

**ORDINANCE NO. 363**

**AN ORDINANCE FIXING AND ESTABLISHING MONTHLY WATER RATES FOR THE SALE OF WATER TO ALL CONSUMERS BY THE WATER DEPARTMENT OF THE CITY OF HAVILAND, KANSAS; PROVIDING FOR RATE COLLECTION; AND REPEALING ALL OF ORDINANCE NO. 346.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAVILAND, KANSAS:**

**SECTION 1.** The following monthly rates for the sale of water to all consumers by the Water Department of the City of Haviland, Kansas shall be charged and collected beginning:

- a) January 1, 2015:
  - 1) For the first two thousand gallons (2,000) of water, or portions thereof: twenty-two dollars (\$22.00);
  - 2) For the next ten thousand gallons (10,000) of water, or portions thereof: two dollars (\$2.00) per each one thousand gallons (1,000);
  - 3) For all water in excess of twelve thousand gallons (12,000): two dollars and twenty-five cents (\$2.25) per each one thousand gallons (1,000).
- b) January 1, 2016:
  - 1) For the first two thousand gallons (2,000) of water, or portions thereof: twenty-six dollars (\$26.00);
  - 2) For the next ten thousand gallons (10,000) of water, or portions thereof: three dollars (\$3.00) per each one thousand gallons (1,000);
  - 3) For all water in excess of twelve thousand gallons (12,000): three dollars and twenty-five cents (\$3.25) per each one thousand gallons (1,000).
- c) January 1, 2017:
  - 1) For the first two thousand gallons (2,000) of water, or portions thereof: thirty dollars (\$30.00);
  - 2) For the next ten thousand gallons (10,000) of water, or portions thereof: four dollars (\$4.00) per each one thousand gallons (1,000);
  - 3) For all water in excess of twelve thousand gallons (12,000): four dollars and twenty-five cents (\$4.25) per each one thousand gallons (1,000).

**SECTION 2.** All charges for the sale of water to all consumers by the Water Department of the City shall be due and payable on or before the twentieth (20<sup>th</sup>) day of each month following the month of service, at the Office of the City Clerk, and if such charges shall not be paid when due, the Water Department of the City shall have the right, power, and authority to discontinue all water service to such delinquent consumer, and shall have the right, power and authority to assess a re-connect fee of twenty-five dollars (\$25.00) before the service shall be restored.

**SECTION 3.** All revenues derived from water rates and charges shall be deposited in the City Treasury and credited to a separate fund known as the water revenue fund, and such revenue shall be used exclusively for the administration, operation, maintenance, repair, replacement extension, enlargement, betterment, depreciation, and obsolescence of the water system; and may be used to pay principal of and interest on any bonds issued on account of the water system, either general obligation bonds or revenue bonds, or both, except this revenue shall not be used for bonds issued for any such projects the costs of which are payable from special assessments, nor shall this revenue be applied to the construction or reconstruction of water systems the costs of which is provided by law to be paid from special assessments in a benefit district.

**SECTION 4.** The sections of this ordinance are intended to be several and separate so that if any section hereof is held to be invalid by a Court of competent jurisdiction, the remaining sections shall remain in full force and effect.

**SECTION 5.** Ordinance No. 346 and all ordinances and parts of ordinances in conflict herewith are hereby repealed.

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**SECTION 6.** This Ordinance shall be in full force and effect from and after its adoption and publication in the official City newspaper.

Passed by the Council and approved by the Mayor this 11th day of August 2014.

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Robert Ellis, Mayor

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Attest: Shari McAfee, City Clerk