

ORDINANCE NO. 2021-42

**AN ORDINANCE AMENDING SECTION 5 OF
ORDINANCE NO. 2019-28
OF THE TOWN OF LOXLEY, ALABAMA**

WHEREAS, the Town provides potable water and wastewater services through its water and wastewater utility system.

WHEREAS, the Town of Loxley commissioned a utility revenue sufficiency and funding analysis for the water and wastewater utility system.

WHEREAS, the sufficiency and funding analysis advised that rates should recover costs of providing services, maintain financially sustainable utilities and maintain competitive and justifiable monthly user rates.

WHEREAS, the utility revenue sufficiency and funding analysis determined that a rate increase was required for water and wastewater services.

WHEREAS, it is in the best interest of the public health and welfare that the Town Council of the Town of Loxley amends Ordinance No. 2019-28 to provide for the recommended rate increase.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Loxley, Alabama, as follows:

Section 1. Section 5 of Ordinance No. 2019-28 shall be amended and replaced to read as follows:

Commencing on January 1, 2022, the Town Clerk for the Town of Loxley shall increase the water rates provided under Section 2(a) by three percent (3%), and the sewer rates provided under Section 2(b) by six percent (6%). Thereafter, effective October 1st of years 2022, 2023 and 2024, the water rates pursuant to Section 2(a) shall increase by three percent (3%) each year, the sewer rates pursuant to Section 2(b) shall increase by six percent (6%) each year, and other fees, rates and charges covered by this Ordinance shall increase by two percent (2%) each year.

Thereafter, the Town Clerk for the Town of Loxley shall increase the amount of all fees, rates and charges covered by this Ordinance by two percent (2%) annually, effective October 1st of each year. The Town Clerk shall place the increase on the agenda for the September Town Council Meeting. During the Town Council Meeting, the Council and Mayor may elect to cancel the increase or provide for a different amount of increase (higher or lower than 2%). The Town Clerk shall enter the increase of rate in the minutes of the meeting and shall apply the new rate effective October 1st.

The Town of Loxley shall also be able to amend this Ordinance, from time to time, to include, but not to be limited to, and increase of any fee, rate or charge above the increase provided above.

Section 2. Except as provided herein, all other provisions of Ordinance No. 2019-28


and all provisions of all other Ordinances and Resolutions of the Town of Loxley with respect to such rates and the billing and collection thereof shall remain in full force and effect.

Section 3. The provisions of this Ordinance are severable. Should any term, provision, charge or portion hereof be held invalid, then such holding shall not affect the enforceability and validity of any other provisions hereof.

Section 4. Pursuant to this Ordinance, the rates are attached as "Exhibit A".


Effective Date. This Ordinance shall take effect immediately upon its adoption and publication as required by law.

ADOPTED AND APPROVED on this the 13th day of December, 2021.



Richard Teal
Mayor


ATTEST:



Melissa Lawrence
Town Clerk/Treasurer

CERTIFICATION OF POSTING

I, Melissa Lawrence, Clerk of the Town of Loxley, Alabama, hereby certify that the above ordinance was published by posting copies thereof in the Loxley Post Office, Loxley Public Library, Loxley Police Station and Loxley Town Hall beginning on the 14th day of December, 2021, and took effect five (5) days thereafter.



Melissa Lawrence
Town Clerk/Treasurer

SECTION 2. Monthly Rates.

(a) Water Rates

First 2,000 gallons or less	\$ 27.30 Minimum Monthly
First 2,000 gallons or less where head of household is 65 or older	\$ 21.61 Minimum Monthly
Next 8,000 gallons	\$ 5.69 per 1,000 gallons
Over 10,000 gallons	\$ 4.27 per 1,000 gallons

(b) Sewer Rates

Residential	\$ 30.42 per month
Residential where head of household is 65 or older	\$ 22.24 per month
Commercial or Industrial	80% of monthly water bill Minimum \$ 31.59 per month

(c) Water Connection Fees and Assessments: Residential, Commercial, Industrial

Water Meter Size	Recommended Number of Units	Impact Fee	Connection Fee	Total
5/8 x 3/4"	1	\$1,353.00	\$816.00	\$2,169.00
1"	2 to 8	\$3,381.00	\$1,207.00	\$4,588.00
1 1/2"	9 to 26	\$6,763.00	\$1,652.00 + COST	\$8,415.00 + COST
2"	27 to 42	\$10,820.00	\$1,748.00 + COST	\$12,568.00 + COST
3"	43 to 84	\$21,640.00	\$3,417.00 + COST	\$25,057.00 + COST
4"	84 to 132	\$33,813.00	\$4,771.00 + COST	\$38,584.00 + COST
6"	133 to 265	\$101,439.00	\$6,538.00 + COST	\$107,977.00 + COST

Note: 3", 4", and 6" meters require valve vault with bypass. Charges will be made based on cost.

