

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER _____; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER _____; MOVED FOR ADOPTION BY COUNCIL MEMBER _____; AND SECONDED FOR ADOPTION BY COUNCIL MEMBER _____

ORDINANCE NO. 16-18

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MANDEVILLE BY AMENDING SECTIONS 17-14, 17-15 (c) (1) (2) (3) AND ESTABLISHING (c) (5) THERETO AND AMENDING SECTION 17-19 RELATIVE TO THE COLLECTION AND LEVYING OF SEWERAGE AND WATER SERVICE FEES AND TO PROVIDE FOR RELATED MATTERS CONNECTION THEREWITH

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Mandeville that Section 17-14 of the Code of Ordinances of the City of Mandeville be and is hereby amended to read as follows:

Sec. 17-14. - Monthly water service charges; collection of overdue charges.

The City of Mandeville shall charge the following monthly rates for all water services furnished by the municipal system to its customers, viz:

Residential:

First 3,000 gallons, minimum	\$10.00
Next 16,000 gallons, per 1,000 gallons	1.10
Next 30,000 gallons, per 1,000 gallons	1.30
All over 50,000 gallons, per 1,000 gallons	1.50

Commercial:

First 3,000 gallons, minimum	\$19.00
Next 16,000 gallons, per 1,000 gallons	1.10
Next 30,000 gallons, per 1,000 gallons	1.30
All over 50,000 gallons, per 1,000 gallons	1.50

Any charges levied herein which remain unpaid for sixty (60) days past the due date shall be subject to collection through the Louisiana Municipal Advisory and Technical Services Bureau Corporation Offset Claims Program. Overdue charges will be offset from the individual income tax refund of the consumer. Should payment be collected through the Offset Claims Program, a fee of twenty-five dollars (\$25.00) will be charged the consumer, in addition to all other charges, interest, and penalties collected.

(Ord. No. 85-6, 1-24-85; Ord. No. 90-18, 8-23-90; Ord. No. 00-10, 4-27-00; Ord. No. 04-23, 6-10-04)

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the City Council of the City of Mandeville that Section 17-15 (c) (1) (2) (3) is amended and (c) (5) is established thereto to the Code of Ordinances of the City of Mandeville be and is hereby amended to read as follows:

Sec. 17-15. - Monthly municipal sewer system charges; calculation and levy thereof; collection of overdue charges.

(c) *Additional monthly sewer user charges:*

- (1) ***Residential water and sewer customers.*** In addition to the minimum sewer user charge set forth in subsection (b) of this section, an additional monthly sewer user charge shall be levied, billed and collected in each calendar year from residential customers who are also customers of the municipal water system and who are occupying the same premises occupied by them during each of the months of November through April of the twelve-month period preceding such levy, which additional sewer user charge shall be based upon the mean average monthly water consumption at the premises as evidenced by the monthly water meter readings attributable to those premises made in the months of November through April of the twelve-month period preceding the levy less six thousand (6,000) gallons per month and upon the estimated expense of operating the municipal sewerage enterprise for the calendar year of the levy.
- (2) ***Nonresidential water and sewer customers.*** In addition to the minimum sewer user charge set forth in subsection (b) of this section, an additional monthly sewer user charge shall be levied, billed and collected in each calendar year from nonresidential customers who are also customers of the municipal water system and who are occupying the same premises occupied by them during each of the months of November through April of the twelve-month period preceding such levy, which additional sewer user charge shall be based upon the mean average monthly water consumption at the premises as evidenced by the monthly water meter readings attributable to those premises made in the months of November through April of the twelve-month period preceding the levy less fifteen thousand (15,000) gallons per month and upon the estimated expense of operating the municipal sewerage enterprise for the calendar year of the levy.
- (3) ***Other residential sewer customers.*** In addition to the minimum sewer user charges set forth in subsection (b) of this section, an additional monthly sewer user charge shall be levied, billed and collected in each calendar year from all residential customers who do not meet the criteria set forth in subsection (c)(1) of this section, which additional sewer user charge shall be based upon the mean average monthly water consumption from the entire municipal water system by residential customers as evidenced by meter readings made in the months of November through April of the twelve-month period preceding such levy, divided by the number of residential connections to the municipal water system existing on the first day of June of the year preceding the levy, all less six thousand (6,000) gallons per month, and the estimated expense of operating the municipal sewerage enterprise for the calendar year of the levy.

