

## Chapter 715

### UTILITIES — BILLING, RATES AND CHARGES

#### ARTICLE I General Provisions

**Section 715.010. Chapter Considered Part of Contracts.** [R.O. 2012 §715.010]

The provisions of this Chapter shall be considered a part of all contracts between any applicant or user and the City providing for water, sewer or electric energy.

**Section 715.020. Definitions.** [R.O. 2012 §715.020; Ord. No. 8168, 11-20-2012]

As used in this Chapter, the following words shall have the meanings set out herein:

**MONTH OR MONTHLY PERIOD** — A preceding period of approximately one (1) month, ending as near the same day of each month as is practicable for the utility meters of the City to be read. In reading such meters and in calculating the water bills, sewerage service charges and electric bills as aforesaid, the monthly period shall extend from the time such meter was read for the preceding month to the date the same is read for a current month.

**OPERATION AND MAINTENANCE** — All expenditures during the useful life of the system for materials, labor, utilities, and other items which are necessary for managing and maintaining the system to achieve the capacity and performance for which system was designed and constructed.

**REPLACEMENT** — All expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the system to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

**USEFUL LIFE** — The estimated period during which the treatment works will be operated.

**USER CHARGE** — That portion of the total water service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the water system.

**WATER SYSTEM** — Any devices and systems for the storage, treatment, recycling, transmission, and distribution of water. These include transmission and distribution lines, individual systems, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable water supply such as standby treatment units and any works, including site acquisition of land, that will be part of the treatment process.

**Section 715.025. Application For Utility Services.** [R.O. 2012 §715.025; Ord. No. 8142, 7-20-2012]

- A. Every applicant for utility services with the City of Monett shall be required to complete a written application for the same upon such application forms as shall be approved and provided by the General Manager of the Utility Department for the City.
- B. Each applicant shall provide accurate information on all items requested upon such application and in the event the information provided is found to be fraudulent, the City reserves the right to immediately disconnect all utility services provided as a result of such fraudulent application.
- C. Further, the individual providing the information for such utility application may be subject to prosecution and the penalty provisions established by Section 715.460 of the City Code for the City of Monett.

**Section 715.030. Bills Falling Due On Sundays, Holidays, Etc.** [R.O. 2012 §715.030; CC 1979 §9-28; Ord. No. A-2784 §1, 10-9-1969]

In the event the due date for any utility bill due the City falls on a Sunday, holiday or other day on which the City office is closed, no penalty shall be charged on such bills paid on the following day.

**Section 715.040. Bad Check Service Charge.** [R.O. 2012 §715.040; CC 1979 §9-29; Ord. No. A-5140 §3, 8-10-1989; Ord. No. A-6752 §1, 10-2-1998; Ord. No. 7593 §1, 8-22-2005]

Any person, firm or corporation who gives a check to the City of Monett in payment for services rendered by the City of Monett that is returned by the payee bank for any reason shall be charged a twenty dollar (\$20.00) service charge for said returned check. If said check is not picked up within twenty-four (24) hours after a telephone call is made by the City, then notice shall be given in writing that said check shall be picked up within three (3) days or utility service to the residence or establishment will be discontinued. After this the usual legal procedure shall be followed for collection of the check.

ARTICLE II  
**Water Rates and Charges**

**Section 715.050. Connection Deposits Required.** [R.O. 2012 §715.050; CC 1979 §31-17; Ord. No. A-2963 §§1 — 3, 10-19-1970; Ord. No. 7593 §1, 8-22-2005]

- A. *Residential Consumers.* Each person who proposes to purchase water from the City for residential purposes shall, before being connected with the water distribution system of the City, deposit with the City an amount as indicated by the following schedule:
  - 1. For consumers within the corporate limits who own the premises at which such water is to be supplied, double the base rate.
  - 2. For consumers within the corporate limits who do not own the premises at which such water is to be supplied, three hundred percent (300%) of the base rate.
  - 3. For all consumers outside the corporate limits, same as listed in Subparagraph (A)(1) or (A)(2) above.

- B. *Non-Residential Consumers.* Each person who proposes to purchase water from the City for other than residential purposes shall, before being connected with the water distribution system of the City, deposit with the City an amount determined by the Superintendent of Utilities to be approximately equal to the charges for water to be purchased by such consumer for one (1) month, based upon the connected load of and the anticipated use of water by such consumer; provided, that in the event it is thereafter determined by the amount of water actually purchased by such consumer that the deposit initially so determined by the Superintendent of Utilities is not approximately equal to the average charge for water purchased by such consumer for one (1) month, the Superintendent of Utilities shall notify such consumer of such additional amount as may be required to cause such deposit to be equal to such average charge, and such consumer shall deposit, as aforesaid, within ten (10) days after such notification, such additional amount; provided further, that in the event any consumer fails to deposit such additional amount within such time, water service to such consumer shall be discontinued.
- C. *Refunds.* Such deposit shall be retained by the City so long as water service is connected to the premises for the consumer making such deposit, and until all charges for water service supplied such consumer have been paid in full, and then shall be refunded to the person making such deposit; provided, that in the event the person making such deposit does not pay for water service provided, such deposit may at any time be applied to all charges for such service, and the balance thereof, if any, refunded to the person making such deposit.

**Section 715.060. Taps and Service Lines Generally — Application For Installation — Service Charge.** [R.O. 2012 §715.060; CC 1979 §31-24; Ord. No. A-2055 §23, 9-19-1963; Ord. No. A-3770 §23, 2-8-1977; Ord. No. 7779, 7-20-2007]

- A. In addition to the deposit requirements established by this Article for the extension of water mains, the applicant, and all other persons wishing to install a three-quarter (3/4) inch tap and service line and become users, shall submit to the Superintendent of Utilities a written application therefor, stating clearly the name and address of the applicant, a plat of the lot to be served by such tap and service line and the proposed use of the water to be delivered. Such application shall be accompanied by a service charge for connecting such tap and service line, computed as follows:
1. If the water main to be tapped is on the same side of the street as the property to be served, the service charge shall be four hundred dollars (\$400.00).
  2. If the water main to be tapped is on the opposite side of the street from the property to be served, the service charge shall be seven hundred dollars (\$700.00).
  3. Irrigation T-tap on existing service line shall be two hundred dollars (\$200.00).

**Section 715.070. Payment of Charges Due — Authorization By Superintendent of Utilities To Turn On Water — Authority of Plumbers To Test Work — Service Discontinued — Procedure.** [R.O. 2012 §715.070; CC 1979 §31-40]

Water shall not be turned on in any building or service pipe except by order of the Superintendent of Utilities, nor until the applicant shall have paid water rental and service charges due for the current or preceding months, nor until all charges for repairs, if any, have

been paid as provided in this Article. No plumber shall leave water turned on into a service line where he/she found the same turned off, and such plumber may turn the same on only to test his/her work. When the water service to any user shall be discontinued by order of the Superintendent of Utilities as provided in this Article, no user shall turn the same on or permit the same to be turned on, without the written consent of the Mayor or by order of the Council.

**Section 715.080. Water Not To Be Furnished On Flat Rate Basis.** [R.O. 2012 §715.080; CC 1979 §31-45]

No water shall be furnished to any user on a flat rate basis.

**Section 715.085. User Charge Accounts.** [R.O. 2012 §715.085; Ord. No. 8169, 11-20-2012]

- A. The user charge system shall generate adequate annual revenues to pay the costs of annual operation and maintenance including replacement and cost associated with debt retirement of bonded capital associated with financing the water system which the City of Monett may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance including replacement of the water system shall be established by this resolution.
- B. That portion of the total user charge collected which is designated for the operation and maintenance, including replacement purposes as established in Section 715.090, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two (2) primary accounts as follows:
  1. The Operation and Maintenance Account shall be an account designated for the specific purpose of defraying operation and maintenance costs of the water system. Deposits in the Operation and Maintenance Account shall be made daily from the operation and maintenance revenue derived from customer payments.
  2. The Replacement Account shall be an account designated for the purpose of ensuring replacement needs over the useful life of the water system. Effective April 1, 2014, deposits in the Replacement Account shall be made monthly from the replacement revenue in the amount of nineteen thousand four hundred seventeen dollars (\$19,417.00) monthly.
  2. Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts in each subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Monies which have been transferred from other sources to meet temporary shortages in the Operation, Maintenance, and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance, and replacement. The user charge rate shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

**Section 715.090. Monthly Rates and Charges.** [R.O. 2012 §715.090; CC 1979 §31-46; Ord. No. 775 §25, 12-2-1924; Ord. No. A-911 §§1 — 2, 7-23-1946; Ord. No. A-1428 §1, 3-8-1955; Ord. No. A-2201 §1, 2-17-1965; Ord. No. A-2960 §1, 10-19-1970; Ord. No. A-4077 §1, 8-10-1979; Ord. No. A-4759 §1,

5-9-1986; Ord. No. A-5329 §1, 12-24-1990; Ord. No. A-5974 §1, 8-10-1994; Ord. No. A-6810 §1, 3-31-1999; Ord. No. A-6811, 3-31-1999; Ord. No. 7684, 8-23-2006; Ord. No. 7928, 5-20-2009; Ord. No. 7966, 3-19-2010; Ord. No. 8170, 11-20-2012]

A. *Generally.* (Reference is made to Appendix A which is on file in the City offices.) The monthly rates and charges for water supplied by and through the municipal water system shall be as set forth in this Section, and all persons to whom water is supplied by the City shall make payment for the same at the following monthly rates: [Ord. No. 8388 §1, 11-20-2015]

Effective January 1, 2016, the following rates shall apply:

Base rate (includes 1,000 gallons) \$12.00

A reduced rate of six dollars (\$6.00) per one thousand gallons is available to residential customers sixty-five (65) years of age or older upon application with the City collection office and by showing proof of age.

