

ORDINANCE NO. 184

AN ORDINANCE CORRECTING ORDINANCE NO. 158 WHICH AMENDED TITLE 18, CHAPTER 1 AND 2 OF THE CODE OF ORDINANCES TO ESTABLISH AND MAINTAIN A SCHEDULE OF RATES AND CHARGES FOR THE USE OF AND SERVICE RENDERED BY THE SEWERAGE SYSTEM; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

WHEREAS, Ordinance No. 158 amended Title 18, Chapter 1 and 2 of the Code of Ordinances regarding the schedule of rates and charges for use of the sewer service system, but failed to include all of the matters that were considered by the Board of Mayor and Aldermen as recommended by the Public Utilities Board; and

WHEREAS, In addition to the changes to sections 18-111(7) and 18-204 of the Code of Ordinances as adopted by Ordinance No. 158, the Public Utilities Board also recommended and the Board of Mayor and Aldermen approved on two (2) readings (March 2 and 8, 1995) increasing the "accounting fee" from \$25.00 to \$35.00 with \$10.00 of the "accounting fee" to be used to fund the hardship account, raise the "system user fee" from \$1300.00 to \$1750.00 with \$450.00 to be placed in the hardship fund, and raising the "system user fee" where a second connection is made to one structure from the present amount of \$350.00 to a new amount of \$500.00; and

WHEREAS, the public welfare requires it;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MT. CARMEL, TENNESSEE, AS FOLLOWS:

SECTION I. That section 18-202 of the Code of Ordinances is hereby amended to read as follows:

18-202. System User Fee. There is hereby established "system user fee" levied to defray the expenditures of a system-wide basis for the operation, maintenance and capital improvements of the wastewater treatment system in the one time amount of \$1750.00. For trailer parks, apartment houses, motel/hotels, and all other multiple unit structures, in addition to the system user fee of One Thousand Seven Hundred Fifty Dollars (\$1750.00) for the first unit there shall be assessed Five Hundred Dollars (\$500.00) for each additional unit. Car washes One Thousand Seven Hundred Fifty Dollars (\$1750.00) system user fee includes up to four (4) bays, but there shall be assessed an additional One Hundred Fifty (\$150.00) for each additional bay. The system user fee shall be Four Hundred Dollars (\$400.00) per lot in newly developing subdivisions wherein the developer installs at his own expense, in accordance with the specifications of the Public Utilities Board and the Town of Mount Carmel, all the sewer lines within said development and said developer pays the Four Hundred Dollar (\$400.00) per lot system user fee prior to the marketing and sale of any lot in such subdivision.

SECTION II. That section 18-203 of the Code of Ordinances is hereby amended to read as follows:

18-203. Accounting Fee. There is hereby established "an accounting fee" levied to defray the expenditures required to process the application, execute the subscription and to enter the customer into the billing and accounting system a one time non-refundable fee of Thirty Five Dollars (\$35.00).

SECTION III. The Ten Dollar (\$10.00) increase in the above-noted "accounting fee" and the Four Hundred Fifty Dollar (\$450.00) increase in the above-noted system user fee shall each be segregated and the income deposited into the separately maintained hardship fund for the purpose of funding hardship application approvals.

SECTION IV **LEGAL STATUS PROVISIONS.**

A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

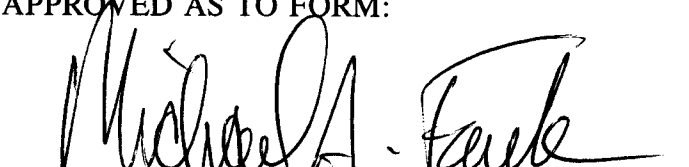
C. Effective Date. This ordinance shall take effect and be in force from and after its passage, retroactively to March 8, 1995, the date these measures were actually considered and passed in Ordinance No. 158, the text of which failed to include the matter contained herein, the date the public welfare requiring.


JAMES L. DEAN, Mayor

ATTEST:


NANCY F. CARTER, Recorder

APPROVED AS TO FORM:


LAW OFFICE OF MICHAEL A. FAULK

PASSED 1ST READING - DATE: 10-23-97 Ayes 6 Nays 0 Other 0
PASSED 2ND READING - DATE: 11-20-97 Ayes 5 Nays 0 Other 0

PUBLISHED ON:

DATE: 1-128-98

NEWSPAPER: Kingsport Times News