CUMBERLAND TOWN COUNCIL

ORDINANCE NO. 2019-14

AN ORDINANCE OF THE TOWN OF CUMBERLAND AMENDING SUMMER SERVICE CREDIT RULES FOR SANITARY SERVICES

WHEREAS, because sanitary rates for sanitary services are based substantially on water usage and because some residential users use water for watering of lawns, filling swimming pools, and other uses which do not require the treatment of water for sanitary purposes, the Sanitary Utility allows residential users to apply for a reduction of their rates and charges during summer months as part of its Summer Service Credit Program; and

WHEREAS, the current Summer Service Credit Program allows for a reduction in rates and charges for a four-month period, beginning June 1 and ending September 30; and

WHEREAS, residential users have requested that the Summer Service Credit Program be extended to a five-month period, beginning May 1 and ending September 30 because many of the activities on which the credit is based begin in the month of May; and

WHEREAS, the Cumberland Sanitary Board has considered this request and has found that the Program would be more equitable to residential users if it is available for a five-month period rather than a four-month period; and
WHEREAS, the Cumberland Sanitary Board has requested that Chapter 50 be amended to provide for these changes in the Program.

WHEREAS, the Cumberland Town Council now finds it is in the best interests of the Sanitary Utility and the users that the Summer Service Credit Program provided for in Chapter 50 be amended as requested by the Sanitary Board:

IT IS, THEREFORE, ORDAINED that Section 00-05-50-104 of the Cumberland Town Code be amended to read as follows:

“§ 00-05-50-104 SCHEDULE OF RATES AND CHARGES.

(A) For the use of and service rendered by the sewage works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate, or building connected with the town's sanitary sewer system or that otherwise discharges sanitary sewage, industrial waste, water, or other liquids, either directly or indirectly, into the sanitary sewer system of the town. These rates and charges include user charges, debt service costs, connection charges, connection permit fees, sewer interceptor charges, excessive strength surcharges, and other service charges, which rates and charges, whether listed in this section or elsewhere in Chapter 50, shall be payable as set forth in this chapter:

(B) Summer Service Credit. In recognition that many residential users use significant amounts of water during the summer months for watering of lawns, filling of swimming pools and other uses that do not cause water to be discharged into the sanitary sewer system, residential users may apply for a summer service credit in order to reduce that part of their sewer bill which is based on water usage reported on their five (5) bills for the billing months of May, June, July, August, and September. If a user applies for a summer service credit on or before April 1 of each year, the user’s bill for the five (5) months in the summer service credit period (May, June, July, August and September) will be equal to the user’s twelve-month average bill, based on the user’s water usage amounts reported on the user’s 12 bills for the billing months of January through December for the prior year, in accordance with
rules established by the Sewer Utility Board for the Summer Service Credit. If the residential user has not resided in the residence for at least 12 months, the credit will be calculated using the water usage of the previous resident of the residence during the 12-month period the residence was occupied. Residents of new homes will not be entitled to a credit until they have occupied the residence continuously for a 12-month period. Applications for summer service credits are available in the Utility Office.

(C) User monitoring costs. If the Sewer Utility Board determines that it is necessary to monitor a user's discharges into the town's sanitary sewer system in order to assure compliance with the requirements of Chapter 50, the user shall be charged the actual costs to the town for the monitoring. (Ord. 2001-9, passed 6-6-2001; Am. Ord. 2001-13, passed 8-1-2001; Am. Ord. 2002-07, passed 5-1-2002; Am. Ord. 2002-15, passed 6-5-2002; Am. Ord. 2002-16, passed 9-19-2002; Am. Ord. 2011-5, passed 5-18-2011; Ord. 2014-13, passed _____; Am. Ord. 2017-23, passed -2017; Am. Ord. 2019-13, passed 9-4-19)."

IT IS FURTHER ORDAINED that all other provisions of the Cumberland Town Code which are not expressly amended by this ordinance remain in full force and effect.

IT IS FURTHER ORDAINED that this ordinance will be effective upon adoption.

Adopted this 4th day of September, 2019.
A Majority of the Cumberland Town Council

Joe Siefker, President

Anna Pea, Vice President

Nicole Bell, Council Member

Brian Gritter, Council Member

Aaron Cutshaw, Council Member

ATTEST:

Erica Salmon, Clerk-Treasurer
Town of Cumberland