

ORDINANCE NO. 21- 03-03

**AN ORDINANCE AMENDING SECTION 52.35(E) AND (G)
OF THE
CITY OF BENTON'S CODE OF ORDINANCES TO PROVIDE
FOR A NEW SECTION FOR CHARGES AND FEES
AND FOR SERVICE PROVIDED BY THE
CITY OF BENTON TO ITS WATER AND SEWER CUSTOMERS**

WHEREAS the City Council of the City of Benton desires to update its water and sewer service fees and charges after consideration of the recommendations of the Water and Sewer Employees;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BENTON, KENTUCKY that:

1. The following water and sewer ordinances are repealed:

Ordinance No. 18-09-03; Ordinance No. 18-03-02; Ordinance No. 17-10-02
Ordinance No. 17-07-03; Ordinance No. 10-07-01

2. Section 52.35(E) of the Code of Ordinance of the City of Benton, Kentucky, shall read as follows:

(E) (1) There are hereby established from and after August 1, 2010, the following fees and charges for the following services related to the city providing the following water related services to customers of the city's water distribution system.

SERVICE	CHARGES
Meter reinstallation	\$100.00
Turn a water meter on or off at times other than city's regular business hours or on holiday:	\$100.00
Relocate an existing water meter at a customer's request and a new tap is required.	Labor, materials, and current tap on fee
Relocate an existing water meter at a customer's request and no new tap is required.	Labor and materials
Raise the elevation of an installed water	\$75.00 plus materials

(2) Repairs made to the city's water distribution system shall be billed to the city's customer for whom work was being done or that caused the damage, at the city's actual cost of the materials and labor including, all overtime and other cost including the cost of water lost as a result of that damage.

3. Section 52.35(G) of the Code of Ordinances of the City of Benton, Kentucky, shall read as follows:

(G) (1) All sewer connections made to the city's wastewater collection and treatment system from and after August 1, 2010, shall include a clean-out at the customer's property line. The customer shall be responsible for having the clean-out installed.


(2) If the city responds to a customer's call for sewer service during regular business hours, there shall be no charge to that customer. A minimum fee of \$100.00 will be charged to the customer for any sewer service call made at a time other than regular business hours if it is determined that the blockage was not in the city's sewer main.

(3) The city will not open any sewer customer's service line at any point, except to go through a clean-out located at the property line toward the city's sewer main. If no clean-out is installed at the property line, it is the customer's responsibility to have one installed. The city will not service a customer's line between the clean-out and the customer's residence, will not open any sewer customer's service line unless it is necessary to clean out the city's sewer main, and shall not clean out a customer's service line.


(4) In the event the city determines the customer's sewer cap is in need of replacement or that the sewer clean-out is in need of repair, the city will give the property owner five (5) days' notice to replace the sewer cap or complete the needed repair; notice of the needed replacement or needed repair will be personal notice to property owner or by leaving a notice on a door hanger at residence or business. This is for any sewer clean-outs on the property as missing caps or broken clean-outs cause infiltration in the sewer system. In the event the property owner elects not to replace the sewer cap or complete the necessary repair, the city will replace the sewer cap at a fee of \$25.00 and/or provide the repair the sewer clean-out at an additional fee of \$25.00 to be charged to the customer on the customer's water/sewer bill. Non-payment of these charges can result in disconnection of water service.

4. The remaining provisions of Section 52.35 shall remain as currently enacted.

Passed this the 15 day of March, 2021.


RITA DOTSON, Mayor

ATTEST:


BETHANY COOPER, City Clerk

First Reading 2/15/2021
Second Reading 3/15/2021
Publication 3/23/2021

COUNCIL MEMBERS VOTING

	<u>AYE</u>	<u>NAY</u>
CHARLES EDMONDS	<u>✓</u>	_____
ANN RILEY	<u>✓</u>	_____
KEVIN FARLEY	<u>✓</u>	_____
RITA MURRAY	<u>✓</u>	_____
SHERRA RILEY	<u>✓</u>	_____
BUTCH HOLLAND	<u>✓</u>	_____