

There came on for consideration at a duly constituted meeting of the Mayor and Members of the City Council of the City of Gulfport, Mississippi, held on the 15th day of September, 2008, the following Ordinance:

ORDINANCE NO. 2605

AN ORDINANCE AMENDING SECTIONS 11-64 AND ADDING A NEW SECTION TO CHAPTER 11 ARTICLE III OF THE CODE OF ORDINANCES OF THE CITY OF GULFPORT, MISSISSIPPI

WHEREAS, the Gulfport City Council has enacted various ordinances over time regulating water and sewer services by the City of Gulfport and the rates to be charged by the City of Gulfport for water, sewer collection, sewer treatment and wastewater debt, which ordinances have been codified as Chapter 11, Articles I, II, III, IV, V, and VI of the Code of Ordinances of the City of Gulfport, Mississippi; and

WHEREAS, certain sections contained within Chapter 11, Article III, which regulate the rates charged for water, sewer collection and sewer treatment, are in need of amendment for purposes of changing the rates charged therefore and for other related purposes; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GULFPORT, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That the matters and things set forth in the above preamble are hereby accepted as stated as the findings of the Gulfport City Council.

SECTION 2. That Chapter 11, Article III, Section 11-64(g) be deleted in its entirety and Section 11-64(h) be re-lettered accordingly.

SECTION 3. That a new section be added at the end of Chapter 11, Article III, of the Code of Ordinances of the City of Gulfport, Mississippi, should be which shall read as follows:

Water and sewer service outside of city limits.

Those residents of Harrison County who are not residents of the City of Gulfport but who are customers of the City's water and sewer system shall be billed monthly for water, sewerage collection and sewage treatment, as follows:

(a) Water.

- 1) *Metered service.* The rate for water service delivered through a meter for each monthly period shall be at the rate of two dollars and eighty-three cents (\$2.83) per one thousand (1,000) gallons of water measured for the first three thousand (3,000) gallons and at the rate of three dollars and ninety-eight cents (\$3.98) per one thousand (1,000) gallons for the remainder exceeding three thousand (3,000) gallons during a monthly period.

2) *Unmetered service.* The rate for unmetered water service for each monthly period shall be based upon a projected average consumption of six thousand (6,000) gallons of water consumed at the rate of two dollars and eighty-three cents (\$2.83) per one thousand (1,000) gallons of water measured for the first three thousand (3,000) gallons and at the rate of three dollars and ninety-eight cents (\$3.98) per one thousand (1,000) gallons for the remainder exceeding three thousand (3,000) gallons during a monthly period.

3) *Minimum rates.* The minimum monthly charge for water service shall be at the same rate provided for in paragraph 1) above, calculated based on the minimum gallons provided for in Sec. 11-64(b).

(b) *Rates for sewerage collection.* The monthly rate for sewerage collection service shall be calculated based upon the quantity of water delivered through a meter or as assumed for unmetered service as provided in subsection (a) at the rate of three dollars and ninety-two cents (\$3.92) per one thousand (1,000) gallons measured for the first three thousand (3,000) gallons and the remainder, if any, exceeding three thousand (3,000) gallons during the monthly period at the rate of five dollars and four cents (\$5.04) per one thousand (1,000) gallons. The minimum monthly charge for sewerage collection service shall be at the same rate provided for herein, calculated based on the minimum gallons provided for in Sec. 11-66(a).

(c) *Rates for sewerage treatment service.* The monthly rate for sewerage treatment service shall be calculated based upon the quantity of water delivered through a meter or as metered separately as provided in subsection (c) or (f) at the rate of one dollar and fifty-four cents (\$1.54) per one thousand (1,000) gallons measured for the first three thousand (3,000) gallons, and the remainder, if any, exceeding three thousand (3,000) gallons during the monthly period at the rate of two dollars and ten cents (\$2.10) per one thousand (1,000) gallons. The minimum monthly charge for water service shall be at the same rate provided for herein, calculated based on the minimum gallons provided for in Sec. 11-66(b).

SECTION 7. All provisions of Chapter 11 of the Code of Ordinances of the City of Gulfport, Mississippi, not in conflict herewith shall remain in full force and effect as heretofore provided.

SECTION 8. This ordinance shall be in full force and effect thirty (30) days after the date of passage, except as set forth in the following sentence. As to those customers of the City's water and sewer system who live more than one mile out of the City limits, where approval of rates by the Mississippi Public Service Commission is required, this ordinance shall become effective upon approval of the rates by the Public Service Commission. It shall be published according to law and shall be spread on the minutes of the Gulfport City Council.

The above and foregoing Ordinance, after having been first reduced to writing and read by the Clerk, was introduced by Councilmember Resh, seconded by Councilmember Smith, and was adopted by the following roll call vote:

AYES
Hollimon
Roland
Smith
Carriere
Resh

NAYS
Holmes-Hines
Nalley

ABSENT/ABSTAIN
None/None

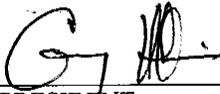
WHEREUPON, the President declared the motion carried and the Ordinance adopted, this the 15th day of September, 2008.

(SEAL)

ATTEST:

CLERK OF THE COUNCIL

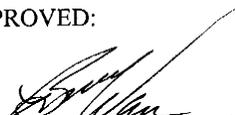
ADOPTED:



PRESIDENT

The above and foregoing Ordinance was submitted to and approved by the Mayor, this the 16th day of September, 2008.

APPROVED:



MAYOR