

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4677

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: FALCONER

SECONDED BY: BELLISARIO

ON THE 3 DAY OF NOVEMBER, 2011

ORDINANCE TO AMEND ORDINANCE C.S. NO. 11-2561, ADOPTED JULY 7, 2011, WHICH ESTABLISHED AND VALIDATED RATES AND FEES FOR SEWERAGE AND WATER SERVICES PROVIDED BY SYSTEMS OWNED AND OPERATED BY THE PARISH.

WHEREAS, Parish regulations set forth that the Parish shall provide for a review and validation of each and every schedule of rates effected for the environmental service(s) the Parish provides to the customers or subscribers of a sewerage and/or water system owned and operated by the Parish.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the schedule of rates for the following sewerage or water system, each as specified on the subject schedule of rates which is attached hereto and made part hereof, are reviewed and deemed reasonable and valid:

- A. System Fees
- B. Ben Thomas Road and Alton Area
- C. St. Tammany Parish Administrative Complex
- D. Oakwood Estates
- E. Diversified Foods
- F. Cross Gates Utility
- G. Northshore Beach
- H. Tammany Utilities
- I. Indexed Increases

BE IT FURTHER ORDAINED that a copy of each aforesaid schedule of rates shall be publicly displayed at the Office of the St. Tammany Parish Department of Environmental Services and as applicable and appropriate, its billing agents; and provided to any person upon written request to the Parish. The aforesaid schedule of rates shall remain valid and in effect until changed by Ordinance.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

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MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 1 DAY OF DECEMBER, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: OCTOBER 27, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____

SYSTEM FEES

These fees shall apply to all customers or subscribers of a sewerage and/or water system owned and operated by the Parish.

I. WATER SERVICE FEE

CAPACITY RESERVATION FEE

Not to exceed 2.35 per gallon

TAP-IN-FEE

3/4" Service	\$ 444.00
1" Service	\$ 499.50
1 1/2" Service	\$ 571.65
2" Service	\$ 860.25
Above 2" Service	\$ 444.00 (plus actual cost of meter & all necessary fittings)

CONNECTION FEE \$ 22.20

RE-CONNECT FEE \$ 38.85

This charge is for re-establishing service after disconnection for non-payment, failure to make deposit, fraudulent or seasonal use.

DEPOSIT

2 1/2 times average monthly bill, \$ 40.00 minimum \$ 40.00 (Minimum)

SERVICE CHARGE \$ 49.95

This charge shall cover the cost of utility employee sent to a consumers premises at the customer's request when the trouble is found to be in the consumer's house piping.

TAMPERING \$ 250.00

This fee applies to anyone who illegally taps into the system or in anyway destroys or tampers with the system; including meters, meter boxes, lines, valves, etc.

II. SEWER SERVICE FEES

CAPACITY RESERVATION FEE

Not to exceed \$4.70 per gallon

TAP-IN FEE \$ 499.50

This charge will include all labor and materials and any other cost associated with initially establishing service.

CONNECTION FEE \$ 38.85

RE-CONNECTION FEE \$ 33.30

This charge is for re-establishing service after disconnection for non-payment, failure to make deposit, fraudulent or seasonal use.

SERVICE CHARGE \$ 49.95

This charge shall cover the cost of a utility employee sent to

a customer's premises at the customer's request when the trouble is found to be in the customer's house piping.

DEPOSIT

2 ½ times the average monthly bill, \$40.00 minimum. \$ 40.00 (Minimum)

TAMPERING FEE

This fee applies to anyone who illegally taps into the system or in anyway destroys or tampers with the system; including meters, meter boxes, lines, valves, etc.

\$ 250.00

LATE PAYMENT CHARGE

6 % of the unpaid balance

III. SYSTEM CONSTRUCTION FEE COLLECTION AGREEMENT

A. St. Tammany Parish acknowledges the need for the construction of water and sewer infrastructure to facilitate connections to Tammany Utilities water and sewer system. In some cases individuals are willing to construct the lines to connect to Tammany Utilities but, seek reimbursement of a pro rata portion from Neighboring Lot Owners who will utilize the lines. The following provisions shall apply to the process of assessment and collection of the pro rata portion of the New System Construction Fee.

