

ORDINANCE NO. 624

AN ORDINANCE PROVIDING FOR A SEPARATE BANK ACCOUNT TO BE KNOWN AS THE "UTILITY FUND OF THE CITY OF PAYETTE" AND CREATING A SPECIAL FUND KNOWN AS THE "UTILITY FUND"; PROVIDING FOR A SEPARATE BANK ACCOUNT TO BE KNOWN AS THE "SEWER FUND OF THE CITY OF PAYETTE" AND CREATING A SPECIAL FUND KNOWN AS THE "SEWER FUND"; PROVIDING THAT THE CITY CLERK SHALL ESTABLISH AN ACCOUNT FOR ALL PREMISES IN THE CITY OF PAYETTE; PROVIDING FOR BILLING CITY SERVICES TO SUCH ACCOUNTS, FOR PAYMENTS ON ACCOUNT, AND FOR THE COLLECTION OF THE SAME; PROVIDING FOR THE DISPOSITION OF WATER CHARGES; AMENDING SECTION 14 OF ORDINANCE NO. 622 OF THE CITY OF PAYETTE TO PROVIDE FOR THE DISPOSITION OF FEES CHARGED FOR REFUSE COLLECTION; AMENDING CHAPTER 8 OF TITLE 9, REVISED CODE OF PAYETTE, 1946, BY ADDING THERETO NEW SECTIONS PROVIDING FOR SEWER SERVICE ACCOUNTS, RATES AND CHARGES, METHODS OF COLLECTION, DISPOSITION OF FEES AND CHARGES, TOTAL AMOUNT OF CHARGES, AND EFFECTIVE DATES FOR THE SAME; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, handling the various accounts of the City of Payette requires the establishment of new accounts and new funds; and

WHEREAS, heretofore the qualified electors of the City of Payette, Idaho, voting at a special election, by more than a two-thirds majority, authorized the issuance of sewer revenue bonds to acquire, construct and install certain additions to the system of sewerage and a sewage treatment and disposal plant and necessary interceptor lines in connection therewith for the City of Payette, Idaho, in such cases made and provided; and

WHEREAS, the Mayor and Council of said City, pursuant to such authorization, on the 15th day of September, 1958, passed and approved Ordinance No. 622 of said City and therein provided for the issuance of such sewer revenue bonds to pay for such additions to the system of sewerage and sewage treatment and disposal plant and necessary interceptor lines in connection therewith and for establishing and collecting rates and charges for said systems sufficient to pay expenses of maintenance and operation of said systems and payment of the principal of said bonds as they mature and become payable and payment of interest thereon as the same accrues and becomes payable until such sewer revenue bonds, together with the accrued interest thereon, shall have been fully paid, redeemed and discharged;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1. UTILITY FUND AND ACCOUNT.-- The Treasurer of the City of Payette, Idaho, shall establish and maintain a separate bank account to be known and designated as the "Utility Fund of the City of Payette"; and there shall be, and there is hereby created in the office of the Treasurer of the City of Payette, Idaho, a

special fund which shall be known and described as the "Utility Fund" of the City of Payette, Idaho, into which Fund shall be placed such revenues as may from time to time be directed by ordinance and which revenues shall be deposited in said "Utility Fund of the City of Payette" and from which Fund shall be paid into other funds of the City the revenues placed in said Fund, according to source, as directed by ordinance.

Section 2. SEWER FUND AND ACCOUNT.--The Treasurer of the City of Payette, Idaho, shall establish and maintain a separate bank account to be known and designated as the "Sewer Fund of the City of Payette"; and there shall be, and there is hereby created in the office of the Treasurer of the City of Payette, Idaho, a special fund which shall be known and described as the "Sewer Fund" of the City of Payette, Idaho, into which Fund shall be placed such revenues as may from time to time be directed by ordinance and which revenues shall be deposited in said "Sewer Fund of the City of Payette" and from which Fund shall be paid such charges as may be directed by ordinance.

Section 3. UTILITY ACCOUNTS.--The City Clerk shall establish an account for all premises consisting of each individual lot, piece, or parcel of property, dwelling, flat, rooming house, eating place, shop, place of business, manufacturing or business establishment in the City of Payette.

Section 4. BILLING TO ACCOUNTS.-- All water, sewer, refuse collection and similar monthly charges shall be billed to the individual account for the premises to which such service is rendered.

Section 5. CHARGES NOT SEVERABLE.--The total monthly billing to each account shall be considered as one bill and the Clerk shall have authority to refuse payment for any one service, but any payment shall be credited to the entire account.

Section 6. PAYMENTS ON ACCOUNT.--The Clerk shall have authority to accept partial payments to apply upon the balance due in the entire account and shall have authority to accept pre-payments to apply against all future billing to the account.

Section 7. DELINQUENCY.--Delinquency in the account shall be considered as delinquency in payment for each of the services rendered, and all services shall be discontinued as directed by ordinance.

Section 8. DISPOSITION OF WATER CHARGES.--All water charges provided for in Sections 1-618 and 1-619, Revised Code of Payette, 1946, as amended, shall be placed in the Utility Fund and paid into the General Fund; provided, however, that such

amounts as the Council shall, from time to time, determine to be necessary to fulfill the requirements of Section 4 of Ordinance No. 622 of the City of Payette, shall be paid into the Sewer Fund for payment into the Sewer Revenue Bond Redemption Fund of 1958.

