

AN ORDINANCE OF THE TOWN OF NUTTER FORT, WEST VIRGINIA, AMENDING THE SCHEDULE OF RATES AND CHARGES FOR THE SERVICES AND FACILITIES FURNISHED FOR THE CUSTOMERS OF THE SEWERAGE SYSTEM OF THE TOWN OF NUTTER FORT BY INCREASING THE RATES AND CHARGES BY THE ESTABLISHMENT OF NEW RATES AND CHARGES

NOW, THEREFORE, BE IT HEREBY ENACTED BY THE TOWN COUNCIL OF NUTTER FORT, WEST VIRGINIA, AS FOLLOWS:

WHEREAS, Chapter 24, Article 2, Section 4b of the West Virginia State Code 1931, as amended, authorizes the fixing of all rates and charges of municipally operated utilities by the adoption of appropriate ordinances; and

WHEREAS, the Town of Nutter Fort provides sewerage services to its customers in the Town of Nutter Fort; and

WHEREAS, the present sewerage rates or tariffs of the Town of Nutter Fort were established by that certain order of the Public Service Commission of West Virginia in P.S.C. W.Va. Tariff No. 20, issued by the Public Service Commission of West Virginia Tariff Office on March 23, 2022, for service rendered by the Town of Nutter Fort on or after March 11, 2022; and

WHEREAS, the Town of Nutter Fort collects sewerage from its customers and transports it to the City of Clarksburg for treatment and Clarksburg charges Nutter Fort for the treatment of its sewerage; and

WHEREAS, the City of Clarksburg is implementing a five (5) year increase to the rate it charges Nutter Fort for treating Nutter Fort's sewerage; and

WHEREAS, the Town of Nutter Fort is adopting the proposed rates due to the City of Clarksburg increasing the rate it charges Nutter Fort to treat Nutter Fort's sewerage for the next five (5) years; and

WHEREAS, the Town of Nutter Fort cannot absorb the increases in sewerage treatment costs imposed by the City of Clarksburg; and

WHEREAS, the Town of Nutter Fort finds it necessary to increase its rates due to the increases in sewerage treatment costs from the City of Clarksburg.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE TOWN OF NUTTER FORT:

SECTION ONE: That the sewerage rate schedules for customers of the sewerage system of the Town of Nutter Fort be amended to reflect the following new rates:

STEP I (BILLS RENDERED 45 DAYS AFTER ENACTMENT)

APPLICABILITY

Rates are applicable for the entire area served.

AVAILABILITY

Available for general domestic, commercial, and industrial service

(I) **RATES** (Based upon metered volume of water supplied)

(I)	First 2,000 gallons used per month	\$ 24.32 per 1,000 gallons
(I)	Next 3,000 gallons used per month	\$ 23.22 per 1,000 gallons
(I)	Next 5,000 gallons used per month	\$ 22.26 per 1,000 gallons
(I)	Next 10,000 gallons used per month	\$ 22.26 per 1,000 gallons
(I)	Next 25,000 gallons used per month	\$ 21.32 per 1,000 gallons
(I)	All Over 45,000 gallons used per month	\$ 19.70 per 1,000 gallons
(I)	No bill will be rendered for less than \$48.64 per month.	

(I) Indicates increase in rates

STEP II (EFFECTIVE FOR ALL BILLS RENDERED ON AND AFTER JULY 1, 2023)

APPLICABILITY

Rates are applicable for the entire area served.

AVAILABILITY

Available for general domestic, commercial, and industrial service

(I) **RATES** (Based upon metered volume of water supplied)

(I)	First 2,000 gallons used per month	\$ 25.56 per 1,000 gallons
(I)	Next 3,000 gallons used per month	\$ 24.40 per 1,000 gallons
(I)	Next 5,000 gallons used per month	\$ 23.40 per 1,000 gallons
(I)	Next 10,000 gallons used per month	\$ 23.40 per 1,000 gallons
(I)	Next 25,000 gallons used per month	\$ 22.41 per 1,000 gallons
(I)	All Over 45,000 gallons used per month	\$ 20.70 per 1,000 gallons
(I)	No bill will be rendered for less than \$51.12 per month.	

(I) Indicates increase in rates

STEP III (EFFECTIVE FOR ALL BILLS RENDERED ON AND AFTER JULY 1, 2024)

APPLICABILITY

Rates are applicable for the entire area served.

AVAILABILITY

Available for general domestic, commercial, and industrial service

(I) **RATES** (Based upon metered volume of water supplied)

(I)	First 2,000 gallons used per month	\$ 26.70 per 1,000 gallons
(I)	Next 3,000 gallons used per month	\$ 25.49 per 1,000 gallons
(I)	Next 5,000 gallons used per month	\$ 24.44 per 1,000 gallons
(I)	Next 10,000 gallons used per month	\$ 24.44 per 1,000 gallons
(I)	Next 25,000 gallons used per month	\$ 23.41 per 1,000 gallons
(I)	All Over 45,000 gallons used per month	\$ 21.62 per 1,000 gallons

(I) No bill will be rendered for less than \$53.40 per month.

(I) Indicates increase in rates

SECTION TWO: EFFECTIVE DATE

This Ordinance shall be effective forty-five (45) days after final passage.

SECTION THREE: SEPARABILITY; REPEAL OF CONFLICTING ORDINANCES

The provisions of this ordinance are separable, and if any clause, provision or section hereof shall be held void or unenforceable by the Public Service Commission of West Virginia or any court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance. Upon the effective date hereof, all ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and to the extent that the provisions of this Ordinance do not touch upon the provisions of prior ordinances, resolutions, orders or parts thereof, the same shall remain in full force and effect.

SECTION FOUR: STATUTORY NOTICE AND PUBLIC HEARING

Following the first passage of this Ordinance, the Town Treasurer shall cause to be published, as a Class I legal advertisement, a Notice of Proposed Ordinance and Public Hearing in *The Exponent Telegram*, a qualified newspaper of general circulation in Harrison County, West Virginia, and said notice shall state that this Ordinance has been introduced, and that any person interested may appear before the Town Council on Tuesday, April 11, 2023, at 6:30 p.m., which date is not less than five days after the date of the publication of the Ordinance and notice, and present any comment or protest thereto, following which hearing, Council shall take such action as it shall deem proper. Copies of this Ordinance shall be available to the public for inspection at the office of the Town Treasurer, Nutter Fort, West Virginia.

Passed by Council of the Town of Nutter Fort on FIRST READING on the 28th day of February, 2023.

Passed by Council of the Town of Nutter Fort on SECOND and FINAL READING on the 11th day of April, 2023.

MAYOR

ATTEST:

RECORDER