

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one:)

of Plattsburgh

Local Law No. 1 of the year 2012

A local law AMENDING IN ITS ENTIRETY CITY CODE SECTION 257-15 C AND SETTING WATER
(Insert Title)
SERVICE RATES AND ENACTING REGULATIONS FOR LEVY AND COLLECTION OF
WATER CHARGES

Be it enacted by the Common Council of the
(Name of Legislative Body)

County City Town Village
(Select one:)

of Plattsburgh as follows:

1. This local law amends and restates in its entirety City Code **§257-15 C**, entitled **"Schedule of Rates; Regulations (Water Services)"**.
2. If any clause, sentence, paragraph, subdivision or part of this section shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered.
3. This law shall not affect the validity or enforceability of any water charge, interest, penalty or lien that accrued or attached before the effective date of this law.
4. The rates for water services and the regulations for levying and collecting water charges are as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Service Classification No.: 1

APPLICABLE TO THE USE OF SERVICE FOR:

All customers taking service within the corporate limits of the City of Plattsburgh, for bills rendered on and after March 1, 2012

CHARACTER OF SERVICE:

Continuous

USAGE RATE:

Per Month.

		PER THOUSAND GALLONS	
		<u>GROSS</u>	<u>NET</u>
First	2,000 Gallons	5.71	5.18
Next	14,000 Gallons	4.51	4.11
Next	17,000 Gallons	4.03	3.66
Next	133,000 Gallons	3.82	3.46
Next	167,000 Gallons	3.70	3.36

MINIMUM CHARGE:

Monthly

<u>METER SIZE</u>	<u>GALLONS</u>	MINIMUM CHARGE	
		<u>GROSS</u>	<u>NET</u>
5/8 "	2,000	11.44	10.40
3/4 "	4,000	20.49	18.62
1 "	7,000	34.10	31.01
1-1/4 "	10,000	47.63	43.31
1-1/2 "	13,000	61.22	55.54
2 "	21,000	94.78	86.18
3 "	40,000	169.59	154.17
4 "	66,000	269.24	244.76

6 "	130,000	514.62	467.82
8 "	210,000	815.94	741.77
10 "	300,000	1149.99	1045.44

INFRASTRUCTURE INVESTMENT CHARGES (IIC): Annual charges, to be billed monthly, based on meter size.

NEW STORAGE TANKS IIC 2009

<u>Meter/Service</u>	Annual Charge	
<u>Line Size</u>	<u>\$/Yr/Service</u>	<u>\$/Month</u>
5/8"	15	1.25
3/4"	30	2.50
1"	45	3.75
1.5"	65	5.42
2"	185	15.42
3"	1,000	83.33
4"	1,650	137.50
6"	2,700	225.00
8"	4,800	400.00

MEAD DAM IIC 2012

<u>Meter/Service</u>	Annual Charge	
<u>Line Size</u>	<u>\$/Yr/Service</u>	<u>\$/Month</u>
5/8"	11.40	0.95
3/4"	22.80	1.90
1"	34.20	2.85
1.5"	49.40	4.12
2"	140.60	11.72
3"	760.00	63.33
4"	1,254.00	104.50
6"	2,052.00	171.00
8"	3,648.00	304.00

TERMS OF PAYMENT

Except as set forth in the following subsection entitled "Special Provision" meters shall be read and bills shall be rendered monthly, in arrears. The water consumed times the water rate shall be the net amount of the water charges and shall be due and payable when the bill is rendered. The gross amount of the water bill shall be the net amount plus 10% of the net amount. The gross amount shall be due and payable if the net amount is not paid within 20 days of the date of the billing. If the gross amount of a water bill is not paid, the gross amount shall accrue interest at the rate of 1.5 per cent per month until date of payment.

TERM:

. From the date of commencement of service, pursuant to application, until 10 days written notice is given prior to the date set for discontinuance or upon discontinuance by the water department in accordance with the provisions of this Schedule of Water Service.

SPECIAL PROVISION:

Meters may be read and/or bills rendered monthly at the option of the Water Department. The terms of payment, for monthly billings are net-twenty days after date of bill. Gross amount plus interest shall be due thereafter.

All those customers who do not have water meters installed in the water service line serving their premises on the effective date of this service classification shall be billed at the rate of \$18.62/month until such time that a water meter has been set in the water service line to their premises. Thereafter, the rates for water service above set forth shall apply.

Elderly persons that qualify for the Real Property Tax Exemption shall also be exempt from the Minimum Charge for water service and be charged for only the actual gallons of water consumed.

Service Classification No. 3

APPLICABLE TO USE OF SERVICE FOR:

Private fire protection service within the corporate limits of the City of Plattsburgh.

CHARACTER OF SERVICE:

Continuous.

RATE:

(a) Private Fire Lines

<u>SIZE OF SERVICE</u>	<u>ANNUAL CHARGE</u>	<u>QUARTERLY</u>	<u>MONTHLY</u>
2 inch	164.69	41.18	13.73
3 inch	357.27	89.31	29.78
4 inch	424.09	106.02	35.34
6 inch	764.67	191.18	63.73
8 inch	1559.12	399.80	133.26
10inch	2293.59	573.41	191.15

(b) Private Fire Hydrant

Annually per hydrant: 741.52 185.39 61.80

(c) Infrastructure Investment Charge: \$528/hydrant/year

(\$132.00/Quarter, \$44.00/month)

MINIMUM CHARGE:

None

TERMS OF PAYMENT:

Net cash on presentation of bill. Bills may be rendered quarterly or monthly.

TERMS:

From the date of commencement of service, pursuant to application, until thirty days written notice is given prior to the date set for discontinuance by the Water Department in accordance with provisions of this Schedule Water Service.

SPECIAL PROVISION:

The foregoing rates for private fire protection service are based on unmetered service. Water for Fire Extinguishment purposes and limited testing requirements is provided at no extra charge. However, if, in the opinion of the Water Department, the installation of a fire line meter is required, the customer shall make said installation at his own expense. The entire meter installation shall be constructed and installed according to the specifications of the Water Department. There shall be no branch connections to said fire service line other than those for fire protection service.

5. This law shall take effect immediately upon filing with the New York Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. ¹ _____ of 20¹² of the (County)(City)(Town)(Village) of Plattsburgh was duly passed by the Common Council on 2 February 20¹², and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the Mayor and was deemed duly adopted *(Elective Chief Executive Officer*)* on 3 February 20<sup>| | |
|---|---|
| 1 | 2 |
|---|---|</sup>, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20 _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 ____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20 _____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 2 above.



Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body
Keith A. Herkalo

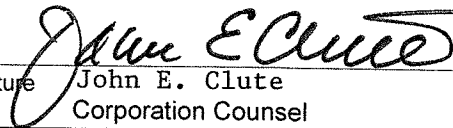
(Seal)

Date: 9 February 2012

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF Clinton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Signature John E. Clute
Corporation Counsel

Title _____

~~COUNTY~~

City of Plattsburgh

~~TOWN~~

~~VILLAGE~~

Date: 9 February 2012