

**ORDINANCE NO. 2025-06**  
**ORDINANCE AMENDING SECTION 53.65 OF THE**  
**HAZARD CODE RELATING TO SEWER RATES**

AN ORDINANCE AMENDING SECTION 53.65 OF THE HAZARD CODE REGARDING THE SEWER RATES FOR CUSTOMERS

**WHEREAS**, the City Commission wishes to adjust the sewer rates in accordance with CPI,

**NOW, THEREFORE**, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF HAZARD, KENTUCKY, AS FOLLOWS:

**§ 53.65 SEWER USE CHARGE.**

(A) (1) The following schedule of user charge rates shall apply to each user of the wastewater treatment works except as otherwise provided below. This schedule includes rates for OM & R and rates for debt service charges and shall apply on the respective dates set forth below based on the volume of metered or estimated water consumption:

<i>Service</i>	<i>Rate (per 1,000 gallons)</i>							
	<i>Effective Date</i>							
	<i>07/01/16</i>	<i>1/01/17</i>	<i>2/01/2020</i>	<i>2/01/2021</i>	<i>2/1/2022</i>	<i>2/1/2023</i>	<i>2/1/2024</i>	<i>2/1/2025</i>
OM&R	\$3.13	\$3.40	\$3.51	\$3.57	\$3.72	\$3.97	\$4.15	<u>\$4.30</u>
Debt service	\$1.24	\$1.24	\$1.24	\$1.24	\$1.24	\$1.24	\$1.24	<u>\$1.24</u>
Total charge	\$4.37	\$4.64	\$4.75	\$4.81	\$4.96	\$5.21	\$5.39	<u>\$5.54</u>

(2) Notwithstanding the foregoing, the minimum monthly charge or bill for use of wastewater treatment facilities shall \$9.28 effective January 1, 2017, \$9.49 effective February 1, 2020, \$9.62 effective February 1, 2021, \$9.91 effective February 1, 2022, \$10.41 effective February 1, 2023, \$10.76 effective February 1, 2024 and \$11.07 effective February 1, 2025 regardless of metered or estimated consumption of water.

(3) Commencing effective on July 1, 2017 and in each year thereafter, the prevailing rate for OM&R shall be automatically adjusted annually for increases or decreases—in the Consumer Price Index for All Urban Consumers (CPI-U); U.S. City Average; all items, not seasonally adjusted, 1982-1984=100 reference base, and the new effective rate shall be incorporated into the budget ordinance for each successive year. ). If there is a decrease or no

change in the Consumer Price Index (CPI-U) then there will be no change in sewer rates for that year.

(4) User charge rates for customers of Perry County Sanitation District No. 1 or, if applicable, for other governmental units with contracts for collection and/or processing of sewage as may now exist or be executed in the future, shall be governed by the provisions of the individual or respective agreements.

(B) For those users whose wastewater has a greater strength than normal domestic wastewater, approval of the City Manager or Superintendent of Public Works prior to any discharge, and a surcharge in addition to the normal user charge, will be collected. A surcharge rate of \$.24 per pound of excessive BOD or suspended solids shall be charged based upon the following formula:

#### SURCHARGE FORMULA

$$A (D-300) + B(E-300) + C(F-30) \times .0024 \times G = \text{Surcharge Payment (\$/Mo.)}$$

Where the formula components are as follows:

- A. Surcharge rate for BOD, in \$.24/pound.
- B. Surcharge rate for SS, in \$.24/pound.
- C. Surcharge rate for Ammonia-Nitrogen, in \$.06/pound.
- D. User's average BOD concentration, in mg/l.
- E. User's average SS concentration, in mg/l.
- F. User's average Ammonia-Nitrogen concentration, in mg/l.
- G. User's monthly flow to wastewater works, per 1,000 gallon.

No reduction in wastewater service charges, fees, or taxes shall be permitted because of the fact that certain wastes discharged to the wastewater works contain less than 300 mg/l of BOD or 300 mg/l of suspended solids or 30 mg/l of ammonia-nitrogen.

(C) The city shall maintain financial records to accurately account for revenues generated by the treatment system and expenditures for operation and maintenance of the system, including normal replacement costs.

(D) The city shall review not less often than annually the wastewater contribution of users, the total cost of OM & R of the wastewater works, debt service obligations, and user charge rates. Based on such review, the city shall revise, when necessary, the schedule of user charge rates to accomplish the following:

- (1) Maintain an equitable distribution of OM & R costs among users of the treatment system; and
- (2) Generate sufficient revenues to offset costs associated with the proper operation and maintenance of the wastewater system and to meet debt service requirements; and

(3) Maintain surcharge rates for excessive strength and toxicity discharges to reflect current treatment and monitoring costs associated therewith.

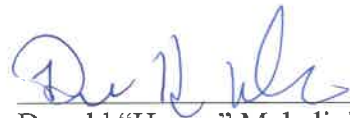
Each user of the wastewater system shall be notified, at least annually, in conjunction with a regular bill of the rate and that portion of the total charge which is attributable to OM & R of the wastewater system.

(E) All users shall be billed monthly. Billings for any particular month shall be made within ten days after the end of the month and collections and discontinuance of service shall be governed by the provisions of § 50.01.

(F) The revenues collected as a result of the user charges levied shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund. Fiscal year-end balances in the Fund shall be used for no other purposes than those designated. Monies which have been transferred from other sources to meet temporary shortages in the Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate shall be adjusted such that the transferred monies will be returned to their respective accounts within six months of the fiscal year in which the monies were borrowed.

First reading: February 24, 2025.

Second reading: February 25, 2025.



Donald "Happy" Mobelini, Mayor

Attest:



Linda Steele, City Clerk