AGENDA ITEM SUMMARY

DATE: 4-21-14 DEPARTMENT: Legal DEPT. HEAD SIGNATURE: 

SUBJECT:

Ordinance No. 1145 (Wastewater Fee Amendment)

AUTHORITY: □ ID Code □ IAR □ City Ordinance/Code
(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

At the last City Council meeting, the council continued consideration of Ordinance No. 1145. Staff requested an opportunity to amend the ordinance to show that the exceptions under Section 13.04.130(B)(2) would only apply if the user requested the exception. The attached ordinance shows this revision.

I believe that the Council should conduct a public hearing on this revised ordinance. Since I believe this change is rather minimal, I believe you could waive the three readings. In the alternative, you can certainly just conduct one reading and conduct the second and third readings in the future.

Ned

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle #

Budget Line Item # YTD Line Item Balance $
Estimated Hours Spent to Date: Estimated Completion Date:
Staff Contact: Phone #
Comments:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

□ City Attorney □ Clerk / Finance Director □ Engineer □ Building
□ Library □ Planning □ Fire Dept.
□ Safety Committee □ P & Z Commission □ Police
□ Streets □ Public Works, Parks □ Mayor

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Conduct a public hearing on Ordinance No. 1145. Make a motion to adopt Ordinance No. 1145 and to conduct the first reading by title only, or make a motion to adopt Ordinance No. 1145, to conduct one reading by title only and to authorize the mayor to sign Ordinance No. 1145.

FOLLOW-UP REMARKS:

- 95 -
HAILEY ORDINANCE NO. 1145

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 13 OF THE
HAILEY MUNICIPAL CODE BY AMENDING SECTION 13.04.130(B)(2) TO CLARIFY
THAT NEW WASTEWATER USER ACCOUNTS SHALL BE BASED ON A WATER USE
OF 6000 GALLONS PER MONTH WITH A PROVISION FOR ADJUSTMENT BASED ON
ACTUAL USAGE; BY PROVIDING FOR A REPEALER CLAUSE; BY PROVIDING FOR
A SEVERABILITY CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF
THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO
LAW.

WHEREAS, the City desires to clarify that new wastewater user accounts shall be
initially based on a water use of 6000 gallons per month;

WHEREAS, the City desires to allow for an adjustment to properties served by a separate
irrigation account after two full months of usage; and

WHEREAS, the Mayor and City Council find that the amendments to the Chapter will
further the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE
CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 13.04.130(B)(2) of the Hailey Municipal Code is hereby amended by the
addition of the following underlined language and the deletion of the following stricken
language:

2. Non-Metered New Account Fee. Except as otherwise provided herein, a new Wastewater
user accounts, where an average winter water use has not been established, shall pay a set monthly
charge based on water usage of 6000 gallons per month until the metered wastewater fee can be
established pursuant to subsection 13.04.130(B)(1).

   a. For those properties identified as having a separate irrigation system account and upon
request by the Wastewater User, the metered wastewater fee shall be set following two
full months of water use to the average water use during the two full months until the
metered wastewater fee can be established pursuant to subsection 13.04.130(B)(1).

   b. For those properties where a Wastewater User has moved from one property to another
property within the city limits and upon request by the Wastewater User, the metered wastewater
fee shall be based on the water usage established in the prior property until the metered
wastewater fee can be established in the subsequent property pursuant to subsection
13.04.130(B)(1), provided the Wastewater User has certified that the number of occupants
has not increased and that the quantity of water in appliances will not increase.

Section 2. Repealer Clause. All Ordinances or Resolutions or parts thereof in conflict
herewith are hereby repealed and rescinded.
Section 3. Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL and approved by the Mayor this ___ day of April, 2014.

ATTEST:

______________________________
Mary Cone, City Clerk

______________________________
Fritz X. Haemmerle, Mayor City of Hailey