

RETURN TO:
 Busn of Hinton
 PO Box 159
 Hinton, OK 73047

ORDINANCE NO. 2016-11

AN ORDINANCE OF THE TOWN OF HINTON, OKLAHOMA, AMENDING SECTION 16-12 OF THE TOWN OF HINTON CODE OF ORDINANCES, ESTABLISHING RATES, FEES, AND CHARGES FOR WATER SERVICE; AMENDING SECTION 16-33, ESTABLISHING RATES, FEES, AND CHARGES, FOR SEWER SERVICE; REQUIRING YEARLY INCREASES IN WATER AND SEWER RATES; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF HINTON, OKLAHOMA that the Code of Ordinances for the Town of Hinton, Oklahoma is hereby amended as follows:

Section 1. Section 16-12 Amended. Section 16-12, a part of Chapter 16 of the Code of Ordinances, is hereby amended and shall read, in full, as follows:

Section 16-12. Water Rates, Fees and Charges.

1. The following amounts shall be collected for water service:

- Base Charge (0 – 1,999 gallons)
- Town: \$13.00
- Outside Town Limits: \$20.00

Thereafter:

201600023933
 Filed for Record in
 CADD COUNTY OKLAHOMA
 PATRICE DOLCH, COUNTY CLERK
 09-23-2016 At 12:49 PM.
 ORDINANCE 19.00
 Volume 3016 Page 18 - 21

| Gallons Used | | Charge Town | Charge Outside Town |
|--------------|--------|----------------|------------------------|
| 2,000 | 2,999 | \$15.70 | 23.55 |
| 3,000 | 3,999 | \$18.60 | 27.90 |
| 4,000 | 4,999 | \$21.55 | 32.33 |
| 5,000 | 5,999 | \$24.50 | 36.75 |
| 6,000 | 6,999 | \$27.45 | 41.18 |
| 7,000 | 7,999 | \$30.40 | 45.60 |
| 8,000 | 8,999 | \$33.40 | 50.10 |
| 9,000 | 9,999 | \$36.40 | 54.60 |
| 10,000 | 10,999 | \$39.60 | 59.40 |
| 11,000 | 11,999 | \$42.85 | 64.28 |
| 12,000 | 12,999 | \$46.10 | 69.15 |
| 13,000 | 13,999 | \$49.35 | 74.03 |
| 14,000 | 14,999 | \$52.60 | 78.90 |
| 15,000 | 15,999 | \$55.85 | 83.78 |
| 16,000 | 16,999 | \$59.10 | 88.65 |
| 17,000 | 17,999 | \$62.35 | 93.53 |
| 18,000 | 18,999 | \$65.60 | 98.40 |
| 19,000 | 19,999 | \$68.85 | 103.28 |
| 20,000 | 20,999 | \$72.10 | 108.15 |
| 21,000 | 21,999 | \$75.35 | 113.03 |
| 22,000 | 22,999 | \$78.60 | 117.90 |
| 23,000 | 23,999 | \$81.85 | 122.78 |
| 24,000 | 24,999 | \$85.10 | 127.65 |

| Gallons Used | | Charge Town | Charge Outside Town |
|--------------|---------|---|---|
| 25,000 | 25,999 | \$88.35 | 132.53 |
| 26,000 | 26,999 | \$91.60 | 137.40 |
| 27,000 | 27,999 | \$94.85 | 142.28 |
| 28,000 | 28,999 | \$98.10 | 147.15 |
| 29,000 | 29,999 | \$101.35 | 152.03 |
| 30,000 | 30,999 | \$106.60 | 159.90 |
| 31,000 | 31,999 | \$107.85 | 161.78 |
| 32,000 | 32,999 | \$111.10 | 166.65 |
| 33,000 | 33,999 | \$114.35 | 171.53 |
| 34,000 | 34,999 | \$117.60 | 176.40 |
| 35,000 | 35,999 | \$120.85 | 181.28 |
| 36,000 | 36,999 | \$124.10 | 186.15 |
| 37,000 | 37,999 | \$127.35 | 191.03 |
| 38,000 | 38,999 | \$130.60 | 195.90 |
| 39,000 | 39,999 | \$133.85 | 200.78 |
| 40,000 | 40,999 | \$137.10 | 205.65 |
| 41,000 | 41,999 | \$140.35 | 210.53 |
| 42,000 | 42,999 | \$143.60 | 215.40 |
| 43,000 | 43,999 | \$146.85 | 220.28 |
| 44,000 | 44,999 | \$150.10 | 225.15 |
| 45,000 | 45,999 | \$154.10 | 231.15 |
| 46,000 | >46,000 | \$154.10 + \$4.50/1,000 gal >46,000 | \$231.15 + \$6.75/1,000 gal >46,000 |

RECORDER'S MEMORANDUM
 At the time of recording this instrument was found to be inadequate for the best photographic reproduction because of legibility Carbon or photo copy, Discolored Paper, Etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.



