

## ORDINANCE NO. 2023-7

AN ORDINANCE OF THE VILLAGE OF CLEARWATER, NEBRASKA TO AMEND SEWER SERVICE RATES; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF CLEARWATER, NEBRASKA:

SECTION 1. The charges established by this ordinance for the use of the municipal sewage system of the Village of Clearwater are hereby found and declared to be made and established on a fair and impartial basis for the services rendered by the Village.

SECTION 2. For the use of said sanitary sewerage system, each residential, business or apartment user shall pay a monthly sewer use charge in the amount of forty-three dollars and fifty cents (\$43.50). For the purpose of this ordinance the term "user" shall consist of one (1) family or one (1) business or establishment and in the event that there are multiple families or multiple businesses or establishments, excluding the ESU Clearwater Learning Center, using the same sewer connection, each user shall pay the sewer use charge hereby established. The Chairperson and Board of Trustees hereby find and determine that the ESU Clearwater Learning Center served by said municipal sewerage system shall be a separately classified user and that the center shall pay a monthly sewer charge of eighty-seven dollars and zero cents (\$87.00). The rates applicable shall be as follows:

Residential	monthly rate of	\$ 43.50 (per hook-up)
Commercial	monthly rate of	\$ 43.50 (per hook-up)
Apartment	monthly rate of	\$ 43.50 (per apartment)
ESU Learning Center	monthly rate of	\$ 87.00

SECTION 3. The Village shall not supply sewer service to any person outside the corporate limits without special permission from the Village Board; provided, the entire cost of laying mains, service pipe, and supply pipe shall be paid by the consumer. Nothing herein shall be construed to obligate the Village to provide sewer service to non-residents. For service by municipal sanitary sewerage system outside the corporate limits of the Village of Clearwater, Nebraska, for all users other than schools, each such user shall pay a sewer use charge in the amount of forty-three dollars and fifty cents (\$43.50).

SECTION 4. All sewer use charges provided for by this ordinance shall be billed monthly for service during the preceding month and shall be due and payable as of that time. All monthly bills shall be mailed by the Village to the consumer on or about the twentieth (20th) day of the month preceding the month in which the monthly bill is owed. All bills shall be payable on the first (1<sup>st</sup>) day of the month following the period of service and shall be paid to the Village Clerk or his or her designate. If any charge for the services of the sewer system shall not be paid by the fifth (5<sup>th</sup>) day of the month in which it shall become due and payable, a charge of twenty-five dollars (\$25.00) shall be added thereto and collected therewith. If any bills for the service of the sewer system shall remain unpaid after the

twentieth (20<sup>th</sup>) day for two months following the rendition of the sewer charges, the sewer service shall be disconnected and shall not be reconnected except upon payment in full of the delinquent charges assessed and upon further payment of a reconnect fee of twenty-five dollars (\$25.00). The Village shall mail written notice to the consumer after the fifth (5<sup>th</sup>) day of the month where any charge for the services of the sewer system shall be due informing the consumer that the delinquency exists. The Village may also take any action authorized by law to effect collection of the delinquent charges. All sewer use charges prescribed by this ordinance shall be a lien upon the premises and the real estate for which the sewer use service is supplied and used, and if not paid when due, such charge shall be certified to the Village Treasurer and may be recovered by the Village in an action at law from the owner or person, firm or corporation using the service, or it may be certified to the tax assessor and assessed against the premises serviced, or collected or returned in the same manner as other municipal taxes are certified, assessed, collected and returned. Users commencing or ending their use of the sewerage system after the first (1<sup>st</sup>) day of any month shall pay the sewer use charge for said part of the period pro-rata for the number of days such service is used during such partial period for the service furnished.

SECTION 5. That all ordinances or parts of ordinances in conflict be and the same hereby are repealed.

SECTION 6. That three-fourths of the Board of Trustees voted to suspend the requirement that this ordinance be read by title on three different days.

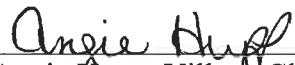
SECTION 7. That this ordinance shall be effective from and after its passage, approval and publication as provided by law.

SECTION 8. That this ordinance shall be published in pamphlet form and available for public inspection during normal village office business hours.

PASSED AND APPROVED THIS 14 DAY OF August, 2023.

By:   
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Kelly Kerkman, Chairperson

ATTEST:

  
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Angie Hupp, Village Clerk

(SEAL)