

TITLE 9

UTILITIES REGULATION

Chapter 9-1: Definitions

Chapter 9-2: Water System

CHAPTER 9-1: SEWER SYSTEM

9-1-1: Costs.

All cost of installation and connection by all business places or residences or users of the city sewer main to the dwellings and places of business and all expense of repair and maintenance thereof from such city mains shall be paid by such sewer users.

9-1-2: City Permit Required.

No digging is permitted without a city permit and contacting street superintendent. Also, sewer connections and materials must be approved by city.

Each sewer connection shall serve no more than one building.

9-1-3: Reclamation.

All sewer trenches associated with connection or repair and maintenance of such sewer connections shall be properly filled with gravel by such sewer users within the city street area.

9-1-4: Rates. (*Amended-see below*)

~~Sewer rates within the City and outside the City limits shall be a flat fee of \$6.00 and \$2.25 per 1000 gallons of water thereafter. Sewer rates for an apartment building shall be a flat fee of \$6.00 plus \$1.00 per individual unit per month with an additional sewer rate of \$2.25 per 1000 gallons of water. Sewer billing will be included with that of the water bills and be subject to the same procedure collection.~~

9-1-5: Revenue Deposited.

Monies collected from sewer rental will be deposited in the sewer fund of the City of Gary, South Dakota, and will be solely for the repair, maintenance, and improvement of said system.

9-1-6: Tapping Fee.

The fee for new consumers tapping the sewer main will be \$150.00.

9-1-7: Repealed.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

CHAPTER 9-2: WATER SYSTEM

9-2-1: Deposits.

Every property owner receiving municipal water service shall deposit \$80.00 with the municipal finance officer or water superintendent prior to receiving water service. In the event water service to any such customer is discontinued, then the balance due to the City of Gary for water service, together with penalties, if any, shall be deducted from the deposit and the balance of the deposit refunded to the consumer. If the consumer does not leave a forwarding address and the check (total deposit or balance of deposit) is returned to the city, that amount will automatically be deposited to the city water account.

9-2-2: Water Rate Schedule. (*Amended- see below*)

~~Occupant of premises connected with the municipal water system shall pay for water consumed thereon, and for the availability of the municipal water service as follows:~~

- ~~A. Maintenance and administrative fee of \$6.00 per month, plus \$3.00 per 1000 gallons of water used under 20,000 gallons. Any excess beyond 20,000 gallons shall be at the rate of \$2.50 per thousand gallons.~~
- ~~B. The rate shall be a flat fee of \$6.00 per month for apartments having one meter, plus \$1.00 for each unit, with the same rate per gallons of water used as part (A) above.~~
- ~~C. Owners of rental properties shall be ultimately liable to the town for any unpaid water bills.~~
- ~~D. New property owners receiving water from the City of Gary shall receive a copy of Ordinance #323.~~
- ~~E. The bulk water sales rate shall be \$3.00 per thousand or fraction thereof.~~

9-2-3: Meter Reading.

The water superintendent or other person appointed by the City Council shall read the water meters between the 15th and 20th of each month.

9-2-4: Billing.

The finance officer shall send the water billing to each water consumer on the 1st day of each month. Those not mailed will be deposited at the Deuel County National Bank of Gary, South Dakota.

9-2-5: Due Date.

Payment will be due upon receipt of the billing and considered delinquent as of the 13th day of each month. A notice of delinquency on the consumer's bill plus a late fee charge will be mailed by the 20th day of the month. This notice will also include the shut off date, being the 1st day of the following month excluding Friday, Saturday, Sunday, and a holiday if it should fall on the weekend.

9-2-6: Default.

The municipality may shut off the water when the water rental is not paid by the consumer in accordance with the rules of the Water Department or upon violation of any of the premises served. In the event the water is shut off, then it shall not be turned on again until proper arrangements have been made with the City of Gary for the payment of all arrears, together with the additional sum of \$40.00 to cover the expense of shutting off and turning on the water. No person shall tamper with the water to any premises from which the water has been turned off without authority from the Water Department.

