

**PUBLIC NOTICE OF PROPOSED ORDINANCE
RELATING TO CITY OF VIENNA'S
SEWER RATES, FEES AND CHARGES**

Notice is hereby given that on the 28th day of September, 2017, the City Council of the City of Vienna caused to be read an Ordinance proposing an increase in its sewer rates, fees and charges in lieu of its present sewer rates and charges for service provided to customers of its sewer system and is proposing the adoption of the same. The proposed Ordinance reads as follows:

**AN ORDINANCE ESTABLISHING AND FIXING RATES,
FEES AND CHARGES OF THE CITY OF VIENNA, WEST VIRGINIA
SEWER SYSTEM**

WHEREAS, in order to provide revenues sufficient revenues for the City of Vienna to pay the daily expenses associated with the operation of its sewer system, to provide working capital reserves as required by Chapter 24 of the *West Virginia Code*, and to provide sufficient revenues to cover the costs associated with renewals and replacements and associated debt service, the City Council of the City of Vienna deems it advisable and necessary to increase the City's current rates, fees and charges for furnishing sewer service.

WHEREAS, the City Council finds that the rates, fees and charges set forth below are just and equitable for the service provided to the City's sewer customers and that such rates will be sufficient to meet daily expenses associated with the operation of its sewer system, to provide working capital reserves as required by Chapter 24 of the *West Virginia Code*, and to provide funding of its associated debt service.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VIENNA HEREBY ORDAINS that the following rates, fees and charges shall be adopted and placed into effect in lieu of its Sewer Tariff No. 6 currently on file with the Public Service Commission of West Virginia:

RULES AND REGULATIONS

The Rules and Regulations as set forth in current Sewer Tariff No. 6 shall remain unchanged.

SCHEDULE I

APPLICABILITY

Applicable to entire territory served

AVAILABILITY OF SERVICE

Available for domestic, commercial and industrial sewer service

RATES

First	5,000	gallons used per month	\$9.10	per 1,000 gallons
Next	15,000	gallons used per month	\$6.50	per 1,000 gallons
Over	20,000	gallons used per month	\$4.55	per 1,000 gallons

MINIMUM CHARGE

Each customer shall pay a minimum charge of \$18.20 per month
(Equivalent to 2,000 gallons of water usage)

UNMETERED RATE (customers with non-metered water supply) \$40.95

Equivalent of 4,500 gallons of water usage

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

TAP FEE

The following charges are to be made whenever the utility installs a new tap to serve an applicant.

A tap fee of \$100.00 will be charged to customers applying for service before construction is completed adjacent to the customer's premises in connection with a certificate proceeding before the Commission. This pre-construction tap fee will be invalid after the completion of construction adjacent to the applicant's premises that is associated with a certificate proceeding.

A tap fee of \$350.00 will be charged to all customers who apply for service outside of a certificate proceeding before the Commission for each new tap to the system.

Whenever a road bore is necessary, cost will be increased depending upon amount of footage, cost of materials and labor. Sewer Department will go to property line or 50 feet, whichever is less.

WATER DISCONNECT-RECONNECT-ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills, a disconnection fee of \$25.00 shall be charged; or in the event the delinquent sewer bill is collected in the field, an administrative fee of \$25.00 shall be charged.

Whenever water service which has previously been disconnected or otherwise withheld for non-payment of a sewer bill, is reconnected, a reconnection fee of \$25.00 shall be charged.

RETURNED CHECK CHARGE

A service charge of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

LEAK ADJUSTMENT

\$3.50 per 1,000 gallons is to be used when a bill reflects unusual consumption which can be attributed to eligible leakage on customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical average usage.

SECURITY DEPOSIT

All new applicants for residential or other sewer service may be required to deposit (i) a minimum of fifty dollars (\$50.00) or (ii) two-twelfths (2/12) of the annual estimated charge for sewer service, whichever is greater.

All new applicants for residential or other combined water and sewer service may be required to deposit (i) a minimum of one hundred dollars (\$100.00), or (ii) two-twelfths (2/12) of the annual estimated charge for each service, whichever is greater.

SCHEDULE II

Schedule II as set forth in current Sewer Tariff No. 6 shall remain unchanged.

SCHEDULE III

Schedule III as set forth in current Sewer Tariff No. 6 shall remain unchanged.

SCHEDULE IV

Schedule IV as set forth in current Sewer Tariff No. 6 shall remain unchanged.

SCHEDULE V

Schedule V as set forth in current Sewer Tariff No. 6 shall remain unchanged.

SECTION 2. EFFECTIVE DATE

The rates, fees and charges as set forth above shall become effective shall become effective 45 days after the enactment hereof.

SECTION 3. SEPARABILITY; REPEAL OF CONFLICTING ORDINANCES

The provisions of this Ordinance are separable, and if any clause, provision or section hereof be held void or unenforceable by any court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance. Upon the effective date of the charges herein set forth, all ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, 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 City Clerk shall publish, pursuant to *West Virginia Code §16-13-16*, public notice of this Ordinance as a Class II legal advertisement in *The Parkersburg News and Sentinel*, being the only newspaper published and of general circulation in Wood County, West Virginia, and being of general circulation in the City of Vienna, and said notice shall state that this Ordinance has been introduced, and that any person interested may appear before Council on the 26th day of October, 2017, at 7:00 p.m., which date is not less than 10 days subsequent to the date of the first publication of notice of this Ordinance, and present protests. At such hearing all objections and suggestions shall be heard and the Council shall take such action as it shall deem proper on the premises. Further, said Notice shall advise the public that a copy of this ordinance is available for public inspection at City Hall.

CITY OF VIENNA