Effective January 1, 2016, the following rates will be effective:

Next 9,000 gallons \$3.13 per 1,000 gallons

Next 90,000 gallons \$3.03 per 1,000 gallons

Next 900,000 gallons \$2.93 per 1,000 gallons

Next 1,000,000 gallons \$2.83 per 1,000 gallons

All over 2,000,000 gallons (per thousand gallons) \$2.68 per 1,000 gallons

B. *Irrigation Meters.* (Reference is made to Appendix A which is on file in the City offices.) Monthly rates and charges for water system and used for irrigation shall be as set forth in this Section and all persons to whom water is supplied by the City for irrigation purposes shall make payment for the same at the following monthly rates:

*Effective April 1, 2011 until March 31, 2014, the following rates shall apply:*

Base rate (includes 2,000 gallons) \$12.00

A reduced rate of six dollars (\$6.00) per two thousand (2,000) gallons is available to residential customers sixty-five (65) years or older upon application with the City collection office and by showing proof of age.

All over 2,000 gallons \$3.00 per 1,000 gallons

*Effective April 1, 2014, the following rates shall apply:*

Base rate (includes 1,000 gallons) \$14.00

A reduced rate of seven dollars (\$7.00) per one thousand (1,000) gallons is available to residential customers sixty-five (65) years or older upon application with the

City collection office and by showing proof of age.

All over 1,000 gallons	\$4.00 per 1,000 gallons
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- C. *Bulk Water.* Water supplied in bulk by the City through a metered fire hydrant or from the City reservoir shall make payment for the same at the following rate:

*Effective April 1, 2011 until March 31, 2014, the following rates shall apply:*

Minimum charge (includes 3,000 gallons)	\$30.00
All in excess of 3,000 gallons	\$8.00 per 1,000 gallons

*Effective April 1, 2014, the following rates shall apply:*

Minimum charge (includes 3,000 gallons)	\$40.00
All in excess of 3,000 gallons	\$8.00 per 1,000 gallons

- D. *Minimum Charges.* Notwithstanding the provisions of Subsection (A) of this Section, each person to whom water is supplied by the City shall pay a minimum monthly charge for having such service available, which charge shall be determined by the size of the water meter through which such service is available and shall be as follows:

*Effective April 1, 2011 until March 31, 2014, the following rates shall apply:*

5/8 inch meter to 2 inch meter	\$10.00 per month
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A reduced rate of five dollars (\$5.00) per month is available to residential customers sixty-five (65) years of age or older upon application with the City collection office and by showing proof of age.

3 inch meter	\$15.00 per month
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4 inch meter	\$25.00 per month
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6 inch meter	\$50.00 per month
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8 inch meter	\$75.00 per month
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Such minimum monthly charges shall be due regardless of the amount of water supplied by the City but shall be credited against the monthly charge for the amount of water supplied by the City.

*Effective April 1, 2014, the following rates shall apply:*

5/8 inch meter to 2 inch meter	\$14.00
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	per month
3 inch meter	\$20.00
	per month
4 inch meter	\$30.00
	per month
6 inch meter	\$60.00
	per month
8 inch meter	\$90.00
	per month

Reduced rate for seniors of seven dollars (\$7.00) per month.

Such minimum monthly charges shall be due regardless of the amount of water supplied by the City but shall be credited against the monthly charge for the amount of water supplied by the City.

- E. *Billings And Collections Generally.* Such charges for water supplied by the City shall be made, billed and collected as prescribed by this Chapter and other applicable ordinances of the City.
- F. Nothing in this Section shall be construed to repeal the additional charge of twenty percent (20%) made for all water supplied by the City to consumers outside the City, except that the additional charge of twenty percent (20%) on consumers outside the City shall be calculated on an assumed base rate of \$14.00 per month. Charges for water supplied by the City to consumers outside the corporate limits shall be the charges that would be charged for the same quantity of water supplied in the same period of time to consumers in the City plus twenty percent (20%) of such charges. [Ord. No. 8388 §2, 11-20-2015]
- G. The City shall review the user charge system annually and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes. The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation, maintenance including replacement of the water system.

**Section 715.100. Multiple Connections To Single Meter.** [R.O. 2012 §715.100; CC 1979 §31-47; Ord. No. 775 §27, 12-2-1924; Ord. No. A-693 §§1 — 2, 3-31-1942]

One (1) meter must be set to control the supply of water for each building, whether or not such buildings are owned by the same person. Where one (1) or more buildings are served by one (1)

meter, the Utilities Superintendent may, whenever in his/her judgment the interests of the City are best served, order the property owner to install a meter at each building, but each building or family supplied shall pay at least a minimum water rate per month.

**Section 715.110. Reading of Meters and Billing.** [R.O. 2012 §715.110; CC 1979 §31-48; Ord. No. 7593 §1, 8-22-2005]

The City shall begin reading meters on the first (1st) day of each month to determine the amount of water passing through any meter since the last reading thereof. When such meters shall have been read, the Utilities Superintendent shall submit to the Billing Clerk a statement of all accounts, with the meter readings for each meter subscribed thereon. The Billing Clerk shall then bill each user by mailing to him/her at the address shown in the records of the City a statement for water service provided.

**Section 715.120. Delinquent Monthly Charges For Non-Industrial Service — Generally.** [R.O. 2012 §715.120; CC 1979 §31-49; Ord. No. A-2527 §2, 5-9-1968; Ord. No. 7631 §1, 12-20-2005; Ord. No. 7809, 12-12-2007]

The monthly charges due the City for water service, except industrial water service, shall be delinquent on the fifth (5th) business day of the month following the month during which such water service was rendered. Monthly charges shall be considered paid upon processing and posting of payment by the City of Monett or its authorized agent. The United States postmark date will not be considered processing or posting of payment by the City of Monett. An additional penalty of ten percent (10%) of such charges becoming delinquent shall be added on the fourth (4th) business day after the due date.

**Section 715.130. Non-Industrial Service — Discontinuance of Service — When.** [R.O. 2012 §715.130; CC 1979 §31-50; Ord. No. A-2527 §3, 5-9-1968]

In the event the monthly charges due the City for water service, except industrial water service, shall remain unpaid after five (5) days following the due date, the Utilities Superintendent is authorized to discontinue water service to the consumer whose charges for such services are not so paid.

**Section 715.140. Non-Industrial Service — Restoration of Discontinued Service.** [R.O. 2012 §715.140; CC 1979 §31-51; Ord. No. A-2527 §4, 5-9-1968; Ord. No. 7809, 12-12-2007]

In the event water service, except industrial water service, is discontinued to a consumer by reason of non-payment for such service, such service shall be restored only upon the payment of twenty-five dollars (\$25.00) for such restoration, if made between the hours of 8:00 A.M. and 4:00 P.M. Monday through Friday, or upon the payment of fifty dollars (\$50.00) for such restoration, if made between the hours of 4:00 P.M. and 10:00 P.M. Monday through Friday, or upon the payment of one hundred dollars (\$100.00) for such restoration, if made anytime between the hours of 10:00 P.M. and 8:00 A.M. Monday through Friday, or on any Saturday, Sunday or holiday of the City, and such service shall not be restored until such delinquent charges are paid in full.



**Section 715.150. Delinquent Monthly Charges For Industrial Water Service — Generally.** [R.O. 2012 §715.150; CC 1979 §31-51.1; Ord. No. A-4622 §1, 1-10-1985; Ord. No. A-4718 §1, 12-6-1985; Ord. No. 7809, 12-12-2007]

The monthly charges due the City for industrial water service shall be delinquent on the twentieth (20th) day of the month following the month during which such water service was rendered, and an additional charge of ten percent (10%) of such charges becoming delinquent shall be added to such charges.

**Section 715.160. Industrial Service — Discontinuance of Service For Non-Payment.** [R.O. 2012 §715.160; CC 1979 §31-51.2; Ord. No. A-4622 §2, 1-10-1985]

In the event the monthly charges due the City for industrial water service shall not be paid by the last day of the month following the month during which such water service was rendered, the Utilities Superintendent is authorized to discontinue water service to the consumer whose charges for such service are not so paid.

**Section 715.170. Industrial Service — Restoration of Discontinued Service.** [R.O. 2012 §715.170; CC 1979 §31-51.3; Ord. No. A-4622 §3, 1-10-1985; Ord. No. 7809, 12-12-2007]

In the event water service of industrial accounts is discontinued by reason of non-payment for such service as herein provided, such service shall be restored only upon the payment of twenty-five dollars (\$25.00) for such restoration, if made between the hours of 8:00 A.M. and 4:00 P.M. Monday through Friday, or upon the payment of fifty dollars (\$50.00) for such restoration, if made between the hours of 4:00 P.M. and 10:00 P.M. Monday through Friday, or upon the payment of one hundred dollars (\$100.00) for such restoration, if made anytime between the hours of 10:00 P.M. and 8:00 A.M. Monday through Friday, or on any Saturday, Sunday or holiday of the City, and such service shall not be restored until such delinquent charges are paid in full.

