

AN ORDINANCE AMENDING SECTION 91.010 OF THE CITY CODE ESTABLISHING THE COST OF THE WATER TAP FEES, AND FIXING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

SECTION 1: Section 91.010 of the City Code is amended by striking the following sentence: "The fee for such installation shall be the actual cost of same and shall be in lieu of any other connecting fees and is a fee and not a transaction in which services or materials are purchased." and by adding the following paragraph to the end of the Section:

"WATER TAP FEES. The water tap fees for the City of Hamilton for water taps or connections to City owned water mains or extensions shall be as follows:

A. The intent of this Subsection to establish a water system user's fee imposed upon new connections to the City's water system and not to levy a "tax" or fee as such term is used in Article X, Section 22 of the Missouri Constitution. It is the intent of this Subsection to impose a water tap fee, payable prior to approval of a new water service connection, in an amount based upon the demand for water attributable to the new connection cost of constructing water service facilities needed to serve the new connection.

B. FEES.

1. In City Limits. The tapping fee for a ¾ inch waterline for service locations inside city limits will be \$450.00 per tap. The fee for a 1 inch waterline will be \$675.00. If the waterline requirements are greater than 1 inch, any additional costs for the installation and/or connection of the same will be at the sole expense of the user/consumer. The user/consumer will be solely responsible for any and all additional expenses related to the connection to the City's waterline, including but not limited to tapping saddle, piping to connect to the City's waterline, backfill, and road repairs caused by any digging and/or boring activities.
2. Outside City Limits. The tapping fee for a ¾ inch waterline for service locations outside city limits will be \$550.00 per tap. The fee for a 1 inch waterline will be \$775.00. If the waterline requirements are greater than 1 inch, any additional costs for the installation and/or connection of the same will be at the sole expense of the user/consumer. The user/consumer will be solely responsible for any and all additional expenses related to the connection to the City's waterline, including but not limited to tapping saddle, piping to connect to the City's waterline, backfill, and road repairs caused by any digging and/or boring activities.
3. Inspection Fees. Inspection fees are \$50.00 for connections to serve locations inside city limits and \$75.00 for connections to serve locations outside city limits."


SECTION 2: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith. It is the intent of the Board of Aldermen that this amendment be made a part of the City Code and such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the Board of Aldermen.

SECTION 3: This ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

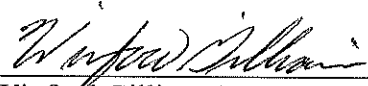
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

Adopted by the Board of Aldermen this 10th day of May, 2017.




Travis Trosper, President
of Board of Aldermen

Approved on this 10th day of May, 2017.



Winford Gilliam, Mayor

Attest: 

Debra Davis, City Clerk