

ORDINANCE NO. 2020-14

AN ORDINANCE OF THE CITY OF BLACKWELL, OKLAHOMA, AMENDING CHAPTER 28, ARTICLE II, SECTION 28-27 OF THE BLACKWELL MUNICIPAL CODE 2019 ENTITLED "SEWER RATES", PROVIDING FOR A ZERO PERCENT (0%) INCREASE IN THE SEWER RATES; PROVIDING FOR REPEALER; SAVINGS; CODIFICATION; SEVERABILITY; EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACKWELL, OKLAHOMA:

Section I. Chapter 28, Article II, Section 28-27 of the Blackwell Municipal Code 2019 is hereby amended to read as follows:

Section 28-27 SEWER RATES

Effective July 1, ~~2019~~ 2020, and continuing monthly thereafter, regardless of the period of service, the following rates and charges shall be charged and collected for sewer services:

(a) All resident users of the municipally owned wastewater treatment system shall be charged a minimum of \$21.27 per month inside city limits, plus a charge of \$0.00595 per cubic feet (or a charge of \$0.000793 per gallon) of the quantity of water metered to the user.

(b) All nonresident users of the municipally owned wastewater treatment system having connections outside the corporate limits of the City shall be charged one and one-half (1.5) times the established resident rates.

(c) The monthly volume of sewage discharged by each user shall be assumed to be equal to the quantity of water metered to the user but, in the cases where the volume cannot be reasonably determined from the water so metered, the amount of sewage discharged into the wastewater system shall be determined as follows:

1. Residential User: The maximum amount to be charged for new service and transfer service is \$21.85 until the next average rate is established.
2. Commercial User: The maximum amount to be charged for new service and transfer service is \$73.52 until the next average rate is established.
3. Non-metered User: In the case of users not on a metered basis, the city manager shall establish estimated water consumption based on a comparison of non-metered user with a metered user of similar class.

(d) The average monthly water usage for the months of November through February shall be used to determine a monthly rate per residential customer.

(e) See Exhibit "A", User Charge Schedule, for calculations associated with the establishment of these sewer use charges. Exhibit "A" has not been included herein but is on file for inspection by the public in the office of the City Clerk.

Section II. REPEALER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

Section III. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section IV. CODIFICATION. This ordinance shall be codified as herein provided.

Section V. SEVERABILITY. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Council of the City of Blackwell that this section of the Blackwell Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section VI. EFFECTIVE DATE. This ordinance and the rates contained in this ordinance shall become effective on July 1, 2020.

Section VII. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of the City and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect in order to provide for zero percent (0%) rate increases; By reason whereof, this Ordinance shall take effect and be in full force and effect after its passage, as provided by law.

Approved and executed this 2<sup>nd</sup> day of July 2020.

THE CITY OF BLACKWELL, OKLAHOMA



T. J. Greenfield, Mayor

(Seal)

ATTEST:

Traci Hanebrink

Traci Hanebrink, City Clerk



Approved as to Content:

Janet Smith

Janet Smith, City Manager

Approved as to Form and Legality:

Bryce S. Kennedy, Jr.

Bryce S. Kennedy, Jr., City Attorney

NOTICE

On the 2nd day of July 2020, the City Council of the City of Blackwell, Oklahoma, approved Ordinance No. 2020-14 which amended Chapter 28 Article II of the Blackwell Municipal Code 2019, by the amendment to Section 28-27 entitled "Sewer Rates" which provides for a zero percent (0%) increase.

A copy of the ordinance is available at City Hall or by calling the City Clerk at 580-363-7250. It is presented for publication by title only:

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THE CITY OF BLACKWELL, OKLAHOMA



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Traci Hanebrink, City Clerk