

**ORDINANCE 2025-XX
CITY OF OAK GROVE, KENTUCKY**

**AN ORDINANCE ENACTING A SEWER AND WATER ORDINANCE FOR THE CITY
OF OAK GROVE, KENTUCKY.**

WHEREAS, simplifying the water rate structure to accommodate maintenance and growth is in the best interest of the city and the public.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY OF OAK GROVE, KENTUCKY
AS FOLLOWS:**

SECTION I – APPLICABILITY OF STANDARD WATER CONTRACT

Any customer/developer/builder extending water lines within the City of Oak Grove shall, before extending said water lines, enter into and comply with the terms of the Water Contract for Public and Private Water Lines, the terms of which are incorporated by reference herein (a copy of said contract is attached hereto and is labeled “Exhibit A”).

**SECTION II – SEWER AGREEMENTS WITH THE HOPKINSVILLE WATER
ENVIRONMENT AUTHORITY (HWEA)**

Any customer/developer/builder extending sewer lines within the City of Oak Grove shall, before extending them, agree with HWEA by their laws, rules, regulations, and ordinances. HWEA shall have approval authority over wastewater aspects of all projects in the City of Oak Grove, under the contract agreed upon by both parties.

SECTION III – SCHEDULE OF RATES, CHARGES, AND FEES

Water service from the Oak Grove system shall include an access fee/system development fee deposited to the Utility System Tap Reserve Fund, an installation fee, and a monthly service fee based on the quantity used. The minimum access fee/system development fee and the minimum monthly bill for a single-family structure or each unit of a duplex, triplex, multi-unit residential structure or shopping center and a single-unit nonresidential structure, such as a stand-alone commercial structure shall be determined by the following schedule based on meter size requested by the customer and approved by the city. The access fee and minimum monthly bill for a multi-unit structure shall be calculated individually per the total number of units.

- (A) Water and Sewer access fees are set up as follows:

RATES, CHARGES, AND FEES		
	WATER	SEWER
Meter Size	Access Fee	Access Fee
5/8" or 3/4"	\$500.00	\$2,000.00
1"	\$1,200.00	\$2,250.00
1 1/2"	\$1,400.00	\$2,500.00
2"	\$1,600.00	\$3,000.00
3"	\$2,500.00	\$3,500.00
4"	\$3,200.00	\$4,000.00
6"	\$4,000.00	\$6,000.00

(B) All water and sewer access fees referred to in this chapter must be paid in full prior to services being set, and said fees are not transferable to any other location..

(C) Any property located within one-hundred fifty (150) feet of the public water utility that is not connected to the City of Oak Grove Water System within ninety (90) days after notification to do so shall be charged a monthly minimum bill. Upon connection, the current water system access fee will apply, and

(D) The City of Oak Grove may waive the above water access fees for business development/inducement or charitable purposes at its discretion.

SECTION IV – INSTALLATION FEE

(A) The customer/builder/developer shall pay all installation fees, including the actual cost of service assembly, such as tapping the line, furnishing, and installing the service line, meter, meter box, yoke, and other fittings, highway crossings, or other restorative work, such as pavement repair, etc.

(B) The customer/builder/developer shall install, at no cost to the city, all necessary extensions to the city's water system in newly dedicated public road rights-of-way or utility easements.

(C) The customer/builder/developer shall transfer to the city before installation of the title and all necessary easements for those extensions at no cost to the city.

(D) The customer/builder/developer shall agree to immediately repair or cause to be repaired at no cost to the city all breaks, leaks, or defects of any type

whatsoever arising from any cause whatsoever occurring within one (1) year from the date such extensions are accepted in writing by the city.

SECTION V – APPROVAL OF SIZE AND LOCATION OF METERS AND PRIVATE SERVICE LINES

The city must approve the size and location of each meter to be installed and the size and location of each private water service line. Each commercial or residential unit shall have a separate metered water service at the unit's expense.

SECTION VI – COMPLIANCE WITH CITY'S SPECIFICATIONS

All connections and extensions to the city's water system must comply with its specifications and be approved in writing by the city before water services are provided.