1) The following definitions shall apply to the terms used in this section:

- a.) **Applicant** shall mean the person who will construct or actually constructs the water and/or sewer infrastructure across undeveloped property for which he/she seeks reimbursement of its costs;
- b.) **Application** shall mean the form prepared by the Department of Environmental that contains all information necessary to process a request for a New System Construction Fee Agreement;
- c.) **Neighboring Lot Owner** shall mean owners of lots which benefit from the installation of water and/sewer lines which they will be compelled to connect and for which they will owe a pro rata reimbursement of the cost of construction therefore;
- d.) **Minor Subdivision** shall have that meaning as defined in the St. Tammany Parish Code of Ordinances;
- e.) **New System Construction Fee** is the pro rate share of the cost of construction and installation of water and/or sewer lines across Neighboring Lot Owner's property and which is owed by each Neighboring Lot Owner upon connection to Tammany Utilities;
- f.) **New System Construction Fee Agreement** is the document that will be prepared by the Parish Legal Department upon approval of same by the Department of Environmental Services and which will provide for the collection and payment of the pro rata share of the cost of construction and installation of water and/or sewer lines across Neighboring Lot Owner's property and which is owed by each Neighboring Lot Owner upon connection to Tammany Utilities;
- g.) **New System Infrastructure** are water and/or sewer lines constructed and installed by an Applicant and for which the Applicant seeks reimbursement from Neighboring Lot Owners;
- h.) **Plans and Specifications** shall mean a complete set of the plans and specifications which describe and depict the sewer and/or water lines to be constructed and installed. The plans and specifications shall be signed and stamped by a licensed engineer upon submittal to the Department of Environmental Services;
- i.) **Subdivision** shall have that meaning as defined in the St. Tammany Parish Code of Ordinances;
- j.) **Tammany Utilities** shall mean the water and sewer services provided by St. Tammany Parish operated under the name Tammany Utilities.

B. Individuals who construct the necessary infrastructure to connect to a Tammany Utilities sewer and/or water line, hereinafter referred to as New System Infrastructure, within public right of way or right of way owned by the Parish and across undeveloped lots can make application with

the Parish for a New System Construction Fee Collection Agreement ("Collection Agreement).

- C. The following documents shall be submitted with the Application:
 - 1) Plans and Specifications for the New System Infrastructure; and
 - 2) Invoices with all necessary backup documentation and proof of payment evidencing the construction of the New System Infrastructure; and
 - 3) Any and all other documents requested by the Department of Environmental Services.
- D. Upon completion of the New System Infrastructure, Tammany Utilities will inspect the infrastructure to ensure that it meets all of its applicable regulations.
- E. Upon verification that the New System Infrastructure has been constructed as designed and that proper payment has been made by the Applicant, St. Tammany Parish will prepare and enter into a New System Construction Fee Collection Agreement, whereby the Parish agrees to collect from the Neighboring Lot Owners a New System Construction Fee being a pro rata portion of the total cost of construction of the New System Infrastructure. This pro rata portion shall be based upon the amount of linear footage of the New System Infrastructure which services each Neighboring Lot Owner. Once the Parish determines that the Applicant is entitled to seek a New System Construction Fee, the pro rata portion shall be assessed to each Neighboring Lot Owner and collected as stated herein.
- F. St. Tammany Parish will use its best efforts to collect the pro rata portion from each Neighboring Lot Owner when that individual makes application to connect to Tammany Utilities water and/or sewer system. There shall be no obligation on behalf of the Parish to pay the Applicant's cost of the New System Infrastructure as the Parish shall only act as a conduit for the reimbursement of the New System Infrastructure.
- G. This provision shall not apply to Minor Subdivisions or any Subdivision of any type.
- H. The obligation of the Parish to collect the pro rata portion of the New System Infrastructure Fee shall expire five (5) years from the date that the Parish enters into the New System Construction Fee Collection Agreement.
- I. St. Tammany Parish shall not have any obligation to pursue collection efforts of the pro rata portion from each Neighboring Lot Owner. The obligation to pay remains with the Neighboring Lot Owner. St. Tammany Parish intends to act simply a collection agent for the cost of implementing the New System Infrastructure.
- J. An administrative fee of One Hundred Dollars and no/ 100 (\$100.00) shall be assessed for each collection made by the Parish pursuant to a New System Construction Fee Collection Agreement.

BEN THOMAS ROAD & ALTON AREA RATES

MONTHLY WATER SERVICE

Residential	\$	12.50
Small Commercial	\$	50.00
Large Commercial	\$	150.00

MONTHLY SEWERAGE SERVICE

Residential	\$	20.00 <u>25.00</u>
Small Commercial	\$	75.00 <u>80.00</u>
Large Commercial	\$	150.00 <u>155.00</u>

PARISH INSPECTION FEE	\$	0.30
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**ST. TAMMANY PARISH ADMINISTRATIVE COMPLEX
WATER AND SEWERAGE RATES**

MONTHLY WATER SERVICE

First 4000 gallons or portions thereof	\$	23.00
Each Additional 1000 gallons or portion thereof	\$	1.84

MONTHLY SEWERAGE SERVICE

90% of water service billing	\$	15.00 (minimum)
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**OAKWOOD ESTATES
SEWERAGE RATES**

