

09/25/2007

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTIONS 54-744 AND 54-745 OF ARTICLE XII, UTILITIES, OF CHAPTER 54, FEES, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, TO MODIFY WATER AND SEWER RATES AND FEES, REPEAL CONFLICTING ORDINANCES, AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. Sections 54-744 and 54-745 of Article XII, Utilities, of Chapter 54, Fees, of the Code of Ordinances shall be amended, as follows:

Sec. 54-744. Nonresidential surcharge.

The nonresidential surcharge for the water supply, as provided in section 102-157, shall be as follows:

| <i>Meter Size (inches)</i> | <i>Monthly Nonresidential Surcharge</i> |
|--------------------------------|-------------------------------------------------|
| 5/8 | \$ 5.69 5.39 |
| 1 | 14.22 13.49 |
| 1 1/2 | 31.29 29.67 |
| 2 | 45.50 43.16 |
| 3 | 82.47 78.22 |
| 4 | 113.75 107.89 |
| 6 | 170.63 161.83 |
| 8 | 284.38 269.72 |

Sec. 54-745. High strength surcharge.

The high strength surcharge, as provided in section 102-160, shall be as follows:

| <i>Type of High Strength Surcharge</i> | <i>Total Charge Per Pound of Excess Pollutants</i> |
|--------------------------------------------|----------------------------------------------------------------|
| Biochemical oxygen demand (BOD) | \$ 0.271 0.287 |
| Total suspended solids (TSS) | 0.309 0.421 |
| Phosphorous (P) | 4.456 4.665 |
| Fats, oils, and grease (FOG) | 0.164 0.284 |

Section 2. Severability. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 3. Penalty. All violations of this ordinance shall be misdemeanors and upon conviction thereof shall be punishable by a sentence of not more than ninety (90) days of confinement to jail or by a fine of not more than \$500, or both, in the court's discretion.

Section 4. Repeal, Effective Date, Adoption.

(1) Repeal. All regulatory provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.

(2) Effective Date. This ordinance shall become effective on _____, following its publication in the *Rochester Eccentric* on _____.

(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on Wednesday, _____.

Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof on Wednesday, _____.

Jane Leslie, Clerk
City of Rochester Hills