

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AMENDING THE MUNICIPAL CODE OF THE CITY OF REPUBLIC, MISSOURI, BY
AMENDING TITLE VII, "UTILITIES," REGARDING UTILITY BILLING**

WHEREAS, the City of Republic, Missouri, (herein called the "City" or "Republic") is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, after reviewing and evaluating the City's utility billing ordinances, process and mission improvements have been to the ordinances to improve customer service relations and efficiencies; and

WHEREAS, the Council finds the changes to the utility billing ordinances are needed to improve the efficiency of the City and the relationships with the Citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

Section 1. Title VII, "Utilities," is hereby amended by amending the Sections below to read as follows:

Section 705.040 Duration of Customer's Responsibility For Utility Service – Determination of Date Presented.

Utility bills and notices to any customer shall be deemed to have been presented and given when deposited in the United States mail addressed to the last known address of such customer as shown on the records of the Utility Billing Department. For customers who opt into electronic billing, it is deemed to have been presented and given when the bill is emailed to the email address provided by the customer.

Section 705.050 Bills For Utility Services – Due Date – Delinquency – Effect of Non-Payment.

- A. Each bill for water and sewer service shall be due and payable upon mailing and shall become delinquent if not paid by 5:00 P.M. for lobby or drop box payments or 11:59 P.M. for online or Interactive Voice Response (IVR) payments on the due date contained on the bill. If the due date falls upon a Saturday, Sunday or City-observed holiday, such bill shall become delinquent if not paid by ~~5:00~~11:59 P.M. on the first day thereafter which is not a Saturday, Sunday or City-observed holiday. All delinquent accounts shall be subject to an additional ~~five-dollar~~ fee as provided for in the fee schedule found in Section 805.100, to cover the cost of collection and processing, and such amount shall be added to each delinquent water and sewer bill. The ~~five-dollar~~ delinquency fee as provided for in the fee schedule found in Section 805.100 may be waived, if requested by the customer, if they have had no payment delinquencies during the last twelve (12) consecutive months.

- B. Water and sewer bills which remain delinquent at 5:00 P.M. on the 10th day after the due date or at 5:00 P.M. on the first business day thereafter if the 10th day falls on a Saturday, Sunday or City-observed holiday, if the past due amount is \$25.01 or greater, shall result in the immediate disconnection of water service and subject to a ~~twenty-five dollar~~ reconnection/processing fee as provided for in the fee schedule found in Section 805.100. Payment of delinquent water/sewer bills subject to disconnection of service, but before the physical act of disconnection shall not serve to prevent the assessment of the reconnection/processing fee. Service shall not be restored until payment is made of all amounts past due plus applicable reconnection/processing fees. Upon receipt of payment of all amounts due, service shall be restored no later than 5:00 P.M. on the next business day. Payments after disconnection must be made in cash, money order, credit card, debit card, or approved check. Water service shall not be re-established on weekends, or City holidays, or on such other days as the City may be operating with a reduced staff. The City can waive or postpone shutoffs in the best interest of staff, customers, or property. Shutoffs can be waived for heat advisories, temperatures below 32 degrees, or other extreme weather events.
- C. Partial payments for the continuance of services in lieu of full amount due or delinquent may be approved at the discretion of the City Administrator or his designee. The City Administrator is authorized to develop and implement the terms of the partial payment which shall be set forth and agreed to in writing by the customer and the City Administrator or his designee.
- D. When necessary, utility deposits may be applied to delinquent accounts. Prior to utility service being restored, if a delinquent account has an insufficient deposit, the utility customer will be required to replenish his or her utility deposit at the current rate, as well as any additional costs associated herein.
1. The City may waive the requirements of this Subsection for customers with twelve (12) months of continuous service with no payment delinquencies.
- E. Any occupant or user of the premises receiving utility services shall be jointly and severally liable to pay for such services rendered on such premises. The City shall have the power to sue any occupant, user or combination thereof in a civil action and receive any sums due for such services plus a reasonable attorney's fee to be determined by the court.

Section 705.060 Adjustments.

- A. The City may adjust any customer utility bill when any such customer usage exceeds that customer's normal usage by more than ~~one hundred percent~~ fifty (50%100%) as a result of a water leak. The adjusted water and sewer billing shall be computed by deducting the monthly metered average of the last three (3) months from the meter reading that includes the leakage and then charging such customer for fifty percent (50%) of the remainder. This

adjustment shall not apply to any service address where the structure has not been issued an occupancy permit by the appropriate regulatory authority. No more than one (1) adjustment may be applied to any service connection or structure within any calendar year and shall not encompass charges for more than ~~one (1)~~ two (2) billing cycle. The City Administrator or designee has the authority to waive the above requirement, when it is determined that it is in the best interest of the City to allow more than one adjustment in the calendar year, or adjust more than two (2) billing cycles. When, in the sole opinion of the City, the leakage did not enter the sanitary sewer system, 100% of the leakage will be deducted from the sewer billing

- B. No water or sewer adjustments will be made until the City is satisfied the repairs have been made.

