

REPEALED
BY ORDINANCE NO.
2025-02

**CITY OF OAK GROVE, KENTUCKY
ORDINANCE 2023-02**

AN ORDINANCE AMENDING SECTION VII (WATER RATES BASED ON METER MEASUREMENTS) OF ORDINANCE 2022-04 AND PROVIDING ALLOWANCE OF WATER TURNOFFS FOR EMERGENCY PURPOSES

WHEREAS, the Oak Grove City Council passed Ordinance 2023-02 amending the city's fees imposed for tampering with water meters; and

WHEREAS, it is in the best interests of the citizens of Oak Grove to allow access to the city's water meters in emergency situations;

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

SECTION ONE- AMENDMENT TO ORDINANCE 2022-04

City of Oak Grove Ordinance No. 2022-04, Section VII shall be amended as follows:

SECTION VII -WATER RATES BASED ON METER MEASUREMENTS,

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

	Monthly Customer Charge	Rate er 1,000 gallons
Residential Customers	\$14.00	\$5.27
Commercial Customers		
¾ inch meter	\$23.40	\$6.44
1 inch meter	\$58.50	\$6.44
1 ½ inch meter	\$87.75	\$6.44
2 inch meter	\$234.00	\$6.44

3 inch meter	\$585.00	\$6.44
4 inch and larger meter	\$877.50	\$6.44

(A) Water service will be provided to customers outside the Oak Grove City Limits who execute 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 E(D)"). This requirement applies to new accounts and existing accounts that are being changed over to 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;

(B) In order 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) A deposit of one hundred fifty dollars (\$150.00) and a new service connection fee of fifty dollars (\$50.00) will be paid by each residential customer in order to initiate water service.

(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 in order 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 full bill amount, the reprocessing fee of \$50.00 plus any and all other applicable fees (as defined below). Water service will not be restored until full payment is received. Once the account is delinquent, the Oak Grove Utility will only accept money orders for payment through 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 process of completing the task;

(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 fee 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.) In the event contractor rental services are required, the cost for such services plus 15% administrative fees will be applied (see Item 0, this section).

(H) Overtime Service Charge: Any services performed or call outs made after hours shall result in an Overtime Service Charge fee of \$50.00. This is in addition to the \$50.00 trip fee cost, plus any and 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, to include any fees applicable 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. Said fee plus all balances due are payable in cash, money order, credit/debit card only. The Utility shall notify and allow the customer 3 business days to pick up the returned check and pay in full all monies owed. If the balance due is not paid within the allotted time, the customer's service will be discontinued. 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, said customer may resume writing checks. Should the Utility receive any additional insufficient funds notices on said 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 in the event that equipment was accessed in an emergency situation, 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 damage done. This fee shall be paid in conjunction with any and all other fees and charges 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 are not to be opened 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 it is found the meter is overcharging the

customer outside of allowable tolerances defined by the American Water Works Association (AWWA). The customer will be responsible for any and all costs associated with the testing process. Those costs consist of the actual meter testing, shipping fees, a fifteen (15%) percent administration fee, as well as any and all trip and labor fees defined in this ordinance.

(M) Hydrant Meters: A deposit of \$1,500.00 shall be charged for the use of a two (2") meter for use on a fire hydrant. This shall include the use of a backflow apparatus and a hydrant wrench. The deposit shall be paid at the Oak Grove Utility Office when requesting a hydrant meter. A rental contract and agreement shall be filled out and signed by the requesting company's representative. The Utility shall install the backflow and meter on the hydrant at the requested time. A representative from the requesting company must be present at the time of delivery to receive instruction on the use of the hydrant and equipment. The responsible party is to remove all equipment from the hydrant and properly reinstall it on a daily basis. The renting Company shall notify the Utility when it is finished with the hydrant meter and equipment. The Utility shall retrieve the hydrant meter and equipment immediately. The cost of the usage on the meter and trip fees shall be deducted from the deposit money. 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 established in this section may be subject to an annual increase of at least 3 percent (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 fifteen percent (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 TWO - SEVERABILITY

It is the legislative body's intent that the provisions of this ordinance are to be severable, and that if a part of this ordinance is to be invalid, the findings does not necessarily invalidate the entire ordinance.

