

ORDINANCE NO. 3281

An Ordinance amending the Broken Arrow Code by amending Chapter 24, Water, Sewers and sewage disposal; Article VII. Sewer service charges and rates; Section 24-700 Sanitary sewer tapping fee; Section 24-701 Sanitary sewer flat service charge; Section 24-702 Industrial pretreatment charges and fees; Section 24-703 Septic waste dumping fee; Section 24-704 Rates for sanitary sewer service established; Section 24-705 Excess capacity sewer charges; and Section 24-707 Special contract rates established; and specifically increasing the base charge sanitary sewer rate and special contract rates for sanitary sewer; and specifically removing specific charges for services and providing for charges in the Manual of Fees to be adopted by the Broken Arrow City Council; repealing all ordinances to the contrary; and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW:

SECTION I. That Chapter 24, Water, Sewers and sewage disposal; Article VII. Sewer service charges and rates; Section 24-700 Sanitary sewer tapping fee, of the Code of Ordinances of the City of Broken Arrow, is hereby amended to read as follows:

Sec. 24-700. Sanitary sewer tapping fee.

The fee for physical connection to the sanitary sewer system shall be as set forth in the Manual of Fees adopted by the Broken Arrow City Council.

SECTION II. That Chapter 24, Water, Sewers and sewage disposal; Article VII. Sewer service charges and rates; Section 24-701 Sanitary sewer flat service charge, of the Code of Ordinances of the City of Broken Arrow, is hereby amended to read as follows:

Sec. 24-701. Sanitary sewer flat service charge.

A sanitary sewer flat service charge shall be charged to all customers connected to the City of Broken Arrow sewer system and that are also not served by the City of Broken Arrow water service. Said sanitary service charges shall be as set forth in the Manual of Fees adopted by the Broken Arrow City Council.

SECTION III. That Chapter 24, Water, Sewers and sewage disposal; Article VII. Sewer service charges and rates; Section 24-702 Industrial pretreatment charges and fees, of the Code of Ordinances of the City of Broken Arrow, is hereby amended to read as follows:

Sec. 24-702. Industrial pretreatment charges and fees.

Industrial customers shall pay pretreatment charges as set forth in the Manual of Fees adopted by the Broken Arrow City Council. This fee is in addition to direct charges for testing by independent laboratories if required.

SECTION IV. That Chapter 24, Water, Sewers and sewage disposal; Article VII. Sewer service charges and rates; Section 24-703 Septic waste dumping fee, of the Code of Ordinances of the City of Broken Arrow, is hereby amended to read as follows:

Sec. 24-703. Septic waste dumping fee.

All customers dumping septic waste shall pay an amount, per vehicle load, as set forth in the Manual of Fees adopted by the Broken Arrow City Council.

SECTION V. That Chapter 24, Water, Sewers and sewage disposal; Article VII. Sewer service charges and rates; Section 24-704 Rates for sanitary sewer service established, of the Code of Ordinances of the City of Broken Arrow, is hereby amended to read as follows:

Sec. 24-704. Rates for sanitary sewer service established.

For the purpose of providing funds for the maintenance, repair, operation, expansion, replacement or reconstruction of the city's sanitary sewer system, sanitary sewer rates shall be established by the City Council. These rates shall be assessed by water meter size as set forth in the Manual of Fees adopted by the Broken Arrow City Council. The cost per 1,000 gallons or fraction thereof shall be \$2.15. Funds generated from sanitary sewer charges shall be allocated for operating and capital expenses as determined necessary through the annual budgeting process.

SECTION VI. That Chapter 24, Water, Sewers and sewage disposal; Article VII. Sewer service charges and rates; 24-705 Excess capacity sewer charge, of the Code of Ordinances of the City of Broken Arrow, is hereby amended to read as follows:

Sec. 24-705. Excess capacity sewer charge.

For each acre or portion thereof of a development, the developer or builder shall pay an amount set forth in the Manual of Fees adopted by the Broken Arrow City Council, at the time of platting.

Land that is not developable because it is contained in the 100-year floodplain or land that is developed as a golf course shall be exempt from this charge.

SECTION VI. That Chapter 24, Water, Sewers and sewage disposal; Article VII. Sewer service charges and rates; 24-707 Special contract rates established, of the Code of Ordinances of the City of Broken Arrow, is hereby amended to read as follows:

Sec. 24-707. Special contract rates established.

For the purpose of providing funds for the maintenance, repair, operation, expansion, replacement or reconstruction of the city's sanitary sewer system, special contract rates shall be established by the city council. These rates shall be set forth in the Manual of Fees adopted by the Broken Arrow City Council. The following special contract water rates are hereby established; and the rates so established shall become effective January 1, 2012, for all special contracts in effect on or after January 1, 2012, or as soon thereafter as the contract may specify, whichever date is earlier.

- (a) The base charge of a special contract shall be the charge per meter as set forth in the Manual of Fees or a special base charge negotiated as part of a contract. A special base charge shall still include the elements of meter replacement, meter reading, and billing in the calculation of the charge.
- (b) When no charge is specified in the special contract and the consumer takes water all year, the charge per 1,000 gallons or fraction thereof shall be as set forth in the Manual of Fees.

SECTION XII. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION XIII. An emergency exists for the preservation of the public health, peace and safety, and therefore this ordinance shall become effective on July 1, 2014.

PASSED AND APPROVED and the emergency clause ruled upon separately this 16th day of June, 2014.

ATTEST:


(Seal) CITY CLERK

APPROVED:


Assistant CITY ATTORNEY