...

Adding (C)(5)

(5) *New residential or nonresidential sewer customers.* The City of Mandeville shall levy, bill and collect from residential customers a monthly sewerage charge of twelve dollars (\$12.00) and shall levy, bill and collect from nonresidential customers a monthly sewerage charge of twenty dollars (\$20.00).

(a) *Residential water and sewer customers.* In addition to the minimum sewer user charge set forth in subsection (b) of this section, an additional monthly sewer user charge shall be levied, billed and collected in each calendar year from residential customers who are also customers of the municipal water system and who are occupying the same premises occupied by them during the four-month period preceding such levy, which additional sewer user charge shall be based upon the mean average monthly water consumption at the premises as evidenced by the monthly water meter readings attributable to those premises made in the four-month period preceding the levy less six thousand (6,000) gallons per month and upon the estimated expense of operating the municipal sewerage enterprise for the calendar year of the levy.

(b) *Nonresidential water and sewer customers.* In addition to the minimum sewer user charge set forth in subsection (b) of this section, an additional monthly sewer user charge shall be levied, billed and collected in each calendar year from nonresidential customers who are also customers of the municipal water system and who are occupying the same premises occupied by them during the four-month period preceding such levy, which additional sewer user charge shall be based upon the mean average monthly water consumption at the premises as evidenced by the monthly water meter readings attributable to those premises made in the four-month period preceding the levy less fifteen thousand (15,000) gallons per month and upon the estimated expense of operating the municipal sewerage enterprise for the calendar year of the levy.

(d) *Calculation of additional sewer charges.* For purposes of this subsection, the following terms and symbols shall have the meaning ascribed below, as follows:

W = The mean average amount of water, expressed in gallons, consumed monthly from the municipal water system as evidenced by water readings made during the months of November through April of any applicable twelve-month period.

Wr = The mean average amount of water, expressed in gallons, consumed monthly for residential purposes from the municipal water system as evidenced by water meter readings made during the months of November through April of any applicable twelve-month period, less six thousand (6,000) gallons of water.

Wc = The mean average amount of water, expressed in gallons, consumed monthly for nonresidential purposes from the municipal water system as evidenced by water meter readings made during the months of November through April of any applicable twelve-month period, less than fifteen thousand (15,000) gallons of water.

Ur = The mean average amount of water, expressed in gallons, consumed by each residential customer of the municipal water system as evidenced by water meter readings made at such customer's residential premises during the months of November through April of any applicable twelve-month period, less six thousand (6,000) gallons of water.

Uc = The mean average amount of water, expressed in gallons, consumed by each nonresidential customer of the municipal water system as evidenced by water meter readings made at such customer's nonresidential premises during the months of November through April of any applicable twelve-month period, less fifteen thousand (15,000) gallons of water.

Br = The total number of residential connections to the municipal water system existing on the first day of June of any applicable year multiplied by eight dollars (\$8.00).

Bc = The total number of nonresidential connections to the municipal water system existing on the first day of June of any applicable year multiplied by twenty dollars (\$20.00).

D = The deficit for any applicable year as expressed in accordance with subsection (a)(7) of this section.

