

AN ORDINANCE ESTABLISHING A SEWER USE CHARGE FOR THE USE OF THE SANITARY SEWERAGE SYSTEM OF THE CITY OF GOTHENBURG, NEBRASKA, OF A JUST AND EQUITABLE BASIS FOR SERVICES RENDERED, AND PROVIDING FOR THE COLLECTION OF SUCH CHARGES AND FOR THE APPLICATION AND USE OF THE MONEYS COLLECTED THEREFROM, DECLARING SUCH USE CHARGE TO BE A LIEN UPON THE PROPERTY SERVED: PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT: AND PROVIDING THE RATE WHEN SUCH SEWER USE CHARGE SHALL COMMENCE:

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA

Section I. The Mayor and Council of the City of Gothenburg Nebraska, hereby find and determine: This City has constructed and owns and operates a sanitary sewerage system, which system carries the liquid and solid waste sewage of such community and the residents thereof. It is now necessary in order to protect the health of the inhabitants of the City and to comply with the laws of the State and the requirements of the department of Health of the State of Nebraska that the sewerage system be extended and improved and that a sewage disposal plant of the City be built. * Plane, specification and estimates of the cost of such extensions and improvements have been made by the City's consulting Engineers, and have been approved by the City Council. For the purpose of paying the cost of extending and improving the sewerage system and the building and equipping of a sewage disposal plant and operating and maintaining the same, and for the purpose of the paying the principal and interest of any bonds issued for such purposes, and for the purposes of creating reserves for any of the aforesaid purposes, and for no other purposes, there is hereby established a sanitary sewer use charge against each lot, parcel of land, or premises served by said sanitary sewerage system, or which may otherwise discharge sewage and industrial wastes, either directly or indirectly, into such sanitary sewerage system or any part thereof.

Section II. The word "consumer" is used in this ordinance to include any persons using the sanitary sewerage system of the City including all persons, firms, or corporations, whose premises are served thereby now or hereafter, and all owners and tenants of real estate and buildings connected with said sanitary sewerage system or served thereby, and all users of said system who in any way use the same or discharge sanitary sewerage, industrial waste water, or other liquid, either directly or indirectly, into the sanitary sewerage system of the City of Gothenburg, Nebraska. Consumers shall be classified as residential or commercial. For the purposes of this ordinance, residential consumers are defined as one-family dwellings whose property is used exclusively for residential purposes and in the event that there are multiple families using the same sewer connection each user shall pay the sewer use charge herein established. All consumers other than residential consumers shall be classified as commercial consumers and shall pay the sewer use charge herein established.

Section III. For the use of said sanitary sewer use charge each residential consumer shall pay a monthly sewer use charge in the amount of \$ 2.50 per month.

Section IV. For the use of said sanitary sewer use charge each commercial Consumer shall pay a monthly sewer use charge as hereinbelow set forth:

Residential \$ 2.50

Hotels, Motels, rest Homes, Trailer Courts \$ 15.00

Commercial \$ 5.00

Outside City Limits \$ 5.00

Section V. For services by the municipal sanitary sewage outside the corporate limits of the City of Gothenburg, Nebraska, each residential consumer shall pay a sewer use charge in the amount of \$ 5.00 per month.

Section VI. Sanitary sewer users having a private water supply which is discharged into the sanitary sewer system shall be billed

water supply.

Section VII. Where, in the judgement of the City Council by reason of special conditions, the application of the use charges hereinbefore set forth would be inequitable or unfair to either the City or the user, or in cases where the character of the sewage from a consumer is such that an additional burden is placed upon the sewerage system greater than that imposed by the average sewage delivered to the sewage disposal plant, a special rate may be established by contract or by resolution duly passed and approved by the City Council of the City of Gothenburg, Nebraska.

Section VIII. All sewer use charges prescribed by the Ordinance shall be a lien upon the premises and real estate for which the sewer service is supplied and used, and if not paid when due such charges shall be certified to the City Treasurer and may be recovered by the City in an action at law from the owner or the person, firm or corporation requesting the service or it may be certified to the tax assessor and assessed against the premises served and collected or returned in the same manner as other municipal taxes are certified, assessed, collected and returned. Bills for the sewer use charges made by this Ordinance shall be rendered at the same time that bills are rendered for Electrical Service of the City and all sewer use charges levied by this Ordinance which are not paid at or before Electrical Service charges of the City are required to be paid, shall be delinquent and the water service of such consumer may be discontinued.

Section IX. All use charges provided for by this Ordinance shall be billed and collected at the same time and in the same manner and by the same employees as Electrical Charges are billed and collected by the City.

Section X. The Mayor and City Council hereby find and determine that the sewer use charges established by this Ordinance are just and equitable rates and charges to be paid to the City for the use of such sanitary sewerage system and sewage disposal plant by each person, firm or corporation whose premises are serviced thereby.

Section XI. The sewer use charges shall be sufficient at all times to pay the interest and principal of the revenue bonds issued on the sanitary sewerage system of the City of Gothenburg and for the operation and maintenance of the sanitary sewerage system and disposal plant. All moneys collected for such sewer use shall be set aside and placed in a separate fund designated the "Sewer Revenue Fund" and shall be used only for the purpose of paying for the reasonable expenses of operation and maintenance of the sanitary sewerage system and disposal plant, for paying the interest and principal of the revenue bonds issued for such purposes for paying the cost of improvements, extensions or enlargements of the sanitary sewerage system and disposal plant.

Section XII. The sewer use charges imposed by this Ordinance shall be billed with all billings commencing June 1, 1966.

Section XIII. If any section, paragraph, clause or provision of this Ordinance shall be invalid, the invalidity of such section, paragraph, clause or provision shall not effect any of the other provisions of this Ordinance.

Section XIV. All Ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section XV. This Ordinance shall take effect and be in force from and after its passage and publication according to law.

PASSED AND APPROVED this 3rd day of May, 1966.

Attest:

Jane Ballmer
City Clerk Jane Ballmer

L. R. Brand
Mayor L. R. Brand