

ORDINANCE NO. 17-09

AN ORDINANCE TO THE CITY OF SOMERSET AMENDING ORDINANCE 586, SPECIFICALLY PROVISIONS REGARDING "TAPPING FEES AND CONNECTION FEES INCIDENT TO THE USE AND SERVICES TENDERED BY THE CITY'S SANITARY SEWER SYSTEM" FOR THE CITY OF SOMERSET;

WHEREAS, ORDINANCE 586 HAS BEEN AMENDED TO ALLOW CHANGES TO FEES AND CHARGES FOR ALL OTHER ASPECTS OF SEWER SERVICE, SPECIFICALLY IN ORDINANCES 85-8, 87-11, 91-20, 98-9, 00-04, 00-07, AND 00-13, AS WELL AS UPDATED ANNUAL RATE SCHEDULES ADOPTED WITH THE CITY'S ANNUAL BUDGET ORDINANCES; AND

WHEREAS, OTHER TYPES OF FEES/RATES HAVE BEEN ADJUSTED OVER THE DECADES FOR THE SANIARY SEWER SYSTEM, FEES AND CHARGES FOR INITIAL TAPPING/CONNECTION FEES FOR SEWER SERVICE HAVE NOT BEEN UPDATED OR AMENDED SINCE SAID FEES WERE SET IN ORDINANCE 586, SPECIFICALLY SECTION 3, WHICH WAS ORIGINALLY ENACTED IN MAY 1976; AND

WHEREAS, THE CITY HAS DETERMINED THAT SAID SERVICES CAN NO LONGER BE PROVIDED FOR THE RATES ORIGINALLY SET IN ORDINANCE 586, SECTION 3, AND THEREFORE WISHES TO AMEND SAID RATES PURSUANT TO KRS CHAPTER 91A, AND ALL OTHER APPLICABLE LAW;

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

(I) Ordinance 586, *Section 3*, adopted on May 17, 1976, is hereby repealed and replaced in full with the following:

Effective July 1, 2017, a schedule of tapping/connection fees for each tap/connection to the Sanitary Sewer System of the City of Somerset, Kentucky is hereby established, and from and after said date, payment pursuant to said schedule of tapping/connection fees shall be paid to the City within ninety (90) days of notice given to the owner or occupant of any premises where sanitary sewer service is made available by the City*. Said notice shall include a statement that the City of Somerset, and/or any other governmental agency required to approve said tap/connection, has approved, or has provided written confirmation of any such needed approval(s). Said schedule of tapping/connection fees is set as follows:

Residential	\$600.00
Apartment/Townhouse	\$500.00 per unit
Storage Buildings	\$500.00, plus \$.10 per sq ft
Commercial Facility	\$.20 per sq ft, with a minimum charge of \$500.00**

Industrial Facility

\$.10 per sq ft, with a minimum charge of
\$1,000.00**

** This schedule is intended to cover any and all taps/connections that are considered new to the City's Sanitary Sewer System as determined by the City of Somerset, and shall not apply to "re-connects" as defined by the City.*

***This fee may be adjusted by the City of Somerset for commercial, industrial and manufacturing development in order to promote the growth of Economic Development, so long as the fee charged is not less than the actual cost(s) incurred by the City of Somerset.*

(II) If any part of this ordinance amending Section 3 of Ordinance 586 is deemed by a Court of competent jurisdiction to be unenforceable or unconstitutional, the remaining provisions of this amending ordinance shall continue in full force and effect.

(III) Any Ordinance in conflict with this Amending Ordinance, or any policies in conflict with the ones enacted herein, are hereby repealed and replaced with the Amendments contained herein in so far as the same are in conflict herewith.

(IV) This ordinance shall be in full force and effect upon passage, approval, and publication according to law. The new rates adopted in this Ordinance shall be applied beginning July 1, 2017.

FIRST READING MAY 8, 2017

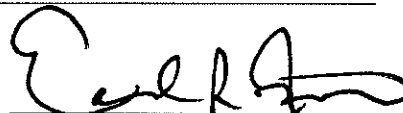
SECOND READING MAY 22, 2017

ATTEST:



City Clerk

Approved:



Mayor, Eddie Girdler