

RESOLUTION NO. 10-58

A RESOLUTION AMENDING RESOLUTION NO. 10-27 ESTABLISHING THE RATES FOR THE SERVICE OF THE WATER UTILITY OF THE CITY OF WILLISTON, NORTH DAKOTA.

BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA:

SECTION ONE: *Rates for water consumed by owners of commercial premises.* The owner or occupant of each commercial premise connected with the system shall pay for water consumed thereon and for the availability of water service during each period of one (1) month, commencing January 1, 2009. A monthly service charge based upon meter size as follows:

5/8" and 3/4"	\$ 4.40
1"	5.65
1 1/2"	9.20
2"	12.45
3"	26.90
4"	43.00

In addition to the monthly service charge, a commodity charge, based upon consumption, would be required as follows:

0-3,000 cubic feet	\$ 2.60 / 100 cubic feet
Over 3,000 cubic feet	\$ 2.25 / 100 cubic feet

SECTION TWO: *Rates for water consumed by the owner of residential premises.* The owner or occupant of each residential premise connected with the system shall pay for water consumed thereon and for the availability of water service during each period of one (1) month, commencing January 1, 2009. A monthly service charge based upon meter size as follows:

5/8" and 3/4"	\$ 4.40
1"	5.65
1 1/2"	9.20
2"	12.45
3"	26.90
4"	43.00

In addition to the monthly service charge, a commodity charge, based upon consumption, would be required as follows:

0-3,000 cubic feet	\$ 2.60/ 100 cubic feet
Over 3,000 cubic feet	\$ 2.25/ 100 cubic feet

A credit shall be given for senior citizens or disabled persons based upon the percentage of credit equivalent to the percentage of property tax credit set forth in the Office of State Tax Commissioner brochure "Property Tax Credit for Senior Citizens or Disabled Persons". This credit shall apply only to the commodity charge for water usage above the winter average. No credit shall be given for the monthly service charge.

SECTION THREE: *Lawn rate.* Commencing on the first day of June, 2009, a special lawn rate shall be given for residential and commercial properties using water for lawn purposes which shall be in effect during the months of June, July, August and September. The rate shall be 2.05 per 100 cubic feet of water used over and above the average amount of water used during the months of January, February and March of the same calendar year.

SECTION FOUR: *Dispenser Rate.* The monthly rate for water from the City-owned water dispensers shall be as follows:

Gallons 0-50,000	\$5.00 per thousand gallons
Gallons over 50,000	\$15.00 per thousand gallons

SECTION FIVE: *Sales Outside City Limits.* The City of Williston shall deliver water to Williams Rural Water Association at the rate of \$ 2.60 per 100 cubic feet per the *Agreement for the Treatment of Water by the City of Williston and Delivery to the Williams Rural Water Users Association* effective November 1, 2004. The City of Williston shall deliver water to Trenton Water Users' Association at the rate of \$ 2.22 per 100 cubic feet per the *Water Treatment and Deliver Contract Amendment to Adjust Rates* effective November 1, 2004. City of Williston may deliver water to existing Riverside Drive water accounts at a rate of \$ 3.47 per 100 cubic feet.

In addition to the aforementioned accounts, the City has made special arrangements to sell water to other accounts outside the City limits, including but not limited to Edward J. Hagan, Vern Benth, Scenic Sports, Flying J and the Corps of Engineers.

Subsequent rates for sales outside City limits shall be adjusted with any increase or decrease in the rate charged to the City's residential customers unless the City has entered into agreements or contracts which conflict with this statement.

SECTION SIX: *Monthly billing.* The City Auditor shall bill each customer once a month for water used as evidenced by either a meter reading or an estimate of water used as determined by the City; such bill must be paid within then (10) days of its mailing date. If such bills are not paid

within such period of time, the superintendent is hereby authorized to order the water to the premises involved shut off and it shall not be turned on again until all water and service charges then due are paid, together with any additional charges as set forth by resolution or ordinance to cover or apply to the cost of turning on the water or preparing a shut-off notice.

SECTION SEVEN: *Cemetery Rate.* The rate for water delivered to City of Williston cemeteries shall be a flat fee determined annually by the Board of City Commissioners during the budget process.

SECTION EIGHT: *Authorization.* This resolution is authorized by Section 22-16 of the City of Williston Code. This resolution shall be in full force and effect on January 1, 2011.

Commissioner Bogar moved the adoption of this resolution. Commissioner Cymbaluk seconded the motion and upon being put to vote, the following Commissioners voted "AYE": Bekkedahl, Klug, Cymbaluk, Bogar, Koeser and the following voted "NAY": None. Absent and not voting: None.

WHEREUPON, the motion was declared and the Resolution adopted this 23rd day of November, 2010.



E. WARD KOESER, President
Board of City Commissioners

ATTEST:



JOHN KAUTZMAN, City Auditor