2. Unless the Town Board of Trustees, by resolution, mandates otherwise, water rates shall increase each year by two percent (2%) or the consumer price index as published by the U.S. Department of Labor for the Southwest Region, whichever is greater. Rate increases shall be effective on January 1 of each year, beginning on January 1, 2018.
3. Deposits for water service shall be as established by the Town Administrator in consultation with the Water Superintendent.
4. There shall be a tap fee of five hundred dollars (\$500.00) charged for each tap of a line one inch (1") in diameter or less. All lines above one inch (1") shall be charged a tap fee of actual cost plus 20%, with actual cost to be established by the Town Administrator in consultation with Water Superintendent.
5. All bills for utility service shall be due and payable on the 10th day of the calendar month following the service month when the service was rendered. Accounts shall become delinquent if not paid on or before the 10th day of the month in which due and a ten percent (10%) charge shall be added. Service will be cut off if the bill, including late charges and other fees, is not paid in full by the 20th day of the month. After service is terminated for non-payment of charges, it shall not be re-connected for that consumer until all charges have been paid, including charges for sewer and trash, in addition to all termination and reconnection charges as established by the Town.
6. All other charges, policies, and procedures concerning water services shall be established in writing by the Town Administrator in consultation with the Water Superintendent.
7. There shall be an annual maintenance fee for all fire taps within the Town of Hinton. The minimum fee shall be \$25.00 per tap. The fee for taps which are at least 6" and smaller than 8" shall be \$60.00. The fee for taps 8" and above shall be \$80.00.

Section 2. Section 16-33 Amended. Section 16-33, a part of Chapter 16 of the Code of Ordinances, is hereby amended and shall read, in full, as follows:

Section 16-33 Sewer Rates, Fees, and Charges.

1. The basic charge for residential sewer service shall be

| Gallons of Water Used | | Charge |
|-----------------------|--------|---------|
| 0 | 999 | \$10.00 |
| 1,000 | 1,999 | \$12.06 |
| 2,000 | 2,999 | \$14.28 |
| 3,000 | 3,999 | \$16.52 |
| 4,000 | 4,999 | \$18.78 |
| 5,000 | 5,999 | \$21.06 |
| 6,000 | 6,999 | \$22.66 |
| 7,000 | 7,999 | \$24.26 |
| 8,000 | 8,999 | \$25.86 |
| 9,000 | 9,999 | \$27.46 |
| 10,000 | 10,999 | \$29.07 |
| 11,000 | 11,999 | \$30.68 |
| 12,000 | 12,999 | \$32.29 |
| 13,000 | 13,999 | \$33.90 |
| 14,000 | 14,999 | \$35.51 |
| 15,000 | 15,999 | \$37.13 |
| 16,000 | 16,999 | \$38.75 |

| Gallons of Water Used | | Charge |
|-----------------------|--------|---------|
| 17,000 | 17,999 | \$40.37 |
| 18,000 | 18,999 | \$41.99 |
| 19,000 | 19,999 | \$43.61 |
| 20,000 | 20,999 | \$45.24 |
| 21,000 | 21,999 | \$46.87 |
| 22,000 | 22,999 | \$48.50 |
| 23,000 | 23,999 | \$50.13 |
| 24,000 | 24,999 | \$51.76 |
| 25,000 | 25,999 | \$53.40 |
| 26,000 | 26,999 | \$55.04 |
| 27,000 | 27,999 | \$56.68 |
| 28,000 | 28,999 | \$58.32 |
| 29,000 | 29,999 | \$59.96 |
| 30,000 | 30,999 | \$61.61 |
| 31,000 | 31,999 | \$63.26 |
| 32,000 | 32,999 | \$64.91 |
| 33,000 | 33,999 | \$66.56 |