**Section 715.180. Testing of Meters and Correction of Bills.** [R.O. 2012 §715.180; CC 1979 §31-53]

Any meter may be removed by the City for inspection and testing. In the event a meter is found to be functioning at more or less than two percent (2%) from normal, the City shall recompute all water bills for the preceding three (3) months resulting from the readings from such meter, and if the user shall have paid more or less than the amount due for actual water used, such amount shall be charged or credited on his/her next water bill or refunded. A variation of less than two percent (2%) will not be considered.

### ARTICLE III Sewer Rates and Charges

**Section 715.190. Connections To Be Made By City — Conditions For Connections Generally.** [R.O. 2012 §715.190; CC 1979 §26-11; Ord. No. A-3761 §§1 — 2, 1-7-1977]

- A. No person shall tap a sewer main or line of the City, other than an employee of the City.
- B. Upon application, the City shall tap a sewer line for use, upon the following conditions:
  - 1. A ditch from the premises to be served to the line to be tapped shall be dug and

opened by a plumber licensed by the City or some other person contracted by the licensed plumber to install service and, if applicable, that such plumber has obtained the necessary permit to dig and open such ditch in a street or alley.

2. The payment of a fee of one hundred fifty dollars (\$150.00) to the City at the time of permit application. [Ord. No. 8595, 6-20-2018]
3. For such payment, the City shall tap the line and install a sewer tap saddle.
4. All responsibility for digging and opening the ditch and closing the same and connecting to the tap shall be upon the plumber granted permission to make such tap.

**Section 715.200. Assessed Against Property Connected With or Discharging Into Sanitary Sewerage System.** [R.O. 2012 §715.220; CC 1979 §26-15; Ord. No. A-2692 §23, 3-11-1969; Ord. No. A-4078 §1, 8-10-1979]

There are hereby assessed against, and the City shall collect, sewerage service charges for use and services rendered by the sanitary sewer system of the City from the owners or occupants of each lot, parcel of real estate or building which is connected with the sanitary sewerage system of the City or which discharges sanitary sewage, industrial wastes, water or other liquids, either directly or indirectly, into the sanitary sewerage system of the City.

**Section 715.210. Establishment of "Operation and Maintenance" and "Replacement" Accounts.** [R.O. 2012 §715.230; Ord. No. A-5751 §26-15.1, 8-2-1993]

- A. That portion of the total user charge collected which is designated for operation and maintenance, including replacement purposes as established in Section 715.240, shall be deposited in separate non-lapsing funds known as the Operation, Maintenance, and Replacement Fund, and will be kept in two (2) primary accounts as follows:
  1. An account designated for the specific purposes of defraying operation and maintenance costs (excluding replacement) of the treatment works (Operation and Maintenance Account).
  2. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works (Replacement Account). Deposits in the replacement account shall be made at least annually from the operation, maintenance and replacement revenue in the amount of forty-five thousand five hundred dollars (\$45,500.00) annually. (Reference is made to Section 715.270 of this Chapter.)
- B. Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Monies which have been transferred from other sources to meet temporary shortages in the Operation, Maintenance, and Replacement Fund shall be returned to their respective accounts upon appropriate adjustments of the user charge rates for operation, maintenance, and replacement. The user charge rate shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

**Section 715.220. Assessed Against Property Which Should Be Connected With Available Sanitary Sewer.** [R.O. 2012 §715.240; CC 1979 §26-16; Ord. No. A-2692 §24, 3-11-1969; Ord. No. A-4078 §2, 8-10-1979]

After August 1, 1979, there are hereby assessed against, and the City shall collect, sewerage service charges for having available the use and services to be rendered by the sanitary sewerage system of the City, from the owners or occupants of each lot, parcel of real estate or building which should be connected with the sanitary sewerage system of the City under the provisions of Section 705.080.

**Section 715.230. Charges Declared Necessary and Adequate.** [R.O. 2012 §715.250; CC 1979 §26-17; Ord. No. A-2692 §25, 3-11-1969; Ord. No. A-4078 §3, 8-10-1979]

The City Council hereby finds and determines that the rates, fees and charges for the use and services or availability of the use and services of the sanitary sewerage system of the City will be necessary and adequate to provide for the maintenance, operation and improvement of such sanitary sewerage system as are hereinafter specified.

**Section 715.240. Rates Based On Quantity and Quality of Water Used — Rate Schedule.** <sup>1</sup> [R.O. 2012 §715.260; CC 1979 §26-18; Ord. No. A-2692 §26, 3-11-1969; Ord. No. A-4078 §4, 8-10-1979; Ord. No. A-5271 §1, 7-10-1990; Ord. No. A-5751 §16-18 (Item No. 3) 8-2-1993; Ord. No. A-6816 §1, 3-31-1999; Ord. No. A-6817 §1, 3-31-1999; Ord. No. A-7123 §1, 2-25-2002; Ord. No. A-7290 §1, 3-7-2003; Ord. No. 7929, 5-20-2009; Ord. No. 7967, 3-19-2010; Ord. No. 8171, 12-20-2012]

- A. (Reference is made to Section 715.260 of this Chapter). The monthly rates required and which shall be charged and collected by the City for sewerage service furnished or available by the City's sanitary sewer system shall be based upon the quantity and quality of water used, and shall be measured by the water meter or meters installed on the premises served or for which service is available; such charges shall be as follows:
1. For each single-family residence or other residential unit served by a single meter which serves only one (1) single-family residence or residential unit, a monthly charge at the rate of:
    1. Fourteen dollars (\$14.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars twenty-five cents (\$2.25) per one thousand (1,000) gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City. Effective date January 1, 2013.
    1. Sixteen dollars (\$16.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars forty-five cents (\$2.45) per one thousand (1,000) gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City. Effective date January 1, 2014.
    1. Eighteen dollars (\$18.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars sixty-five cents (\$2.65) per one thousand (1,000)

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<sup>1</sup>. Editor's Note — Ordinance no. A-3982, adopted August 24, 1978, provides for industrial cost recovery in connection with waste treatment facilities constructed under E.P.A. Project No. C290524. Such ordinance has not been included in this volume but rather has been saved from repeal by the ordinance adopting this codification. A copy thereof may be found on file in the office of the superintendent of utilities.

gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City. Effective date January 1, 2015.

1. Twenty dollars (\$20.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars sixty-five cents (\$2.65) per one thousand (1,000) gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City. Effective date January 1, 2016. [**Ord. No. 8388 §2, 11-20-2015**]
2. For each residential unit served by a single water meter which serves more than one (1) single- family residence or residential unit, a monthly charge at the rate of:
  2. Fourteen dollars (\$14.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars twenty-five cents (\$2.25) per one thousand (1,000) gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City. Effective date January 1, 2013.
  2. Sixteen dollars (\$16.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars forty-five cents (\$2.45) per one thousand (1,000) gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City. Effective date January 1, 2014.
  2. Eighteen dollars (\$18.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars sixty-five cents (\$2.65) per one thousand (1,000) gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City. Effective date January 1, 2015.
  2. Twenty dollars (\$20.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars sixty-five cents (\$2.65) per one thousand (1,000) gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City. Effective date January 1, 2016. [**Ord. No. 8388 §2, 11-20-2015**]
3. For all other users or persons for whom service is available, monthly rates for sewer service are as follows:
  3. Fourteen dollars (\$14.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars twenty-five cents (\$2.25) per one thousand (1,000) gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City based on "normal sewage organic" strength. Effective date January 1, 2013.
  3. Sixteen dollars (\$16.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars forty-five cents (\$2.45) per one thousand (1,000) gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City based on "normal sewage organic" strength. Effective date January 1, 2014.
  3. Eighteen dollars (\$18.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars sixty-five cents (\$2.65) per one thousand (1,000) gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City based on "normal sewage organic" strength. Effective date January 1, 2015.
  3. Twenty dollars (\$20.00) per two thousand (2,000) gallons for the first two thousand (2,000) gallons and two dollars sixty-five cents (\$2.65) per one thousand (1,000)

gallons in excess of two thousand (2,000) gallons on a monthly water bill to the City. Effective date January 1, 2016. [Ord. No. 8388 §2, 11-20-2015]

3. "Normal sewage" shall mean sewage which contains not over three hundred (300) parts per million of five (5) day biochemical oxygen demand by weight and not over three hundred fifty (350) parts per million by weight of suspended solids, and which does not contain in excess of the allowable amounts specified in any of the materials or substances listed in this Chapter.
4. Any business establishment, industry or other user discharging a waste or fluid into the City's sewerage system which exceeds the "normal sewage" strength will be charged, in addition to the above sewerage service, a surcharge based on samples tested under the provisions of Section 9 of Ordinance No. A-3982 and calculated under the following formula:
  4.  $A(B) + C(D) = T_c$
  4. A = operation and maintenance costs for treatment of one pound of BOD.
  4. B = pounds of BOD from user above normal sewage level.
  4. C = operation and maintenance costs for treatment of one pound of suspended solids.
  4. D = pounds of suspended solids from user above normal sewage level.
  4.  $T_c$  = total surcharge.
4. Such service surcharge by the City shall be made, billed and collected as prescribed by this Section and other applicable ordinances of the City now in force and hereafter enacted.
5. For parties connected with the City's sewerage system and obtaining water from sources other than the City's water system, the sewerage service charges shall be on the basis and at the rates set forth above, the applicable rate being applied to what would be the bill of the City for the total amount of water furnished the user from all sources as measured by a metering plan which shall have been approved by the Superintendent for the City.

