trailer courts (including mobile and immobile units) served through a single meter shall be required to pay the minimum charge per month multiplied by the number of units on site at the time the meter is read or the actual charge for the sewer used, whichever is greater.

House trailers, either mobile or immobile, located on sites other than a park or court, shall be billed in the same manner as any other family or business unit.

LATE PAYMENT PENALTY CHARGE

The above rates and charges are net. A 10% penalty shall be added to all charges not paid within 15 days from the date of the billing. This late payment is not interest and is only to be collected once for each bill where it is appropriate.

LEAK ADJUSTMENT

An incremental charge of \$0.75 per 1,000 gallons shall be charged for usage if the leak is eligible under the (i) Public Service Commission's rules for leaks on the customer's side of the meter, and (ii) utility's leak adjustment policy.

CONNECTION CHARGE (STANDARD)

There shall be charged a connection fee of \$450.00 for each connection into the sewerage system. If road crossing is involved, the connection fee of \$700.00 shall be charged.

SECURITY DEPOSIT

Not to exceed two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, or fifty dollars (\$50.00), whichever is greater. This fee may be changed by applicable statutory provisions.

RECONNECT CHARGES

\$10.00 Reconnect (turn off – customer request).

\$25.00 Reconnect (turn off – delinquent bill, violations of rules, or fraudulent use of water).

Water service shall not be restored until all amounts in arrears, including penalties, have been paid.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the utility or a maximum of \$35.00 will be imposed upon any customer whose check for payment of charges is returned by their bank due to insufficient funds.

PHASE 2
(Effective July 1, 2023)

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY

Available for general domestic and commercial sewer service.

RATES (Based upon the metered amount of water supplied)

\$11.66 per 1,000 gallons used per month.

MINIMUM MONTHLY CHARGE

The minimum monthly charge to any use of the sewerage system shall be \$34.98 (0 to 3,000 gallons).

MULTIPLE OCCUPANCY

Apartment buildings and other multiple-occupancy buildings shall be required to pay not less than the minimum monthly charge for each unit, multiplied by the number of units in such building at the time the meter is read or the actual charge for the sewer used, whichever is greater.

Hotels and motels shall pay according to the amount of sewer used.

House trailer courts (including mobile and immobile units) served through a single meter shall be required to pay the minimum charge per month multiplied by the number of units on site at the time the meter is read or the actual charge for the sewer used, whichever is greater.

House trailers, either mobile or immobile, located on sites other than a park or court, shall be billed in the same manner as any other family or business unit.

LATE PAYMENT PENALTY CHARGE

The above rates and charges are net. A 10% penalty shall be added to all charges not paid within 15 days from the date of the billing. This late payment is not interest and is only to be collected once for each bill where it is appropriate.

LEAK ADJUSTMENT

An incremental charge of \$0.75 per 1,000 gallons shall be charged for usage if the leak is eligible under the (i) Public Service Commission's rules for leaks on the customer's side of the meter, and (ii) utility's leak adjustment policy.

CONNECTION CHARGE (STANDARD)

There shall be charged a connection fee of \$450.00 for each connection into the sewerage system. If road crossing is involved, the connection fee of \$700.00 shall be charged.

SECURITY DEPOSIT

Not to exceed two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, or fifty dollars (\$50.00), whichever is greater. This fee may be changed by applicable statutory provisions.

RECONNECT CHARGES

\$10.00 Reconnect (turn off – customer request).

\$25.00 Reconnect (turn off – delinquent bill, violations of rules, or fraudulent use of water).

Water service shall not be restored until all amounts in arrears, including penalties, have been paid.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the utility or a maximum of \$35.00 will be imposed upon any customer whose check for payment of charges is returned by their bank due to insufficient funds.

PHASE 3
(Effective July 1, 2024)

SCHEDULE NO. 1

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY

Available for general domestic and commercial sewer service.

RATES (Based upon the metered amount of water supplied)

\$15.58 per 1,000 gallons used per month.

MINIMUM MONTHLY CHARGE

The minimum monthly charge to any use of the sewerage system shall be \$46.74 (0 to 3,000 gallons).

MULTIPLE OCCUPANCY

Apartment buildings and other multiple-occupancy buildings shall be required to pay not less than the minimum monthly charge for each unit, multiplied by the number of units in such building at the time the meter is read or the actual charge for the sewer used, whichever is greater.

Hotels and motels shall pay according to the amount of sewer used.

House trailer courts (including mobile and immobile units) served through a single meter shall be required to pay the minimum charge per month multiplied by the number of units on site at the time the meter is read or the actual charge for the sewer used, whichever is greater.

House trailers, either mobile or immobile, located on sites other than a park or court, shall be billed in the same manner as any other family or business unit.

LATE PAYMENT PENALTY CHARGE

The above rates and charges are net. A 10% penalty shall be added to all charges not paid within 15 days from the date of the billing. This late payment is not interest and is only to be collected once for each bill where it is appropriate.

LEAK ADJUSTMENT

An incremental charge of \$0.75 per 1,000 gallons shall be charged for usage if the leak is eligible under the (i) Public Service Commission's rules for leaks on the customer's side of the meter, and (ii) utility's leak adjustment policy.

CONNECTION CHARGE (STANDARD)

There shall be charged a connection fee of \$450.00 for each connection into the sewerage system. If road crossing is involved, the connection fee of \$700.00 shall be charged.

SECURITY DEPOSIT

Not to exceed two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, or fifty dollars (\$50.00), whichever is greater. This fee may be changed by applicable statutory provisions.

RECONNECT CHARGES

\$10.00 Reconnect (turn off – customer request).

\$25.00 Reconnect (turn off – delinquent bill, violations of rules, or fraudulent use of water).

Water service shall not be restored until all amounts in arrears, including penalties, have been paid.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the utility or a maximum of \$35.00 will be imposed upon any customer whose check for payment of charges is returned by their bank due to insufficient funds.

SECTION 2 – TARIFF EFFECTIVE DATE

The rates, charges and penalties provided herein shall become effective as provided herein, or as soon thereafter as the same may be approved by the Public Service Commission of West Virginia.

SECTION 3 – SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES

The provisions of this Ordinance are severable, and if any clause, provision or section hereof shall be held void or unenforceable by the West Virginia Public Service Commission or any court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance. Upon the effective date hereof, all ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflicts, hereby repealed, and to the extent that the provisions of this Ordinance do not touch upon the provisions of prior ordinances, resolutions, orders or parts thereof, the same shall remain in full force and effect.

SECTION 4 – STATUTORY NOTICE AND PUBLIC HEARING


Upon introduction hereof, the Town shall cause to be published a copy of this Ordinance once in a qualified newspaper of general circulation in the Town of Davis, and said notice shall state that this Ordinance has been introduced, and that any person interested may appear before Council on July 13, 2022, at 6:30 p.m., which date is not less than five (5) days after the date of the publication of the Ordinance and notice, and present any comment or protest thereto, following which hearing, Council shall take such action as it shall deem proper. Copies of this

Ordinance shall be available to the public for inspection at the office of the Town Hall, 505 William Avenue, Davis, West Virginia.

First Reading: June 22, 2022

Second Reading
and Public Hearing: July 13, 2022

TOWN OF DAVIS, a municipal corporation

Mayor: 

Recorder: 