MONTHLY SEWERAGE SERVICE

Residential	\$	38.00 <u>25.00</u>
<u>Repair Surcharge (10 years - expires December 31, 2014)</u>	\$	<u>13.00</u>

**ST. TAMMANY PARISH - DIVERSIFIED FOODS AND
SEASONINGS
WATER AND SEWERAGE RATES**

MONTHLY WATER SERVICE

First 54,000 gallons or portions thereof	\$	212.00
Each additional 1000 gallons or portion thereof	\$	3.00

MONTHLY SEWERAGE SERVICE

150% of water service billing

CROSS GATES UTILITY – WATER AND SEWERAGE RATES

MONTHLY WATER SERVICE

RESIDENTIAL

METERED RATE

RESIDENTIAL & APARTMENT COMPLEXES WITH INDIVIDUAL METERS

First 5,000 <u>4,000</u> gallons or less	\$	12.50 (Minimum)
Each additional 1,000 gallons or portion thereof	\$	1.75 per 1,000 gallons

COMMERCIAL

FLAT RATE

Flat Rate Commercial	\$	29.42
Flat Rate Apts (WT2)	\$	279.72
Flat Rate Apts (R08)	\$	217.56
<u>Flat Rate Apartments</u>	<u>\$</u>	<u>12.50 per rental unit</u>

METERED RATE

0- 5,000 <u>4,000</u> gallons	\$	16.50 <u>26.50</u>
All additional	\$	2.00 per 1,000 gallons

MONTHLY SEWERAGE SERVICE

RESIDENTIAL

Residential Customers		90% <u>100%</u> of water bill \$ 15.00 (Minimum) \$ 25.00 <u>44.00</u> (Maximum)
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COMMERCIAL

Commercial Customers		90% <u>100%</u> of water bill \$ 16.00 <u>26.00</u> (Minimum) :(No Maximum)
<u>Flat Rate Apartments</u>	<u>\$</u>	<u>15.00 per rental unit</u>

REST AREA MONITORING AND MAINTENANCE FEE - UP TO \$ 150.00

MONTHLY SERVICE FEE

Residential		\$2.50 per customer
Commercial		\$2.50 per customer

**NORTHSHORE BEACH AREA
SEWERAGE RATES**

MONTHLY SEWERAGE SERVICE

Residential	\$	19.50 <u>25.00</u>
Commercial	\$	50.00 <u>60.00</u>
<u>Flat Rate - Apartments</u>	\$	<u>15.00 per rental unit</u>

TAMMANY UTILITIES

MONTHLY WATER SERVICE

RESIDENTIAL

FLAT RATE

Flat Rate Residential \$ 21.15 per month

METERED RATE

RESIDENTIAL & APARTMENT COMPLEXES WITH INDIVIDUAL METERS

First 4,000 gallons or less \$ 18.26 (Minimum)
 Each additional 1,000 gallons or portion thereof \$ 2.78 per 1,000 gallons

APARTMENT COMPLEXES WITH MASTER METERS

First 4,000 gallons or less \$ 36.24 (Minimum)
 Over 4,000 gallons up to 500,000 \$ 2.83 per 1,000 gallons
 All Additional \$ 1.78 per 1,000 gallons

COMMERCIAL

FLAT RATE

Flat Rate Commercial \$ 29.42
 Commercial Flat Rate (Zen-Noh) \$ 411.92
 Commercial Flat Rate (C18) \$ 150.96
 Flat Rate Apts (WT2) \$ 279.72
 Flat Rate Apts (R08) \$ 217.56

METERED RATE

0-4,000 gallons \$ 40.02
 All additional \$ 3.22 per 1,000 gallons

Size of Meter	Min. Usage	Minimum Bill
3/4" x 5/8"	4,000 gallons	\$ 40.02
1"	8,000 gallons	\$ 53.45
1 1/2"	18,000 gallons	\$ 85.86
2"	26,000 gallons	\$ 111.78
3"	35,000 gallons	\$ 140.97
4"	44,000 gallons	\$ 170.11
6"	54,000 gallons	\$ 234.93
All Additional		\$ 3.22 per 1,000 gallons

Terra Bella Subdivision

In addition to the Parish tap-in-fee, for each new water (and sewer) connection in the Terra Bella Subdivision, including Phase 1-A-1 and 1-A-2, a system construction fee in the amount of Seven Hundred Fifty Dollars (\$750.00) shall be charged, at the time of tap-in, for each residential user. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Eagle Landing Subdivision

In addition to the Parish tap-in-fee, for each new water connection in the Eagle Landing Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated February 1, 2008 and as amended. No Building Permit shall be issued without the

payment of the Parish tap-in-fee and the system construction fee.