**Section 715.250. City To Review User Charge System Annually.** [R.O. 2012 §715.270; Ord. No. 5751 §26-18.1, 8-2-1993]

- A. The City will review the user charge system annually and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement, and that the system continues to provide for the proportional distribution of operation and maintenance, including replacement costs among users and user classes.
- B. The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance, including replacement of the treatment works.

**Section 715.260. User Charge and Surcharge Calculation Methodology.** [R.O. 2012 §715.280; Ord. No. A-5751 §26-18.2, 8-2-1993; Ord. No. 7366, 11-13-2003]

A. This Section presents the methodology to be used in calculating user charge rates and surcharges and illustrates the calculations followed in arriving at the first (1st) year's user charges and surcharges. The unit costs established in this Section are based on estimates of expenses and loadings. The actual expenses and loadings that occur may differ from these estimates and certainly they will change as time passes. Therefore, the unit costs must be re-established whenever necessary to reflect actual expenses and loadings. Once the system is in use, the expenses and loadings can be determined from operating records and the unit costs can be adjusted based on these figures.

1. *Expenses.* The total annual expenses associated with the treatment works, as defined in Section 705.010, are estimated as follows:

<b>Item</b>	<b>Annual Expense</b>
Labor Cost *(\$467,798 + \$35,000)	\$502,798.00
Operation Cost *(\$388,213 + \$92,000)	\$480,213.00
Debt Service Cost *(\$128,662 + \$564,000)	\$692,662.00
Replacement Cost *(\$45,000 + \$63,500)	\$109,000.00
Sewer Rehab. Costs	<u>\$200,000.00</u>
<b>TOTAL</b>	<b>\$1,984,673.00</b>

\*(Year 2003 budget + anticipated increase)

The preceding table includes costs associated with treating infiltration/inflow (I/I). This cost of eighty-seven thousand three hundred sixty dollars (87,360.00) will be allocated to the minimum bill.

2. *Expenses allocated to minimum charge.* That portion of the total annual expense allocated to the minimum charge includes the cost to treat I/I and a portion of the debt service costs.

Annual Cost to Treat I/I (assumed clear water) = O,M&R Cost to treat

total flow x annual percentage I/I

x percentage of total costs attribu-

table to flow = (\$502,798 + 480,213 + 109,000) x 0.2 x 0.4 = \$87,360.00

Portion of Debt service costs	<u>\$83,196.00</u>
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Total Annual Minimum Cost	\$170,556.00
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Minimum Charge/user/month = \$170,556.00/(3,050 users x 12 months)	\$4.66
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(Note: The above procedure allocates the cost of transporting and treating infiltration/inflow and a portion of the fixed administrative costs according to the number of users.)

3. *Allocation of other expenses.* Those expenses above and beyond the fixed costs recouped by the minimum charge established in Subsection (2) are allocated to appropriate pollutants in the following manner:

Annual Cost to Treat Flow	=	\$1,984,673.00 - (Total budget)
	less	(\$87,360.00) - (I/I)
	less	<u>(\$83,196.00)</u> - (Partial debt service)
	40% x	\$1,814,117.00
	=	\$725,647.00
Annual Cost to Treat BOD(5)	=	30% x \$1,814,117.00
	=	<u>\$511,235.00</u>
Annual Cost to Treat Suspended Solids	=	30% x \$1,814,117.00
	=	\$544,235.00

4. *Loadings.* The initial hydraulic loading based on metered water is estimated to be one billion eighty-six million (1,086,000,000) gallons per year. The initial BOD(5) loading is estimated to be two million three hundred twenty-three thousand (2,323,000) pounds per year. The initial suspended solids loading is estimated to be two million four hundred ten thousand (2,410,000) pounds per year.

5. *Unit costs.* The following calculations are utilized to determine the appropriate unit cost for treating BOD(5) and suspended solids:

Initial Unit Cost for BOD(5) Removal

=	<u>Annual cost to treat BOD(5)</u>
	Estimated annual BOD(5) loading
=	\$544,235.00/2,323,000 lb./yr.
=	\$0.23/lb.

Initial Unit Cost for SS Removal

=	<u>Annual cost to treat SS</u>
	Estimated annual SS loading
=	\$544,235.00/2,410,000 lb./yr.
=	\$0.23/lb.

6. *Unit charge.* Based on the estimated 2002 sewage flow, excluding I/I, of one billion eighty-six million (1,086,000.00) gallons, the unit charge required to generate \$1,814,117.00 annually is as follows:

\$1,814,117.00

1,086,000,000 gal. = \$1.67/1,000 gallons

7. *Total user charge.* For billing purposes, the base charge includes the first two thousand (2,000) gallons of water usage. The total sewer use charge is, therefore, billed at eight

dollars (\$8.00) base charge (\$4.66 + 2,000 gal. x \$1.67/1,000 gal.) plus one dollar sixty-seven cents (\$1.67) per one thousand (1,000) gallons water used in excess of two thousand (2,000) gallons. This charge is equal to that presently set forth in Section 715.240, Subsections (1), (2) and (3).

Example calculations of residential charges are as follows:

Where average water usage is 5,800 gallons/month

$$\text{User Charge} = \$8.00 + 1.67 (5.8 - 2.0) = \$14.35/\text{month}$$

Where average water usage is less than 2,000 gallons/month, the

Base \$8.00 per month charge takes precedence.

$$\text{User Charge} = \$8.00/\text{month}$$

8. *Extra strength contributors.* For users who contribute wastewater that has greater strength than normal domestic wastewater, the user charge will be calculated as set forth in Section 715.240(4). An example calculation of a user charge for an extra strength user is as follows:

Assumed Conditions:

$$\text{Water Use} = 1,000,000 \text{ gallons/month (1 MG/month)}$$

$$\text{BOD} = 500 \text{ mg/l}$$

$$\text{SS} = 275 \text{ mg/l}$$

$$A(B) + C(D) = T_c$$

$$A = \$0.23/\text{lb. BOD}$$

$$B = (\text{Actual BOD, mg/l} - \text{"Normal" BOD, mg/l}) (\text{Water Use, MG}) (8.34)$$

$$= (500 - 300) (1.0) (8.34)$$

$$= 1,668 \text{ lb. excess BOD}$$

$$C = \$0.23/\text{lb. SS}$$

$$D = (\text{Actual SS, mg/l} - \text{"Normal" SS, mg/l}) (\text{Water Use, MG}) (8.34)$$

$$= (275 - 350) (1.0) (8.34) \text{ which is less than zero, therefore there is no surcharge for excess suspended solids.}$$

$$\text{In this example, the total surcharge (T}_c\text{) equals } 0.23 (1,668) = 0.1(0)$$

$$= \$383.64/\text{month.}$$

**Section 715.270. Determination of Replacement Schedules.** [R.O. 2012 §715.290; Ord. No. A-5751 §26-18.3, 8-2-1993; Ord. No. 7366, 11-13-2003]

- A. This Section contains replacement schedules that were developed to determine the amount of revenue needed to fund the Replacement Account. The replacement schedules list the equipment, the estimated dates when the equipment will have to be replaced, and the estimated cost of replacement (including an allowance for inflation) over the useful life of the treatment works. Also listed is a summary sheet which shows the estimated cost flow



that will occur in the Replacement Account. The replacement dates and costs shown are estimates; the actual replacement dates and costs could be significantly different from those shown. If the actual replacement expenses differ significantly from those listed in the replacement schedule, the funding of the Replacement Account shall be adjusted accordingly.

**B. REPLACEMENT SCHEDULE — FOLLOWING 2003 IMPROVEMENTS**

<b>Item</b>	<b>Replacement Cost</b>			
	<b>5 Yrs.</b>	<b>10 Yrs.</b>	<b>15 Yrs.</b>	<b>20 Yrs.</b>
Raw Sewage Screw Pump (3)				
Lower Bearing	2,000	2,000	2,000	2,000
Upper Drive	—	5,000	—	5,000
Mechanical Bar Screen	3,000	10,000	3,000	10,000
Grit Removal Equipment				
Blowers (2)	2,000	4,000	2,000	4,000
Classifier (1)	—	2,000	—	2,000
Grit Pump (1)	3,000	3,000	3,000	3,000
Primary Clarifier Sludge Pumps (2)	3,000	6,000	3,000	6,000
Primary Clarifier Scum Pump (1)	1,500	3,000	1,500	3,000
Primary Clarifier Drives (2)	—	4,000	—	4,000
Sludge Thickener Drive (1)	—	2,000	—	2,000
Anaerobic Digester Equipment				
Mixers (4)	2,000	4,000	2,000	4,000
Diaphragm Pumps (3)	1,000	1,000	1,000	1,000
Recirc. Pumps (2)	—	6,000	—	6,000
Miscellaneous	10,000	10,000	10,000	10,000
Trickling Filter Pumps (3)	15,000	15,000	15,000	15,000
T.F. Rotary Distributors (3)	—	9,000	—	9,000
Tertiary Filter Screw Pumps (2)	2,000	5,000	2,000	5,000
Tertiary Filters	8,000	16,000	8,000	16,000
Tertiary Filter Submersible Pump (1)	1,000	3,000	1,000	3,000
Intermediate Pumps (5)	10,000	25,000	10,000	25,000
Anaerobic/Anoxic Mixers (10)	10,000	20,000	10,000	20,000
Brush Rotor Aerators (10)	20,000	30,000	20,000	30,000
Propeller Mixers (4)	4,000	12,000	4,000	12,000
Recycle Pumps (4)	4,000	12,000	4,000	12,000
Final Clarifier Drives	—	8,000	—	8,000

