

**ORDINANCE NO. 3638**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, MARYLAND, ENTITLED "AN ORDINANCE TO REPEAL AND REENACT, WITH AMENDMENTS, SECTION 24-86 OF THE CODE OF THE CITY OF CUMBERLAND (1991 EDITION), PROVIDING FOR A SCHEDULE OF WATER RATES."

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, That Section 24-86 of the Code of the City of Cumberland (1991 Edition) be and hereby repealed and reenacted, with amendments, to read as follows:

Effective July 20 2009, the rates and charges for the use of water supplied by the Water Department shall be as follows, and no abatement or release there from is permitted:

(a) MINIMUM METER CHARGE. The minimum charge for domestic meter customers within the City shall be Four Dollars and Forty Three Cents (\$ 4.43) per month per Equivalent Dwelling Unit (EDU), for which sum water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (b) of this section.

"The minimum charge for domestic meter customers outside the City shall be Six Dollars and Sixty Five Cents (\$ 6.65) per month per EDU for which sum water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any quarter, such excess shall be charged for in accordance with the schedule of rates as set forth in subsection (c) of this section.

"The minimum charge for industrials within the City shall be Four Dollars and Forty Three Cents (\$ 4.43) per month per EDU, for which sum water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (e) of this section.

"The minimum charge for industrials outside the City shall be Six Dollars and Sixty Five Cents (\$ 6.65) per month per EDU, for which sums of water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (e) of this section.

"The minimum charge for water companies shall be Thirty Dollars and Forty Nine Cents (\$ 30.49) per month per

EDU for each account such water company has with the City for which sum water up to and including one hundred cubic feet may be used. If the quantity of water used exceeds one hundred cubic feet in any month, such excess shall be charged for according to the schedule of rates set forth in subsection (f) of this section.

"All water customers outside the City shall be meter customers, and it shall be unlawful for the Water Department to furnish customers outside the City on a flat rate basis.

(b) DOMESTIC CONSUMPTION-INSIDE CITY. The rates per quarter for a domestic consumer residing within the City shall be as follows:

"(1) For the first 100 cubic feet, Four Dollars and Forty Three Cents (\$ 4.43).

"(2) For the next 900 cubic feet, \$ .0404 per cubic foot.

"(3) For the next 199,000 cubic feet, \$.0323 per cubic foot.

"(4) For the next 1,134,000 cubic feet, \$.0256 per cubic foot.

"(5) For the next 1,166,000 cubic feet \$ .01161 per cubic foot.

"(6) For all over 2,500,000 cubic feet, \$ .00281 per cubic feet.

"(c) SAME-OUTSIDE CITY. The rates per quarter for domestic customers living outside the City shall be as follows:

"(1) For the first 100 cubic feet, Six Dollars and Sixty Five Cents (\$ 6.65)

"(2) For the next 900 cubic feet, Cents \$.0606 per cubic feet.

"(3) For the next 199,000 cubic feet, \$.0452 per cubic foot.

"(4) For the next 1,134,000 cubic feet, \$.0384 per cubic feet.

"(5) For the next 1,166,000 cubic feet \$.01161 per cubic feet.

"(6) For all over 2,500,000 cubic feet, \$0.00281 per cubic foot.

"(d) FLAT RATES. There shall be no flat rate customers and the consumption of any customer found not to have a meter shall be estimated and such customer shall be charged double the rates set forth in subsection (b) of this section.

"(e) INDUSTRIAL RATES. Any customer using water in connection with the manufacture or production of any

product, or any customer using over Forty Thousand cubic feet of water per month, unless specific charges to such customers are herein provided for:

<u>CLASS</u>	<u>CONSUMPTION</u>	<u>RATES WITHIN CITY LIMITS</u>	<u>RATES OUTSIDE CITY LIMITS</u>
1	First 100 cubic feet	\$4.43	\$6.49
2	Next 900 cubic feet per cubic foot	\$0.0404	\$0.0606
3	Next 199,000 cubic feet, per cubic foot	\$0.0323	\$0.0452
4	Next 1,134,000 cubic feet, per cubic foot	\$0.0256	\$0.0384
5	Next 1,166,000 cubic feet per cubic foot	\$0.01161	\$0.01161
<u>6</u>	All over 2,500,000 cubic feet per cubic <u>foot</u>	\$0.00281	0.00281

"(f) WATER COMPANIES. Companies purchasing in excess of 140,000 cubic feet of water from the City on a monthly basis shall pay the following monthly rates for each account such water company has with the City.

"(1) Water Company. Any wholesale water company purchasing water from the City in excess of 140,000 cubic feet per month shall pay both a capacity fee plus a charge based upon consumption in excess of the capacity fee.

"(2) Capacity Fee. Each water company shall pay a fixed capacity fee determined by a percentage of its

highest months usage in the previous fiscal year calculated as follows:

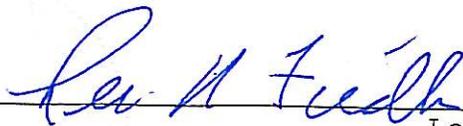
$$\frac{\text{PEAK MONTHLY USE} \times 0.7}{30} / 33.42$$

"(3) Consumption in Excess of Capacity Fee.

Consumption in excess of the capacity fee shall be billed at the rate for industrial customers located outside the City.

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect July 20, 2009.

Passed this 9th th day of June, 2009.



Lee Fiedler

Lee Fiedler, MAYOR

ATTEST:



Maggie Christ

CITY CLERK

1st Reading: May 26, 2009

2nd Reading: June 9, 2009

3rd Reading: June 9, 2009

Effective Date: July 20, 2009