Section 705.080 Bad Checks – Place of Payment.

A service charge of ~~twenty dollars (\$20.00)~~ as provided for in the fee schedule found in Section 805.100 is hereby imposed upon any person or entity who, in an attempt to discharge any indebtedness owed to the City, issues or passes to any City Official or employee any check or other similar sight order for the payment of money which is not honored by the drawee for any reason.

Section 705.120 Basis For Computing Utility Bills.

- A. All utility customers shall be billed on the basis of monthly usage as determined by monthly water meter and/or sewage meter readings, except as authorized in this Chapter. If a utility customer either discontinues service before a full billing cycle or starts new service before a full billing cycle, any flat-rate portion of any monthly service charges shall be prorated by taking the monthly rate and dividing it by thirty (30) days.
- B. Residential utility users shall be billed a sanitary sewer charge based on metered water usage during the months of ~~November~~ January through March. Unless a residential utility user selects to be billed based upon metered water usage according to Subsection (C), during the months of April through October, residential utility users shall be billed a sanitary sewer charge based on the average monthly water usage (rounded off to the nearest hundred gallons) of the previous period of ~~November~~ January through March. In the event the sewer average set from the months of January through March is higher than the actual water usage, the City may adjust the sewer average down to match current month water usage to the nearest 100th gallon.
1. New residential utility customers may supply and the City may accept usage data from a customer's previous residence to calculate a ~~November~~ January through March average.

2. Customers without ~~November~~ January through March historic data will remain at the sanitary sewer rate selected by them according to Subsection (B)(3) upon initiating utility service until such time as the ~~November~~ January through March usage calculation is determined the following year.
 3. Unless a new residential user selects at the time they start utility service for their sanitary sewer usage to be billed based upon metered water usage, all new residents owning, leasing, or otherwise occupying a residence or dwelling unit within the City and connected to the sanitary sewer system, where such new resident has no historic data of water or sanitary sewer usage, shall pay sewer charges based upon one thousand seven hundred (1,700) gallons of water usage per person for each person residing or living in any such residence or dwelling unit. After three full months of water usage, the new residential utility user who did not elect to be billed based upon metered water usage will remain on the sewer average assigned to them when they established service unless the water usage is less than the assigned average; then the sewer average will be set by averaging the first three months of water usage. Such sewerage charge calculation shall be in effect until such time as the average monthly usage can be calculated in accordance with this Subsection.
- C. Residential utility users can select to be billed based upon metered water usage for their sanitary sewer charge by selecting that billing method if they are a new residential user at the time they start service or if they are an existing residential utility user by selecting that billing method on a form approved by the City and delivered to the City during the month of January. Existing residential utility users can also select to be moved from metered water usage billing for their sanitary sewer charge to average water usage in accordance with Subsection (B) during the month of January using a form approved by the City and delivered to the City. However, no residential utility user may move from metered water usage to average water usage or from average water usage to metered water usage for their sanitary sewer charge more than one (1) time per calendar year.
- D. Contractors and owners of units under construction, prior to the sale or leasing thereof, shall pay water charges at actual usage as stated in Subsection (A) above. Sewer charges are to be billed at the base amount as shown in Section 705.210, until such time the occupancy permit is issued by the City for said residence. At that time said contractors and owners base sewer amount will be converted to actual usage.
- E. In the event that a customer can provide evidence suitable to the City of the consumption of water in a manufacturing or industrial process, the basis of sanitary sewer service charges for a customer may be established by agreement in writing between the City and the user, the agreement shall be reviewed annually by the City and user and may be so reviewed at such other times as the City, in its discretion, may require or permit.
- F. The owners of tenant-occupied property shall have the right to examine the collection records of the City for the purpose of determining whether such rates and charges have been paid by such tenants; provided that such examination shall be made at the office at which

such records are kept and during the hours that such office is open for business.

- G. The City shall have the right and privilege to discontinue water service to any customer or refuse water service to any customer, whether previously served or not, for any reason which, in the sole judgment and discretion of the City, may be valid or sufficient.

Section 705.130 Users Outside City Limits of Republic.

Utility users outside of the City limits of Republic shall be assessed an additional charge ~~of fifty percent (50%)~~ as provided for in the fee schedule found in Section 805.100. Any City utilities users who have executed a valid and enforceable voluntary consent to annex in a form approved by the City suitable for recording in the County land records and accepted by the City on or before March 3, 2020, shall be charged at the rate established for those users within the City limits. Should a voluntary consent to annex become unenforceable for any reason, then the ~~fifty percent (50%)~~ additional charge as provided for in the fee schedule found in Section 805.100 shall be applicable.

Section 705.150 Base Charge For Water Service.

Utility customers using less than the minimum monthly usage shall be required to pay the full amount of the base charge. If utility service is disconnected during a reading cycle, utility customer shall be required to pay, at a minimum, the base charge, prorated by taking the monthly rate and dividing it by thirty (30) days.

Section 705.160 Water User Fees.