SECTION VII – WATER RATES BASED ON METER MEASUREMENTS

Each residential and commercial customer shall pay monthly by the rates established in the city's annual budget ordinance effective July 1 of each year:

	<u>Monthly Customer Charge</u>	<u>Rate per 1,000 gallons</u>
<u>Residential Customers</u>	\$16.00	\$5.43
<u>Residential Commercial Customers</u>		
<u>¾ inch meter</u>	\$25.40	\$6.63
<u>1-inch meter</u>	\$60.50	\$6.63
<u>1 ½ inch meter</u>	\$89.75	\$6.63
<u>2-inch meter</u>	\$236.00	\$6.63
<u>3-inch meter</u>	\$587.00	\$6.63
<u>4 inch and larger meter</u>	\$879.50	\$6.63

	<u>Monthly Customer Charge</u>	<u>Rate per 1,000 gallons</u>
<u>Non-Residential Customers</u>	\$20.00	\$6.79
<u>Non-Residential Commercial Customers</u>		
<u>¾ inch meter</u>	\$31.75	\$8.29
<u>1-inch meter</u>	\$75.63	\$8.29
<u>1 ½ inch meter</u>	\$112.19	\$8.29
<u>2-inch meter</u>	\$295.00	\$8.29
<u>3-inch meter</u>	\$733.75	\$8.29
<u>4 inch and larger meter</u>	\$1099.38	\$8.29

(A) Water service will be provided to customers outside the Oak Grove city Limits who execute the Consent to Annexation Agreement, the terms of which are incorporated by reference herein (a copy of said agreement is attached hereto and is labeled Exhibit D. This requirement applies to new and existing accounts being changed to a new customer. Failure to execute the Consent to Annexation agreement by the property owner(s) will result in the denial of water service to that property. County Residential and Commercial customers serviced by the city shall pay the prevailing Christian County Water District Rate plus a monthly service charge of five dollars (\$5.00).

(B) To initiate said water service, each customer shall execute the water contract of water service, the terms of which are incorporated by reference herein (a copy of said contract is attached hereto and is labeled Exhibit B and Exhibit C. Each customer shall adhere to the items contained in the Important Information fact sheet, provided by Oak Grove Utility Department personnel when the new account is opened.

(C) To initiate water service, each residential customer will pay a deposit of \$150 (\$150.00) and a new service connection fee of \$50 (\$50.00).

(D) A deposit of two hundred and fifty dollars (\$250.00) and a new service connection fee of fifty dollars (\$50.00) will be paid by each commercial customer to initiate water service.

(E) Delinquent Bills/Reprocessing Fee: Should any customer fail to pay their bill by the termination date, services are subject to be disconnected. Delinquent bills received on or after the termination date must be paid in cash, money order, MasterCard, or Visa. Payment must include the total bill amount, the reprocessing fee of \$50.00, plus all other applicable fees (as defined below). Water service will not be restored until full payment is received. Once the account is delinquent, Oak Grove Utility will only accept money orders for payment through an overnight drop box. Checks will not be accepted as payment for a delinquent bill (only cash, money order, MasterCard, or Visa). Cash payments are not accepted through the overnight drop box at any time.

(F) Trip Fees: The customer shall be charged a trip fee of \$50.00 per each additional trip made to accomplish or perform a service. This is in addition to any/all other applicable fees incurred during the task's completion.

(G) Labor Fees: A fee of \$50.00 per hour per technician shall apply when any repair or field work/services are performed. In addition, a cost of \$65.00 per hour per vehicle shall apply for the use of light-duty equipment (ex., small backhoe, service trucks, etc.) and \$85.00 per hour for heavy-duty equipment (ex., large backhoe, dump truck, etc.) If contractor rental services are required, the cost for such services plus 15% administrative fees will be applied (see Item O, this section).

(H) Overtime Service Charge: Any services performed, or callouts made after hours shall result in an Overtime Service Charge fee of \$50.00. This is in addition to the \$50.00 trip fee plus all applicable fees incurred for labor, parts, supplies, or the use of equipment.

(I) Reconnection Fee/Connection Fee: Should services be discontinued due to a problem with a customer's action (example, bad ck), a Reconnection Fee of \$50.00 shall be due, in addition to all monies owed to Utility. For services connected after hours, full bill payment is due by noon the following workday, including any applicable fees plus an overtime service charge. Services will be immediately discontinued again if payment is not received in the allotted time. Services will not be reinstated until the account is paid in full to include an additional trip fee.

