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**CITY OF HOMER  
HOMER, ALASKA**

**ORDINANCE 98- 11**

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AN ORDINANCE OF THE CITY OF HOMER  
AMENDING CITY CODE SECTION 14.04.040, SEWER  
RATE SCHEDULE, SECTION 14.08.100, BULK  
WATER SALES AND SECTION 14.08.105, RESALE  
OF WATER

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THE CITY OF HOMER HEREBY ORDAINS:

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Section 1. That subsection b. of Homer City Code Section 14.04.040, pertaining to the sewer rate schedule, is hereby amended to read as follows:

b. Sewer System Residential or Residential Equivalent Discharges Who are not Water System Users. Sewer system dischargers who are not water system users shall be charged at the rate of ~~\$33.47~~\$33.48 (variable rate (~~\$18.26~~\$18.27) based on 3,500 gallons per month plus general service charge (\$11.27) plus monthly customer charge (\$3.94) per month.) The City reserves the right to adjust this rate based on the characteristics of the service for non-residential or non-residential equivalent users. Customers who receive septage service shall be charged an additional \$5.71 per month.

Section 2. That Homer City Code Section 14.08.100, Bulk Water Sales, is hereby amended to read as follows:

14.08.100 Bulk water sales

a. A commodity charge of \$3.73 per 1,000 gallons of water shall apply to bulk water sales provided by tanker truck or fire hydrant plus an additional surcharge of \$2.59, ~~total of \$6.33~~ per 1,000 gallons of water in order to offset debt service and capital replacement and customer service costs.

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b. A \$750 meter deposit shall apply to metered fire hydrant connections. The deposit will be returned when the meter is returned undamaged. This deposit may be waived upon the recommendation of the Public Works Superintendent.

c. The schedule for service fees set forth at § 14.08.080(b) shall apply to all bulk water service requests.

d. If a bulk water customer ~~In the event the bulk water provider purchases a meter from the City for measuring the quantity of water purchased, to their tanker truck or water filling station,~~ it shall be exempt from the monthly meter service charge. It is the responsibility of the bulk water customer ~~provider~~ to maintain that meter so ~~that~~ the City can accurately determine the amount of water being purchased, sold. In the event the meter fails, it is the bulk water customer's ~~provider's~~ responsibility to purchase, at its their expense, to repair it or purchase a replacement meter from the City. The City may at any time reserves the right to test the meter for accuracy.

Section 3. That Homer City Code Section 14.08.105, Resale of Water, is hereby amended to read as follows:

14.08.105 Resale of water

a. No person shall resell water provided by the City water system unless that person has first registered with the City Planning Department as a reseller of water. The City may revoke a person's privilege to resell water for violation of this section.

b. All City water purchased by a customer for resale to others shall be charged at the rates established in § 14.08.100, including the surcharge, which established in § 14.08.100(b) shall be paid on all water resold to others, regardless of whether the customer has a standard service account.

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c. A reseller of City water shall submit a monthly report of the quantity of water resold to others on a form approved by the City. The report shall be received by the City Finance Department within 15 days after the end of each month. The report shall be signed under penalty of perjury. A report is subject to audit by the City for a period of three years.

d. A reseller of City water shall keep accurate records of the quantity of water sold to others. Such records shall be kept for a minimum of three years. The reseller of City water shall provide such records to the City for examination upon request during normal business hours.

e. If a reseller of City water fails to submit required reports or fails to keep accurate records and make them available to the City, the City may make a reasonable estimate of the quantity of water resold to others. The reseller shall pay the required rates for the quantity so estimated. In such case the City's estimate is presumed to be correct and may be overcome only by clear and convincing proof to the contrary.

f. The reporting and record keeping requirements of subsections c. through e. do not apply to resale of bulk water purchased from the City under § 14.08.100 when (1) the quantity of water purchased is directly determined by the City and (2) the customer pays the rates established in § 14.08.100, including the surcharge, ~~established in subsection b. of that section,~~ on all such water.

g. If a reseller with a standard service account purchases a meter from the City for measuring the quantity of water purchased, it shall be exempt from the monthly meter service charge. It is the responsibility of the reseller to maintain that meter so the City can accurately determine the amount of water being purchased. In the event the meter fails, it is the reseller's responsibility, at its expense, to repair it or purchase a

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replacement meter from the City. The City may at any time test the meter for accuracy.

Section 4. This ordinance is of a permanent and general character and shall be included in the City code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this 22<sup>nd</sup> day of June, 1998.

CITY OF HOMER



Jack Cushing  
Jack Cushing, Mayor

ATTEST:

Mary L. Calhoun  
Mary L. Calhoun, City Clerk

AYES: 5  
NOES: 0  
ABSTAIN: 0  
ABSENT: 1

First Reading: 5-11-98  
Public Hearing: 6-8-98  
Second Reading: 6-22-98  
Effective Date: 6-23-98

Reviewed and approved as to form:

Patti Whalin  
Patti Whalin  
City Manager

Gordon J Tans  
Gordon J Tans  
City Attorney