- A. *Purpose.* It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City of Republic to collect fees from all users of the municipal water system. The proceeds of such fees so derived will be used for purposes to include, but not limited to, operating, maintaining, improving and retiring the debt for such public water system.
- B. *Definitions.* As used in this Section, the following terms are defined as follows:

ANNUAL EXPENSES

Include, but are not limited to, all costs associated with operating and managing the water system.

CAPITAL IMPROVEMENTS

Include, but are not limited to, all expenditures toward the purchase or construction of equipment or facilities which will increase, improve, expand or extend the Water System.

Capital improvements shall include main replacement and other budgeted capital outlay.

EQUIPMENT REPLACEMENT

Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the water system to maintain the capacity and performance for which such works were designed and constructed.

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 water system, including interfund transfers and debt service.

USEFUL LIFE

The estimated period during which the water system works will be operated.

USER

The owner or occupant of property or premises that is connected directly or indirectly to the municipal water system.

USER FEE

That portion of the total water service fee which is levied in a proportional manner for the cost of operation, maintenance, equipment replacement and capital outlay of the water system.

WATER SYSTEM

Any devices and systems owned and operated by the City of Republic for the production, storage, treatment, recycling and distribution of water. These include transmission and distribution lines, 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 may be a part of the maintenance, production, storage or treatment process.

C. *Collection And Disbursements.*

1. The user fee system shall generate sufficient annual revenues to pay the costs of all annual expenses. This may include costs associated with debt retirement of bonded capital associated with financing water system improvements which the City may by ordinance designate be paid by the user fee system.
2. That portion of the user fees which are designated for the operation and maintenance, equipment replacement and capital improvement purposes as established herein, shall be deposited in a separate non-lapsing fund designated as the Operation and Maintenance, Equipment Replacement and Capital Improvement Fund ~~and will be kept in three (3) primary accounts as follows:~~ at the end of each fiscal year if not used during the budget year for the above mentioned purposes and in line with current debt covenants. The use of these funds are established through the budgeting process each fiscal year.

- a. The Operation and Maintenance Account shall be an account designated for the specific purpose of funding operation and maintenance cost (including debt service but excluding equipment replacement and capital outlay) of the water system. ~~Deposits in the Operation and Maintenance Account shall be made monthly from the system revenues in the minimum amount of twenty five thousand seven hundred eight dollars (\$25,708.00).~~
 - b. The Equipment Replacement Account shall be an account designated for the specific purpose of ensuring the replacement needs of the existing water system over its useful life. ~~Deposits in the Equipment Replacement Account shall be made monthly from the system revenues in the minimum amount of one thousand two hundred one dollars (\$1,201.00).~~
 - c. The Capital Improvement Account shall be an account designed for the purpose of ensuring improvement needs over the useful life of the water system. ~~Deposits in the Capital Improvement Account shall be made monthly from the system revenues in the minimum amount of forty one thousand six hundred twenty eight dollars (\$41,628.00).~~
3. Fiscal year-end balances in the Operation and Maintenance Account, Equipment Replacement Account and the Capital Improvement Account shall be carried over to 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 and Maintenance, Equipment Replacement or the Capital Improvement Account shall be returned to their respective accounts upon appropriate adjustment of the user fees for operation, maintenance and capital improvements. The user fee(s) 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.
- D. *User Fee Structure.*
1. Each user shall pay for the services provided by the City based on their use of the water system as determined by water meters acceptable to the City.
 2. All monthly user fees will be based on monthly water usage.
 3. For those users inside City limits, each user will be charged a monthly minimum fee plus a unit fee per one thousand (1,000) gallons, or fraction thereof as shown below. User fees for all customers not within the boundaries of the City of Republic shall be one and one-half (1½) times the inside fee as specified herein.
 4. The water service rates to be charged shall be ~~as follows:~~as provided for in the fee schedule found in Section 805.100.

Effective date
for services
provided on or
after:

	June 1, 2011		December 1, 2011		December 1, 2012	
	Inside City Rate	Outside City Rate	Inside City Rate	Outside City Rate	Inside City Rate	Outside City Rate
Base charge per month for 1,500 gallons or less	\$6.16	\$9.24	\$6.53	\$9.80	\$6.86	\$10.29
Surcharge for each 1,000 gallons in excess of 1,500 gallons per month or fraction thereof	\$3.12	\$4.68	\$3.31	\$4.97	\$3.39	\$5.09

Effective date for
services provided on
or after:

	December 1, 2013		December 1, 2014	
	Inside City Rate	Outside City Rate	Inside City Rate	Outside City Rate
Base charge per month for 1,500 gallons or less	\$7.20	\$10.80	\$7.56	\$11.34
Surcharge for each 1,000 gallons in excess of 1,500 gallons per month or fraction thereof	\$3.47	\$5.21	\$3.56	\$5.34

E. *Annual Review.*

1. The City of Republic shall review the user fee system annually or as frequently as needed and revise user fees as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance, including equipment replacement and capital improvements, and that the system continues to provide for the proportional distribution of annual expenses among users.
2. The City of Republic will notify each user at least annually, in conjunction with a regular bill, of the user fees being charged for use of the water system.