WAS Pumps (2)	2,000	6,000	2,000	6,000
Snail/Grit Classifier (1)	1,000	3,000	1,000	3,000
Snail Pump (1)	500	1,000	500	1,000
Sludge Pumps (4)	8,000	16,000	8,000	16,000
Gravity Belt Thickener (1)	10,000	30,000	10,000	30,000
Polymer Feed Equipment	1,000	1,000	1,000	1,000
Aerobic Digester Blowers (4)	8,000	30,000	8,000	30,000
Waste Sludge Pumps (2)	4,000	8,000	4,000	8,000
UV Disinfection Equipment	6,000	6,000	6,000	6,000
Standby Generator (1)	10,000	30,000	10,000	30,000
Miscellaneous	10,000	10,000	10,000	10,000
<b>TOTAL</b>	<b>\$171,000</b>	<b>\$358,000</b>	<b>\$171,000</b>	<b>\$358,000</b>

**Future Replacement Cost (Assumed 3.5% Inflation)**

<b>2003 Cost (Interest Future)</b>	<b>5 Yrs. (1.188)</b>	<b>10 Yrs. (1.411)</b>	<b>15 Yrs. (1.675)</b>	<b>20 Yrs. (1.990)</b>
\$171,000 (5 Yr. Equipment Cycle)	\$203,148	\$241,281	\$286,425	\$340,290
\$358,000 (10 Yr. Equipment Cycle)	N/A	505,138	N/A	712,420
\$171,000 (15 Yr. Equipment Cycle)	N/A	N/A	286,425	N/A
<b>Future Replacement Costs</b>	<b>\$203,148</b>	<b>\$746,419</b>	<b>\$572,850</b>	<b>\$1,052,710</b>

**Annual Requirements**

	<b>5 Yrs.</b>	<b>10 Yrs.</b>	<b>15 Yrs.</b>	<b>20 Yrs.</b>
Future Replacement Costs	\$203,148	\$746,419	\$572,850	\$1,052,710
A/F — 5 years, 4% (.185)(203,148) = \$37,582	<u>-203,148</u>	<u>-203,148</u>	<u>-203,148</u>	<u>-203,148</u>
	-0-	543,271	369,702	849,562
A/F — 10 years, 4% (.0833)(543,271) = \$45,255		<u>-543,271</u>	<u>244,622</u>	<u>-244,622</u>
		-0-	153,080	604,940
A/F — 15 years, 4% (.0499)(125,080) = \$6,242			<u>-125,080</u>	<u>-33,741</u>
			-0-	571,199
A/F — 20 years, 4% (.0336)(571,199) = \$19,192				<u>-571,199</u>
				-0-
<b>Total = \$108,271</b>				

**Projected Replacement Account Balance**

**Years After New  
Facilities Placed**

<b>In Operation</b>	<b>User Charge</b>	<b>Income</b>	<b>Interest Income (4%)</b>	<b>Expenditure</b>	<b>Balance</b>
1	\$109,000		-0-	-0-	\$109,000
2	\$109,000		\$4,360	-0-	222,360
3	\$109,000		8,894	-0-	340,254
4	\$109,000		13,610	-0-	462,865
5	\$109,000		18,515	203,148	387,231
6	\$109,000		15,489	-0-	511,270
7	\$109,000		20,469	-0-	641,189
8	\$109,000		25,648	-0-	775,837
9	\$109,000		31,033	-0-	915,870
10	\$109,000		36,635	746,419	315,086
11	\$109,000		12,603	-0-	436,690
12	\$109,000		17,468	-0-	563,157
13	\$109,000		22,526	-0-	694,683
14	\$109,000		27,787	-0-	831,471
15	\$109,000		33,259	572,850	400,880
16	\$109,000		16,035	-0-	525,915
17	\$109,000		21,037	-0-	655,951
18	\$109,000		26,238	-0-	791,189
19	\$109,000		31,648	-0-	931,837
20	\$109,000		37,273	1,052,710	25,400

**Section 715.280. Charges For Businesses, Etc., Placing Unusual Burdens On Sewerage System.** <sup>2</sup>  
[R.O. 2012 §715.300; CC 1979 §26-20; Ord. No. A-2692 §29, 3-11-1969]

Any business establishment, industry or other user discharging an unusual amount of waste or fluid into the City's sewerage system, which places an unusual burden upon such system or its sewerage treatment works or facilities, shall be charged such reasonable and proper amount as may be fixed from time to time by the City Council, taking into account such unusual burden. Any such charge imposed upon a customer whose premises are located outside the corporate limits may exceed the charge imposed for similar services upon a customer whose premises are

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2. Editor's Note — Ordinance No. A-3982, adopted August 24, 1978, provides for industrial cost recovery in connection with waste treatment facilities constructed under E.P.A Project No. C290524. Such ordinance has not been included in this volume but rather has been saved from repeal by the ordinance adopting this codification. A copy thereof may be found on file in the office of the superintendent of utilities.

located within the corporate limits.

**Section 715.290. Free Sewerage Service Prohibited, Other Than To City.** [R.O. 2012 §715.310; CC 1979 §26-21; Ord. No. A-2692 §30, 3-11-1969]

No sewerage services shall be furnished or rendered by the City's sewerage system, or any of the facilities thereof, free of charge to any customer or user thereof, other than to the City itself.

**Section 715.300. Modification in Special Circumstances — Special Contracts With Certain Customer.** [R.O. 2012 §715.320; CC 1979 §26-22; Ord. No. A-2692 §31, 3-11-1969]

If, in any particular case special and unusual circumstances shall make the application of the sewerage rates and charges specified in this Article inequitable and unfair when applied to any commercial or industrial user, the City Council shall have the right to modify such rates with respect to such customer and, in such case, may enter into contracts which shall provide for equitable and fair rates and charges for sewerage services.

**Section 715.310. When Bills Due and Payable — Additional Charge For Delinquency — Disconnection and Reconnection of Service — Enforcement of Collection By Legal Remedies.** [R.O. 2012 §715.340; CC 1979 §26-24; Ord. No. A-2692 §33, 3-11-1969; Ord. No. 7593 §1, 8-22-2005; Ord. No. 7631 §3, 12-20-2005; Ord. No. 7809, 12-21-2007]

The monthly charges due the City for sewage services, except industrial sewage service, shall be delinquent after the fifth (5th) business day of the month following the month during which such sewage services were rendered. Monthly charges shall be considered paid upon processing and posting of payment by the City of Monett or its authorized agent. The United States postmark date will not be considered processing or posting of payment by the City of Monett. An additional penalty of ten percent (10%) of such charges becoming delinquent shall be added on the fourth (4th) business day after the due date. If any such bill shall be and remain unpaid after the five (5) days following the due date, then service to such applicant or consumer at the premises by reason of which such sewage charge was made shall be discontinued and shall not be resumed until all past due bills for sewage service are paid in full, together with any court cost and attorney fees incurred by the City in effecting such collection. It shall be the duty of the City or other representative of the City charged with the duty of collecting or receiving payment for sewage service to notify the Superintendent of Utilities of the premises which, because of delinquency in the payment of bills, are not longer entitled to sewage service and the Superintendent shall promptly proceed to cause sewage service to such consumer and premises to be disconnected, and the City shall proceed to enforce collection of such charges by legal remedy available to it.

**Section 715.320. Joint Liability of Occupant and Owner of Premises.** [R.O. 2012 §715.350; CC 1979 §26-25; Ord. No. A-2692 §34, 3-11-1969]

The occupant and user of the premises receiving sewerage services and the owner of such premises shall be jointly and severally liable to pay for such services rendered on such premises. The City shall have power to sue the occupant or the owner of such real estate in a civil action and receive any sums due for such service, plus a reasonable attorney's fee to be fixed by the Court.