(J) Returned Check Fee: A Returned Check service fee of \$50.00 shall apply should the Utility receive notification of a customer's "Insufficient Funds" check or electronic payment. The fee plus all balances due are payable in cash, by money order, or by credit/debit card only. The Utility shall notify and allow the customer three business days to pick up the returned check and pay in full all monies owed. The customer's service will be discontinued if the balance due is not paid within the allotted time. Should the Utility receive two (2) Insufficient Fund notices on a customer, said

customer is placed on the "No Checks List" for one (1) year. After a year, the customer may resume writing checks. Should the Utility receive any notices of additional insufficient funds from the customer, the customer shall be permanently placed on the "No Checks List."

(K) Tampering Fee: Should any equipment or hardware within the meter pit area be damaged, disturbed, or tampered with, the water account holder/property owner shall be subject to an additional \$100.00 Tamper Fee for the first occurrence. A second occurrence of tampering at the same address by the same account holder/property owner will be subject to an additional \$250.00 Tamper Fee. The third occurrence of tampering at the same address by the same account holder/property owner will be subject to an additional \$500.00 Tamper Fee, with the fourth occurrence subject to an additional \$750.00 Tamper Fee. (Any theft of utility service that totals more than \$1,000.00 is subject to Class D felony charges under KRS 514.060). The tamper fee shall not apply if the equipment was accessed in an emergency, such as a water leak that may only be shut off by accessing the meter. Notwithstanding this, any person who damages the city's equipment or hardware may still be held liable for the damages done. This fee shall be paid in conjunction with all other costs incurred by the customer due to delinquency, necessary repairs, and equipment replacement. Should services be disconnected due to non-payment of said items, water service will not be restored to the customer until all fees and associated costs are paid in full. The water meter box and the equipment therein are the property of Oak Grove Utility. The customer has the right to open the box and read the meter. All other actions will be subject to possible tampering charges. Meter boxes will not open when temperatures are below forty (40) degrees Fahrenheit.

(L) Meter Testing: Water meters will be tested upon the customer's request. This will be done at the customer's expense unless the meter is overcharging the customer outside of allowable tolerances defined by the American Water Works Association (AWWA). The customer will be responsible for all costs associated with the testing process. Those costs include the actual meter testing, shipping fees, a fifteen (15%) percent administration fee, and all trip and labor fees defined in this ordinance.

(M) Hydrant Meters: A deposit of \$1,500.00 shall be charged for using a meter on a fire hydrant. This shall include the use of a backflow apparatus and a hydrant wrench. The Oak Grove Utility Office shall pay the deposit when requesting a hydrant meter. The requesting company's representative shall complete and sign a rental contract and agreement (Exhibit E). The Utility shall install the backflow and meter on the hydrant at the requested time. A representative from the requesting company must be present during delivery to receive instructions on using the hydrant and equipment. The responsible party must remove all equipment from the hydrant and adequately reinstall it daily. The renting Company shall notify the Utility when the hydrant meter and equipment are finished. The Utility shall retrieve the hydrant meter and equipment immediately. The customer will be billed \$250.00 plus usage on the meter and trip fees if applicable. The remaining funds shall be returned to the renting

company. Should the actual usage exceed the deposit, the renting company shall be billed and pay the balance due upon receipt.

(N) All rates in this section may be subject to an annual increase of at least 3% to compensate for inflation.

(O) All contract services, materials, equipment, and testing ordered by the Oak Grove Water Department at the request of the customer/developer/builder or due to actions from the customer/developer/builder are subject to a 15% administrative fee.

(P) A wholesale rate may be available to any large commercial, industrial, or water utility as established and approved by the city council.

SECTION VIII – REQUEST FOR AVAILABILITY OF WATER AND/OR SEWER

A developer must submit a request in writing to the city for a letter of reservation for water services.

Reservations for water availability do not automatically guarantee availability. Availability must be approved in writing by the city, valid for one (1) year from the date of issuance, and non-transferable.

Developers must request sewer availability from the Hopkinsville Water Environment Authority (HWEA) under their laws, rules, regulations, and ordinances.

