

Ordinance No. 25-02

**AN ORDINANCE OF THE TOWN OF LUMBERPORT, WEST VIRGINIA, AMENDING
THE ORDINANCE OR RATE SCHEDULE AND ESTABLISHING A REVISED
SCHEDULE OF JUST AND EQUITABLE RATES FOR THE SERVICES AND
FACILITIES FURNISHED TO CUSTOMERS OF THE WATER SYSTEM OF THE TOWN
OF LUMBERPORT, WEST VIRGINIA.**

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LUMBERPORT, WEST VIRGINIA, that the water rate schedule established for the customers of the water system of the Town of Lumberport, West Virginia, be amended to reflect the following new rates, being a percentage increase of approximately 28% for each class of customers, effective 45 days from adoption.

RULES AND REGULATIONS

Rules and Regulations for the Government of Water Utilities, adopted by the Public Service Commission of West Virginia, and now in effect, and all amendments thereto and modifications thereof hereafter made by said Commission, which shall automatically be a part of any contract between and water consumer and the Town of Lumberport.

SECTION 1. APPLICABILITY, SCHEDULE, AND ENFORCEMENT

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY

Available for general, domestic, commercial, and industrial service.

RATES (Customers with metered water supply)

First 2,000 gallons used per month	\$22.58 per 1,000 gallons
Next 8,000 gallons used per month	\$21.94 per 1,000 gallons
Next 25,000 gallons used per month	\$20.71 per 1,000 gallons
Next 25,000 gallons used per month	\$19.49 per 1,000 gallons
All Over 60,000 gallons used per month	\$18.85 per 1,000 gallons

MINIMUM CHARGE

No bill will be rendered for less than the following amounts, according to the size of the meter installed, to-wit:

METER SIZE	MONETARY AMOUNT	EQUIVALENT GALLONS
5/8-inch meter	\$ 45.16	2,000
1 inch meter	\$ 112.90	5,660
2-inch meter	\$ 361.28	20,023
3-inch meter	\$ 722.56	40,703
4-inch meter	\$ 1,129.00	65,764

BULK RATE

All water for incidental purchase shall be billed at the approved rate of \$ 10.41 per 1,000 gallons.

MULTIPLE OCCUPANCY

On apartment buildings or other multiple occupancy buildings, each family or business unit shall be required to pay not less than the minimum monthly charge herein established for a five-eighths inch (5/8") meter. Motels and hotels shall pay according to the size of meter installed.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the Town of Lumberport or a minimum of \$35.00 will be imposed upon any customer whose check for payment of charges is returned by their bank due to insufficient funds.

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the current net amount unpaid. The delayed payment penalty is not interest and is only to be collected once for each bill where it is appropriate.

RECONNECTION

Reconnection fee is fifty dollars (\$50.00).

TAP FEE

The following charges are to be made whenever the utility installs a new tap to serve an applicant. A tap fee of \$500.00 will be charged to all customers who apply for service for each new tap to the system.

LEAK ADJUSTMENT

\$3.87 per 1,000 gallons shall be the charge for usage if the leak is eligible under the: (1) Public Service Commission's rules for leaks on the customer's side of the point of service, and (2) the utility's leak adjustment policy.

SECURITY DEPOSIT

All applicants for water service shall deposit fifty dollars (\$50.00) in the Town to secure payment of water rates and charges. In any case where a deposit is forfeited to pay service rates and charges which were delinquent at the time of disconnection or termination of service, no reconnection or reinstatement of service may be made by the Town until another deposit, as described above, has been remitted to the Town. This provision must be included in the utility's tariff filed with the Commission.

TRAILER COURTS

When house trailer courts are provided with a master meter, no bill shall be rendered for less than twenty-four dollars and forty cents multiplied by the number of units situated on the court site at the time the meter is read or the actual charge for the size meter installed, whichever is greater. House trailer (as used herein above) shall include both mobile and immobile units. House trailers, either mobile or immobile, located on sites other than a park or court, shall be billed in the same manner as any other family or business unit.

SECTION 2. EFFECTIVE DATE

The rate and charges provided herein shall become effective 45 days after adoption, or as otherwise directed by the Public Service Commission.

SECTION 3. 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 West Virginia Public Service Commission 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 address certain provisions or prior ordinances, resolutions orders or parts thereof, the same shall remain in full force and effect.

SECTION 4. STATUTORY NOTICE AND PUBLIC HEARING

Upon introduction hereof, the Recorder/Clerk shall cause to be published a notice of the proposed rates as a Class II legal advertisement (published twice), with the first publication being at least ten (10) days before the hearing, in the Clarksburg Exponent Telegram, being a qualified newspaper of general circulation in the Town of Lumberport, West Virginia, and said notice shall state that this Ordinance has been introduced, and that any person interested may appear before the Council of the Town of Lumberport, West Virginia, on October 6th at 6:00 p.m., and be heard on the subject, following which hearing the Council for the Town of Lumberport, West Virginia 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 Recorder/Clerk, Town of Lumberport, West Virginia.

Passed by Council on 1st Reading on this 1st day of December 2025.

Public Hearing was held on the 8th day of December 2025.

Passed by Council on 2nd Reading on this 8th day of December 2025.

By: Louis C. Mayfield
Mayor

ATTEST

Linda Eylene
Town Recorder