

AN ORDINANCE AMENDING SECTIONS 4, 7, 13, AND 14 OF THE CITY OF BROOKINGS ORDINANCE NO. 236 PROVIDING FOR AN INCREASE IN THE RATES FOR SEWER USE CHARGES AND SERVICE LATERAL CONNECTIONS AND DECLARING AN EMERGENCY.

THE CITY OF BROOKINGS ORDAINS AS FOLLOWS:

Section 1:

Section 4 of Ordinance No. 236 is hereby amended to read as follows:

Section 4. Effective July 1, 1977, the just and equitable surcharges are hereby established to meet the increased cost of normal maintenance of facilities and to meet criteria established by the U. S. Environmental Protection Agency relating to commercial and industrial wastewater treatment costs:

- | | | |
|-----------|---|------------------|
| Class I. | Single family residences | \$5.50 per month |
| | Multifamily dwelling units: | |
| | For each separate family residence the rate will be | \$5.50 per month |
| Class II. | Commercial establishments: | |
| | \$7.00 per month plus 75% of monthly water charge. | |

The sewer rate structure will be inclusive of a "systems improvement" fund to be established by setting aside a \$0.50/month fee from each sewer user account, residential and commercial as follows:

Residential:

\$5.00/month	User rate
<u>.50/month</u>	Systems Fund
\$5.50/month	Total

Commercial;

\$6.50/month	Base rate
<u>.50/month</u>	Systems Fund
plus 75% water use charge	

Section 2:

Section 7 of Ordinance No. 236 is hereby amended to read as follows:

Section 7.

A. The word "service lateral" as used in this section shall mean a sewer service connection line which extends from a sewer main located in a street, alley, or easement to the abutting property line of a property or properties, and which serves the said property or properties as a sewage disposal line.

B. The charge or charges to be paid by the said owner or owners of said abutting property, as a basic sewer connection fee for the costs and expenses of constructing a service lateral, is hereby established and shall be computed as follows:

- a. If the owner or owners of said abutting property which is to be served elect to have a service lateral installed at the time the sewer main to which the service lateral is connected is being laid and constructed in a street, alley, or easement, the basic sewer fee to be paid for such installation shall be \$400.00.
- b. If the owner or owners of said abutting property which is to be served do not elect to have the service lateral installed at the time the sewer main to which the said service lateral shall be required to be connected is being laid and constructed in a street, alley, or easement, the fee to be paid by said owner or owners when the latter do elect to have the service lateral installed, or when the city shall require them to install such a service lateral, is hereby established as follows:

The actual costs and expenses of the construction and installation of said service lateral, plus the following fixed charges:

At any time during the calendar year in which the completion of the construction of the sewer main has occurred, \$25.00.

At any time during the second calendar year thereafter, \$50.00.

At any time during the third calendar year thereafter, \$75.00.

At any time during the fourth calendar year thereafter, \$100.00.

At any time during any succeeding calendar year, \$125.00.

Each and every service lateral above set forth is hereby declared to be a part and portion of the sanitary sewer system and its facilities serving the properties abutting upon each and every street and alley within which the said sanitary sewer system is constructed, and that the hereinabove set forth charges for the installation of each and all of said service laterals is the just and equitable charge to be levied and assessed against the said abutting properties as the proportionate share of each and every said property by the owner or owners

thereof to be paid for the operation and maintenance of said sanitary sewer system and the use or availability of use thereof by said properties.

The aforesaid charge, as the said basic sewer connection fee is set forth, shall be paid by the owner of record or contract owner of the property served by any said service lateral under such terms and conditions as any such service lateral is provided to be paid for within the city of Brookings immediately after the sewer main to which it is connected is available for use as a sewer disposal carrier and after said service lateral shall have been established, levied or assessed by a special assessment district in which said service lateral and connecting sewer main is located, whichever shall occur first.

Section 3:

Section 13 of Ordinance No. 236 is hereby amended to read as follows:

Section 13. In the event that the owner or occupant of any real property which has not been assessed for the construction of a sanitary sewer shall desire to have the building on such real property connected with the sanitary sewer system of the city of Brookings, he shall make a written application to the city recorder for such connection describing the property to be served by a sufficient legal description. At the time of filing the written application, and before the connection is made, the applicant shall pay the sum of \$600.00 plus the sum of not less than \$400.00 toward the cost of constructing a lateral from the main sanitary sewer to the adjacent property line. The portion of the cost of constructing such lateral not paid by the applicant shall be paid by the city. The cost of connecting the private line to the sewer lateral and the construction of the private line to the sewer lateral shall be paid by the applicant. Only a single-family dwelling on a single residential lot may be connected to the sanitary sewer under this section.

No application shall be received for and no connection made to any property or the dwelling thereon which is in a subdivision which is not within the boundaries of an organized sanitary sewer service only by and through the formation of a sanitary sewer assessment district, as provided in Ordinance No. 146.

Section 4:

Section 14 of Ordinance No. 236 is hereby amended to read as follows:

Section 14. Each \$1,000.00 connection fee shall allow for the connection of only one single-family dwelling on one residential lot to the public sanitary sewer as herein provided. In addition, after such connection has been made no other connections with other properties or buildings shall be made, either to the private line or the sewer lateral installed under said application.

If such connection is made in violation of this provision, the city may, at its option, terminate the connection and block the line so that it shall no longer be served by the public sanitary sewer.

In the event any of the fees or charges provided by the preceding Section 13 and this Section 14 are not made promptly when due, the city recorder is authorized to enter the amount of such charges immediately in the docket of city liens as a lien against the real property described in the application for the sanitary sewer connection.

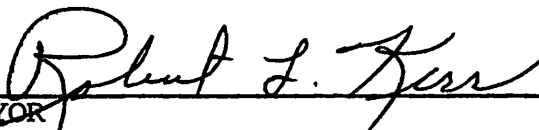
Section 5:

It is hereby deemed to be in the interest of the peace, health and safety of the City of Brookings that this Ordinance take effect immediately upon its passage.

NOW, THEREFORE, an emergency is declared to exist, and this Ordinance shall take effect immediately upon its passage and signing by the Mayor.

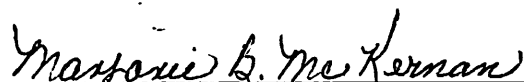
The foregoing Ordinance was duly passed by the Council of the City of Brookings, and signed by the Mayor on this
28th day of June, 1977.

APPROVED:



MAYOR

ATTEST:



CITY RECORDER