(1) *Residential water and sewer customers.* The amount of the additional monthly sewer user charge levied under the provisions of subsection (c)(1) of this section shall be computed in accordance with the following formula:

$$\frac{D - (Br \times \$8.00) + (Bc \times \$20.00)}{Ur} \times W \times (Br + Bc)$$

(2) *Nonresidential water and sewer customers.* The amount of the additional monthly sewer user charge levied under the provisions of subsection (c)(2) of this section shall be computed in accordance with the following formula:

$$\frac{D - (Br \times \$8.00) + (Bc \times \$20.00)}{Uc} \times W \times (Br + Bc)$$

(3) *Other residential customers.* The amount of the additional monthly sewer user charge levied under the provisions of subsection (c)(3) of this section shall be computed in accordance with the following formula:

$$\frac{D - (Br \times \$8.00) + (Bc \times \$20.00)}{Wr} \times W \times (Br + Bc)$$

(4) *Other nonresidential customers.* The amount of the additional monthly sewer user charge levied under the provisions of subsection (c)(4) of this section shall be computed in accordance with the following formula:

$$D - (Br \times \$8.00) + (Bc \times \$20.00)$$

Wc

×

$$W \times (Br + Bc)$$

(e) *Overdue charges.* Any charges levied herein which remain unpaid for sixty (60) days past the due date shall be subject to collection through the Louisiana Municipal Advisory and Technical Services Bureau Corporation Offset Claims Program. Overdue charges will be offset from the individual income tax refund of the consumer. Should payment be collected through the Offset Claims Program, a fee of twenty-five dollars (\$25.00) will be charged the consumer, in addition to all other charges, interest, and penalties collected. Pursuant to L.R.S. 33:361, the agreement with the Louisiana Municipal Advisory and Technical Services Bureau Corporation for participation in the Offset Claims Program in the form attached hereto is approved, and the mayor is authorized to execute it.

(Ord. No. 85-6, 1-24-85; Ord. No. 85-36, 11-14-85; Ord. No. 86-13, 6-12-86; Ord. No. 90-19, 8-23-90; Ord. No. 91-4, 3-14-91; Ord. No. 00-10, 4-27-00; Ord. No. 04-22, 6-10-04)

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the City Council of the City of Mandeville that Section 17-19 be amended of the Code of Ordinances of the City of Mandeville be and is hereby amended to read as follows:

Sec. 17-19. - Billing, collecting for water and sewer services.

The City of Mandeville Secretary/Tax Collector, Director of Finance, and other employees and representatives of the city are hereby authorized, empowered and directed to levy, bill and collect for all services rendered to customers of the municipal water and sewer system in accordance with the rates and charges set forth in sections 17-14 through 17-18.

In addition to all other charges levied herein, the City of Mandeville shall charge any cost incurred for any credit card or online convenience payment for such charges and/or any fees in connection with the collection of amounts due including collection agency charges and attorney's fees and costs.

(Ord. No. 85-6, 1-24-85; Ord. No. 11-16, 6-23-11)

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon the signature of the Mayor of the City of Mandeville; and

BE IT FURTHER ORDAINED that the Clerk of this Council be, and she is hereby authorized and empowered to, take any and all actions which she, in the exercise of her

discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:
AYES:
NAY:
ABSTENTIONS:
ABSENT:
and the ordinance was declared adopted the ____ day of _____, 2016.

Kristine Scherer, Council Clerk

Clay Madden, Council Chairman

SUBMITTAL TO MAYOR

The foregoing Ordinance was **SUBMITTED** by me to the Mayor of the City of Mandeville this ____ day of _____, 2016 at _____ o'clock a.m.

CLERK OF COUNCIL

APPROVAL OF ORDINANCE

The foregoing Ordinance is by me hereby **APPROVED**, this ____ day of _____, 2016 at _____ o'clock a.m.

DONALD J. VILLERE, MAYOR

VETO OF ORDINANCE

The foregoing Ordinance is by me hereby **VETOED**, this ____ day of _____, 2016 at ____ o'clock ____ .m.

DONALD J. VILLERE, MAYOR

RECEIPT FROM MAYOR

The foregoing Ordinance was **RECEIVED** by me from the Mayor of the City of Mandeville this ____ day of _____, 2016 at _____ o'clock a.m.

CLERK OF COUNCIL