

Pending

ORDINANCE NO. 217

AN ORDINANCE AMENDING TITLE 18, CHAPTER 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, Title 18, Chapter 2 of the Code of Ordinances regarding the schedule of rates and charges for use of the sewer service system, should be amended by the Board of Mayor and Aldermen as recommended by the Public Utilities Board; and

WHEREAS, it appears the town will experience a severe downturn in its sales tax revenue due to the relocation of Food City; and

WHEREAS, the Board of Mayor and Aldermen recognize the need to attract new businesses to the Town to replace the lost sales tax revenue and thereby avoid the need for an increase in property tax revenues; and

WHEREAS, the Public Utilities Board has recommended adoption of a "commercial sewer rates"; and

WHEREAS, a lower commercial sewer rate will have a miniscule impact on sewer revenues for the Town while at the same time making the town more attractive to new businesses;

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 18-2024 of the Code of Ordinances is hereby amended to read as follows:

18-204. Sewer service charges. There is hereby established a "sewer service charge " to be levied each customer on a monthly basis for the ongoing collection and disposal of sanitary wastewater from the customer's sanitary conveniences in an amount as established as follows:

Commercial (as designated by the Hawkins County, Tennessee Assessor of Property)

1) Sewer volume is to be computed based on 90% of water volume

- (2) Minimum fee is to be computed based upon sewer volume of 2,000 gallons of sewage or less
- (3) Additional fee for each additional 1,000 gallons of sewage up to 2,500,000 gallons and a lesser fee above 2,500,000 gallons;
- (4) Late fees are to be charged when monthly sewer service charge is not paid by the 10th of each month. Late fees are 10% of the delinquent balance to be computed monthly.

Non-Commercial (all categories of assessment other than commercial)

- 1) Sewer volume is to be computed based on 90% of water volume
- (2) Minimum fee is to be computed based upon sewer volume of 2,000 gallons of sewage or less
- (3) Additional fee for each additional 1,000 gallons of sewage.
- (4) Late fees are to be charged when monthly sewer service charge is not paid by the 10th of each month. Late fees are 10% of the delinquent balance to be computed monthly.

In the event further changes to the schedule of rates and charges shall be necessary, such may be made by resolution of the board of mayor and aldermen as the necessity and advisability shall become apparent.

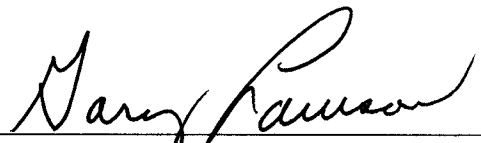
At the request of any lessor, the sewer service charge will be billed on a regular monthly basis to the lessor's lessee(s) but lessor shall be responsible for any and all unpaid lessee's bills and shall be responsible for minimum monthly bills when rental property is unoccupied unless the water to such property has been disconnected. Should any customer provide evidence to the public utilities board that the water to any structure has been turned off, a dry tap fee may be approved on such unoccupied structures without the service of water at the rate of twelve dollars (\$12.00) annually.

SECTION II. 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.

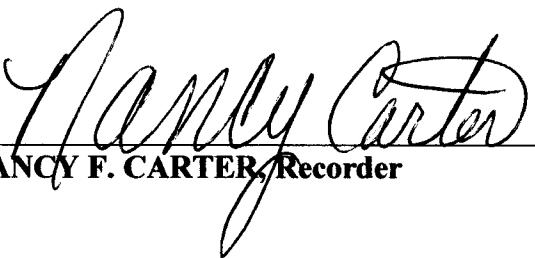
B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

C. Effective Date. This ordinance shall take effect and be in force from and after its passage and publication, the public welfare requiring.



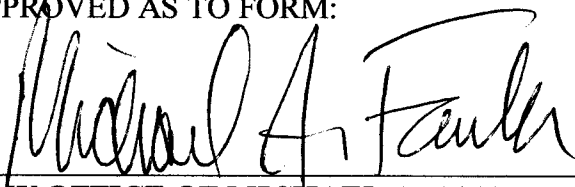
GARY LAWSON, Mayor

ATTEST:



NANCY F. CARTER, Recorder

APPROVED AS TO FORM:



LAW OFFICE OF MICHAEL A. FAULK

FIRST READING	AYES	NAYS	OTHER
GEORGE PIERCE	✓		
HENRY BAILEY	✓		
EUGENE CHRISTIAN	✓		
PAUL HALE	✓		
GARY LAWSON, MAYOR	—		
THOMAS WHEELER	✓		
WANDA WORLEY	✓		
TOTALS	6		

PASSED FIRST READING: 2-22-01

SECOND READING	AYES	NAYS	OTHER
GEORGE PIERCE			
HENRY BAILEY			
EUGENE CHRISTIAN			
PAUL HALE			
GARY LAWSON, MAYOR			
THOMAS WHEELER			
WANDA WORLEY			
TOTALS			

PASSED SECOND READING: _____

PUBLISHED ON: _____
DATE: _____
NEWSPAPER: _____