SECTION IX – UTILITY CONSTRUCTION INSPECTION

(A) An authorized representative of the city and HWEA must inspect all utility construction. The customer/developer/builder will pay the cost of water line inspection services upon execution of the water contract for public and private water lines. Sewer line inspection fees shall be paid to HWEA under their laws, rules, regulations, and ordinances.

(B) The following construction/inspection fees shall apply for water projects not covered by the contracts referenced in Section X (A) above:

(1) The base fee is fifty dollars \$50.00 per hour, with a minimum fee of seventy-five dollars \$75.00. This fee shall include the following services:

- (a) Inspection of lines before backfilling.
- (b) Verify pressure tests.
- (c) Bacteriological tests.

- (d) Final clean-up.
- (e) Leakage tests.

(2) The customer/developer/builder shall pay for all test chemicals and materials needed in addition to the base fee.

(3) If a customer/developer/builder is found to be in noncompliance requiring additional inspection(s), for each additional inspection, the city shall receive a fee of seventy-five dollars (\$75.00) per hour with a minimum fee of one hundred dollars (\$100.00).

(4) All work shall be conducted within the city's regular business hours. Any work outside of said hours will require written notice from the customer/developer/builder 48 hours before work begins and written approval by the city. Said work shall be charged to the customer/developer/builder at one and one-half (1½) times the base fee.

(5) The customer/developer/builder must pay the cost of inspection services within 15 days of being billed by the city.

SECTION X – SEQUENCE OF CONSTRUCTION

Any construction project in the City of Oak Grove that requires public utilities shall install these facilities before any construction, including but not limited to the construction of slabs or footers, laying of blocks, or framing of any walls, shall begin. This requirement is needed to facilitate the utility inspections of Oak Grove and HWEA personnel and to facilitate the duties of the Oak Grove Fire Department.

A one (1) year warranty on the water lines and appurtenances shall go into effect after the project or phase has been completed to the satisfaction and approval of the Public Works Director. Any leaks, defects, or predicaments in workmanship shall be the developer's responsibility to address upon notification within the warranty period. The developer shall comply with any warranties on sewer lines and appurtenances under HWEA's laws, rules, regulations, and ordinances.

SECTION XI – FILLING IN OF SEPTIC TANKS

If a residence, business, or other structure taps into the municipal sewer system, the owner must fill any septic tank on the property within 90 days. The septic tank must be pumped dry and filled in with gravel. The owner must then notify the Oak Grove Utility Department that the septic tank has been filled with gravel under this section and provide proof that any actions taken meet the regulations and

specifications of the HWEA, Christian County Health Department, and Kentucky Plumbing Code.

SECTION XII – YARD METERS

If a customer would like to install a yard meter, the customer shall contact the Oak Grove Utility Office and request an inspection of the area where the proposed meter is to be placed. If the area is acceptable to the Public Works Department, the customer shall purchase a meter, box, and yoke from the Utility Office. The customer shall be responsible for hiring a Kentucky State Certified plumber to do all tapping and installation. The plumber shall have a business license from the City of Oak Grove before any work is done.

Once installed, the customer shall contact the Oak Grove Utility Office to inspect the connection before backfilling occurs. The customer shall pay a deposit to establish an account for said yard meter, and a trip fee will be added. Only water usage recorded on the meter shall be billed, plus any applicable fees.

Any yard meter accounts may become temporarily inactive when not in use without affecting the deposit (i.e., deployment or winter season), provided all billing payments are kept current. If payments are not current, this account shall be treated the same as a homeowners account, locked off for non-payment, and closed. Should the account be closed, a new deposit shall be made as defined in this ordinance to reinstate the yard meter service. The Oak Grove Utility Office must receive signed and dated written instructions as to when to reactivate and temporarily deactivate this account. A trip fee shall be charged for each trip to accommodate the customer.

This meter shall be solely for yard use, including but not limited to washing cars, watering gardens and lawns, and filling swimming pools and hot tubs. Under no circumstances shall a customer use the meter for any other purpose except as stated above. If a yard meter is being used for another purpose, the account shall be closed. The account shall be reconnected upon payment in full of any applicable charges, and the violation activity will be discontinued. The customer shall pay trip fees for reactivation.

