

CITY OF ROBERTS
ORDINANCE NO. 529
SEWER ORDINANCE

AN ORDINANCE RELATING TO THE SEWER SYSTEM OF THE CITY OF ROBERTS, IDAHO; DECLARING ITS PURPOSE TO PROTECT AND IMPROVE THE PUBLIC HEALTH OF ITS CITIZENS; REQUIRING MANDATORY CONNECTION TO THE SEWER SYSTEM, ESTABLISHING USER RATES, ESTABLISHING CONNECTION FEES, ESTABLISHING RULES FOR CONNECTION, ESTABLISHING RATES AND PROCEDURES FOR THE COLLECTION OF DELINQUENT ACCOUNTS OR DISCONTINUANCE OF SEWER SERVICE IN THE EVENT OF DELINQUENCY; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ORDINANCE; SETTING FORTH THE MANNER IN WHICH ITS PROVISIONS SHALL BE ENFORCED; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE PUBLICATION OF A SUMMARY HEREOF, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Roberts, Idaho, the "City" herein, under and pursuant to the powers vested in it by Idaho Code, in order to promote the public health and welfare, deems it necessary to make and place into effect certain rules and regulations to provide efficient service of the public sewer system of the City; and

WHEREAS, the City, pursuant to Idaho Code, has the power to prescribe and collect rates, fees; tolls or charges for the use of the public sewer system of the City, and it is necessary and expedient that such rates, fees, tolls, or charges be established to provide for the repayment of City indebtedness for the construction and installation of the system and for its efficient maintenance and operation, and in establishing such rates and charges the City has taken into account the cost and value of the system, operation and maintenance expenses, possible delinquencies, proper allowance for depreciation, contingencies and any amounts necessary to retire all bonds payable from net revenues and the reserve therefor, and

WHEREAS, the City deems it necessary to protect and improve the public health and general welfare of the citizens of the City to require mandatory connection of homes or other facilities within the City to the public sewer system, and the City has the power to require such mandatory connection, and

WHEREAS, the exercise of all such powers vested in the City is appropriately exercised by the passage of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROBERTS, IDAHO:

SECTION 1. Rules and Regulations.

(1) Short title. This ordinance shall be known as "Rates, Rules, and Regulations for the Operation of the Sewer System of the City of Roberts, Jefferson County, Idaho", and may be so cited and pleaded.

(2) Scope. The City and all customers receiving services from the City are bound by these rules and regulations of the City of Roberts.

SECTION 2. Definitions of General Terms.

(1) City. Whenever the word "City" is used, it shall mean the legally constituted municipal government of the City of Roberts, Jefferson County, Idaho.

(2) City Council. Whenever the words "City Council" are used, they shall mean the legally elected group of members composing the City Council, including the Mayor, of the City of Roberts, Idaho.

(3) Superintendent. Whenever the word "Superintendent" is used, it shall mean the person appointed by the City Council to superintend the affairs of the City. If not so appointed then the public works director.

(4) Applicant. Whenever the word "applicant" is used, it shall mean the person or persons, firm or corporation, making application for sewer service from the City under the terms of these regulations.

(5) Customer or user. Whenever the words "customer" or "user" are used, it shall mean the owner of a residence, building, or structure who has made application and who has been accepted under the terms of these regulations and who receives sewer service from the City. The term "customer" or "user" shall not include tenants as it shall be the owner's responsibility to apply for service and to pay for service.

(6) Single Family Dwelling: A building designed for or occupied by one family for living or sleeping purposes, and having kitchen or cooking facilities.

(7) Duplex: A building designed, built, rented, or leased for occupancy by two (2) families living independently of each other.

(8) Multi-Family Dwelling or Apartment House: Any building or portion thereof which is designed, built, rented, leased, lent, or hired out to be occupied or which is occupied as the home or residence of three (3) or more families or persons living independently of each other and doing their own cooking within the premises, which shall include townhouses or condominiums.

(9) Trailer House or Mobile Home: a detached single-family dwelling unit used or so constructed as to permit its being used as a conveyance upon the public streets or highways and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one or more persons.

(10) Auto Court, Motor Court, Travel Trailer Court, Motel, Hotel, etc.: The combination of group of two (2) or more dwelling units occupying a building site or area under one owner-ship, used for the purpose of furnishing transient living accommodations.