

USER CHARGE ORDINANCE FOR WEST JACKSON COUNTY UTILITY DISTRICT

AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF USER CHARGES FROM USERS OF THE PUBLIC WATER WORKS AND PUBLIC SEWER SYSTEM.

BE IT ORDAINED BY THE WEST JACKSON COUNTY UTILITY DISTRICT, COUNTY OF JACKSON, STATE OF MISSISSIPPI AS FOLLOWS:

**ARTICLE I
DEFINITIONS**

The following words and terms when used in this chapter are intended to mean and shall mean as follows, to wit:

Manager, District Manager, or General Manager shall mean the general manager of the utilities of the West Jackson County Utility District.

Authorized Representative shall mean a District employee authorized by the General Manager to act for an on behalf of the District.

District shall mean the West Jackson County Utility District.

Person shall mean any person, firm or corporation, either as principal or as agent for another.

District Mains shall mean any and all water-carrying pipe including water distribution pipes, sewer collection pipes and conduits owned and maintained by the West Jackson County Utility District.

Water shall mean the water service or water supply belonging to and furnished, or to be furnished, by the West Jackson County Utility District.

Sewer shall mean the sewer service or sewage collection system belonging to and furnished, or to be furnished, by the West Jackson County Utility District.

Will Serve shall mean a document issued by the District consenting to provide service.

**ARTICLE II
USER CHARGES**

Section 1. User charge shall be the charge levied on all users including, but not limited to, persons, firms, corporations or governmental entities that are required to connect to the public water supply or public sewage system.

Section 2. The user charge shall include the costs of operation and maintenance (including replacement) of the public water works and sewage system, retirement of existing debt included herein, and repayment of any Drinking Water Systems Loans in accordance with the approved Utility Service Charges, included herein by reference. The number of customer connections shall be determined solely at the discretion of the District Manager or Authorized Representative.

Section 3. The Manager shall review annually the contributions of users, the total costs of operation and maintenance (including replacement) of the water works and sewage system. The Manager shall revise the user charge, if necessary and upon approval of the Board of Commissioners, to generate sufficient revenue to pay the total operation and maintenance (including replacement) costs of the water or sewer works, retirement of existing debt included herein, and repayment of any applicable systems loans.

Section 4. Each user shall be notified, at least annually, in conjunction with a newsletter and Consumer Confidence Report, of any significant changes in ordinances that affect billing and customer rights.

Section 5. No free water service or sewage collection shall be furnished to any user, excluding fire departments.

Section 6. All current customers or consumers who are supplied water and/or sewer service beyond the limits of the District will pay the applicable amounts shown herein in Exhibit 1 of Article III.

- Section 7.** Charges and bills for service furnished to business or commercial customers or consumers or any other person furnished water shall mature on the date of the statement or bill. Such charges and bills shall be due and payable on the date of the statement and any such charges or bills not paid on or before 15 days from date of statement shall be in default.
- Section 8.** Failure, neglect or refusal to pay any bill on or before 15 days from date of statement shall subject the customer, consumer or user of the service to the loss and discontinuance of their service and supply. If any such water or sewage service is lost or discontinued because of the nonpayment of any such statement on or before 15 days from date of statement, the service and supply shall not be resumed until the bill or statement is paid in full, together with a Disconnect Processing Fee in accordance with the current Utility Service Charges per Exhibit 1 of Article III. This amount being determined as the reasonable cost to be incurred by the District in resuming such service.
- Section 9.** Deposits--Any customer or consumer shall not be entitled to any service or supply unless and until such person makes a deposit with the District in accordance with Exhibit 1 of Article III. Homeowners or Property Owners who elect automatic bank draft as a form of payment for their monthly service may have their deposit waived, provided they remain on bank draft and do not have any payment returned to the District.
- A. The District may, at its option, apply any such deposits toward payment of any amount due the District. Before service is restored all deposits used in settling fees must be restored.
- B. Any and all approved equipment used to provide water & sewer service in the District shall remain the exclusive property of the District, regardless of the installer. The District does not assume maintenance of commercial equipment or non-standard residential equipment.
- Section 10.** Commercial Meter Charges--Any commercial customer or consumer shall not be entitled to any service or supply unless and until such person pays for an approved water meter as follows, to wit:
- A. The size, type, and make of the meter installed shall be furnished by the District and shall be a size suitable to the estimated consumption and use of water by the respective customer and consumer as determined solely at the discretion of the District Manager or Authorized Representative.
- B. The District will install and maintain the water meter which becomes the property of the District. Installation, repair, or replacement of all Commercial Meters will be determined solely by the District Manager or Authorized Representative. Applicable charges and fees for installation of new meter will be the responsibility of the Customer.
- Section 11.** Utility service charges are to automatically increase once per year, every year, by a fixed percentage. This automatic annual increase shall apply to service charges, including the minimum base rate and water and sewer usage charges. The fixed percentage shall be three (3) per cent, unless the Board of Commissioners approves an action to adjust this figure before the automatic annual increase date.
- The automatic annual increase date shall be October 1 of each year. All service charges, as they existed the day prior to the automatic annual increase date, shall be increased by the fixed percentage to generate new service charges. The new service charges will apply to all bills rendered on or after the automatic annual increase date of October 1, and throughout the ensuing twelve-month period, until September 30 of the next calendar year.
- Section 12.** Utility service charges not consistent with the current user charge ordinance require a past or present Board action. Prior verbal understandings are not recognized.

