

Town of Bath
ORDINANCE 2008 – 01

AMENDING SECTION 11 OF THE TOWN CODE OF 1981
WATER RATE CHARGES INCREASE

“A SPECIAL ORDINANCE TO SET RATES, RULES AND REGULATIONS FOR FURNISHING WATER AT TOWN OF BATH / BERKELEY SPRINGS, AND VICINITY, MORGAN COUNTY, WEST VIRGINIA”

Be it hereby ORDERED that the Rates, Rules and Regulations for furnishing water at Town of Bath / Berkeley Springs, and vicinity, Morgan County, West Virginia be amended to include a flat rate structure and a 13.3% water rate increase. This being introduced at the April 15, 2008 regular Town of Bath Council meeting and being the subject of the May 6, 2008 Public Hearing, both having been conducted at the Municipal Center. This rate increase is necessary to pay anticipated debt service on the bonds to be issued to upgrade (Phase II) the Town’s water system and replace antiquated water lines. All required publications and requirements of the State of West Virginia Public Service Commission have been met. The increased rates are attached. This ordinance shall take effect as of July 1, 2008 billing cycle.

First Reading April 15, 2008

Second Reading May 6, 2008

Passed on the 6th day of May 2008

Susan J. Webster, Mayor

Irene Hedrick, Recorder

RULES AND REGULATIONS

- I. Rules and Regulations for the Government of Water Utilities, adopted by the Public Service Commission of West Virginia, and now in effect, and all amendments thereto and modifications thereof hereafter made by said commission, shall automatically be a part of any contract between any Consumer and the Berkeley Springs Water Works.

- II. The following rule and regulations adopted by the Berkeley Springs Water Works / Town of Bath, a municipal corporation, and all amendments thereto and modifications thereof hereafter made by said Berkeley Springs Water Works / Town of Bath, a municipal corporation, shall automatically be part of the contract between any consumer and the said Berkeley Springs Water Works / Town of Bath:
 1.
 - A. Wherever the word "Consumer" shall hereafter appear, it shall be taken to mean any person, firm or corporation, supplied, or to be supplied, with water by the Berkeley Springs Water Works.

 - B. Wherever the word "BSWW" shall hereafter appear, it shall be taken to mean the Berkeley Springs Water Works / Town of Bath, Morgan County, West Virginia, a municipal corporation engaged in the business of furnishing, distributing and selling water.

 2.
 - A. No service connection shall be made to the distributing mains of the BSWW except upon written application made by the Consumer on a form prepared by the BSWW and the approval thereof endorsed thereon by the BSWW or its duly authorized agent.

 - B. No such application shall be approved by the BSWW or its duly authorized agent until all arrears and charges due by the Consumer at any premises now or heretofore occupied by him shall have been paid, or satisfactory arrangements have been made in regard thereto.

 - C. Accepted application for water to be supplied to any premises shall constitute a license to the Consumer to take and receive a supply of water for said premises for the purpose specified in such application. If the Consumer shall use, or knowingly permit to be taken or used, water from said premises for any persons, or purposes other than these specified in such application, such use shall be deemed wrongful and a violation of the contract, and the BSWW shall have the right to discontinue the supply of water to said premises after due notice to the Consumer unless Consumer shall have first obtained the written permission he BSWW to use the water in such a manner not specified by the application.

BERKELEY SPRINGS WATE WORKS

Proposed 13.3 % Rate Increase

APPLICABILITY

Applicable in entire territory served

AVAILABILITY OF SERVICE

Available for general, domestic, commercial and industrial service

MINIMUM CHARGE PER FIRST 6,000 GALLONS / PER METER SIZE / PER QUARTER

5/8	inch meter	\$52.62
5/8 x 3/4	inch meter	\$52.62
3/4	inch meter	\$94.83
1	inch meter	\$158.05
1 1/2	inch meter	\$316.11
2	inch meter	\$505.77
3	inch meter	\$948.32
4	inch meter	\$1,580.54
6	inch meter	\$3,161.07

FLAT RATE CHARGE FOR USEAGE OVER THE MINIMUM OF 6,000 PER METER SIZE / PER QUARTER

5/8	inch meter	\$8.77	Per 1,000 Gallons
5/8 x 3/4	inch meter	\$8.77	Per 1,000 Gallons
3/4	inch meter	\$8.77	Per 1,000 Gallons
1	inch meter	\$8.77	Per 1,000 Gallons
1 1/2	inch meter	\$8.77	Per 1,000 Gallons
2	inch meter	\$8.77	Per 1,000 Gallons
3	inch meter	\$8.77	Per 1,000 Gallons
4	inch meter	\$8.77	Per 1,000 Gallons
6	inch meter	\$8.77	Per 1,000 Gallons

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the net current amount unpaid. This delayed penalty is not interest and is to be collected only once for each bill where it is appropriate.