Note: If applicable, all Permit Fees, Engineering Fees and all Roadway crossing charges will be based on cost.

*Fire Main Connection charges will be based on cost.

*Line extension charges will be based on cost.

(d) Sewer Connection Fees and Assessments: Residential, Commercial, Industrial

The Capacity Component of the Connection Fee (Capacity Fee) is calculated based on an Equivalent Residential Connection (ERC) dwelling units and based on water meter size for all other users.

(i) Multiple Dwelling Units

Dwelling Units	ERC	Charge Per Unit
Single Family	1	\$1,353.00
Mobile Home Parks and Multi-Family	2/3*	\$903.00
Hotels/Motels/Guest House (per room)/RV Park (per lot)	1/2*	\$676.00

*To qualify for the reduction in capacity fee, a master meter must be utilized. Individually metered developments will be charged the full capacity fee.

(ii) **Single Dwelling Units**

Water Meter Size	Equivalent Residential Connection	Impact Fee	Connection Fee	Total
5/8 x 3/4"	1	\$1,353.00	\$816.00	\$2,169.00
1"	2 to 8	\$3,381.00	\$1,207.00	\$4,588.00
1 1/2"	9 to 26	\$6,763.00	\$1,652.00 + COST	\$8,415.00 + COST
2"	27 to 42	\$10,820.00	\$1,748.00 + COST	\$12,568.00 + COST
3"	43 to 84	\$21,640.00	\$3,417.00 + COST	\$25,057.00 + COST
4"	84 to 132	\$33,813.00	\$4,771.00 + COST	\$38,584.00 + COST
6"	133 to 265	\$101,439.00	\$6,538.00 + COST	\$107,977.00 + COST

Note: If applicable, all Permit Fees, Engineering Fees and all Roadway crossing charges will be based on cost.

*Line extension charges will be based on cost.

(e) **Other Water Fees and Rates: Residential, Commercial, Industrial**

Water meter deposit per unit for owner occupied	\$65.00
Water meter deposit per unit for renter occupied	\$130.00
Hydrant meter deposit per hydrant	\$155.00 (Billed in bulk)
Reconnection Fee	\$35.00 during office hours \$55.00 after hours
Vandalism/Theft of Property	\$100.00 per incident
Damaged line, meter, transponder, meter box or lid	COST + \$50/hour labor
Relocation of services	\$500.00 each service

- (f) Residential water and sewer rates assessed per sections 2(a) and (b) above are based on one residence per parcel. Each additional residence shall require a separate water connection and a separate sewer connection if said services are to be provided to the residence by the Town. A residence is a single unit providing resident living facilities for one or more persons.

SECTION 3. Garbage Rates.

(a) **Residential Charges**

\$20.89 per month for each single family dwelling unit, limited to one garbage can not to exceed 96 gallons as approved by the Town.

\$17.58 per month for each single family dwelling where the head of the household is 65 years of age or older, limited to one garbage can not to exceed 96 gallons as approved by the Town.

One additional can may be added to any single family dwelling unit for an additional \$5.20 per month provided that the customer commits to pay the additional \$5.20 per month whether or not the extra can is actually used within a given month.

(b) Businesses Establishment Monthly Charges – Cans

\$26.34 per month for each business establishment for two (2) garbage cans not to exceed 96 gallons as approved by the Town. Additional garbage cans, not to exceed two (2) additional cans, may be added for an additional \$10.40 per month per can provided that the business establishment commits to pay the additional \$10.40 per month per additional can whether or not the extra can is actually used within a given month. All business establishments requiring more than four (4) garbage cans shall retain the services of a private garbage service for all its garbage needs.