

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE DETERMINING THE NECESSITY OF ADJUSTMENTS IN MUNICIPAL RESIDENTIAL REFUSE AND WATER RATES FOR CAPITAL IMPROVEMENTS, DEBT SERVICE AND OPERATING COSTS; ESTABLISHING A SCHEDULE OF RATES BY CUSTOMER CLASS; AND AMENDING SCHEDULE OF FEES, TITLE 1, APPENDIX A, OF THE MUNICIPAL CODE IN CONFORMANCE THEREWITH**

WHEREAS, the provision of residential refuse services within the City of Excelsior Springs, Missouri ("City") is necessary to preserve and enhance property values and promote the public health, safety and welfare; and

WHEREAS, the maintenance of municipal water and sewer services by the City is necessary to preserve and enhance property values and promote the public health, safety and welfare; and,

WHEREAS, the City conducted a comprehensive rate study for water and sewer services, including historical and budgeted operating results, and projected revenues necessary for operating expenses, capital improvements, debt service, and the maintenance of reasonable reserve funds for the 2024 fiscal year.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Excelsior Springs, Missouri, as follows:

**Section 1.** The City Council finds:

- a. The contract with Allied Waste contains an escalation clause of 3.5% per year beginning on July 1 of each year.
- b. The proposed capital improvements, maintenance, repair and estimated costs are reasonable and necessary to meet current and anticipated future regulatory requirements, and to maintain and improve the quality of services.
- c. The internal rate study estimates reasonable revenues and expenses for the 2024 fiscal year.
- d. The rates and customer classifications incorporated herein are based on appropriate rate studies and analysis of the rates necessary to provide needed services, and will not result in the accumulation of excess revenue or the use of water or sewer revenue for expenses not related to the costs of service.

**Section 2.** Excelsior Springs Municipal Code Schedule of Fees, Title 1, Appendix A, Public Works, Trash Service and Water Rates is hereby amended to include the residential refuse service and water utility rates and charges for the 2024 fiscal year set forth in **Exhibit A** attached hereto and incorporated as if fully set forth herein.

- a. A ten percent (10%) penalty may be charged on all accounts not paid within the prescribed payment period.
- b. Fees imposed by the Missouri Department of Natural Resources may be added to resident and non-resident charges in the amount of the fee.

**Section 3.** Pursuant to Excelsior Springs Municipal Code Chapter 705: Rates and Charges, Section 705.080: Minimum Water and Sewer Rates and Charges and Chapter 245: Garbage and Trash, Section 245.090: Service Charges, as adopted by Section 2 of this Ordinance, residents and non-residents shall be charged for residential

refuse, water and sewer service at the rates hereby established by the City Council in accordance with the schedule attached hereto as **Exhibit A**, commencing on the dates reflected in Schedule A.

**Section 4.** The provisions of the Municipal Code of the City of Excelsior Springs, Missouri amended herein shall not be construed to revive any former ordinance, clause or provision of the Municipal Code of the City of Excelsior Springs, Missouri.

**Section 5.** The sections, paragraphs, clauses and phrases of this Ordinance are severable, and if any portion of the Ordinance is declared unlawful by the valid judgment, decree or injunction order of a court of competent jurisdiction, such ruling shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance, and all provisions of the Ordinance not specifically declared to be unlawful shall remain in full force and effect.

**Section 6.** This Ordinance overrides any conflicting provision or regulation within the Municipal Code of the City of Excelsior Springs, Missouri.

**Section 7.** This Ordinance shall be in full force and effect from and after its passage and approval.

**INTRODUCED IN WRITING**, read by title two times, passed and approved on the \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mark Spohn, Mayor

ATTEST:

\_\_\_\_\_  
Shannon Stroud, City Clerk

**REVIEWED BY:**

\_\_\_\_\_  
Molly McGovern, City Manager

## Exhibit A

### Water Utility Rates

Effective Date

1/1/2024

Ordinance Reference

<b>Water Rates-Monthly Base Charge</b>		705.080
<b>Inside City limits</b>		
Residential	\$16.31	
Commercial	\$16.31	
<b>Outside City limits</b>		
Residential	\$24.47	
Commercial	\$24.47	
<b>Monthly Consumption (per 1,000 Gallons)</b>		705.080
<b>Inside City limits</b>		
Residential <30,000 gal	\$7.53	
Residential >30,000 gal	\$7.30	
Commercial < 30,000 gal	\$7.53	
Commercial > 30,000 gal	\$7.30	
<b>Outside City limits</b>		
Residential <30,000 gal	\$11.30	
Residential >30,000 gal	\$10.96	
Commercial < 30,000 gal	\$11.30	
Commercial > 30,000 gal	\$10.96	
<b>Bulk Water at water plant - per 1,000 gallons</b>	\$13.35	705.080
<b>Water Service Deposit</b>	\$200.00	705.050
<b>Additional deposit at each shutoff</b>	\$25.00	705.050
<b>Water service reconnect fee</b>	\$35.00	705.110
<b>Water meter testing</b>	\$50.00	705.120
<b>Utility Account Penalty</b>	10%	705.080 E

## Public Works

	<u>Effective Date</u>	<u>Ordinance Reference</u>
	<b>1/1/2024</b>	
<b>Trash Service</b> - one 65 gallon trash and one recycle	\$25.00	245.090
<b>Each additional cart</b>	\$3.00	
<b>Utility Account Penalty</b>	10%	705.080 E