

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7127

ORDINANCE COUNCIL SERIES NO. 23- \_\_\_\_\_

COUNCIL SPONSOR: BINDER/COOPER

PROVIDED BY: CIVIL DIVISION/UTILITIES

INTRODUCED BY: MS. TANNER

SECONDED BY: MS. CAZAUBON

ON THE 6TH DAY OCTOBER, 2022

ORDINANCE TO AMEND PORTIONS OF ORDINANCE C.S. NO. 12-2707, ADOPTED APRIL 5, 2012 AND CODIFIED AS SEC. 40-333(A) OF THE CODE OF ORDINANCES OF THE PARISH OF ST. TAMMANY, WHICH ESTABLISHED AND VALIDATED 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, which are attached hereto and made part hereof, are reviewed and deemed reasonable and valid:

Sec. 40-333. Service rates fees.

(a) System Fees

BE IT FURTHER ORDAINED that a copy of the aforesaid schedule of rates shall be maintained at the office of the St. Tammany Parish Department of Utilities 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REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.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.

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 ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 1<sup>ST</sup> DAY OF JUNE, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 23-.

\_\_\_\_\_  
JACOB "JAKE" A. AIREY, COUNCIL CHAIRMAN

ATTEST:

\_\_\_\_\_  
KATRINA BUCKLEY, COUNCIL CLERK

\_\_\_\_\_  
MICHAEL B. COOPER, PARISH PRESIDENT

Published introduction: SEPTEMBER 28, 2022

Published adoption on: \_\_\_\_\_, 2023

Delivered to Parish President: \_\_\_\_\_, 2023 @ \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2023 @ \_\_\_\_\_

**Sec. 40-333. Service rates and fees.**

(a) *System fees.* These fees shall apply to all customers or subscribers of a sewerage and/or water system owned and operated by the parish.

(1) *Water service fee.*

Capacity reservation fee	Not to exceed <del>\$2.35</del> <u>\$6.50</u> per gallon
Tap-in-fee	
¾" service	<del>\$444.00</del> <u>\$605.00</u>
1" service	<del>\$499.50</del> <u>\$748.00</u>
1½" service	<del>\$571.65</del> <u>\$1,012.00</u>
2" service	<del>\$860.25</del> <u>\$1,385.00</u>
Above 2" service	<del>\$444.00</del> <u>605.00</u> (plus actual cost of meter and all necessary fittings)
Connection fee	<del>\$22.20</del> <u>\$70.00</u>
Reconnection fee (this charge is for re-establishing service after disconnection for nonpayment, failure to make deposit, fraudulent or seasonal use)	<del>\$38.85</del> <u>\$70.00</u>
Deposit	2½ times average monthly bill (\$40.00 minimum)
Service charge (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)	<del>\$49.95</del> <u>\$75.00</u>
Tampering (this fee applies to anyone who illegally taps into the system or in any way destroys or tampers with the system; including meters, meter boxes, lines, valves, etc.)	\$250.00
<u>After Hours Call Out – After hours water turn on after disconnection of service on same day (in addition to reconnection fee).</u>	<u>\$125.00</u>

(2) *Sewer service fees.*

Capacity reservation fee	Not to exceed <del>\$4.70</del> <u>\$12.50</u> per gallon
Tap-in fee <del>(this charge will include all labor and materials and any other cost associated with initially establishing service)</del>	<del>\$499.50</del> <u>\$600.00</u>
Connection fee	<del>\$38.85</del> <u>\$30.00</u>
Reconnection fee (this charge is for re-establishing service after disconnection for non-payment, failure to make deposit, fraudulent or seasonal use)	<del>\$33.30</del> <u>\$30.00</u>
Service charge (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)	<del>\$49.95</del> <u>\$75.00</u>
Deposit	2½ times the average monthly bill (\$40.00 minimum)
Tampering fee (this fee applies to anyone who illegally taps into the system or in any way destroys or tampers with the system; including <del>meters, meter boxes</del> <u>removal of clean out cap, modification of lines or valves, etc.</u> )	\$250.00
Late payment charge	6 percent of the unpaid balance
<u>Septage Receiving</u>	<u>\$0.30/gallon</u>

(3) *System construction fee collection agreement.*

- a. The parish acknowledges the need for the construction of water and sewer infrastructure to facilitate connections to ~~Tammany~~ the Department of Utilities water and sewer system. In some cases individuals are willing to construct the lines to connect to ~~Tammany~~ the Department of 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:
    - (i) Applicant shall mean the person who will construct or actually constructs the water and/or sewer infrastructure across undeveloped property for which he seeks reimbursement of its costs;
    - (ii) Application shall mean the form prepared by the ~~department of environmental services~~ Department of Utilities that contains all information necessary to process a request for a new system construction fee agreement;
    - (iii) 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;
    - (iv) Minor subdivision shall have that meaning as defined in the parish Code;
    - (v) 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~~ the Department of Utilities;
    - (vi) 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~~ Department of Utilities 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~~ Department of Utilities;
    - (vii) New system infrastructure is water and/or sewer lines constructed and installed by an applicant and for which the applicant seeks reimbursement from neighboring lot owners;
    - (viii) 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~~ Department of Utilities;
    - (ix) Subdivision shall have that meaning as defined in this Code;
    - (x) ~~Tammany~~ The Department of Utilities shall mean the water and sewer services provided by the parish operated ~~under the name Tammany~~ by the Department of Utilities.
- b. New system infrastructure shall be installed from the existing main at a point determined by the Department of Utilities to the farthest corner of the subject property or the entire road frontage of the subject property, whichever is applicable. The entire cost of any new infrastructure, including temporary services, fire services, irrigation services, and relocation of an existing service, shall be the responsibility of the applicant.
- c. New system infrastructure shall be sized to provide required fire capacity and flows, and shall include fire hydrants as required by the Department of Utilities.

- ~~b-d.~~ Individuals who construct the necessary infrastructure to connect to a ~~Tammany~~ Department of 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").
- ~~e-e.~~ The following documents shall be submitted with the application:
1. Plans and specifications for the new system infrastructure;
  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~~ Department of Utilities.
- ~~d-f.~~ Upon completion of the new system infrastructure, ~~Tammany~~ the Department of Utilities will inspect the infrastructure to ensure that it meets all of its applicable regulations.
- ~~e-g.~~ Upon verification that the new system infrastructure has been constructed as designed and that proper payment has been made by the applicant, the 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-h.~~ The 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~~ Department of 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-i.~~ This provision shall not apply to minor subdivisions or any subdivision of any type.
- ~~h-j.~~ The obligation of the parish to collect the pro rata portion of the new system infrastructure fee shall expire five years from the date that the parish enters into the new system construction fee collection agreement.
- ~~i-k.~~ The 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. The parish intends to act simply a collection agent for the cost of implementing the new system infrastructure.
- ~~j-l.~~ An administration fee of \$100.00 shall be assessed for each collection made by the parish pursuant to a new system construction fee collection agreement.

**Ordinance Administrative Comment**

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This is not a rate increase for monthly water and sewer services. Rather, this is necessary to address increased costs of providing water/sewer capacity at development level; costs of initial tap-in, connection and/or reconnection; and costs of certain additional services as specified. Additional revisions are provided for extension of water/sewer infrastructure.