ARTICLE III UTILITY SERVICE CHARGES

Rates, fees and charges for utility service shall be as indicated in Exhibit 1 of this User Charge Ordinance.

**ARTICLE IV
TRANSFERS**

No person shall be entitled to transfer his water or sewer service from one location to another, except as hereinafter set forth. When premises are vacated, or the use thereof discontinued by a customer, he shall pay his bill in full for the old location and make all necessary arrangements for the new service location before being entitled to any further services. Transfers or relocations of sewer or water assets will be at the District's sole discretion. No person shall be entitled to a water service or tap at any location if he is in arrears for water service rendered at that location or any other location.

**ARTICLE V
TAMPERING WITH METERS**

If any person tampers with or in any way makes or attempts to make any improper use or adjustment of any water meter, curbstop, or service pipe, or attempts in any way to avoid payment of the proper amount due or to become due for the water obtained or to be obtained or used by such person or for his benefit, then in any of said events the District Manager or Authorized Representative shall have the right to immediately discontinue the water service of such person and/or charge costs for all resulting damages and costs. Such charges will need to be paid before any service is restored.

**ARTICLE VI
PENALTIES**

Any person willfully violating any of the prohibitions or provisions of this ordinance shall be subject to the fines and other penalties as provided for in the District's enabling legislation.

**ARTICLE VII
AMENDMENTS**

This Ordinance shall be amended, as necessary, to comply with Federal or State Regulations.

**ARTICLE VIII
VALIDITY**

- Section 1.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- Section 2.** The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance, which can be given effect without such invalid part or parts.
- Section 3.** Whenever the requirements of this Ordinance conflict with any other lawful ordinances, rules, regulations, or codes lawfully enacted by the West Jackson County Utility District, the Jackson County Utility Authority, or any other Local, State or Federal regulatory authority having jurisdiction, the most restrictive law or requirement shall govern.

**ARTICLE IX
ORDINANCE IN FORCE**

- Section 1.** This ordinance shall be in full force and effect from and after its passage, approval, recording, and publications as provided by law.
- Section 2.** All ordinances contained herein with amendments as noted shall be in full force and effect from and after passage, approval, recording, and publications as provided by law.

This ordinance was duly revised this 4th day of November, 2014 and declared same to be in full force and effect.

Commissioner Stennis	voted—YES
Commissioner Hebert	voted—YES
Commissioner McAnnally	voted—YES
Commissioner Flowers	voted—YES
Commissioner Montgomery	voted—YES

I, Jimmie McAnnally, Secretary and official custodian of the records of the West Jackson County Utility District, do hereby certify that the foregoing User Charge Ordinance amendments were passed and adopted at a public meeting of said Board and is further a matter of record in its official minutes.

This the 4th day of November, 2014.

SEAL



Jimmie McAnnally, Secretary-Treasurer

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Jimmie McAnnally, Secretary-Treasurer

**EXHIBIT 1
TO USER CHARGE ORDINANCE FOR WEST JACKSON COUNTY UTILITY DISTRICT
UTILITY SERVICE CHARGES**

The following rate system shall apply to each user. This system includes the user charge as established herein and the charge for debt service and recovery of other costs, each based on volume of flow.