9-2-7: Late Fee.

Any municipal water customer who is delinquent on their bill will be charged a late fee of 10% of their bill (including sewer and garbage collection fees) but not to exceed \$10.00. Late fees will be charged by the 20th of each month.

9-2-8: Water Revenue.

All revenue received from the sale of water will be deposited in the water fund of the City of Gary.

9-2-9: Use of Revenue.

The revenue is to be used for the repair, maintenance, and improvements of the municipal water system.

9-2-10: Warrants - Fund Expenditures.

All claims for maintenance, improvements, and repairs of the water system shall be paid from the water fund by the finance officer and counter signed by the Mayor or Council President.

ORDINANCE NO. 2022-339-16

AN ORDINANCE AMENDING ORDINANCE 9-2-2 REGARDING WATER RATE SCHEDULE

BE IT ORDAINED by the City Council of the City of Gary, South Dakota that 9-2-2 of Ordinance 2007-339 be amended to the following:

9-2-2: Water Rate Schedule.

Occupant of premises connected with the municipal water system shall pay for water consumed thereon, and for the availability of the municipal water service as follows:

- A. Maintenance and administrative fee of \$11.50 per month, plus \$5.50 per 1000 gallons of water used.
- B. The rate shall be a flat fee of \$11.50 per month for apartments having one meter, plus \$1.25 for each unit, with the same rate per gallons of water used as part (A) above.
- C. Buffalo Ridge Resort: Hotel-Base rate of \$11.50 per month, plus \$1.25 per unit, with the same rate per gallons of water used as part (A).
Campground with bathhouse-Base rate of \$11.50 per month, plus \$1.25 per unit, with the same rate per gallons of water used as part (A).
Laundromat, Sundance Ballroom, fitness room, Administration building included.
- D. Gate City Lodge: Base rate of \$11.50 per month, plus \$1.25 per unit, with the same rate per gallons of water used as part (A).
- E. Owners of rental properties shall be ultimately liable to the town for any unpaid water bills.
- F. New property owners receiving water from the City of Gary shall receive a copy Of Ordinance No. 2022-339-16 - Chapter 9-2-2.
- G. The bulk water sales rate shall be \$8.00 per thousand or fraction thereof.

This ordinance shall be in full force effective from and after its passage, approval and on the twentieth day after publication. Effective: April 5, 2022

ORDINANCE NO. 2022-339-15

AN ORDINANCE AMENDING ORDINANCE 9-1-4 REGARDING SEWER RATE SCHEDULE

BE IT ORDAINED by the City Council of the City of Gary, South Dakota that 9-1-4 of Ordinance 2007-339 be amended to the following:

9-1-4: Sewer Rates.

Sewer rates within the City and outside the City limits shall be a flat fee of \$11.50 and \$4.25 per 1000 gallons of water thereafter. Sewer rates for an apartment building shall be a flat fee of \$11.50 plus \$1.25 per individual unit per month with an additional sewer rate of \$4.25 per 1000 gallons of water.

Buffalo Ridge Resort: Hotel-Base rate of \$11.50 per month, plus \$1.25 per unit, and \$4.25 per 1000 gallons of water thereafter. Campground with bathhouse-Base rate of \$11.50 per month, plus \$1.25 per unit, and \$4.25 per 1000 gallons water thereafter. Laundromat, Sundance Ballroom, fitness room, Administration building included.

Gate City Lodge: Base rate of \$11.50 per month, plus \$1.25 per unit, and \$4.25 per 1000 gallons of water thereafter.

Sewer billing will be included with that of the water bills and be subject to the same collection procedure.

New property owners shall receive a copy of Ordinance 2022-339-15. Chapter 9-1-4.

This ordinance shall be in full force effective from and after its passage, approval and on the twentieth day after publication. Effective: April 5, 2022