**Section 715.330. Increased Service Charges For Prohibited Discharges — Imposed — Amounts.** [R.O. 2012 §715.360; CC 1979 §26-37; Ord. No. A-2692 §28, 3-11-1969; Ord. No. A-2901 §1, 5-26-1970; Ord. No. A-3245 §1, 11-8-1972; Ord. No. A-3759 §1, 1-7-1977]

If any sewage, water, liquids or materials prohibited by Section 705.380 or 705.400 is discharged into the sanitary sewerage system of the City, for each month in which any such discharge occurs, the sewage service charges to the owner and occupant of the premises from which such discharge originated shall be increased ten percent (10%) of the monthly water bill, not including sales tax; provided, that in the event such discharge shall originate from the same premises for two (2) or more consecutive months, for each subsequent consecutive month in which discharge occurs from the same premises, up to a total of six (6) consecutive months, the sewage service charge to the owner and occupant shall be increased by a cumulative additional ten percent (10%) of the monthly water bill, not including sales tax, and that for each day such discharge shall occur in such third (3rd) consecutive month and thereafter a daily additional charge shall be due by such owner and occupant as hereinafter set forth, so that the sewage service charge for each month in which such sewage, water, liquids or materials are discharged from the same premises into the sanitary sewerage system of the City shall be increased by the following percentages of the monthly water bill, not including sales tax, for the month in which such discharge occurs and by the following daily additional charges, which charges shall be hereafter called the "increased sewage service charge":

Any month in which such discharge occurs	10%
Second (2nd) consecutive month in which such discharge occurs	20%
Third (3rd) consecutive month in which such discharge occurs	30%, plus \$20.00 per day additional charge
Fourth (4th) consecutive month in which such discharge occurs	40%, plus \$40.00 per day additional charge
Fifth (5th) consecutive month in which such discharge occurs	50% plus \$60.00 per day additional charge
Sixth (6th) consecutive month in which such discharge occurs	60%, plus \$80.00 per day additional charge

**Section 715.340. Increased Service Charges For Prohibited Discharges — Reduction — When — Reversion To Highest Rate Upon Resumption of Discharges.** [R.O. 2012 §715.370; CC 1979 §26-38; Ord. No. A-2692 §28, 3-11-1969; Ord. No. A-2901 §1, 5-26-1970; Ord. No. A-3245 §1, 11-8-1972; Ord. No. A-3759 §1, 1-7-1977]

When an increased sewage service charge rate is established as provided in Section 705.330, the highest increased rate and daily additional charge so established shall remain in force for a minimum period of two (2) months, including the first month for which such increase was established, and shall remain in force thereafter until such highest increased rate and daily addition charge have been reduced in the following manner:

Such highest increased rate shall be reduced by ten percent (10%) of the monthly water bill, not

including sales tax, for the first succeeding month after such two (2) month period in which such discharge does not occur and by a cumulative additional ten percent (10%) of the monthly water bill, not including sale tax, for each of the consecutive succeeding months after such two (2) month period in which such discharge does not occur and the daily additional charge shall be reduced to the daily additional charge corresponding with the applicable increased percentage charge as set forth above; provided, that nothing herein shall be construed to prevent the re-establishment of the highest increase and daily additional charge by reason of such discharge occurring in successive months. The decrease in service charge shall be as follows, after said two (2) month period:

Any month in which such discharge does not occur	10%
Second (2nd) consecutive month in which such discharge does not occur	20%
Third (3rd) consecutive month in which such discharge does not occur	30%
Fourth (4th) consecutive month in which such discharge does not occur	40%
Fifth (5th) consecutive month in which such discharge does not occur	50%
Sixth (6th) consecutive month in which such discharge does not occur	60%

However, any time in a six (6) month period following such two (2) month period, when any sewage, water, liquids or materials prohibited by Section 705.380 or 705.400 are discharged into the sanitary sewerage system of the City, the increased charge and daily additional charge will automatically revert back to the highest daily additional charge and highest percent of the increased sewer charge in the past twelve (12) month period.

**Section 715.350. Doubling of Increased Service Charge For Certain Discharges.** [R.O. 2012 §715.380; CC 1979 §26-39; Ord. No. A-2692 §28, 3-11-1969; Ord. No. A-2901 §1, 5-26-1970; Ord. No. A-3245 §1, 11-8-1972; Ord. No. A-3759 §1, 1-7-1977]

- A. In the event any sewage, water, liquids or materials prohibited by Section 705.400 or 705.410 are discharged from any premises into the sanitary sewerage system of the City at any time when any grease, oil or sand interceptor or any preliminary treatment device or other device has been installed on such premises for the purpose of preventing a prohibited discharge or any device has been installed on such premises for the purpose of reducing the BOD, suspended solids, toxic solids, poisonous, viscous or other materials or liquids discharged into such sanitary sewer system, and when any such device is not in normal proper working order, the increased sewage service charge, not including the daily additional charge, for the month in which such discharge occurs shall be twice the increased sewage service charge, not including the daily additional charge, otherwise to be charged hereunder.
- B. In any event any sewage, water, liquids or materials which are discharged into the sanitary sewer system of the City from any premises contain materials or substances prohibited by Section 705.400 or 705.410 in an amount greater than one hundred fifty percent (150%) of the minimum of such materials or substances prohibited by such sections or contain materials or substances prohibited by such sections in an amount greater than twenty-five percent (25%) of the greatest amount of such materials or substances prohibited by such

sections discharged from such premises during the preceding three (3) months, the sewage service charge, not including the daily additional charge, for the month in which such discharge occurs shall be twice the increased sewage service charge not including the daily additional charge, otherwise to be charged hereunder.

- C. In the event more than one condition as set forth in this Section occurs, which establishes that such increased service charge, including the additional charge, shall be twice the increased service charge, including the additional charge, otherwise to be charged under Sections 715.330 and 715.340, nothing in this Section shall be construed to provide that such increased service charge in any month shall be greater than twice the amount of the increased service charge, including the additional charge, otherwise to be charged hereunder.

ARTICLE IV  
**Electricity — Rates and Charges**

**Section 715.360. Large Industrial Service.** [R.O. 2012 §715.390; CC 1979 §9-15; Ord. No. A-2961 §2, 10-19-1970; Ord. No. A-4076 §2, 8-10-1979; Ord. No. A-4409 §2, 1-4-1983; Ord. No. A-5566 §1, 7-17-1992; Ord. No. A-6812 §1, 3-31-1999; Ord. No. A-6813, 3-31-1999; Ord. No. 7316, 5-20-2003; Ord. No. 7845, 4-21-2008; Ord. No. 8138, 7-20-2012; Ord. No. 8298, 6-20-2014]

- A. The monthly rate for each monthly billing period electric energy is supplied for large industrial service (defined as businesses with a load over seven hundred (700) kW and/or usage of two hundred eighty thousand (280,000) kWh per month) shall be:

1. *Demand charge.*

For each kW of billing demand                      \$9.65

2. *Energy charge.*

First 300 hours use of billing demand      \$0.0667

All additional hours use of billing  
demand    \$0.0583

- B. A minimum monthly bill is prescribed in Section 715.370.

- C. The rates described in Subsection (A)(1) and (2) for industrial services will go into effect July 1, 2014.

**Section 715.370. Large Industrial Service — Terms and Conditions — Minimum Charges.** [R.O. 2012 §715.400; CC 1979 §9-16; Ord. No. A-2961 §3, 10-19-1970; Ord. No. A-4076 §3, 8-10-1979; Ord. No. A-4409 §3, 1-4-1983; Ord. No. 8298, 6-20-2014]

- A. The terms under which electric energy will be supplied for industrial service are:

1. Electric energy shall be supplied under the large industrial service rate only for use in an industrial or manufacturing or processing business having an estimated or actual seven-hundred-kilowatt demand and two hundred eighty thousand (280,000) kilowatt

hours use per month and only upon an application requesting such service in such form and supplying such information as may be prescribed by the City Superintendent of Utilities; provided, in the event a consumer once under the large industrial service rate does not by actual use meet the above minimum standards of use, such consumer shall be ineligible for such rate until the qualifying use is thereafter established for a period of three (3) consecutive months.

2. If a consumer desires more than one class of service as to character of voltage, phase or frequency, or delivery at more than one point, each class of service and point of delivery shall be metered separately and shall be considered as service to separate consumers for the purpose of billing; provided, when a consumer desires delivery of electric energy at the primary voltage of the City, metering and special conditions of service applicable to such delivery of electric energy shall be determined and established by contract between such consumer, and the City.
3. The billing demand shall be the highest fifteen (15) minutes integrated kilowatt demand registered by a demand meter for the monthly billing period.
4. In no event shall the demand charge for any monthly billing period be less than seventy-five percent (75%) of the highest demand charge for any one (1) monthly billing period of the last eleven (11) preceding consecutive monthly billing periods and in no case less than the demand charge for seven hundred (700) kilowatts.
5. In no event shall the demand charge for any monthly billing period be less than seventy-five percent (75%) of the highest demand charge for any one (1) monthly billing period of the last eleven (11) preceding consecutive monthly billing periods and in no case less than the demand charge for seven hundred (700) kilowatts.

**Section 715.380. Commercial Service Rates.** [R.O. 2012 §715.410; CC 1979 §9-17; Ord. No. A-2961 §4, 10-19-1970; Ord. No. A-3077 §1, 9-10-1971; Ord. No. A-4076 §4, 8-10-1979; Ord. No. A-4409 §4, 1-4-1983; Ord. No. A-5568 §1, 7-17-1992; Ord. No. 7315, 5-20-2003; Ord. No. 7678, 8-23-2006; Ord. No. 8139, 7-20-2012; Ord. No. 8298, 6-20-2014]

- A. The monthly rate for each monthly billing period electric energy is supplied for small commercial service shall be:

**Small Commercial Standard Rate Schedule**

Minimum charge per month           \$27.00

**Schedule I**

First 200 kWh                           \$0.1350

Next 1,800 kWh                       \$0.1050

Next 10,000 kWh                      \$0.0840

Over 12,000 kWh                      \$0.0880



- B. The monthly rate for each monthly billing period electric energy is supplied for large commercial/industrial service (defined as businesses whose load is over thirty (30) kW and/or usage over twelve thousand (12,000) kWh per month) shall be:

**Large Commercial/Industrial Standard Rate Schedule**

Minimum monthly charge	\$225.00
Demand charge: all kW	\$7.50
Energy charge: all kWh	\$0.0695

- C. The rates described heretofore for small and large commercial electric are to go into effect July 1, 2014.