Section 705.170 Utility Service Deposit.

Prior to being furnished utility service, each applicant shall be required to submit a deposit with the City. The deposit schedule can be found in Section 805.100. ~~the following deposit fee, except as hereinafter provided:~~

Meter Size	Deposit Amount
5/8-inch water meter connection	\$150.00
1-inch water meter connection	\$250.00
1½-inch water meter connection	\$350.00
2-inch water meter connection	\$500.00
3-inch water meter connection	\$700.00
4-inch water meter connection	\$1,000.00
6-inch water meter connection	\$1,500.00
8-inch water meter connection	\$2,000.00

All or any portion of the deposit described herein may be applied by the City at any time to any delinquent utility account as stated in Section 705.050. Upon the termination or discontinuance of any utility service for which a deposit was made by the customer thereof, such deposit shall be applied to customer's final bill.

After twelve (12) months of consecutive utility service with no more than one (1) delinquent payment, the above-mentioned utility service deposit may be applied to the customer's utility service account upon customer's request.

The City may waive a utility service deposit for five-eighths (5/8) inch water meter connections if an applicant submits, ~~on a form provided by the City~~, proof from the applicant's immediately preceding utility services provider of the following:

1. The applicant had at least twelve (12) months of continuous service from applicant's last utility services provider;
2. The applicant had no more than one (1) payment delinquency during the final twelve (12) months of service by applicant's last utility services provider; and [Ord. No. 17-21 § 1, 5-16-2017]
3. The applicant's utility service was not disconnected or discontinued by applicant's last utility services provider for reasons of delinquency or non-payment.
4. The City Administrator or designee can bill out the initial deposit up to six (6) months. If a proof of continuous service is not received within 1 (one) week of setting up service, the deposit will be automatically set up to bill over a six (6) month period.

Section 705.180 Hydrant Meter Deposit.

Prior to obtaining a hydrant-metering device, customers are required to submit a deposit. ~~The deposit schedule can be found in Section 805.100. pay the following:~~

Metering devices under 2"	\$250.00 deposit
2" or larger metering device	\$750.00 deposit
Labor for installation	\$25.00 per meter

In addition to the costs contained herein, usage is billed at the inside City rates as determined in Section 705.160. Any credit balance to be returned to customer from the deposit will go through the same process as water deposit reimbursements.

Metering devices are only to be used inside the corporate limits of the City of Republic and shall not be in user's possession for more than ~~two (2)~~ one (1) weeks month at a time. After ~~two (2) weeks one (1) month~~, the meter must be returned to the City in good condition to avoid additional charges. If the meter is not returned at the appropriate time or in good condition, the balance of the deposit, or a portion thereof, shall be forfeited. If necessary, the City will take the appropriate action to recover metering devices that are not returned. The City Administrator or designee can enter into an extended-term agreement through a written agreement. An extended-term deposit will be required. The extended-term deposit amounts can be found in section 805.100.

A customer may opt to use a non-City owned hydrant metering devise. Any non-City owned hydrant meter needs the ability to read in gallons and must include a stop gap (air gap to protest backflow into the hydrant).

Section 705.190 Miscellaneous Charges.

- A. Prior to being furnished utility service, an account set-up fee of ten dollars (\$10.00) as provided for in the fee schedule found in Section 805.100, shall be paid by each utility applicant to cover the expense of processing the application for utility service. This fee will be placed on the first bill if not paid at the time of set up. Applications for new service that come in from the City's Website will automatically have the set-up fee on the first monthly bill.
- B. A customer requesting meter installation shall pay an installation trip charge as provided for in the schedule found in Section 805.100 and have the site ready for installation. Upon a customer's request for meter installation, the City of Republic will make the initial trip to the meter site at no charge. Should subsequent trips be needed as a result of failure to have the site ready for installation, a twenty five dollar (\$25.00) meter installation trip charge will be assessed to the customer's account for each subsequent trip necessary for installation of the meter. In addition, the customer shall be responsible for a meter assembly charge as provided for in the schedule found in Section 805.100.
- C. A customer who requests a temporary disconnection of service, for other than repair of a recorded water leak or for longer than a forty-eight (48) hour period, will be assessed a fee as a twenty five dollar (\$25.00) turn on charge as provided for in the fee schedule found in Section 805.100, the customer's written notification to the City for reinstatement of services.

Section 705.200 Base Charge For Sewer Service.

Sewer customers shall be required to pay at a minimum the base charge as shown in Section 705.210. Should their usage exceed the base charge they will be required to pay based on metered usage for the billing cycle. If utility service is disconnected during a reading cycle, utility customer shall be required to pay, at a minimum, the base charge. ~~Should their usage during the final~~

~~reading cycle exceed the base charge, they will be required to pay the full amount of usage during this period, prorated by taking the monthly rate and dividing it by thirty (30) days.~~

Section 705.210 Sanitary Sewer Rates.