SECTION THREE - CONFLICTING ORDINANCES

Any and all existing ordinances inconsistent with this ordinance are hereby repealed.

SECTION FOUR- EFFECTIVE DATE

This ordinance shall take effect after the passage and publication according to law.

PUBLICLY READ THIS 21 DAY OF FEBRUARY 2023

PUBLICLY READ THIS 7 DAY OF MARCH 2023

APPROVED:


Jacqueline Oliver, Mayor
City of Oak Grove, Kentucky

ATTEST:


Lorelynn Fisher, City Clerk
City of Oak Grove, Kentucky

*PUBLISHED: In the Kentucky New Era, this 18 day of March 2023.
This advertisement was paid for by the City of Oak Grove using taxpayers' dollars in the amount
of 111.93.*



Commonwealth of Kentucky
City of Oak Grove



I, Lorelynn Fisher, City Clerk for the City of Oak Grove, Kentucky hereby certify that the foregoing is a true and accurate original document of Ordinance 2023-02, (Summary was published) which was published in the Kentucky New Era on March 18, 2023, in the amount of \$111.93. I am the official custodian for this ordinance which is maintained at Oak Grove City Hall-8505 Pembroke Oak Grove Rd Oak Grove, KY 42262.

Lorelynn Fisher, City Clerk
City of Oak Grove, KY

03/20/23

Date

STATE OF KENTUCKY

CHRISTIAN COUNTY

SWORN AND SUBSCRIBED BEFORE ME THIS 20th DAY OF March 2023.

NOTARY PUBLIC Lisa L. Beckman COMMISSION# KYNP50110

COMMISSION EXPIRATION DATE May 3rd, 2026



AFFP
ORD 2023-02

Affidavit of Publication

STATE OF KY }
COUNTY OF CHRISTIAN } SS

CITY OF OAK GROVE,
KENTUCKY ORDINANCE NO. 2023-02

A SUMMARY OF AN ORDINANCE AMENDING ORDINANCE AMENDING SECTION VII OF ORDINANCE 2022-04 AND PROVIDING ALLOWANCE OF WATER TURNOFFS FOR EMERGENCY PURPOSES

Keishia Hicks, being duly sworn, says:

That she is Accounting Clerk of the Kentucky New Era, a newspaper of general circulation, printed and published in Hopkinsville, Christian County, KY; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

March 18, 2023

By summary, this ordinance amends Section VII(K) of ordinance 2022-04, which provides for a tampering fee should any equipment or hardware within a water meter pit area be disturbed, damaged, or tampered with, and adds a provision that the tamper fee shall not apply in the event that equipment was accessed in an emergency situation, 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 damage done.

The full text of this Ordinance is on file in the office of the undersigned City Clerk for the City of Oak Grove at 8505 Pembroke Oak Grove Rd, Oak Grove, KY, where it is available for public inspection between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday.

Publicly read this 21st day of February 2023.

Publicly read this 7th day of March 2023

Publisher's Fee: \$ 111.93

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Keishia Hicks

APPROVED:

/s/ Jacqueline Oliver
Jacqueline Oliver, Mayor
City of Oak Grove, KY

ATTEST:

/s/ Lorelynn Fisher
Lorelynn Fisher, City Clerk
City of Oak Grove, KY

Subscribed to and sworn to me this 18th day of March 2023.

Mark A. Gilbert

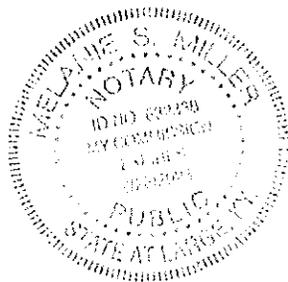
I, Mark A. Gilbert, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky, my office is located at 701 South Main Street, Hopkinsville, KY 42240. I further certify the foregoing Summary of Ordinance 2022-04 was prepared in accordance with the requirements of KRS 83A.060(9) and is a true and accurate summary of the contents of said Ordinance.

/s/ Mark A. Gilbert
Mark A. Gilbert

PUBLISHED In the Kentucky New Era, this 18th day of March 2023.

This advertisement was paid for by the City of Oak Grove using taxpayers' dollars in the amount of \$111.93.

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LORELYNN FISHER
City of Oak Grove
8505 Pembroke Oak Grove Rd
Oak Grove, KY 42262