

# CITY OF CONCORD

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*In the year of our Lord two thousand and twenty one*

**AN ORDINANCE** amending the CODE OF ORDINANCES, Title I, General Code; Chapter 9, Water, Article 9-3, Sewer Rentals

**The City of Concord ordains as follows:**

**SECTION I:** Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 9, Water, Article 9-3, Sewer Rentals, by amending Section 9-3-5, Basis for Sewer Rents, as follows:

9-3-5 - Basis for Sewer Rents.

***The definitions of Article 9-1-2 shall apply to this Article.***

Sewer rents shall be based as follows:

- (a) ~~Upon~~ Metered ~~Consumption of~~ Water. Upon the metered ~~consumption~~ quantity of water on premises connected with the sewer system wherein the quantity of discharge is to be determined by the meter readings of the ~~Water~~ **General Services** Department; or
- (b) ~~Upon~~ Nonmetered Water ~~Premise~~ – Minimum Rate Shall Apply. **“Nonmetered Water” shall mean any premises that does not have a meter installed.** Upon nonmetered premises, ~~the minimum rate~~ **a 3 CCF minimum per dwelling unit** shall apply ~~unless it appears such a rate would be inequitable, when the charge shall be determined by metering the amount of the use either at the point of consumption or discharge and fixing said rate according to the table set forth below~~; or
- ~~(c) By Metering at Point of Discharge.~~ Upon premises where there is both a metered public supply of water and a nonmetered private supply of water, the rate shall be determined by metering the use at the point of discharge; or
- ~~(d)~~ **(c)** *By Contract Between Owner and City.* In all other instances where none of the above standards can reasonably be applied, an adjustment as to rent charges may be made by the execution of a contract between the owner and the City, providing, however, said contract shall not be binding upon the City unless the authority to execute same on behalf of the City, has been passed in resolution form by the City Council.

**SECTION II:** Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 9, Water, Article 9-3, Sewer Rentals, by amending Section 9-3-8, Sewer-Use Rates, as follows:

9-3-8 - Sewer-Use Rates.

*The General Services Department shall bill for sewer services on a monthly basis which shall be a fixed monthly sewer charge, based on the size of the meter installed at the premises and the amount of metered water which is a charge for all water passing through the meter, as set forth in Chapter 1, Schedule I, Chapter 9 Water, Section 9-3-8 Sewer Use Rates. Alternatively, for nonmetered premises, a bill shall be charged for sewer services at 3 CCF minimum per dwelling unit.*

~~[The monthly sewer use rates shall be as listed in Schedule I of Chapter 1.]~~

**SECTION III:** Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 9, Water, Article 9-3, Sewer Rentals, by amending Section 9-3-11, Rules in Collection Sewer Rents, as follows:

9-3-11 - Rules in Collecting Sewer Rents.

The following rules and regulations shall apply to the collection of sewer rents:

- (a) *Due Date: Interest.* Sewer rents are due and payable monthly and within thirty (30) days of the date of the bill at such office(s) as the City Manager may designate. Failure or neglect to pay sewer rents within thirty (30) days of the date of the bill shall result in the adding of one and one-half (1½) percent interest (eighteen (18) percent per annum) on water service charge bills then unpaid.
- (b) *Office Hours of Collection Office.* Office hours shall be 8:00 a.m. to 4:30 p.m. each day except Saturday and Sunday and legal holidays.
- (c) *Remittance by Mail.* Remittances by mail are at the risk of the sender and should be accompanied by a stamped envelope, properly addressed, if return receipt is desired.
- (d) *Computation of Sewer Charges.* All sewer charges shall be computed monthly in accordance with the ordinances and billing cycles.
- (e) *Faulty Meters Shall Be Estimated on Average ~~[Quarterly]~~ Monthly Amount.* In case of a meter stopping or failing to register, the quantity of water used shall be estimated as the average ~~[quarterly]~~ **monthly** amount which ordinarily passes through the meter when the meter is in operation.
- (f) *Request for Meter Test Requires Deposit.* Any request for a meter test shall be **paid in accordance with the rates set forth in in Schedule I of Chapter 1** ~~[accompanied by a suitable deposit determined by the Director as provided in Section 9-1-10]~~, which deposit

shall be retained if the meter test shows the meter to be registering according to American Water Works Association ("AWWA") Standards or registering in favor of the consumer. If, however, the meter test shows the meter to be registering more than the actual amount of water passing through it and greater than the allowance provided by AWWA Standards, the deposit will be returned to the applicant along with whatever adjustment the Director deems advisable.

**SECTION IV:** This ordinance shall take effect July 1, 2021.

Explanation:

Matter added to the current ordinance appears in *bold italics*.

Matter removed from the current ordinance appears in [brackets and ~~struck through~~].