The sanitary sewer service rates to be charged shall be as ~~follows:~~ provided for in the fee schedule found in Section 805.100.

Section 705.220 Sanitary Sewer Rates – Additional Charges.

A. In order that the rates and charges may be justly and equitably adjusted to the service rendered, the City shall have the right to base its charges not only on volume but also the strength and characteristics of sewage and wastes which it is required to treat and dispose of. The City shall have the right to measure and determine the strength and content of all sewage and wastes discharged, either directly or indirectly, into the City's sanitary sewerage system in such a manner and by such method as it may deem practicable in the light of the conditions and attending circumstances of the case in order to determine the proper charge.

1. *Extra charges for discharge of excess BOD.*

a. Any customer inside the corporate limits of the City of Republic who discharges sewerage having a BOD concentration in excess of two hundred fifty (250) mg/l shall pay an additional charge ~~of thirty three cents (\$.33 per pound of excess BOD discharged as~~ provided for in the fee schedule found in Section 805.100.

b. Any customer outside the corporate limits of the City of Republic who discharges sewerage having a BOD concentration in excess of two hundred fifty (250) mg/l shall pay an additional charge ~~of fifty cents (\$.50) per pound of excess BOD discharged. as~~ provided for in the fee schedule found in Section 805.100.

2. *Extra charges for discharge of excess TSS.*

a. Any customer inside the corporate limits of the City of Republic who discharges sewerage

having a TSS concentration in excess of three hundred (300) mg/1 shall pay an additional charge of ~~twenty six cents (\$.26) per pound of excess TSS discharged~~ as provided for in the fee schedule found in Section 805.100.

- b. Any customer outside the corporate limits of the City of Republic who discharges sewerage having a TSS concentration in excess of three hundred (300) mg/1 shall pay an additional charge of ~~thirty nine cents (\$.39) per pound of excess TSS discharged~~ as provided for in the fee schedule found in Section 805.100.
3. *Extra charges for discharge of excess phosphorus.*
 - a. Any customer inside the corporate limits of the City of Republic who discharges sewerage having a phosphorus concentration in excess of ten (10) mg/1 shall pay an additional charge of ~~fifty three cents (\$.53) per pound of excess phosphorus discharged~~ as provided for in the fee schedule found in Section 805.100.
 - b. Any customer outside the corporate limits of the City of Republic who discharges sewerage having a phosphorus concentration in excess of ten (10) mg/1 shall pay an additional charge of ~~eighty cents (\$.80) per pound of excess phosphorus discharged~~ as provided for in the fee schedule found in Section 805.100.
4. *Extra charges for discharge of toxic substances.* Any customer who discharges a toxic substance which is deleterious to the treatment process or to sludge utilization shall be liable for all costs incurred by the City in returning the treatment process or sludge to its proper condition. Such extra charges shall be determined by the Director subject to review and approval by the City Council.

Section 705.250 General Provisions.

- A. *Schedule established.* Notwithstanding any other provision to the contrary, there is hereby established a charge to every new or expanded user of the City's water and sewer system, which is in addition to other fees and charges under this Code. An expanded user of the water or sewer system is a user which increases the size or number of water meters serving its property or premises. Water and sewer impact fees will be in accordance following fee schedule and shall be based on the water meter size serving the property or premises according to the following classifications:
 1. Water impact fee classification for residential and commercial/industrial used to establish fees.
 - a. 5/8-inch x 3/4-inch: single-family residential size and individual residential unit connections in "R-2" and "R-1Z", otherwise minimum 1 inch.

- b. 1-inch: multi-family residential (minimum "R-3" multi-family size).
- c. 1.5-inch: multi-family residential.
- d. 2-inch: multi-family residential.
- e. 3-inch: multi-family residential.
- f. 5/8-inch x 3/4-inch: for small commercial and office use with peak demand of less than 10 gallons per minute.
- g. 1-inch: commercial/business/industrial.
- h. 1.5-inch: commercial/business/industrial.
- i. 2-inch: commercial/business/industrial.
- j. 3-inch: commercial/business/industrial.
- k. 4-inch: commercial/business/industrial.
- l. 6-inch: commercial/business/industrial.
- 2. Sewer impact fee classification for residential and commercial/industrial used to establish fees.
 - a. 5/8-inch x 3/4-inch: single-family, residential size and individual residential unit connections in "R-2" and "R-1Z", otherwise minimum 1 inch.
 - b. 1-inch: multi-family residential (minimum multi-family size).
 - c. 1.5-inch: multi-family residential.
 - d. 2-inch: multi-family residential.
 - e. 3-inch: multi-family residential.
 - f. 5/8-inch x 3/4-inch: for small commercial and office use with peak demand of less than 10 gallons per minute.
 - g. 1-inch: commercial/business/industrial.
 - h. 1.5-inch: commercial/business/ industrial.
 - i. 2-inch: commercial/business/industrial.
 - j. 3-inch: commercial/business/industrial.

k. 4-inch: commercial/business/industrial.

l. 6-inch: commercial/business/industrial.