**Section 715.390. Commercial Service — Terms and Conditions — Minimum Charges.** [R.O. 2012 §715.420; CC 1979 §9-18; Ord. No. A-2961 §5, 10-19-1970; Ord. No. A-4076 §5, 8-10-1979; Ord. No. A-4409 §5, 1-4-1983; Ord. No. 7679, 8-23-2006]

- A. The terms under which electric energy will be supplied for commercial service are:
1. Electric energy shall be supplied under the commercial service rate only for use in a commercial enterprise, an enterprise providing a service or a product or an industrial or manufacturing or processing business not receiving service under the large industrial service rate and only upon an application requesting such service in such form and supplying such information as may be prescribed by the City Superintendent of Utilities.
  1. In the event an incidental residential use is made by a consumer receiving service under the commercial service rate, nevertheless the commercial service rate shall apply. [Ord. No. 8298, 6-20-2014]
  2. Such electric energy shall be supplied at such voltage, phase and frequency and other conditions of service as may be prescribed by the City.
  3. In the event more than one class of service or one point of delivery is provided, each class of service and point of delivery shall be metered separately and shall be considered as service to separate consumers for the purpose of billing.
  4. In no event shall the energy charge for any monthly billing period be less than the following charge, based upon demand for electric energy through the delivery point, based upon the connected load:

1 to 7 kw	\$10.00
8 to 15 kw	\$25.00
16 to 30 kw	\$40.00
30 to 50 kw	\$50.00

Above 50 kw \$125.00

Such connected load shall be determined at the time application for such service is made and is subject to review and change each six (6) months such service is supplied or at any time a material change is made in such connected load.

5. Application for and receipt of electric energy under the commercial service rate shall constitute an agreement by the applicant and consumer to pay not less than the minimum monthly charge for such service for a period of twelve (12) consecutive months following the first delivery of energy under such rate to such applicant or consumer.

**Section 715.400. Residential Service — Monthly Rates.** [R.O. 2012 §715.430; CC 1979 §9-19; Ord. No. A-2961 §6, 10-19-1970; Ord. No. A-3077 §2, 9-10-1971; Ord. No. A-4076 §6, 8-10-1979; Ord. No. A-4409 §6, 1-4-1983; Ord. No. A-5567 §1, 7-17-1992; Ord. No. A-6814 §1, 3-31-1999; Ord. No. A-6815, 3-31-1999; Ord. No. 7314, 5-20-2003; Ord. No. 7680, 8-23-2006; Ord. No. 8140, 7-20-2012; Ord. No. 8298, 6-20-2014]

- A. The monthly rate for each monthly billing period electric energy is supplied for residential service shall be:

1. Minimum charge per month \$16.20

2. **Schedule I**

First 100 kWh	\$0.1620
Next 1,100 kWh	\$0.1080
Over 1,200 kWh	\$0.0940

- B. Provided, when the premises of a consumer receiving electric service under the residential service rate are equipped for all electric service, then during the billing period month of October through May the rate for such service shall be as follows:

1. Minimum charge per month \$16.20
2. **All electric schedule** (October through May).

First 100 kWh	\$0.1620
Next 600 kWh	\$0.1080
Next 500 kWh	\$0.0930
Over 1,200 kWh	\$0.0810

- C. The residential rates described are to go into effect July 1, 2014.

**Section 715.410. Residential Service — Terms and Conditions — Minimum Charges.** [R.O. 2012 §715.440; CC 1979 §9-20; Ord. No. A-2961 §7, 10-19-1970; Ord. No. A-4076 §7, 8-10-79; Ord. No. A-4409 §7, 1-4-1983; Ord. No. 7681, 8-23-2006; Ord. No. 8141, 7-20-2012]

- A. The terms under which electric energy will be supplied for residential service are:
1. Electric energy shall be supplied under the residential rate only for use for residential purposes, and unless special application for multiple family use is made as hereinafter provided, shall be for single-family use.
  2. Upon special application, the Superintendent of Utilities may approve the residential rate for electric energy supplied for residential purposes, for multiple-family use such as duplexes, rooming houses and apartment houses.
  3. If electric energy is delivered for residential purposes for multiple-family use, the applicable rate shall be the rate prescribed by Section 715.400 with the prescribed kwh bracket multiplied by the number of separate living units or rooms to which electric energy is so supplied.
  4. Such electric energy shall be supplied at such voltage, phase and frequency and other conditions of service as may be prescribed by the City Superintendent of Utilities.
  5. Such electric energy shall be supplied through one (1) meter, unless upon special application the installation of more than one meter is approved by the Superintendent of Utilities, in which event each meter shall be billed separately.
  6. The minimum monthly bill for electric energy supplied under the residential rate shall be sixteen dollars and twenty cents (\$16.20) per month for each monthly billing period. [Ord. No. 8298, 6-20-2014]
  7. For the purposes of this Section, a consumer shall be considered as equipped for all electric service when the premises of such consumer at which such service is received are equipped for the use of only electric energy and not for any other energy utilities.

**Section 715.420. Determination of Rates For Monthly Billing Period Containing Parts of More Than One Calendar Month.** [R.O. 2012 §715.470; CC 1979 §9-24; Ord. No. A-2961 §10, 10-19-1970; Ord. No. A-4076 §10, 8-10-1979; Ord. No. A-4409 §10, 1-4-1983]

For the purpose of determining the application of the above rates for a monthly billing period which contains parts of more than one (1) calendar month, such monthly bill shall be determined upon the rate applicable to the month which constitutes the greater part of such monthly billing period.

**Section 715.430. Power Cost Adjustment.** [R.O. 2012 §715.480; CC 1979 §9-25; Ord. No. A-3524 §1, 2-10-1975; Ord. No. A-4409 §11, 1-4-1983; Ord. No. 8298, 6-20-2014]

- A. The power cost adjustment (PCA) shall be calculated each month based on billings from the City's wholesale electricity supplier. The PCA shall replace the fuel cost adjustment charge. The PCA shall be calculated as follows:

$$\text{PCA} = (\text{Average cost} - \text{base rate}) \times \text{loss factor} \times \text{PILOT}$$

The average cost equals the demand charge in dollars from the supplier's invoice plus the usage charge in dollars plus the fuel charge in dollars plus the transmission charge in dollars (including the supplier's transmission invoice, wholesale distribution charge, SPP certificate charge and SPP transmission charge) divided by the metered energy in kilowatt hours from the supplier's invoice.

$$\text{Average cost} = \frac{(\text{D} + \text{U} + \text{F} + \text{T})}{\text{kWh}}$$

If the average cost is greater than \$0.0663 per kWh, then multiply by a loss factor of 1.07. If the average cost is less than \$0.0663 per kWh, then multiply by a loss factor of 1.00. This total is then multiplied by the PILOT charge of 1.10.

**Section 715.440. Deposits.** [R.O. 2012 §715.490; CC 1979 §9-26; Ord. No. A-2961 §11, 10-19-1970; Ord. No. A-3134 §1, 2-9-1972; Ord. No. A-4076 §11, 8-10-1979; Ord. No. A-4409 §12, 1-4-1983; Ord. No. 7683, 8-23-2006]

- A. Each person to whom electric energy is delivered by the City shall deposit with the City an amount as follows:
  1. *For consumers under the industrial rate.* Fifty cents (\$.50) for each KVA of estimated or connected load and in no case shall the deposit be less than fifty dollars (\$50.00).
  2. *For consumers under the commercial rate.* Two (2) times the estimated highest monthly charge. In no case will the deposit be less than one hundred dollars (\$100.00).
  3. *For consumers under the residential rate.* Fifty dollars (\$50.00) minimum. Based on credit history the Utilities Superintendent may require up to five hundred dollars (\$500.00) additional deposit.
- B. In the event that, by reason of an actually connected load or use of electric energy the deposit prescribed upon the basis of such load or use is greater than the amount initially deposited by any consumer, the Superintendent of Utilities shall determine the deposit upon the basis of such actually connected load or the average monthly bill for electric energy for the preceding twelve (12) month period or use of electric energy, whichever is greater, and notify the consumer of the deposit based upon the later basis, and the consumer shall, within ten (10) days after such notification, deposit with the City such additional sum as is required to cause the total deposit of such consumer to equal the recomputed deposit. In the event such additional deposit is not so posted, service to such consumer shall be disconnected.
- C. In the event service is rendered upon the residential rate through more than one (1) meter, the applicable deposit shall be made for each meter.
- D. In the event service is rendered under the residential rate for multiple-family use, the

deposit prescribed shall be the sum as set forth in Subsection (A)(3) hereof multiplied by the number of separate living units or rooms for which electric energy is so supplied.

- E. Upon the discontinuance of service to any consumer and the payment of all charges due to the City, such deposit shall be refunded to the person posting the same; and upon the discontinuance of service to any consumer and the failure of such consumer to pay all charges due to the City, such deposit shall be applied to all such charges due the City.

