

**RESOLUTION NO. 126**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WENDELL IDAHO, ESTABLISHING FEES AND RATES FOR WATER SERVICES, IRRIGATION SERVICES, SEWER SERVICES AND GARBAGE SERVICES PROVIDED BY THE CITY OF WENDELL, AND PROVIDING FOR AN ANNUAL INCREASE OF 3%**

**WHEREAS**, the City of Wendell has experienced increased expense and anticipates further expenses in the review of proposed services, and,

**WHEREAS**, the City incurs actual costs in providing services, and,

**WHEREAS**, the City incurs planning, engineering, legal, clerical, publishing and labor costs for the services provided by the City, and,

**WHEREAS**, Ordinance No. 375 of the City of Wendell provides that the Mayor and Council may, by resolution, adopt and set fees,

**NOW, THEREFORE, BE IT RESOLVED** that the following fee schedule is hereby adopted by the City of Wendell and will be in full force and effect following its passage and publication:

**SECTION ONE: FEE SCHEDULE**

- |    |   |                    |
|----|---|--------------------|
| 1. | SECURITY DEPOSIT (New Customer)<br>Returned or applied to utility bill after 12 consecutive on time payments. | \$100.00           |
| 2. | RECONNECT FEE/DELINQUENT WATER BILLS  | \$ 25.00           |
| 3. | WATER RATE - RESIDENTIAL<br>(A) Residential service.<br>Plus \$1.00 per 1000 gals.                            | \$ 16.00           |
| 4. | WATER RATE – COMMERCIAL<br>(A) Basic Usage<br>(B) Water Usage<br>Per 1000 gals.                               | \$32.00<br>\$ 1.75 |
| 5. | BASIC SEWER RATES   | Base Rate \$50.00  |

(A) Residential Residential Customers will be charged one-1 Base Rate. Multi-Family Dwelling on one meter shall be charged One-1 Base Rate per unit.

(B) Commercial Commercial Customers shall be charge according to their Equivalent Residential Units (ERU) as outlined in the City of Wendell 2006 Wastewater Facilities Plan. Commercial Customers not listed in the 2006 Wastewater Facilities Plan shall have their ERU's figured by the formula set out below. In addition to the ERU fee Commercial Customers will also be assessed a \$1.00 per 1,000 gallons of water through a meter.

- (1) Formula: Average monthly residential water through meter divided by the average monthly water through the meter of a commercial customer equals number of ERU's.
- (2) Average monthly residential water through meter shall be figured by using 12 consecutive months of residential water usage divided by the number of residential customers divided by 12 equaling the average residential water through meter.
- (3) A Commercial Customer may have their ERUs reviewed once annually if requested in writing.
- (4) Appeal of ERU's: A commercial customer may appeal the amount of ERU's to the City of Wendell by filing a written notice with the City Clerk of the reason for the customers appeal. If the customer is unable to reach an agreement with the City Clerk they may appeal to the City Council at the next regular council meeting. The City Clerk and City Council shall make their decision of the appeal based only on ERU's.

(C) Industrial Industrial Customers of the City of Wendell shall enter into a Discharge Agreement. Said Discharge Agreement will be prepared by an Engineer chosen by the City of Wendell and paid for by the customer.

6. BASIC GARBAGE RATES

\$ 7.00

### **SECTION TWO: UTILITY CONNECTION COSTS**

A fee shall be assessed to the property owner for the connection of utility services to cover the cost of such connection as established in Appendix 'A' attached hereto and by this reference incorporated within this Resolution as if set forth in full.

### **SECTION THREE: INTERPRETATIONS, ADJUSTMENTS AND VARIANCES**

The City Council shall have the power to vary and/or waive the applicable fees established in this resolution, subject to the laws of the State of Idaho where the strict application of the fees established herein would result in undue hardship.

### **SECTION THREE-B: RATE RELIEF QUALIFICATIONS**

The City Council shall have the power to reduce the set rate for water and sewer charges based upon a rate relief schedule where a single resident with an annual income of \$10,000 or less, proven by document verification, would receive a 50 percent rate reduction on the new base sewer and water rates; a couple with an annual income of \$15,000 or less, proven by document verification, would receive a 25 percent rate reduction on the new base sewer and water rates. The \$10,000 and \$15,000 as outline above will increase each October by 3%

### **ANNUAL INCREASES IN FEES**

To assist the City of Wendell in keeping up with increasing costs associated with the ongoing operation of the city's infrastructure the Base Water, Sewer, and Garbage rate will increase every October by 3%.

### **CITY COUNCIL HAS AUTHORITY AND POWER TO REVIEW AND CHANGE RATES AT ANY TIME.**

Nothing in this resolution shall preclude the City Council from reviewing and changing rates as needed.

**PASSED BY THE COUNCIL** this eighth day of January, 2009

**SIGNED BY THE MAYOR** this ninth day of January, 2009

**BY:** \_\_\_\_\_  
**Ricky K Cowen, Mayor**

**ATTEST:**

**Mickey Walker, Clerk**