The Impact Fee Schedule shall be found in Section 805.100.

**Impact Fee Schedule
Residential**

Through December 31, 2013

Meter Size (inches)	Water Impact Fee	Sewer Impact Fee	Notes
5/8 x 3/4	\$350	\$450	Single family residential size and individual connections in "R-2" and "R-1Z", otherwise 1 inch
1	\$1,400	\$1,800	Minimum fee for "R-3"
1.5	\$2,100	\$2,700	Multi family
2	\$2,800	\$3,600	Multi family
3	\$4,200	\$5,400	Multi family

Impact Fee Schedule

Residential Effective January 1, 2014

Meter Size (inches)	Water Impact Fee	Sewer Impact Fee	Notes
5/8 x 3/4	\$350	\$750	Single family residential size and individual connections in "R-2" and "R-1Z", otherwise 1 inch
1	\$1,400	\$4,500	Minimum fee for "R-3"
1.5	\$2,100	\$6,750	Multi family
2	\$2,800	\$9,000	Multi family
3	\$4,200	\$13,500	Multi family

**Impact Fee Schedule
Commercial**

Meter Size (inches)	Water Impact Fee	Sewer Impact Fee	Notes
5/8 x 3/4	\$350	\$750	For small commercial and office use with peak demand of less than 10 gallons per minute.

**Impact Fee Schedule
Residential**

~~Through December 31, 2013~~

Meter Size

(inches)

	Water Impact Fee	Sewer Impact Fee	Notes
1	\$1,400	\$4,500	
1.5	\$2,100	\$6,750	
2	\$2,800	\$9,000	
3	\$4,200	\$13,500	
4	\$5,600	\$18,000	
6	\$8,400	\$27,000	

- B. *Existing Users.* Existing users of the water or sewer system will not be assessed impact fees but any increase in the number or size of water meters serving the property or premises will be assessed as an expanded use.
- C. *Increase In The Size Or Number Of Water Meters.* Any user who increases the size or number of water meters servicing its property or premises shall pay fees equal to the difference between the impact fees for the meter(s) which existed prior to the increase, and the impact fees for the newly installed meter(s).
- D. *Irrigation Meters.* The impact fee schedule for new or expanded irrigation users shall be one-half (1/2) times the rate for water only. This is in addition to any fees for the master meter.
- E. *Fees For Service Outside Of The City Limits.* The impact fee schedule for new or expanded users outside of the corporate limits of the City of Republic shall be one and one-half (1 1/2) times the applicable rate shown herein.
- F. *Time Of Payment.* Except as provided herein all impact fees shall be collected in conjunction with the issuance of a building permit, plumbing permit or other permit. The owner of any property or premises may enter into a fee agreement with the City Council providing for an alternate time of payment pursuant to the remaining terms of this Article.
- G. *Annual Adjustment.* The impact fees set forth herein are directly related to construction costs incurred or expenses anticipated in the future and as such are influenced by the rate of interest on loans secured or the rate of inflation for future construction. Each rate established in Subsection (A) is subject to review and adjustment annually by City Council with such review occurring before adoption of the annual budget. City Council may adjust the fees as conditions warrant; however, if no annual adjustment is made or if City Council does not conduct a review, the then current impact fees shall remain in place.

- H. *Exception.* Properties or premises with existing residential structures in the former Brookline Village center at the time on consolidation on June 6, 2005, as per a listing of property owners maintained by the City Clerk, shall be exempt from water and sewer impact fees per the policy established for properties in this area during the consolidation process. A copy of that policy is on file with the City Clerk. This exemption is contingent upon the ownership being the same as was of record on June 6, 2005, and that the residential structure was in existence on June 6, 2005. If ownership has changed or if a new structure is involved, then the schedule of fees contained herein shall be applicable.
- I. *Denial Of Services.* The City, its boards, commissions or agents shall withhold or discontinue all City improvements or services of whatsoever nature, including the furnishing of sewer, water, and further, no permits shall be issued by the Community Development Department or Public Works Department to any property or premises to which applicable impact fees have not been paid.
- J. *Severability.* The portions of this Article shall be severable. In the event that any portion of this Article is found by a court of competent jurisdiction to be invalid, the remaining portions of this Article are valid, unless the court finds the valid portions of this Article are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid ones or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 710.290 Customer Service Line Furnished By Customer – Specifications.

- A. The customer service line shall be furnished, installed and maintained by the customer at his/her expense and risk.
- B. The water service line shall be constructed and conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City. The service line shall be constructed of Schedule 40 or heavier polyvinyl chloride (PVC), SDR-9 rolled tubing rated at 150 p.s.i., copper or any other material as approved by the Director with an inside diameter of no less than three-quarters (3/4) inch. Joints for PVC pipe can be either the gasketed type or glue on. If the joints are to be glued, then an approved primer/cleaner and solvent-type cements shall be used. The primer/cleaner shall be purple in color for identification purposes. The water service line shall not be within two (2) feet of a side property line unless the water main is positioned along the side property line. All pipe and fittings must be installed with granular pipe embedment, consisting of crushed or chipped limestone with a nominal size of not less than one-half (1/2) inch or greater than one (1) inch. Bedding material shall be used to provide a uniform trench bottom. A minimum bedding of two (2) inches above and below the exterior of the pipe is required. Water service lines laid

under drives, parking lots or traffic areas shall be either encased in metal conduit or shall be covered with a minimum of six (6) inches of cleaned crushed or chipped limestone, as specified herein, on all sides of the pipe or the pipe shall be cast iron or ductile iron.

