

ORDINANCE NO. 144

AN ORDINANCE APPROVING AN INCREASE IN RATES TO BE CHARGED FOR WATER SERVICE TO SUBSCRIBERS AND PROVIDING FOR A WATERWORKS COMMISSION AND PRESCRIBING THE QUALIFICATIONS OF ITS MEMBERS, ITS DUTIES, AND POWERS AND PROVIDING FOR A SINKING FUND OUT OF WATER REVENUES.

WHEREAS, heretofore the City of Dry Ridge has entered into a contract with the City of Williamstown for the purchase of water at an increased rate and,

WHEREAS, heretofore the duly acting waterworks commission of the City of Dry Ridge, Kentucky, has voted to increase the rates charged by it for water furnished subscribers; said increase to be in an amount equal to ten percent (10%) of the present rates and,

WHEREAS, heretofore there has been no definition of powers, duties, and qualifications of members of the Dry Ridge water-works commission and,

WHEREAS, it has been heretofore agreed between the Dry Ridge waterworks commission and the Board of Trustees of the City of Dry Ridge, Kentucky, that it is necessary and desirable that a sinking fund be created out of water revenues;

NOW THEREFORE THE BOARD OF TRUSTEES OF THE CITY OF DRY RIDGE

DOES ORDAIN AS FOLLOWS:

SECTION I. An increase in an amount equal to ten percent (10%), as previously adopted by the Dry Ridge waterworks commission, of the rates now charged and collected by the Dry Ridge Waterworks Commission for water service to subscribers is hereby ordered and declared to be affirmed and approved and the same is to be reflected and shown on all future billings for water service and collected for same after the effective date of this ordinance.

SECTION II. A Waterworks Commission is hereby established for the purpose of operating the waterworks system of the City of Dry Ridge, Kentucky, both inside and outside of the corporate limits of said city, subject to all of the conditions, limitations, and duties set out hereinafter; said commission is to be known as the Dry Ridge Waterworks Commission.

SUB-SECTION 1. The Dry Ridge Waterworks Commission (hereinafter referred to as the "Commission") shall be composed of three members to be elected by the Board of Trustees of the City of Dry Ridge, Kentucky, (hereinafter referred to as the "Board"). Only those residents of the City of Dry Ridge who possess the qualifications to serve as a member of the Board shall be eligible to be elected as a member of the Commission and the members of the Commission shall be designated by the Board as follows:

(A) CHAIRMAN - - The Chairman of the Commission shall be the same person as the Chairman of the Board and the terms of office shall begin, run, and terminate simultaneously. It shall be the duty of the Chairman to preside at all meetings of the Commission; to cast a vote in the event of a tie and to perform the usual and ordinary functions of a Chairman.

(B) SECRETARY-TREASURER - - The Secretary-Treasurer of the commission shall hold office during the pleasure of the Board and it shall be his duty to keep minutes of meetings of the Commission, to handle the correspondence, receive applications for water service, connections and discontinuance of same, receive, deposit, and expend the moneys of the Commission at the direction of the Commission and to perform such other duties as the Commission may, from time to time, assign to him.

(C) SERVICE DIRECTOR - - The Service Director of the Commission shall hold office during the pleasure of the Board and it shall be his duty to handle all matters pertaining to the physical assets of the waterworks system, including water mains, lines, connections thereto, meters, hydrants, and the water tower, as well as supplies and tools, and to perform such other duties as the Commission may, from time to time, assign to him.

SUB-SECTION 2. The Commission shall hold regular monthly meetings, open to the public at the City Hall. The time and date of such regular meetings shall be set by the Commission in their discretion. Special meetings may be convened by any member of the Commission by giving to the other members at least three (3) hours notice thereof.

SUB-SECTION 3. All moneys of the Commission shall be kept in a special fund; said fund to be separate and distinct from all other moneys from the City of Dry Ridge.

It shall be the duty of the Commission to operate the waterworks system in an efficient and business like manner so as to give the best possible service to its customers and subscribers and the Commission shall always be prepared to meet payments of principal and/or interest on the bonded indebtedness as either or both may become due and all other obligations that may be incurred from time to time.

All persons employed by the Board in a professional capacity such as City Attorney or City Engineer shall fulfill similar duties

for the Commission when and as needed.

