

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, 2009, the following Ordinance:

ORDINANCE NO. 2641

AN ORDINANCE AMENDING SECTIONS 11-64(a); 11-66(a); 11-66 (b) and 11-74 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 sewers in 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 purposes.

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(a), first paragraph, of the Code of Ordinances of the City of Gulfport, Mississippi, should be amended to read as follows:

(a) *Meter rates.* The rate for water service delivered through a meter for each monthly period shall be at the rate of one dollar and eighty cents (\$1.80) per one thousand (1,000) gallons of water measured for the first three thousand (3,000) gallons, at the rate of one dollar and ninety cents (\$1.90) per one thousand (1,000) gallons of water measured for four thousand (4, 000) gallons through six thousand (6,000) gallons, at the rate of two dollars and thirty cents (\$2.30) per one thousand gallons of water measured for seven thousand (7,000) gallons through ten thousand (10,000) gallons and at the rate of two dollars and fifty-five cents (\$2.55) for the remainder exceeding ten thousand (10,000) gallons during a monthly period.

SECTION 3. That Chapter 11, Article III, Section 11-66(a), first paragraph, of the Code of Ordinances of the City of Gulfport, Mississippi, should be amended to read as follows:

(a) *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 metered separately as provided in subsection (c) or (f) at the rate of two dollars and forty-four cents (\$2.44) per one thousand (1,000) gallons measured for the first three thousand (3,000) gallons, at the rate of three dollars and thirty-three cents (\$3.33) per one thousand (1,000) gallons measured for four thousand (4,000) gallons through six thousand (6,000) gallons, at the rate of three dollars and seventy cents (\$3.70) per one thousand (1,000) gallons measured for seven thousand (7,000) gallons through ten thousand (10,000) gallons and the remainder, if any, exceeding ten thousand (10,000) gallons during the monthly period at the rate of four dollars and twenty-five cents (\$4.25) per one thousand (1,000) gallons.

SECTION 4. That Chapter 11, Article III, Section 11-66(b), first paragraph, of the Code of Ordinances of the City of Gulfport, Mississippi, should be amended to read as follows:

(b) *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 two dollars (\$2.00) per one thousand (1,000) gallons measured for the first three thousand (3,000) gallons, at the rate of three dollars and ten cents (\$3.10) per one thousand (1,000) gallons measured for four thousand (4,000) gallons through six thousand (6,000) gallons, at the rate of three dollars and sixty-five cents (\$3.65) per one thousand (1,000) gallons measured for seven thousand (7,000) gallons through ten thousand (10,000) gallons and the remainder, if any, exceeding ten thousand (10,000) gallons during the monthly period at the rate of three dollars and eighty cents (\$3.80) per one thousand (1,000) gallons.

SECTION 5. That Section 11-74 of the Code of Ordinances of the City of Gulfport, Mississippi, be amended to 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:

(b) *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 fifty-two cents (\$2.52) per one thousand (1,000) gallons of water measured for the first three thousand (3,000) gallons, at the rate of two dollars and sixty-six cents (\$2.66) per one thousand (1,000) gallons of water measured for four thousand (4, 000) gallons through six thousand (6,000) gallons, at the rate of three dollars and twenty-two cents (\$3.22) per one thousand gallons of water measured for seven thousand (7,000) gallons through ten thousand (10,000) gallons and at the rate of three dollars and fifty-seven cents (\$3.57) per one thousand (1,000) gallons for the remainder exceeding ten thousand (10,000) 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 fifty-two cents (\$2.52) per one thousand (1,000) gallons of water measured for the first three thousand (3,000) gallons, at the rate of two dollars and sixty-six cents (\$2.66) per one thousand (1,000) gallons of water measured for four thousand (4, 000) gallons through six thousand (6,000) gallons, at the rate of three dollars and twenty-two cents (\$3.22) per one thousand gallons of water measured for seven thousand (7,000) gallons through ten thousand (10,000) gallons and at the rate of three dollars and fifty-seven cents (\$3.57) per one thousand (1,000) gallons for the remainder exceeding ten thousand (10,000) 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).

(c) *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 three dollars and forty-two cents (\$3.42) per one thousand (1,000) gallons measured for the first three thousand (3,000) gallons, at the rate of four dollars and sixty-six cents (\$4.66) per one thousand (1,000) gallons measured for four thousand (4,000) gallons through six thousand (6,000) gallons, at the rate of five dollars and eighteen cents (\$5.18) per one thousand (1,000) gallons measured for seven thousand (7,000) gallons through ten thousand (10,000) gallons and the remainder, if any, exceeding ten thousand (10,000) gallons during the monthly period at the rate of five dollars and ninety-five cents (\$5.95) 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).

(d) *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 Section 11-66(c) or (f) at the rate of two dollars and eighty cents (\$2.80) per one thousand (1,000) gallons measured for the first three thousand (3,000) gallons, at the rate of four dollars and thirty-four cents (\$4.34) per one thousand (1,000) gallons measured for four thousand (4,000) gallons through six thousand (6,000) gallons, at the rate of five dollars and eleven cents (\$5.11) per one thousand (1,000) gallons measured for seven thousand (7,000) gallons through ten thousand (10,000) gallons and the remainder, if any, exceeding ten thousand (10,000) gallons during the monthly period at the rate of five dollars and thirty-two cents (\$5.32) 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).

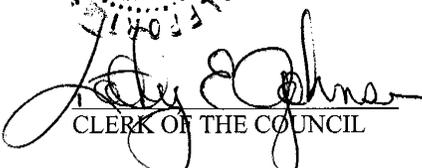
SECTION 6. All provisions of Chapter 11 of the Code of Ordinances of the City of Gulfport, Mississippi, not in conflict herewith shall remain in full force and effect as heretofore provided.

SECTION 7. 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 Walker, seconded by Councilmember Pucheu, and was adopted by the following roll call vote:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT/ABSTAIN</u>
Casey	None	None
Roland		
Holmes-Hines		
Walker		
Dombrowski		
Flowers		
Pucheu		

WHEREUPON, the President declared the motion carried and the Ordinance adopted, this the 15th day of September, 2009.

(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, 2009.

APPROVED:


MAYOR