WATER RATE SCHEDULE

<u>Residential</u>	<u>District Rate</u>	<u>Non-District Rate</u>
Base Volume, up to 3,000 Gallons	\$20.50.....	\$24.50
Each 1,000 Gal over Base Volume	\$3.00.....	\$3.00
<i>* Residential meters shall be 5/8" x 3/4", or 1"</i>		
<i>*District residential customers not yet metered will be assessed \$28.00/month flat rate for water service</i>		

Commercial *

<u>Meter Size</u>	<u>Base Volume</u>	<u>Base Rate</u>
1" and Smaller	6,000 Gallons	\$38.50
1-1/2"	12,000 Gallons	\$72.00
2"	18,000 Gallons	\$106.00
3"	40,000 Gallons	\$226.00
4"	60,000 Gallons	\$351.00
6"	120,000 Gallons	\$700.00
8"	192,000 Gallons	\$1,086.00
Each 1,000 Gallon Over Base Volume		\$3.00
<i>*Commercial rate also includes schools, fire departments, public buildings, and hotels.</i>		

Irrigation & Pools *

	<u>Residential Rate</u>	<u>Commercial Rate</u>
Base Meter Charge	\$3.25.....	N/A
5/8" Meter Base Meter Charge	N/A.....	\$3.25
1" Meter Base Meter Charge	N/A.....	\$4.00
1 1/2" Meter Base Meter Charge	N/A.....	\$6.80
2" Meter Base Meter Charge	N/A.....	\$8.60
Each 1,000 Gal over Base Meter Charge	\$3.00.....	\$3.00
<i>*Pool drains must be confirmed to discharge exclusively to lawn or wooded areas w/o connection to sewers</i>		

SEWER RATE SCHEDULE

<u>Residential</u>	<u>District Rate</u>	<u>Non-District Rate</u>
Base Volume, up to 3,000 Gallons	\$30.25.....	\$35.25
Each 1,000 Gallon Over Base Volume	\$2.35.....	\$2.35
JCUA Treatment Charge per 1,000 Gallons	\$2.99**	\$2.99**
<i>* District residential customers w/o a water meter will be assessed a \$50.50/month flat rate for sewer services</i>		
<i>* Non-District residential customers w/o a water meter will be assessed a \$57.50/month flat rate for sewer services</i>		
<i>** JCUA Treatment Charge is adjusted annually concurrently with annual JCUA adjustment</i>		

Commercial

<u>Meter Size</u>	<u>Base Volume</u>	<u>Base Rate</u>
1" and Smaller	6,000 Gallons	\$55.00
1-1/2"	12,000 Gallons	\$85.00
2"	18,000 Gallons	\$116.00
3"	40,000 Gallons	\$218.00
4"	60,000 Gallons	\$326.00
6"	120,000 Gallons	\$625.00
8"	180,000 Gallons	\$940.00
Each 1,000 Gallon Over Base Volume		\$2.35
JCUA Treatment Charge per 1,000 Gallons		\$2.99 **
Commercial Maintenance Plan (if approved equip)		\$20.00
<i>* Commercial rate also includes schools, fire departments, public buildings, and hotels.</i>		
<i>** JCUA Treatment Charge is adjusted annually concurrently with annual Jackson County Utility Authority adjustment</i>		

CONNECTION FEES

<u>Capacity</u>	<u>Water</u>	<u>Sewer</u>
Residentialper dwelling unit	\$900.00	\$900.00
Apartments/Condos/Trailer Parksper unit	\$600.00	\$600.00
Motel/Hotel.....per unit	\$300.00	\$300.00
All Other Commercialper meter size		
5/8"	\$900.00	\$900.00
1"	\$2,250.00	\$2,250.00
1 1/2"	\$4,500.00	\$4,500.00
2"	\$7,200.00	\$7,200.00
3"	\$14,400.00	\$14,400.00
4"	\$22,500.00	\$22,500.00
6"	\$45,000.00	\$45,000.00
8"	\$72,000.00	\$72,000.00

Water Tapping

Residential (5/8" x 3/4")* per dwelling unit... \$600.00** + directional drilling labor & equipment costs
Commercial per connection equal to cost of labor, material and equipment by District
** 1" meter tapping fees are greater due to cost of materials*
*** Adjusted automatically to reflect the District's current pricing for the equipment*

Sewer Tapping

Residential (Gravity) per dwelling unit \$250.00 + directional drilling costs if service is across public street
Residential (Grinder Station)... per dwelling unit \$1,780.00** + directional drilling costs if service is across public street
Commercial per connection equal to cost of labor, material and equipment by District
Inspection Fee..... per connection\$50.00
*** Adjusted automatically to reflect the District's current pricing for the equipment*

MISCELLANEOUS FEES

Service Fees

Returned checks..... \$30.00
Late charge fee 10% of existing bill
Copy Requests of District Documents \$2.50 per page
Site service survey fee * \$50.00
Disconnect Processing Fee (during hours of operation) . \$35.00
Disconnect Processing Fee (after hours) \$60.00
** Includes the following: site survey to issue intent to serve document, customer-requested meter data logging (one "free" annually)*

Deposits

Residential - three times the prevailing monthly base charge
Commercial - two times the prevailing monthly base charge (based upon meter size)