- C. For customer service lines constructed or replaced after the date of adoption of this Section, a minimum 12-gauge single strand copper clad steel conductive tracer wire with HDPE insulation shall be installed directly above and adjacent to the customer's water service line, where such piping is located within the public right-of-way. Wire splices shall be made with either rigid fittings or weatherproof connectors specifically designed for direct burial. Electric ground shall be established by splicing on to existing tracer wire where available or using a minimum one-inch copper grounding rod driven into the trench bottom near the water meter. The tracer wire shall be installed directly above the service line and taped every ten (10) feet using poly tape. The tracer wire shall be extended to the surface adjacent to the structure being served and housed within a protective enclosure constructed of Schedule 40 PVC pipe and a Schedule 40 PVC threaded clean-out with cap or an alternately constructed housing as may be approved by the City. The protective enclosure shall be extended to grade, installed so it is easily accessible but shall not be located within any driving or parking surface unless rigid clean-out fittings are used.
- D. The Public Works Director shall be notified twenty-four (24) hours before the water service line and connection to the meter is ready for inspection. The ditch shall not be backfilled until the inspection is made with approval given. A water service line inspection fee of ~~forty dollars (\$40.00)~~ as provided for in the fee schedule found in Section 805.100, shall be submitted to the City prior to inspection or approval for service. The City may refuse to give water service for failure to conform to the requirements contained herein.

Section 715.130 Connection To The Publicly Owned Treatment Works.

- A. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose, situated in the City or in any area where there is an availability of sewers in a jurisdiction with which the City has an interjurisdictional sewage treatment agreement and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a sanitary sewer of the City, is hereby required, at his/her expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper sanitary sewer in accordance with the provisions of this Chapter within one hundred eighty (180) days after sewer service is available, provided such sanitary sewer is within three hundred (300) feet of all structures used for human occupancy, employment, recreation or other purposes. In the event there is no sanitary sewer within three hundred (300) feet of the structure, the owner may request permission of the City to construct and maintain an adequate on-site wastewater treatment system installation at the owner's expense, until such time as a sanitary sewer is made available. At which time a public sanitary sewer does become available, the owner shall connect the building sewer to the

public sanitary sewer. The owner shall remove the septage from the sewage tank and dispose of it in an approved manner, and the sewage tank shall be abandoned and filled with suitable material or be removed.

- B. No person shall make any connection to the POTW, either direct or indirect, without written permission from the Director nor reconnect wastewater services when such services have been disconnected for non-payment of a bill for wastewater services unless such bill for wastewater services, including charges for disconnection, has been paid in full.
- C. No person shall tap into any sanitary sewer line of the POTW except by using an approved tapping method and an approved connection fitting unless otherwise approved by the Director. The Director shall develop reasonable rules and regulations on tapping and connecting procedures. These rules and regulations shall take force and effect five (5) days after the same shall be filed in the office of the City Clerk.
- D. The building sewer shall be constructed and conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City. The building sewer shall be constructed of Schedule 40 or heavier polyvinyl chloride (PVC), cast-iron soil pipe or any other material as approved by the Director with an inside diameter of no less than four (4) inches. Joints of the building sewer shall be watertight and rootproof. Joints for PVC pipe can be either the gasketed type or glue on. If the joints are to be glued, then an approved primer/cleaner and solvent-type cements shall be used. The primer/cleaner shall be purple in color for identification purposes. Ninety-degree ells or bends shall not be allowed at any point of the building sewer. At the point where the building drain connects to the building sewer, there shall be a tee or wye and a cleanout extended above the flow line of the building sewer and the line brought up above the surface of the surrounding ground. The pipe shall have an approved cap or screw-in plug to be used for access. The building sewer shall be laid at a minimal slope of one quarter (1/4) inch of fall per foot of horizontal distance and may not be located within two (2) feet of a side property line unless the sanitary sewer main is positioned along the side property line. The connection of the building drain to the building sewer shall be made at a point not less than three (3) feet from the foundation and not more than five (5) feet from the foundation. The cleanout must be of the same size of pipe as the building sewer up to the foundation. All pipe and fittings must be installed with granular pipe embedding, consisting of crushed or chipped limestone with a nominal size of not less than one-half (1/2) inch or greater than one (1) inch. Bedding material shall be used to provide a uniform trench bottom. A minimum bedding of two (2) inches above and below the exterior of the pipe is required. When the building sewer runs in excess of one hundred (100) linear feet, additional cleanouts shall be installed a maximum of one hundred (100) linear feet apart. The building sewer shall not be installed in the same trench as the water supply line. Water service pipe and building sewer shall be separated by five (5) feet of undisturbed or compacted earth. An eighteen-inch vertical separation shall be required between the building sewer and water supply line. Where this vertical separation cannot be complied with, then the building sewer and water supply line shall be without joints or connections until a five-foot separation is obtained. When existing conditions do

