

Ord. #5514

**AN ORDINANCE TO AMEND CHAPTER 33, ARTICLE III, OF THE CITY OF
MEMPHIS CODE OF ORDINANCES SO AS TO MODIFY THE EXISTING
SEWER FEE**

WHEREAS, the sewer fee was increased from 105.3 cents to 226.7 cents per 1,000 gallons on July 1, 2010; and

WHEREAS, upon recent review, the administration has determined the need for a seasonal adjustment to the sewer fee calculation mechanism for those residential customers who irrigate their lawns and plants with metered water that does not enter the sanitary sewer system during the months of June, July, August and September; and

WHEREAS, implementation of previously adopted Ordinance No. 5498 would have resulted in severe delay and substantial costs to the City due to the complexity of programming; and

WHEREAS, the administration has determined it to be in the best interest of the citizens that the existing maximum residential sewer fee be reduced from \$50.00 per month to \$35.00 per month during the months of June, July, August, and September.

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS, THAT CHAPTER 33, ARTICLE III, DIVISION 2, SEWER FEES AND CHARGES IS HEREBY AMENDED BY DELETING SECTION 33-131(e) IN ITS ENTIRETY AND SUBSTITUTING THE FOLLOWING:

Sec. 33-131(e) Seasonal Adjustment of Sewer Fees. Section 33-131(b) established a monthly maximum charge for residential sewer service in the amount of \$50.00 regardless of the amount of water flow measured in a billing period. The City has determined that this maximum charge shall be reduced to \$35.00 during the months of June, July, August and September for residential customers.

Those residential customers living in special sewer service surcharge areas will not be relieved of the flat rate charges even if their volumetric charges are reduced by the monthly maximum charge. The appropriate flat rate charge will be added to the volumetric charge to reach the adjusted monthly value. No such relief shall be granted to those customers residing in other cities or service areas whose fees are assessed based upon current contracts and agreements.

SECTION 2. BE IT FURTHER ORDAINED, That the various sections of this Ordinance are severable and that any portion declared unlawful shall not affect the remaining portions.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect from and after the date it shall have been passed by the Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the comptroller and shall become effective as otherwise provided by law.

Chairman Edmund Ford, Jr.

THE FOREGOING ORDINANCE
5514 PASSED
1st Reading 5-7-13
2nd Reading 5-21-13
3rd Reading 6-4-13
Approved Edmund Ford, Jr.
Chairman of Council
Date Signed: 6/14/2013
Approved: [Signature]
Mayor, City of Memphis
Date Signed: 6/24/2013

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

Valerie C. Sipes
Comptroller