

NOTICE OF INTRODUCTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on Thursday, April 25, 2013, and laid over for publication of notice:

L.P. ORDINANCE NO. 13-18

AN ORDINANCE AMENDING CHAPTER 17, ARTICLE VI, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, “WATER, SEWER AND GAS,” BY AMENDING SECTION 17-280, “DEFINITIONS”, TO PROVIDE FOR A TAP-IN FEE, CONNECTION FEE, TAMPERING FEE, AMEND SECTION 17-291, “UTILITY RATES AND CHARGES ESTABLISHED”, AND ALSO TO REVISE WATER UTILITY RATES BY AMENDING SECTION 17-297, “UTILITIES FEE SCHEDULE, EXHIBIT A - WATER”, AND TO AMEND SECTION 17-298, PART B, “DISCONTINUATON OF SERVICE BY PARISH”.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, May 23, 2013, at six (6:00) o’clock p.m., at the Governmental Building, Parish Council Chambers, 20355 Governmental Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

Lisa Frederick, Council Clerk

Marshall Harris, Council Chairman

(As per rules of the Council, copies of the proposed ordinance shall be made available for public inspection in the Office of the Livingston Parish Council.)

The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Livingston Parish Council on Thursday, April 25, 2013, a summary thereof having been published in the Official Journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on Thursday, May 23, 2013, on Motion of _____ and seconded by _____:

L.P. ORDINANCE NO. 13-__

AN ORDINANCE AMENDING CHAPTER 17, ARTICLE VI, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "WATER, SEWER AND GAS," BY AMENDING SECTION 17-280, "DEFINITIONS", TO PROVIDE FOR A TAP-IN FEE, CONNECTION FEE, TAMPERING FEE, AMEND SECTION 17-291, "UTILITY RATES AND CHARGES ESTABLISHED", AND ALSO TO REVISE WATER UTILITY RATES BY AMENDING SECTION 17-297, "UTILITIES FEE SCHEDULE, EXHIBIT A - WATER", AND TO AMEND SECTION 17-298, PART B, "DISCONTINUATION OF SERVICE BY PARISH".

WHEREAS, the Livingston Parish Council adopted LP Ordinance 05-33 on September 22, 2005, supplementing the Code of Ordinances of the Parish of Livingston by adding Article VI, "Utility Operations;" and

WHEREAS, the Livingston Parish Council subsequently amended Section VI of Chapter 17 of the Code of Ordinances by adopting LP Ordinances 07-31 and 09-19 and 09-24; and

WHEREAS, the Livingston Parish Council now finds it prudent and necessary to make further amendments to Chapter 17, Article VI, "Utility Operations," in order for the Parish of Livingston's Utilities to transition with the French Settlement Water Company/Livingston Parish Utilities Cooperative Endeavor Agreement and establish procedures and rates to be as similar as possible;

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of Livingston Parish, Louisiana: **Section 17-280. Definitions.** Of the Code of Ordinances of the Parish of Livingston, Louisiana, is hereby amended as follows by adding:

Connection fee means the actual cost incurred by the Parish in making the physical connection to the water system, including both direct and indirect costs.

Tapping fee means the actual cost incurred by the Parish of Livingston in making the physical connection between the customer's service line and the water system, including both direct and indirect costs.

Tampering fee means a charge assessed when a customer by-passes a meter, turns their service on without notifying the water system or otherwise tampers with the water system's meter, meter box or other integral part of the meter service assembly. Said tampering fee charged to the customer will be the cost to replace or repair any and all damage and will not be less than \$65.00.

BE IT FURTHER ORDAINED by the Parish Council of Livingston Parish, Louisiana: **Section 17-291. Utility rates and charges established.** Of the Code of Ordinances of the Parish of Livingston, Louisiana, is hereby amended by deleting paragraph (c) and adding the following:

Paragraph (c) Connection fees, Hookup fees, and Tapping fees. The connection fee, hookup fee and tapping fee as per Exhibit A of this section will be collected at the time of application is made for water and/or sewer service.