Section 9. Section 14 of Ordinance No. 623 shall be and hereby is amended to read as follows, to-wit:

"Section 14. Disposition of fees.

All fees and charges herein provided when collected shall be placed in the Utility Fund and paid into the General Fund of the City of Payette."

Section 10. Chapter 8 of Title 9, Revised Code of Payette, 1946, shall be and the same is hereby amended by adding thereto the following sections designated as Sections 9-816, 9-817, 9-818, 9-819, 9-820, 9-821 and 9-822, which new sections read as follows:

"9-817. SEWER SERVICE ACCOUNTS.--Owners or occupants of all premises now served by sanitary sewer of the City of Payette and all premises to be furnished sewer service by sewage collection system constructed from proceeds of sale of Sewer Revenue Bonds of 1958 shall be billed for sewer service upon the rates and effective dates established by ordinance.

"9-818. SEWER SERVICE RATES AND CHARGES.

1.

(a) The monthly charges for City sewer service shall be determined by the amounts of city water delivered to the premises as shown by the water meter and shall be collected at the following rates, to-wit:

0 -	6,000 gallons of water	\$1.30
6,001 -	7,000 gallons of water	1.65
7,001 -	8,000 gallons of water	2.00
8,001 -	10,000 gallons of water	2.70
10,001 -	12,000 gallons of water	3.40
12,001 -	14,000 gallons of water	4.10
14,001 -	16,000 gallons of water	4.80
16,001 -	18,000 gallons of water	5.50
18,001 -	30,000 gallons of water	7.00
30,001 -	50,000 gallons of water	9.30
50,001 -	100,000 gallons of water	11.60
100,001 -	150,000 gallons of water	13.90
150,001 -	200,000 gallons of water	16.20
	in excess of 200,000 gallons of water	18.50

(b) In addition to the above schedule of rates, all premises furnished sewer service by sewage collection system constructed from proceeds of the sale of Sewer Revenue Bonds of 1958 shall pay the additional sum of \$2.35 per month.

2. Rates and charges for premises to which city water is not delivered or metered or upon which sewer service has no reasonable relationship with city water delivered shall be fixed according to rates and charges for the same or similar use and occupancy in other cases.

3. No charge shall be made for the month or months in which the city water service for such premises has been discontinued pursuant to section 1-603, Revised Code of Payette, 1946; provided, that where city water is not furnished to any premises no charge will be made during the time the premises are vacant and no sewage is collected therefrom, provided, further that such period of time is not less than thirty (30) days and provided, further, that notice of such vacancy shall be given to the City Clerk prior to such vacancy.

4. The rates and charges herein established shall be subject to modification upon application to the City Council by the owner or occupant in all cases where fees so established shall be unjust or oppressive.

"9-819. METHOD OF COLLECTION.--Fees shall be carried on the water bills, wherever applicable, and the water department is authorized and directed to discontinue services to any premises where the entire water and sewer service bill is not paid, in the same manner that service is discontinued for non-payment of water bill.

All fees shall be paid by the person responsible for the same at the office of the City Clerk within ten (10) days after receipt of a statement, and if not paid the same shall become delinquent and after sixty (60) days delinquency a charge of fifty cents (\$.50) shall be added to the account. For failure to pay such charge the City may levy a special assessment against the premises in such amount and in such manner as other special assessments are levied and foreclose the same in the manner provided for the foreclosure and collection of other special assessments.

"9-820. DISPOSITION OF FEES AND CHARGES.--All fees and charges herein provided when collected shall be placed in the 'Utility Fund of the City of Payette' and paid into the 'Sewer Fund of the City of Payette'. All charges and expenses for operation and maintenance of the sewage system and the sewage treatment and disposal plant, and all payments required to be made by Ordinance No. 622 of the City of Payette into the Sewer Revenue Bond Redemption Fund of

1958 and the Reserve Fund shall be made from said 'Sewer Fund of the City of Payette'. The Council may, by ordinance or resolution, from time to time hereafter establish within the Sewer Fund a reserve for operation, maintenance, replacement and depreciation of such works and a reserve for improvements to such works and authorize expenditures from such Fund for such purposes.

"9-821. TOTAL AMOUNT OF CHARGES.--Rates and charges hereby imposed, or as hereafter amended, shall continue in force and effect until the bond issue known as 'Sewer Revenue Bond of 1958' shall have been fully paid and discharged, together with any and all accrued interest; and each individual lot, piece or parcel of land shall continue to pay said rates and charges until the total amount paid for such premises shall be equal to the total amount paid for other individual premises under the corresponding rates for the total period from the first imposition of the rates and charges until the said bonds, together with interest, are fully paid and discharged.

"9-822. EFFECTIVE DATE.--The rates and charges as provided in Section 9-818, Revised Code of Payette, 1946, except for the sum of fifty cents (\$.50) for each account, shall be effective upon the passage, approval and publication of this ordinance and shall be included in the total billing by the City of Payette, January 1, 1959. The remaining fifty cents, above excepted, shall become effective upon the completion of construction and placing in service of the additions to the system of sewerage and sewage treatment and disposal plant financed by the Sewer Revenue Bond of 1958 and upon resolution of the Council."

Section 11. SEPARABILITY.--If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 12. ORDINANCES REPEALED.--All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

This ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE COUNCIL THIS 15th DAY OF DECEMBER, 1958.

APPROVED BY THE MAYOR THIS 24th DAY OF DECEMBER, 1958.



Mayor

Attest:



City Clerk