not allow specified separation, sealed encasement shall be provided for either line until separation is achieved. Building sewers laid under drives, parking lots or traffic areas shall be either encased in metal conduit or shall be covered with a minimum of six (6) inches of crushed or chipped limestone, as specified herein, on all sides of the pipe, or the pipe shall be cast iron or ductile iron.

- E. The maintenance and repairs of the building sewer shall be the responsibility of the owner to the point of connection with the City's sanitary sewer main. This shall include when the building sewer crosses any street, road, highway, alley or right-of-way.
- F. For building sewers constructed or replaced after January 1, 2016, a minimum 12-gauge single strand copper clad steel high-strength conductive tracer wire with HDPE insulation shall be installed directly above and adjacent to the customer's building sewer line, where such piping is located within the public right-of-way. Wire splices shall be made with either rigid fittings or weatherproof connectors specifically designed for direct burial. Electric ground shall be established by splicing on to existing tracer wire where available or using a minimum one-inch copper grounding rod driven into the trench bottom near the sewer main. The tracer wire shall be installed directly above the building sewer line and taped every ten (10) feet using poly tape. The tracer wire shall be extended to the surface adjacent to the building clean out and housed within a protective enclosure constructed of Schedule 40 PVC pipe and a Schedule 40 PVC threaded clean out or an alternately constructed housing as may be approved by the City. The protective enclosure shall be extended to grade, installed so it is easily accessible but shall not be located within any driving or parking surface unless rigid clean-out fittings are used.
 - 1. This provision shall apply to building sewers operating under pressure or vacuum except that protective housings for accessing the tracer wire shall be located adjacent to the associated pump vault.
- G. A separate and independent building sewer shall be provided for every building and each individual premises intended to be maintained and owned separately, except where one (1) building may stand at the rear of another building in an interior lot and no public sanitary sewer is available or can be constructed to the rear building through any street, alley or right-of-way, in which case the building sewer from the front building may be extended to the rear building.
- H. Whenever possible, the building sewer shall be brought to the building drain at an elevation that will permit gravity flow into the building sewer. In all buildings in which any building drain is too low to permit gravity flow to the sanitary sewer, the sanitary sewage carried by the building drain shall be lifted by an approved means and discharged to the building drain or the nearest point that will permit gravity flow to the sanitary sewer. In any and all cases where the building drain or the drain of any plumbing fixture that drains by gravity is at a lower elevation than the highest elevation of the closest upstream manhole, which is part of the sanitary sewer main to which the building sewer is connected, a backwater valve shall

be installed on the building sewer. A backwater valve shall also be installed on the upstream portion of the building sewer if at any point of the building sewer there is a connection of a pressurized discharge line from a pump used to carry water from a building subdrain to the building sewer. All bearing parts of backwater valves shall be of corrosion-resistant material. Backwater valves shall comply with ASME A112.14.1, CSA CAN/CSA-B181.1 or CSA CAN/CSA-B181.2. Backwater valves shall be so constructed as to provide a mechanical seal against backflow. Backwater valves, when fully opened, shall have a capacity not less than that of the pipes in which they are installed. Backwater valves shall be installed so that access is provided to the working parts for service and repair.

- I. Old building sewers may be used in connection with a new building only when the old building sewer is constructed per this Section. Building sewers constructed of any non-approved materials shall be abandoned and disconnected at the point of connection to the public sanitary sewer.
- J. The Public Works Director shall be notified twenty-four (24) hours before the building sewer and connection to the public sanitary sewer is ready for inspection. The ditch shall not be backfilled until the inspection is made with approval given. Documentation of the location of the lateral shall be made at the time of inspection and shall be transferred to a permanent recordkeeping system established to document the same. A building sewer line inspection fee of ~~forty dollars (\$40.00)~~ as provided for in the fee schedule found in Section 805.100, shall be submitted to the City prior to inspection or approval for service. The City may refuse to give sanitary sewer service for failure to conform to the requirements contained herein.

EXPLANATION – Matter in underline type in the above is added language. Matter in ~~striketrough~~ in the above is deleted.

Section 2. All other Sections of the Municipal Code of the City of Republic, Missouri, not specifically referenced in this Ordinance shall remain unmodified and in full force and effect.

Section 3. The whereas clauses are hereby specifically incorporated herein by reference.

Section 4. The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.

Section 5. This Ordinance shall take effect and be in force on and after January 1, 2021.

BILL NO. 20-54


ORDINANCE NO.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____ 2020.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2020.11.13 08:43:22 -06'00', Scott Ison, City Attorney

Final Passage and Vote: _____