| Gallons of Water Used | | Charge |
|-----------------------|--------|---------|
| 34,000 | 34,999 | \$68.21 |
| 35,000 | 35,999 | \$69.87 |
| 36,000 | 36,999 | \$71.53 |
| 37,000 | 37,999 | \$73.19 |
| 38,000 | 38,999 | \$74.85 |
| 39,000 | 39,999 | \$76.51 |
| 40,000 | 40,999 | \$78.18 |
| 41,000 | 41,999 | \$79.85 |
| 42,000 | 42,999 | \$81.52 |
| 43,000 | 43,999 | \$83.19 |

| Gallons of Water Used | | Charge |
|-----------------------|---------|----------------------|
| 44,000 | 44,999 | \$84.86 |
| 45,000 | 45,999 | \$86.54 |
| 46,000 | 46,999 | \$88.22 |
| 47,000 | 47,999 | \$89.90 |
| 48,000 | 48,999 | \$91.58 |
| 49,000 | 49,999 | \$93.26 |
| 50,000 | 50,999 | \$94.95 |
| 51,000 | >51,000 | \$1.95/1,000 gallons |

- The basic charge for sewer service to commercial customers shall be:

| Gallons of Water Used | | Charge |
|-----------------------|--------|----------------------|
| 0 | 1,999 | \$12.00 |
| 2,000 | >2,000 | \$1.75/1,000 gallons |

- Unless otherwise determined by the Town of Hinton in particular cases, the sewer use charge shall be based upon the quantity of water used or consumed by said premise or facility therein or thereon, as determined from the meter records of the Town of Hinton, during the "consumption base period." Said consumption base shall be the average amount of the water consumed each period during the three billing cycles which occur between December 1 and March 1, which should reflect water used or consumed in the months of November, December and January. The "consumption base period" shall be recalculated annually and shall become effective after the January billing period is complete.
- If a residential user does not have a "consumption base period" established at the user's current residence, for whatever reason, water consumption will be estimated at 7,500 gallons per month until such time as a "consumption base period" is established.
- Any customer relocating within the service area during or after the customer's "consumption base period" has been established shall be charged on the basis of the customer's previously established base at the customer's previous residence, location, or facility until such time as a new consumption base is established as set forth above, unless a new consumption base amount is established during a timeframe determined by the Town. The Town shall determine which base will provide a reasonable sewer charge for the customer.
- The basis for determining the sewer use charge shall be reviewed as needed and shall be adjusted to reflect any increase or decrease in wastewater treatment costs based on previous experience.
- The Town may, at its discretion, use a meter be used to measure actual sewer flow. The consumption base may be adjusted based on metered flow. Charges shall be based on the figures set forth in subsection (1) above, substituting actual metered flow for gallons of water used.
- The dumping or depositing of sewage or raw waste by a commercial entity which has no physical connection or conduit into the Town's sanitary sewage system shall be done only with the authorization of the Town Administrator or Public Works Director. The charge for such dumping or depositing shall be \$4.00 per 100 gallons, with a minimum charge of \$20.00 per dump.
- Sewer rates, including the rates established by paragraph 7 above, shall increase each year by two percent (2%) or the consumer price index as published by the U.S. Department of labor for the

Southwest Region, whichever is greater. Rate increases shall be effective on January 1 of each year, beginning January 1, 2018.


9. A fee of one hundred and twenty-five dollars (\$125.00) shall be charged for each sewer tap of four inches (4") or less; larger tap fees shall be determined by the Town Administrator in consultation with the Water Superintendent.
10. All other charges, policies, and procedures concerning sewer services shall be established in writing by the Town Administrator in consultation with the Water Superintendent.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holder shall not affect the validity of the remaining portion of the ordinance.

Section 4. Conflicting Provisions Repealed; Numbering. Should any provision of this Code of Ordinances present an irreconcilable conflict with the present provision, the provisions contained herein shall govern in the specific situation and the conflicting provision is hereby specifically repealed. This provision may be renumbered at any time by the scrivener or codifier for clarity, ease of reference, or to resolve a conflict in numbering.

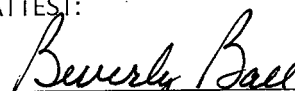
Section 5. Emergency. The Board of Trustees hereby finds and declares that an emergency exists for the preservation of the public peace, health, safety and welfare of the residents of the Town of Hinton, Oklahoma, so that this Ordinance shall take effect as soon as possible, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect immediately upon its passage, and publication as required by law.

Ordinance 2016-11 is hereby PASSED AND APPROVED on September 20, 2016, with the emergency clause separately considered, voted on, and approved.



Shelly Newton, Mayor

ATTEST:



Beverly Ball, Town Clerk

