

ORDINANCE NO. 458

AN ORDINANCE RELATING TO SERVICE CHARGES FOR THE USE OF THE SEWAGE DISPOSAL SYSTEM OF THE CITY OF WATHENA, KANSAS; AMENDING SECTION 2 OF ORDINANCE NO. 414; AND REPEALING SECTION 2 OF ORDINANCE NO. 414 AND ALL ORDINANCES AND PARTS OF ORDINANCES OF THE CITY OF WATHENA IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:

1. SECTION 1. SECTION 2 OF ORDINANCE NO. 414 AMENDED. Section 2 of Ordinance No. 414 of the City of Wathena is hereby amended to read as follows, to wit:

"SECTION 2. DETERMINATION OF MONTHLY WATER USAGE. Except as otherwise provided in this Section 2, monthly sewer user charges, regardless of classification, shall be based on average monthly water usage during the months of December through February. In the event a single family, business or other user as defined by Ordinance No. 313 of the City of Wathena has not established a December through February water usage average, such user's monthly user charge shall be based on the lesser of the following:

- (a) The actual amount of water used for the month for which a sewer charge is being assessed; or
- (b) The median amount of water used by all sewer users of the City, excluding school users and skilled nursing home users for such month, or
- (c) The average monthly water usage for any of the months of December through February for which such user purchased water from the City.

In the event a multiple family, school or skilled nursing home user as defined by Ordinance No. 313 of the City of Wathena has not established a December through February water usage average, such user's monthly user charge shall be based on the lesser of the following:

- (a) The actual amount of water used by such user for the month for which a sewer charge is being assessed; or

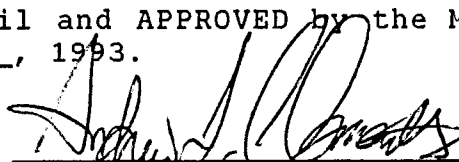
- (b) The average monthly water usage for any of the months of December through February for which such user purchased water from the City.

The average monthly water usage, as determined by this Ordinance, shall be modified and changed on March 1 of each year in order to reflect the average water usage for the immediately preceding months of December, January and February. Notwithstanding the provisions of this Section to the contrary, in the event water meters cannot be read due to inclement weather conditions during any one or more of the months of December, January and February as above provided, then and in that event, the water meter reading for the month of March shall be made and utilized with the remaining months such water meters were read for averaging purposes as hereinbefore provided and such average shall be utilized commencing April 1 of such year."

SECTION 2. REPEALER. Section 2 of Ordinance No. 414 and all ordinances and parts of ordinances of the City of Wathena in conflict herewith are hereby repealed.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its publication in the official City newspaper.

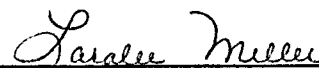
PASSED by the Council and APPROVED by the Mayor on the 16th day of March, 1993.



Andrew Clements, Mayor

ATTEST:

(CITY SEAL)



City Clerk