

ORDINANCE NO. 2009-

AN ORDINANCE REPEALING AND REPLACING SECTION 3 OF ORDINANCE NO. 2009-12 OF THE TOWN OF LOXLEY, ALABAMA.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Loxley, Alabama, on this the _____ day of _____, 2009, as follows:

SECTION 1.

All billing charges from June 18, 2009, for Water, Sewer Services and Connection and Impact Fees and Garbage Fees shall be in this Ordinance.

SECTION 2. Monthly Rates.

(a) Water Rates

First 2,000 gallons or less	\$21.95 Minimum Monthly
First 2,000 gallons or less where head of family is 65 or older	\$17.77 Minimum Monthly
Next 8,000 gallons	\$4.72 per 1,000 gallons
Over 10,000 gallons	\$3.54 per 1,000 gallons

(b) Sewer Rates

Residential	\$24.02 per month
Residential where head of household is 65 or older	\$17.47 per month
Commercial or industrial	80% of monthly water bill Minimum \$24.84 per month

(c) Connection Fees and Assessments

(1) Residential

Water connection	\$750.00 per service
Sewer connection	\$750.00 per service
Water Assessment	\$1,250.00 per service
Sewer Assessment	\$1,250.00 per service
Connection and Assessment for each 1" tap	\$2,300.00 1" tap
Connection and Assessment for each 2" tap	\$3,225.00 2" tap

(2) Commercial	
Water Assessment	\$750.00 per service
Sewer Assessment	\$750.00 per service
Water Impact	\$1,250.00 per service
Sewer Impact	\$1,250.00 per service

(3) The above Section 2(c)(2), Commercial Connection Fees and Assessments, is the base rate and is subject to the Town’s current Formula Calculation for Utility Fees.

SECTION 3. Garbage Rates.

(a) Residential charges

\$15.55 per month for each single family dwelling unit, limited to two garbage cans not to exceed 50 gallons or 50 lbs. capacity each.

\$12.80 per month for each single family dwelling where the head of the household is over 65 years of age, limited to two garbage cans not to exceed 50 gallons or 50 lbs. capacity each.

(b) Business Establishment Monthly Charges - Cans

\$18.65 per month for each business establishment, limited to four (4) garbage cans not to exceed 50 gallons capacity each. All business establishments requiring more than four (4) garbage cans, not to exceed 50 gallon capacity or 50 lbs., shall retain the services of a private garbage service for all its garbage needs.

SECTION 4. Late Payment.

(a) Bills are due on the 10th of each month and late by the 15th of each month. There shall be a late fee of \$3.00 assessed to each account which is past due and shall be added to the bill if full payment is not received by the 15th of each month.

(b) Water, sewer and/or garbage customers failing to make full payment by noon on the 25th of each month will be disconnected for non-payment. Services may be reconnected after paying all charges and fees due under this Ordinance together with a fee for reconnecting the service.

SECTION 5. Consumer Price Index.

The Town of Loxley shall increase the amount of all fees, rates and charges covered by this Ordinance by the rate of increase in the Consumer Price Index for All Urban Consumers (CPI-U) for the U.S. City Average for All Items, as published by the Bureau of Labor Statistics (BLS) (the “Cost of Living” increase of adjustment). The Cost of Living increase shall be determined by (i) dividing the CPI-U indicator published most recently prior to the effective date

of the Cost of Living increase by the CPI-U indicator published most recently after the effective date of this Ordinance or the date of the most recent Cost of Living increase (whichever is later), and (ii) multiplying the resultant number by the current fee, rate or charge. The Town of Loxley shall also be able to amend this Ordinance, from time to time, to include, but not to be limited to, an increase of any fee, rate or charge above the Cost of Living increase provided above.

SECTION 6.

All applications for senior discounts must be made prior to October 1st of each year for the twelve months following October 1st.

SECTION 7.

Except as provided herein, all provisions of all Ordinances and Resolutions of the Town of Loxley with respect to such rates and the billing and collections thereof shall remain in full force and effect.

SECTION 8.

The provisions of this Ordinance are severable. Should any term, provision, charge or portion hereof be held invalid, then such holdings shall not affect the enforceability and validity of any other provision hereof.

SECTION 9.

Ordinance No. 2002-13 is hereby repealed and replaced by this Ordinance. Any reference in any other ordinance as to Ordinance No. 2002-13 shall be a reference to this Ordinance.

SECTION 10. Effective Date.

This ordinance shall take effect immediately upon its adoption and publication as required by law.

ADOPTED this the ____ day of _____, 2009.

MAYOR

ATTEST:

Town Clerk

I, Carol P. Middleton, Clerk of the Town of Loxley, Alabama, hereby certify that the above ordinance was published by posting copies thereof in the Loxley Post Office, Loxley Public Library, Loxley Police Station and Loxley Town Hall beginning the _____ day of _____, 2009, and took effect five (5) days thereafter.

CAROL P. MIDDLETON
Town Clerk