

ORDINANCE NUMBER 030203

AN ORDINANCE TO SET SEWER IMPACT RATES

BE IT ORDAINED THE TOWN OF WILSONVILLE, ALABAMA, AS FOLLOWS:

SECTION 1: REPEAL OF PRIOR SEWER IMPACT ORDINANCES

All prior Ordinances, or parts of Ordinances, which are in conflict with this Ordinance are hereby repealed.

SECTION 2: RESIDENTIAL IMPACT FEE RATES

The fee for new residential construction shall be \$1,400.00.

The fee for existing residential customers who are located along the existing sewer line, as of February 3, 2003, but have not tapped on to the system shall remain \$450.00.

SECTION 3: COMMERCIAL IMPACT FEE RATES

The fee for commercial customers shall be based on predicted water usage (\$5.10 per gallon).

SECTION 4: SANITARY SEWER SERVICE AGREEMENT

THIS AGREEMENT is made and entered into between the Town of Wilsonville (herein Referred to as "Town") and _____ (herein referred to as "Customer")

WHEREAS, Customer hereby applies to the Town for permission to connect Customer's sanitary sewer service line to the Town's Trunk Line and the Town hereby agrees to permit such connection, subject to the terms, conditions, and provisions hereof.

NOW THEREFORE, in consideration of the mutual promises and agreements herein contained, the Town and Customer hereby agree as follows:

- (1) The Town shall allow Customer to connect to the Town's Trunk Line, subject to the terms, provisions, and limitations set out in the Town's Sewer Use Ordinance, now in force, or as may be amended hereafter from time to time (the "Ordinance"). The Ordinance is available to Customer upon request. Capitalized terms not otherwise defined herein shall have the meaning given them in the Ordinance.

- (2) Customer grants to the Town, and its successor and assigns, a permanent and perpetual easement over, under, upon and through the property of Customer identified herein (the "Property") for the purpose of using, operation, repairing, maintaining, or removing sewer lines and appurtenant facilities, for metering sewage, and for ingress to and egress from the Property. The location and use of such easement shall be determined by the Town's Engineer, in his sole discretion.
- (3) Customer shall install and maintain at Customer's expense s Service Line which shall begin at the Town's Trunk Line and extend to the dwelling or other place of use on the Property.
- (4) The Customer shall comply with and be bound by the terms and provisions of the Ordinance. Pursuant to the Ordinance, Customer agrees to pay the sewer tap/impact fee (Treatment Reservation Fee) set by the Town and the monthly service charges (Treatment Charges) at such rates, time and place as shall be determined by the Town from time to time. Customer further agrees to pay such penalties and surcharges for Customer's noncompliance with or default under the terms and provisions of the Ordinance, or which may be hereafter adopted and imposed by the Town.
- (5) Pursuant to the Ordinance, the Town shall have final authority and approval of location , method, and type of Customer's Service Line to be connected to the Town's Trunk Line.
- (6) The Town may disconnect Customer's Service Line from the Town's Trunk Line for Customer's failure to pay any sums due and payable to the Town, or if Customer violates any of the terms or provisions of the Ordianace.
- (7) Customer agrees that no type or volume of sewage will be discharged into the Town's Trunk Line, except as specifically identified by Customer herein or as Provided in the Ordinance.
- (8) The Treatment Reservation Fee shall be due and payable by Customer to the Town of Wilsonville upon the execution hereof by the Town; and the monthly treatment Charge shall commence beginning with the month following the calendar month in which this Agreement is executed, regardless of when Customer connects its Service Line to the Town's Trunk Line.
- (9) The Property to be served is identified as follows: _____

- (10) The estimate daily volume of sewage to be received from Customer's Service Line into the Town's Trunk Line is _____ gpd.
- (11) The Treatment Reservation Fee herein assessed to Customer is based upon an estimated daily volume of sewage to be received into the Town's Trunk Line from Customer's Service Line. The Town reserves the right, at the Town's option, to meter the actual volume of sewage generated by Customer. In the event the actual volume is greater than the volume originally estimated, the Town may charge an additional Treatment Reservation Fee based upon the actual volume. Customer shall not allow any volume of sewage to enter the Town's Trunk Line which exceeds the volume for which Customer has paid a Treatment Reservation Fee.
- (12) Customer may assign the sewage treatment capacity reserved hereby or may offer to sell any excess reserved capacity back to the Town only as provided in the Ordinance. Customer shall not be entitled to a refund of any portion of the Treatment Reservation Fee previously paid to the Town.
- (13) The Treatment Reservation Fee of \$ _____ is payable upon the execution hereof.

Check # _____

Done this the _____ day of _____, _____

 Witness

By: _____
 Customer

The Town of Wilsonville

By: _____

CUSTOMER'S BILLING ADDRESS:

CUSTOMER'S PHONE NUMBER:


SECTION 5: SEVERABILITY

Should any section or provision of this Ordinance be held invalid, such holding shall not affect the validity of any other section or provision hereof, which is not of itself invalid.

SECTION 6: EFFECTIVE DATE

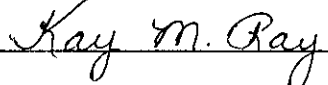
This Ordinance shall become effective upon its publication.

Adopted and approved this 3rd day of February, 2003.



James "Jake" Morris, Mayor

ATTEST:



CERTIFICATION OF POSTING

I, Kay M. Ray, Town Clerk of the Town of Wilsonville, Alabama, do hereby certify that the foregoing Ordinance is a true and correct copy of the Ordinance adopted by the Town Council of the Town of Wilsonville, Alabama, on the 3 day of February, 2003, as the same appears in the official record of the minutes of the Town of Wilsonville Council meeting.

Given under my hand this 3 day of February, 2003.

Kay M. Ray
Town Clerk

I, Kay M. Ray, Town Clerk of the Town of Wilsonville, Alabama, do hereby certify that the foregoing Ordinance was duly posted at the Wilsonville Town Hall (bulletin board).

Kay M. Ray
Town Clerk

02/11/03 - 02/18/03
Date Posted