

## RESOLUTION NO. 1926-23

**A RESOLUTION** finding the advisability of and ordering the adoption of applicable rates, charges, rules and regulations, conditions and availability of the services rendered by the Wastewater Department of the City of Ottawa, Kansas and establishing an effective date, and providing for the enforcement thereof.

**WHEREAS**, Section 13-108 of the Municipal Code of the City Of Ottawa provides for the establishment of rates, charges, rules and regulations pertaining to the availability of wastewater services to be set by resolution of the Governing Body of the City of Ottawa, and

**WHEREAS**, the cost of providing ongoing services and regular maintenance continues to increase, and

**WHEREAS**, from time-to-time certain capital improvements are necessary for the long-term benefit of the city and its citizens, and

**WHEREAS**, such ongoing services, maintenance and capital improvements must be funded for adequately,

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS, that**

**Section 1.** Wastewater service furnished by the City of Ottawa shall be delivered in accordance with rates, fees and charges provided for in this resolution.

**Section 2.** The City Manager or his designee is charged with the duty of enforcement of all rates, fees, and charges.

**Section 3.** The rates, fees and charges shall remain in full force and effect until rescinded or modified by subsequent resolution of the Governing Body of the City of Ottawa.

**Section 4.** It is hereby determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges from all contributors to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of payment of expenses associated with such public wastewater collection and treatment works. Each contributor shall pay for the services provided by the City based on use of the collection and treatment works as determined by a water meter acceptable to the City.

- A. For residential contributors, monthly wastewater user charges shall be based on the average of the monthly water usage billed during the months of December, January, February, and March, which shall be the "winter average water usage." If a residential contributor has not established a winter average water usage, the monthly wastewater user charge shall be based on the median usage charge for all other residential contributors. For residential contributors that reside in master metered apartment houses, the wastewater charge shall be based on the amount of water actually used during each billing cycle. The winter average water usage shall be established each April; and, subsequently, the residential wastewater-rate will be changed starting with the April billing. Residential accounts shall not be double billed in any billing cycle, resulting from a change of tenant for apartment residing residential contributors.
- B. For all other contributors, including, but not limited to, commercial or industrial establishments, master metered multiple-family dwellings and master metered mobile home parks wastewater user charges shall be based on water used during the current month. If any contributor, other than a residential contributor, has a consumptive use of water, or in some other manner uses water which does not enter the wastewater collection system, the user charge for that contributor may be based on a wastewater meter or separate water meters installed and maintained in a manner acceptable to the City, at the contributor's expense.
- C. Charges for wastewater usage shall not exceed the following without further action by the governing body.

	Base Charge	Volume Charge per CCF
<b>1-Mar-23</b>	20.00	3.65
<b>1-Mar-24</b>	22.00	3.84
<b>1-Mar-25</b>	24.00	4.03
<b>1-Mar-26</b>	26.00	4.23
<b>1-Mar-27</b>	28.00	4.44

- D. For those contributors who contribute wastewater, the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement shall be based on per pound of biochemical oxygen demand (BOD) and/or per pound of suspended solids (SS) as follows.

	BOD	SS
	per CCF	per CCF
<b>1-Mar-23</b>	1.17	1.01
<b>1-Mar-24</b>	1.22	1.06
<b>1-Mar-25</b>	1.28	1.11
<b>1-Mar-26</b>	1.35	1.17
<b>1-Mar-27</b>	1.42	1.23

- E. Any residential or commercial contributor whose contribution originates from outside the corporate city limits of the City of Ottawa shall pay a rate equivalent to 1.5 times the rates established in subsections C and D above as applicable.
- F. Any user which discharges any toxic pollutants, or any contributor which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the treatment works, shall pay for such increased costs. The charge to each such contributor shall be as determined by the Director of Utilities and approved by the City Manager.
- G. Where all or part of the water consumed is obtained from private sources of supply, the following provisions shall apply:
1. Suitable metering devices as approved by the Director of Utilities shall be provided and maintained by the owner or occupant at all times in connection with each or all sources of private water. The Director of Utilities or his designee shall have access to the premises at all reasonable times for the purpose of inspection, testing and reading of such meters.
  2. The volume of private water consumed during the previous month, together with the consumption of public water as determined from the records of the City, shall be the basis for computing the wastewater volume. The owner or occupant may install at his expense an approved metering device to accurately measure wastewater flow in lieu of the above formula.
- H. The wastewater surcharge as defined by Ordinance 3381-01 shall be in addition to rates set by this resolution.

**Section 5.** Prior resolutions on this subject are hereby rescinded and replaced by the above, which shall be reviewed annually.

**Section 6.** This resolution shall be in full force and effect after its adoption.

ADOPTED this 18th day of January 2023.

  
Eric Crowley, Mayor

Attest

  
Melissa Reed, City Clerk