SECTION XIII – PRIVATE FIRE PROTECTION SERVICE ACCESS FEES AND RATES

The Oak Grove Water Department may allow the installation of a private fire protection system to aid in fire protection and save on fire insurance premiums. The tap on the existing water main and all line work will be done at the customer's expense. A Resilient Wedge Gate Valve will be installed at the

Customer's Property Line for all new construction. It will delineate the point of ownership between the Oak Grove Water Utility and the customer.

To account for water loss in private systems and guard against contamination from stagnant water in Private Fire Protection Lines, an appropriately sized Radio-Read Fire Service Meter and Check Valve will be required in a dry, in-ground vault immediately following the previously mentioned Gate Valve. The Fire Service Meter and Check Valve Vault will be sized adequately to accommodate the future installation of an appropriately sized dual-check valve. A Fire Service Access Fee will be charged for each application. The Oak Grove Water Department will provide the Tapping Sleeve and Tapping Valve and inspection of all publicly owned main extensions.

The Fire Service Access Fee is based on the following mainline sizes:

<u>Size of Main (being tapped)</u>	<u>Fee</u>
2"	\$1,200
4"	\$1,600
6"	\$1,800
8"	\$2,500
10"	\$2,500
12"	\$3,000
16"	\$7,000

The Oak Grove Water Department allows the installation of a gate valve, meter, check valve, and vault for existing customers with non-metered, Private Fire Protection Service connections. Fire Service Access Fees will not apply to customers who have established connections at the time of this ordinance's enactment.

Private Fire Protection Service Rate:

(Rates and Charges for existing and non-metered – Billed semi-annually in advance)

Through a 2" connection	\$65.00 per year
Through a 3" connection	\$65.00 per year
Through a 4" connection	\$140.00 per year
Through a 6" connection	\$400.00 per year
Through an 8" connection	\$850.00 per year
Through a 10" connection	\$1,525.00 per year
Through 12" connection	\$2,475.00 per year

For metered Private Fire Protection Services, water usage will be billed at the Commercial Rate defined in this ordinance. However, the standard minimum rate will not be applied if no water is used. Private Fire Protection Service Meters and the Check Valve will be subject to the exact testing requirements as Commercial Meters, as defined herein.

SECTION XIV -- PENALTY

Any person violating this ordinance shall be subject to a fine of up to two hundred fifty dollars (\$250) per day, except as otherwise provided herein, for one (1) month. After one (1) month, the city ordinance will apply, and the penalties of this section will start anew until the violation is corrected.

SECTION XV-- ENFORCEMENT

The Oak Grove Code Enforcement Officer shall manage all enforcement of this ordinance.

SECTION XVI- SAVINGS CLAUSE

Permits prosecution for violations of the ordinances 2022-04 and 2023-02, provided the violation(s) occurred during the period the ordinances were in effect.

SECTION XVII-- APPEALS

Any appeals of action taken and/or penalties by the city shall be taken to the Code Enforcement and Nuisance Board within thirty (30) days of such action or penalty assessment date.

SECTION XVIII -- SEVERABILITY

The legislative body intends that the provisions of this ordinance are to be severable and that if a part of this ordinance is invalid, the findings do not necessarily invalidate the entire ordinance.

SECTION XIX-- EFFECTIVE DATE

According to law, this ordinance shall take effect after its passage and publication.

Date of First Reading: December 17, 2024

Date of Second Reading:

Date of Publication:

Ordinance published in: The Kentucky New Era

Jacqueline Oliver, Mayor

ATTEST:

Lorelynn Fisher, City Clerk

The City of Oak Grove paid for this advertisement using taxpayers' dollars, which totaled \$_____.

Certification

I, Lorelynn Fisher, do hereby certify that I am the duly appointed City Clerk of the City of Oak Grove, Kentucky, and that the foregoing Ordinance is a true and correct copy of an ordinance duly adopted at a meeting of the City Council on _____, 2025, that the Ordinance referred to therein is in the form presented to said meeting and in the form executed. The said ordinance appears as a matter of public record in the Official City Ordinance Book and is in full force and effect.

IN TESTIMONY WHEREOF, witness my signature on this ___ day of _____ 2025.

Lorelynn Fisher, City Clerk