RETURNED CHECK CHARGE

If a check received is returned by the bank for any reason, the Berkeley Springs Water Works shall charge the customer for such a fee of \$25.00

NON-REFUNDABLE SET UP FEE

Each Consumer at the time of application for water service will be charged a non-refundable set up fee of \$50.00.

SERVICE CONNECTION CHARGE

The general charge for making each service connection ¾ inch or smaller shall be \$650.00 to make an ordinary connection to the water system.

Larger than ¾ inch shall be the greater of \$650.00 or the actual cost of the installation as determined by the Berkeley Springs Water Works.

WATER DISCONNECT-RECONNECT-ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of water bills, a disconnection fee of \$25.00 shall be charged; or in the event the delinquent water bill is collected by the City in the field, an administrative fee of \$25.00 shall be charged. A \$25.00 reconnection fee will be assessed for each occurrence where water service to sewer customers is restored, after water service has been terminated for non-payment of water bills. Reconnection after hours on an emergency basis only (Monday-Friday after 4 pm, anytime on holidays and weekends) an additional \$25.00 fee shall apply.

PUBLIC FIRE PROTECTION

The fee for public fire hydrant is \$10.30 per hydrant per quarter

The Town of Bath shall pay a public fire service fee of \$309.00 per quarter which shall cover all of the hydrants and fire facilities existing within the Town of Bath.

All of the public hydrants located outside of the Town of Bath shall be paid for by the users who are located outside the Town of Bath on a pro-rated basis.

PRIVATE FIRE PROTECTION

Where connections, hydrants, sprinklers, etc. on private property are maintained by consumer:

1 inch or less Service Line with hydrants, sprinklers, and/or hose connections	\$ 37.50 per quarter
2 inch Service Line with hydrants, sprinklers, and/or hose connections	\$ 50.00 per quarter
3 inch Service Line with hydrants, sprinklers, and/or hose connections	\$ 77.50 per quarter
4 inch Service Line with hydrants, sprinklers, and/or hose connections	\$105.00 per quarter
6 inch Service Line with hydrants, sprinklers, and/or hose connections	\$135.00 per quarter
8 inch Service Line with hydrants, sprinklers, and/or hose connections	\$ 165.00 per quarter

LEAK ADJUSTMENT POLICY / INCREMENT

\$1.00 per 1,000 Gallons is to be used when the bill reflects unusual consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such unusual consumption above the customer's historical average usage.

It is the policy of the Berkeley Springs Water Works to consider an adjustment of a customer's water bill when high usage results from an **accidental break** in the customer's service line.

The Berkeley Springs Water Works **Will Not** consider or make adjustments for repeated leaks, leaking fixtures (such as commodes, faucets, etc.) or where poor quality materials are used by the customer.

Before making an adjustment to your bill, the Berkeley Springs Water Works must have completed a leak adjustment application filled out by the customer of record and provide verification that a leak actually occurred and that the leak was repaired. Evidence of repair, such as a copy of any bills for repair materials or plumber's repair bill, will help expedite the Berkeley Springs Water Works review of the adjustment requested.

Once the Berkeley Springs Water Works has obtained the information stated above, your request will be presented to the Town of Bath Water Committee at the next scheduled meeting for their consideration. You will be notified once a decision has been reached.

Only 1 adjustment will be considered within a twelve (12) month period.

SERVICE CHARGE

There shall be a fee of \$25.00 charged to customers of record requesting in writing or verbal, if an emergency situation, their water to be turned off at the meter and a like charge for turning the water back on.

TAX SCHEDULE

The Berkeley Springs Water Works is required to collect a utility tax pursuant to West Virginia code Section 8-13-5a.

Customers receiving water service within the corporate limits of the specified municipality shall pay a surcharge tax at the following rates:

Municipality

Utility Excise Tax

Town of Bath

2% Local Tax Rate

CAPACITY IMPROVEMENT FEE

<u>Meter Size</u>	<u>Type</u>	<u>Factor</u>	<u>System Development Charge</u>
5/8 inch		1	\$ 2,000
3/4 inch		1.1	\$ 2,000
1 inch		1.4	\$ 2,272
1-1/2 inch		1.8	\$ 2,921
2 inch	Standard	2.9	\$ 4,707
	Compound	2.5	\$ 4,058
	Turbine	5.0	\$ 8,115
3 inch	Standard	11	\$ 17,853
	Compound	16	\$ 25,968
	Turbine	28	\$ 45,444
4 inch	Standard	14	\$ 22,722
	Compound	25	\$ 40,575
	Turbine	75	\$121,725
6 inch	Standard	21	\$ 34,083
	Compound	50	\$ 81,150
	Turbine	187.5	\$304,313
8 inch	Standard	29	\$ 47,067
	Compound	80	\$129,840
	Turbine	250	\$405,750

*Meters in excess of 8 inches will be individually evaluated by the Company

All monies collected by this fee are to be placed in a separate fund to be used for the purposes of increasing the capacity of the Berkeley Springs Water Works Plant.