**Section 715.450. Reading of Meters and Billing Procedure — Delinquent Bills — Disconnection and Reconnection of Service, Remedies For Enforcement of Collection.** [R.O. 2012 §715.500; CC 1979 §9-27; Ord. No. A-5140 §1, 8-10-1989; Ord. No. 7593 §1, 8-22-2005; Ord. No. 7631 §2, 12-20-2005; Ord. No. 7808, 12-12-2007]

- A. The Superintendent of Utilities shall cause all electric meters to be read and shall review billing for electric service prepared by the Billing Clerk for accuracy of correct billing. The Superintendent shall each month calculate the amount of each bill and determine the amount to be due the City by reason of electric energy furnished during the monthly period.
- B. As used in this Section, the term "*month*" or "*monthly period*" shall mean a preceding period of approximately one (1) month ending as near the same day of each month as is practicable for the electric meters of the City to be read. In reading such meters and in calculating the bills for electric energy so furnished, the monthly period shall extend from the time each meter was read for the preceding month to the date the same is read for a current month.
- C. The Billing Clerk, upon calculating the amount of such bills, shall cause bills for such electric service to be prepared and to be mailed to the last known address of the consumer.
- D. *Billing — Delinquency — Disconnection — Reconnection — Changes.*
  - 1. The monthly charges due the City for electric service, except industrial electric service, shall be delinquent after the fifth (5th) business day of the month following the month during which such service was rendered. Monthly charges shall be considered paid upon processing and posting of payment by the City of Monett or its authorized agent. The United States postmark date will not be considered processing or posting of payment by the City of Monett. An additional penalty of ten percent (10%) of such charges becoming delinquent shall be added on the second (2nd) business day after the due date. If any such bill shall be and remain unpaid after five (5) days following the due date, then service to such applicant or consumer at the premises by reason of which such electric energy charge was made shall be discontinued and shall not be resumed until all past due bills for electric energy are paid in full, together with a reconnection charge in the amount of twenty-five dollars (\$25.00) for such restoration if made between the hours of 8:00 A.M. and 4:00 P.M. Monday through Friday, or upon the payment of fifty dollars (\$50.00) for such restoration, if made between the hours of 4:00 P.M. and 10:00 P.M. Monday through Friday, or upon the payment of one hundred dollars (\$100.00) for such restoration, if made anytime between the hours of 10:00 P.M. and 8:00 A.M. Monday through Friday, or on any Saturday, Sunday or holiday of the City, together with any court costs and attorney fees incurred by the City in effecting such collection. It shall be the

duty of the City or other representative of the City charged with the duty of collection or receiving payment for electric energy to notify the Superintendent of Utilities of the premises which, because of delinquency in the payment of bills, are no longer entitled to electric energy and the Superintendent shall promptly proceed to cause electric energy service to such consumer and premises to be disconnected, and the City shall proceed to enforce collection of such charges by any legal remedy available to it.

2. The monthly charges due the City for industrial electric energy service shall be delinquent on the twentieth (20th) day of the month following the month during which such electric service was rendered, and an additional charge of ten percent (10%) of such charges becoming delinquent shall be added to such charges. In the event the monthly charges due the City for industrial electric energy service shall not be paid by the last day of the month following the month during which such electric service was rendered, the Utilities Superintendent is authorized to discontinue electric service to the consumer whose charges for such service are not so paid. In the event electric service of industrial account is discontinued by reason of non-payment for such service as herein provided, such service shall be restored only upon the payment of twenty-five dollars (\$25.00) for such restoration if made between the hours of 8:00 A.M. and 4:00 P.M. Monday through Friday, or upon the payment of fifty dollars (\$50.00) for such restoration, if made between the hours of 4:00 P.M. and 10:00 P.M. Monday through Friday, or upon the payment of one hundred dollars (\$100.00) for such restoration, if made anytime between the hours of 10:00 P.M. and 8:00 A.M. Monday through Friday, or on any Saturday, Sunday or holiday of the City, and such service shall not be restored until such delinquent charges are paid in full.

- E. The City shall have power to sue the person making application for and the person accepting electric energy, or both, for such sums as may be due the City by reason of electric energy delivered by the City, plus a reasonable attorney's fee to be fixed by the Court and all costs of collection.

**Section 715.455. Net Metering Service and Electrical System Integration.** [Ord. No. 8344 §1, 5-20-2015]

- A. *Applicable Service Territory.* Net metering and electrical system interconnection is available on a first-come, first-served basis in the distribution service territory of the City of Monett at any point on the City's existing facilities that has adequate capacity and suitable voltage for delivery of service until:
  1. The total rated generating capacity of all net metering systems on the utility equals five percent (5%) of the utility's single-hour peak load during the previous year; or
  2. The total rated generating capacity of approved new interconnection agreements during the current calendar year equals or exceeds one percent (1%) of the utility's single-hour peak load for the previous calendar year.
- B. *Availability of Service.* Net metering service is available to any existing business or home owner customer who is in good standing under the City's electric service schedules. The customer can own and operate a renewable energy electric generator powered by solar

(thermal or photovoltaic), hydro, or wind or fuel cells using hydrogen produced by solar, hydro or wind with a capacity of not more than one hundred (100) kilowatts that is located on the customer's premises, is interconnected and operates in parallel phase and synchronization with the City's existing transmission and distribution facilities, and is intended primarily to offset part or all of the customer's own electrical power requirements. This rider is offered in compliance with the Net Metering and Easy Connection Act (Section 386.890 RSMo., and appropriate Missouri Public Service Commission Rules). Additional sources of renewable energy may be certified by the Department of Natural Resources and they will be accepted by the City. All agreements hereunder are between the customer-generator and the City and shall not include a third party.

- C. *Definitions.* Net metering means measuring the difference between the electric energy supplied by the City and electric energy generated by an eligible customer-generator and fed back to the electric grid over the applicable billing period. All other definitions shall be those contained in the Missouri Net Metering and Easy Connection Act (Section 386.890 RSMo.) except where noted in this Section.
- D. *Monthly Billing.* The electric service charge shall be computed in accordance with the monthly billing under the customer's effective standard rate schedule. Under this net metering rider, only the energy units indicated in kilowatthour (kWh) units of a customer-generator's bill are affected.
1. If the electricity supplied by the City exceeds the electricity generated by the customer-generator during the applicable billing period, the customer-generator shall be billed for the net billable kWh's supplied by the City in accordance with the rates and charges under the City's standard rate schedule applicable to the customer.
  2. If the electricity generated by the customer-generator exceeds the electricity supplied by the City, the customer-generator shall be credited for the net value of the electric energy delivered to the City during the applicable billing period at the City's avoided fuel cost, with this credit appearing on the customer-generator's bill no later than the following billing period.
  3. The avoided fuel cost is that amount determined by the City's governing board with responsibility for setting rates, as outlined in Section 386.890.2(1) RSMo. The Monett City Council hereby determines that the avoided fuel cost shall be the sum of the fuel charge and usage charge billed by Empire District Electric to the City of Monett, divided by kilowatt hours.
- E. *Transfer of Ownership.* Upon change in assuming ownership or operational control of the qualified unit, or of the premises on which the unit is located, the new customer-generator shall file a new application with the City for net metering.
- F. *Terms and Conditions.*
1. The customer-generator must have:
    - a. An approved application for net metering.
    - b. A signed standard interconnection application/agreement with the City.

2. The customer-generator is responsible for all costs associated with its generating facility and is also responsible for all costs related to any modifications to the facility that may be required by the City for purposes of safety and reliability. In addition, an established customer-generator agrees to notify the City at least thirty (30) days prior to modifications to the system components or design that may alter the systems' overall design or performance.
3. A net metering facility shall meet all applicable safety and performance standards established by the National Electric Safety Code, the National Electric Code, the Institute of Electrical and Electronic Engineers, the Federal Energy Regulatory Commission, and the Underwriters Laboratory. In addition it shall:
  - a. Be equipped at the customer-generator's expense with a meter or meters supplied by the City and capable of measuring the net amount of electrical energy produced or consumed by the customer-generator. Any additional costs necessary for the City to permit the meters or generator to be integrated into the City's distribution system shall be borne by the customer-generator. At the request of the customer-generator those costs can be initially paid by the City which may bill the customer-generator the costs over the subsequent twelve (12) billing cycles, including a reasonable rate of interest.
  - b. Have a mechanism that automatically disables and disconnects the unit from the supplier's electrical lines in the event that service to the customer-generator is interrupted.
  - c. Have an easily accessible device or feature in immediate proximity to the metering equipment to allow a utility worker to manually and instantly disconnect the unit from the City's distribution system at any time. This device shall be capable of being locked in an "off" position by the City.
4. For systems of ten (10) kilowatts or less, a customer-generator shall not be required to purchase any liability insurance. Insurance for systems above ten (10) kilowatts shall be negotiated as part of the interconnection Agreement.

**Section 715.460. Violations and Penalties.** [R.O. 2012 §715.510; CC 1979 §9-30; Ord. No. A-5140 §4, 8-10-1989]

The violation of any provision of this Article is declared to be an ordinance violation and any person violating any provision of this Article shall be punished by a fine of not less than one dollar (\$1.00) or more than one hundred dollars (\$100.00), plus costs for each violation. Each day in which a violation of this Article shall continue shall constitute a separate offense. The imposition of a fine under this Section shall not relieve any person of any liability to the City by reason of the other provisions of this Article.