Del Sol Subdivision

In addition to the Parish tap-in-fee, for each new water connection in the Del Sol Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated October 29, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Weston Glen Subdivision

In addition to the Parish tap-in-fee, for each new water connection in the Weston Glen Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated May 25, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Northshore Commercial Park Subdivision

In addition to the Parish tap-in-fee, for each new water connection in the Northshore Commercial Park Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated June 4, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

MONTHLY SEWERAGE SERVICE

RESIDENTIAL

Residential Customers

115% of water bill
\$ 27.42 (Minimum)
\$ 55.83 (Maximum)

Bedico Creek Customers

115% of water bill
\$33.36 (Minimum)
\$67.83 (Maximum)

COMMERCIAL

Commercial Customers

115% of water bill
\$ 60.00 (Minimum)
:(No Maximum)

Commercial Flat Rate (Zen Noh Apts)

\$ 413.03 (Average)

Terra Bella Subdivision

In addition to the Parish tap-in-fee, for each new sewer (and water) connection in the Terra Bella Subdivision, including Phase 1-A-1 and 1-A-2, a system construction fee in the amount of Seven Hundred Fifty Dollars (\$750.00) shall be charged, at the time of tap-in, for each residential user. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Eagle Landing Subdivision

In addition to the Parish tap-in-fee, for each new sewer connection in the Eagle Landing Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated February 1, 2008 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Del Sol Subdivision

In addition to the Parish tap-in-fee, for each new sewer connection in the Del Sol Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated October 29, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Weston Glen Subdivision

In addition to the Parish tap-in-fee, for each new sewer connection in the Weston Glen Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated May 25, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Northshore Commercial Park Subdivision

In addition to the Parish tap-in-fee, for each new sewer connection in the Northshore Commercial Park Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated June 4, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

INDEXED INCREASES

Except as expressly provided herein, commencing on January 1, 2012, all water and sewer rates, fees and costs shall be adjusted annually using the "Municipal Cost Index" issued by Penton Media, Inc. through American City and County (<http://americancityandcounty.com/mciarchive/>). Effective January 1, 2012 and each January 1 thereafter, the then-current water and sewer rates shall be revised by an amount equal to the percentage change in the Municipal Cost Index for the previous twelve (12) month period comprised from October of the prior year and October two years' prior. For example, on January 1, 2012, rates shall be adjusted based on the percentage change in the Municipal Cost Index from October 2010 (212.8) to October 2011 (INSERT WHEN AVAILABLE) to equal a percentage change of INSERT WHEN AVAILABLE WITH CALCULATION. If the percentage change in the Municipal Cost Index for such period of October to October is zero or less than zero, then no increase to the water and sewer rates shall occur for that calendar year.

Rates shall be rounded to the nearest tenth of a dollar (10/100th).

Indexed Increases do not apply to:

- I. Capacity Reservation Fees
- II. Tap-In Fees
- III. Connection Fees
- IV. Re-Connect Fees
- V. Deposit
- VI. Service Charge
- VII. Tampering
- VIII. Late Payment Charge
- IX. Parish Inspection Fee
- X. Repair Surcharge

If the Municipal Cost Index is subsequently converted to a different standard reference base or otherwise revised, the numerator and denominator of the fraction(s) set out in this rate ordinance will be determined by using any conversion factor, formula or table published by a nationally recognized publisher of similar statistical information. If the Municipal Cost Index ceases to be published, for the purposes hereof, any other index chosen by Parish may be substituted therefor.

INDEXED INCREASES

Except as expressly provided herein, commencing on January 1, 2012, all water and sewer rates, fees and costs shall be adjusted annually using the "Municipal Cost Index" issued by Penton Media, Inc. through American City and County (<http://americacityandcounty.com/mciarchive/>). Effective January 1, 2012 and each January 1 thereafter, the then-current water and sewer rates shall be revised by an amount equal to the percentage change in the Municipal Cost Index for the previous twelve (12) month period comprised from October of the prior year and October two years' prior. For example, on January 1, 2012, rates shall be adjusted based on the percentage change in the Municipal Cost Index from October 2010 (212.8) to October 2011 (223.6) to equal a percentage change of 5.08% $((223.6-212.8)/212.8)$. If the percentage change in the Municipal Cost Index for such period of October to October is zero or less than zero, then no increase to the water and sewer rates shall occur for that calendar year.

Rates shall be rounded to the nearest tenth of a dollar (10/100th).

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If the Municipal Cost Index is subsequently converted to a different standard reference base or otherwise revised, the numerator and denominator of the fraction(s) set out in this rate ordinance will be determined by using any conversion factor, formula or table published by a nationally recognized publisher of similar statistical information. If the Municipal Cost Index ceases to be published, for the purposes hereof, any other index chosen by Parish may be substituted therefor.