SUB-SECTION 4. It shall be the duty of the Commission to:

(A) Make any necessary repairs, subject to the provisions of this ordinance, as needed to the waterworks system so as to insure its successful operation at all times;

(B) Employ a qualified person or persons, said person or persons shall be under the direct supervision of the Secretary-Treasurer, to read water meters, render bills for water services and collect moneys for water services;

(C) Employ a qualified person or persons to be under the direct supervision of the Service Director to make necessary repairs and connections to the waterworks system;

(D) Operate on the same fiscal year as the City of Dry Ridge and make a full and complete financial report at least once a year and to publish said report yearly at the same time and in connection with the financial report of the City of Dry Ridge;

(E) Secure bond for the Secretary-Treasurer and all employees handling the moneys of the Commission; said bond to be of the type and in the amount required by law;

(F) Secure the approval of the Board before increasing or decreasing charges made to customers for water service;

(G) Meet any and all obligations imposed by contract for the purpose of furnishing water to the City of Dry Ridge;

(H) Secure any and all easements and titles to real estate, that may be required in the operation of waterworks system, in the name of the City of Dry Ridge;

(I) Sell water by the tank load to anyone for their personal use at the option of and in the discretion of the Commission, but the Commission shall not sell water by the tank load where said water is to be resold.

SUB-SECTION 5. The Commission shall, whenever in its discretion, it deems it necessary:

(A) Make additions to or improvements in the waterworks system, the cost of which does not exceed FIVE HUNDRED DOLLARS (\$500.00) for anyone such addition or improvement;

(B) Make appropriate recommendations to the Board for additions or improvements to the waterworks system when the cost of same will exceed \$500.00;

(C) Make extensions of water mains or lines and connections thereto (subject to Paragraph A above and the contract for the furnishing of water service between the City of Williamstown and Dry Ridge) outside the corporate limits of the City of Dry Ridge and only when the entire cost of such extensions and connections is borne by owners of benefited properties;

(D) Make connections to water mains and lines in the corporate limits in the City of Dry Ridge under any fair and equitable policy as may be devised by the Commission;

(E) Make extensions to water mains and lines or install fire hydrants (subject to Paragraph A) in the area that composed the corporate limits of the City of Dry Ridge as of January 1st, 1951, payment for same to be made from the funds of the Commission;

(F) Make appropriate recommendations to the Board for extensions of water mains or lines along streets and in areas annexed to the City of Dry Ridge subsequent to January 1st, 1951,

in which event such extensions shall be paid for by the benefited property owners according to the planning ordinances heretofore enacted by the City of Dry Ridge.

SUB-SECTION 6. Members of the Commission shall be compensated for their services from the funds of the Commission as follows; The Chairman shall receive Five Dollars (\$5.00) for each meeting attended; the Secretary-Treasurer shall receive Five Dollars (\$5.00) for each meeting attended and an annual payment of Forty Dollars (\$40.00) for all other duties. The Service Director shall receive Five Dollars (\$5.00) for each meeting attended and an annual payment of Forty Dollars (\$40.00) for all other duties; payment for the year's services and meetings attended shall be made at the last regular meeting of each calendar year.

SECTION III. It is hereby ordered and directed that the Waterworks Commission heretofore created by this ordinance shall, through its Secretary-Treasurer, pay to treasurer of the City of Dry Ridge the sum of FIFTY DOLLARS (\$50.00) per month from the water revenues collected. This sum shall be placed in a fund to be known as "The Waterworks Sinking Fund" and said fund is to be kept separate and apart from all other funds of the City. Unless directed otherwise by resolution of the Board of Trustees, moneys in said fund shall be kept in a savings account at interest in a banking institution located in the City of Dry Ridge.

SUB-SECTION 1. The aforementioned sinking fund is hereby ordered and directed earmarked and to be spent only for the following:

(A) Major repairs necessitated by unexpected catastrophe and then only to pay moneys in excess of the cost of same over FIVE HUNDRED DOLLARS (\$500.00).

(B) Permanent improvements or additions to any part of the waterworks system located within the corporate limits of the City of Dry Ridge as of January 1st, 1951, or replacement of the present water main leading from Williamstown to Dry Ridge.

(C) The eventual construction or purchase of reservoir and filtration plant.

(D) The cost of normal maintenance and repair required for the water tower and its necessary appurtenances in excess of \$500.00.

It is hereby ordered and directed that any expenditure of the sinking fund moneys is to be made only after passage of a resolution by the Board of Trustees calling for said expenditure after recommendation for same by the Waterworks Commission.

SECTION IV. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION V. If any section, paragraph, clause, or provision of this ordinance shall be held to be invalid for any reason, the remainder thereof shall remain in full force and effect, it being expressly hereby found and declared that the remainder of this ordinance would have been adopted despite the invalidity of such section, paragraph, clause or provision.

SECTION VI. This ordinance to be in full force and effect on and after its passage and publication as required by law.

Passed and approved this 1st day of April, 1952.

/s/ John B. Conrad, Chairman

Attest:  
/s/ G.W. Landrum, Clerk