
AN ORDINANCE TO AMEND SECTION 629.010 CHARGES FOR CHURCH-RELATED AND NOT-FOR-PROFIT ORGANIZATIONS TO ADD THE AUTHORITY OF THE BOARD OF ALDERMEN TO CONSIDER SEWER CHARGES FOR SPECIAL CONDITIONS OF PROPERTIES AND SETTING AN EFFECTIVE DATE THEREFOR

WHEREAS, there is no provision currently within the City's Code of Ordinances that allows for the Board of Aldermen to amend the sewer rate for person with special conditions, other than for church or not-for-profit institutions under Section 501(c)(3) of the United States Code and the Board of Aldermen of the City of Herculaneum desires to allow for the ability to enter into a contract for sewer service for amended rates if there exists special conditions that result in inequitable or unfair sewer charges.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE BOARD OF ALDERMEN OF THE CITY OF HERCULANEUM, MISSOURI, AS FOLLOWS:

SECTION 1. Section 629.010 Charges for Church-Related and Not-For-Profit Organizations is hereby amended to read as follows:

SECTION 629.010 CHARGES FOR CHURCH-RELATED OR NOT-FOR-PROFIT ORGANIZATIONS AND OTHER SPECIAL CONDITIONS

A. Any church or not-for-profit institution under Section 501(c)(3) of the United States Code may request that the City of Herculaneum charge residential base fee for sewer services within the City of Herculaneum.

B. The City of Herculaneum may, upon request of any church or not-for-profit organization under Section 501(c)(3) of the United States Code, charge residential base rate for sewer services.

C. Where in the judgment of the Board of Aldermen, special conditions affecting the property of any person served by the City's sewer system shall exist to the extent that the charges for sewer service specified herein will result in inequitable or unfair charges for either the City or to such person(s) served, the Board may, based upon the facts and circumstances of each individual case, enter into a special contract for sewer service.

D. This section shall not be construed to be a requirement that the City of Herculaneum charge residential base fee instead of commercial base fee for sewer services for any church-related or not-for-profit organization nor to enter into a special contract for sewer services.

SECTION 2. If any of the provisions of this ordinance or the application thereof to anyone or any circumstances is held in valid, the remainder of this ordinance and the application of such provisions to others or other circumstances shall not be affected thereby.

SECTION 3. This ordinance shall be codified.

SECTION 4. This ordinance shall be in full force and effect from and after the date of its passage.

READ (IN FULL TWO TIMES) (BY TITLE TWO TIMES, COPIES OF THE PROPOSED ORDINANCE HAVING BEEN MADE AVAILABLE FOR PUBLIC INSPECTION AT THE PLACE OF THE MEETING PRIOR TO THE TIME THE BILL WAS UNDER CONSIDERATION BY THE BOARD OF ALDERMAN) AND PASSED BY THE BOARD OF ALDERMAN OF THE CITY OF HERCULANEUM, MISSOURI, THIS 20th DAY OF November, 2023.



RYAN A. WRIGHT, Mayor
City of Herculaneum

ATTEST:

Laurie Ferretti
LAURIE FERRETTI, City Clerk