BE IT FURTHER ORDAINED by the Parish Council of Livingston Parish, Louisiana: **Section 17-297. Utilities fee schedule.** Of the Code of Ordinances of the Parish of Livingston, Louisiana, is hereby amended as follows:

Section 17-297 of the Code of Ordinances is rescinded in accordance with LP Ordinance 09-24 adopted October 8, 2009, and is hereby reinstated as it pertains to the amended Schedule A, **attached hereto**, and shall read as follows:

Sec. 17-297. All fees related to water and sewer services in the Parish of Livingston shall be in accordance with Exhibit A, as follows:

BE IT FURTHER ORDAINED by the Parish Council of Livingston Parish, Louisiana:

Section 17-298. Discontinuance and restoration of service. PART (B), Discontinuance of service by parish. Of the Code of Ordinances of the Parish of Livingston, is hereby amended by deleting paragraph (b) its entirety and adding the following:

(b) Service under any application and any other public or private use, may be discontinued for

any of the following reasons:

- (1) For misrepresentation in application as to property to be served or fixtures to be supplied, or the use to be made of the water supply.
- (2) For the use of water for any other property or purpose than that described in the application.
- (3) For non-payment of any water bill for more than thirty (30) days after the same is due.
- (4) For molesting any service pipe, meter, curb stop, corporation stop, seal, or any other appliance of the Company controlling or regulating the water supply.
- (5) In case of vacancy of premises.
- (6) For violation of any of the rules contained herein.
- (7) Refusal to permit inspection of plumbing by representatives of the Water Company at reasonable hours.
- (8) Where service has been discontinued for violation of any rule contained herein, the Company shall not be required to restore service until all unpaid accounts due from the customer to the Company have been paid in full, plus a reconnection charge, and a deposit is posted or increased, if necessary.
- (9) When service is discontinued for any other cause, it will not be restored until the cause of the suspension has been removed or remedied.
- (10) The Company shall not be liable for damage occasioned by suspension of service when such suspension is affected in accordance with these provisions.

All bills unpaid twenty (20) days after billing date will be delinquent. After a total of thirty (30) days following billing date, if bill is still unpaid, the Company shall have the right after due written notice of such non-payment to the last known address, to discontinue service seven (7) days following sending of notice and shall not be required to restore service until all unpaid accounts due from the customer to the Company have been paid in full, plus a reconnection charge, and a deposit is posted or increased, if necessary.

BE IT FURTHER ORDAINED by the Livingston Parish Council that if any provision of this ordinance is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance, which can be given effect without the invalid provisions, or application, and to this end the provisions of this ordinance are hereby declared severable.

The above and foregoing addition to the Code of the Parish of Livingston having been read by title and considered in open, public meeting was thereupon submitted to a vote; the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

And the ordinance was declared adopted on this 23rd day of May 2013.

Marshall Harris, Council Chairman

ATTEST:

Lisa Frederick, Council Clerk

INTRODUCED _____ ADOPTED _____

DELIVERED TO PRESIDENT _____, _____ o'clock ____ .M.

APPROVED BY PRESIDENT _____
Layton Ricks Date

VETOED BY PRESIDENT _____
Layton Ricks Date

RECEIVED FROM PRESIDENT _____, _____ o'clock ____ .M.

EXHIBIT A

LIVINGSTON PARISH UTILITIES

FEE SCHEDULE

Water

Residential Rate		Commercial Rate
First 2,000 gallons or less	\$10.70 (minimum)	\$25.00 (Minimum)
Next 48,000 gallons	\$2.55 per 1,000 gallons	\$2.55 per 1,000 gallons
All excess	\$2.55 per 1,000 gallons	\$1.32 per 1,000 gallons

Tap-in fee	\$175.00
Connection fee	\$15.00
Reconnection Fee	\$25.00 during regular business hours \$45.00 after hours or weekends This charge is for re-establishing service after disconnection for non-payment, failure to make deposit, fraudulent or seasonal use.
Service charge	\$25.00 during regular business hours \$45.00 after hours or weekends This charge is due to a customer's request to have a serviceman dispatched to their home for personal assistance, not related to the customer's service line. For the customer paying their bill by credit card, an additional convenience fee will be assessed for each transaction. This fee will be the actual fee charged by the 3 rd party processor.
Tampering fee	Not less than \$65.00 per occurrence
NSF Charge	\$20.00
Deposit	2 ½ times average monthly bill, but not less than \$50.00 for owners or \$75.00 for renters or commercial accounts.
Meter test fee	\$25.00 (Only if meter tests accurately)

Sewer

Residential Rate		Commercial Rate	
Flat Rate per month	\$30.00	Flat Rate per month	\$40.00

	Owner	Renter	Temporary
Deposits	\$40.00	\$80.00	\$100.00
Service Charge	\$15.00	\$15.00	\$15.00
Hookup fee	\$125.00	\$125.00	\$125.00
Reconnection Fee	\$50.00	\$50.00	\$50.00
Disconnection Fee	\$50.00	\$50.00	\$50.00
Allow 3-4 weeks for sewer service installation			

Road Bores	\$325.00 each service
After Hours Reconnection	\$75.00 each service
All NSF checks	\$25.00 each
Past Due Penalty	10% of past due amount