

ORDINANCE NO. 17 - 2025

AN ORDINANCE OF THE CITY OF BEREHA, KENTUCKY, REVISING SECTION 32.103 OF THE BEREHA CITY CODE TO AMEND THE BEREHA MUNICIPAL UTILITIES WATER RATE SCHEDULE FOR WATER SUPPLY SERVICE; TO REVISE SECTION 31.383 OF THE BEREHA CITY CODE TO AMEND THE SEWER RATES SCHEDULE FOR SEWER SERVICE; AND TO ADD SECTION 31.335 TO THE BEREHA CITY CODE PROVIDING FOR REGULATIONS FOR LOW PRESSURE FORCE MAINS

WHEREAS, § 32.103 of the Bereha City Code establishes the Bereha Municipal Utilities water rate schedule; and

WHEREAS, § 31.383 of the Bereha City Code establishes the Bereha Municipal Utilities sewer rate schedule; and

WHEREAS, Bereha Municipal Utilities has entered into an agreement with a third party to change all existing water meters to Advanced Metering Infrastructure (AMI) equipment; and

WHEREAS, the new AMI meters will read in gallons where the old metering system provided cubic feet readings, so that as the meters are changed the new equivalent rate will be applied to the individual water service and sewer service accounts; and

WHEREAS, the goal of this change is to provide the gallons equivalent to the existing cubic feet rates; and

WHEREAS, this revised rate is not an increase but rather the adjustment of metering to the 7.48 gallons per cubic feet equivalent rate, so that water and sewer service customers will not have an increase or decrease on monthly usage charges and Bereha Municipal Utilities will not have an increase or decrease in revenue based on the new rates; and

WHEREAS, Bereha Municipal Utilities has determined that as development continues to grow within the City of Bereha, and particularly BMU sanitary sewer service

area, areas that were previously passed up for development due to lack of sewer availability and gravity sewer prohibitive terrain are slowly being looked at for development; and

WHEREAS, in order to adapt to these difficult development conditions, BMU will allow developers to propose LPFM systems by providing an alternative means of wastewater conveyance in areas where gravity sewer service is impractical, cost-prohibitive, and/or unavailable while ensuring protection of public health, safety, and the environment; and

WHEREAS, These systems are not meant to be used in all developments, will require preapproval for installation, and shall be primarily for single family homes; and

WHEREAS, the City Council of the City of Berea, Kentucky, has determined that the rates and tariffs charged for the municipal water utility and municipal sewer utility should be revised to the new equivalent rate in order to continue the efficient and proper management of the water and sewer utility systems and to conserve the natural resources used for the water supply; and

WHEREAS, the City Council of the City of Berea, Kentucky, has determined that the Berea Municipal Utilities wastewater treatment service should allow low pressure force main systems under limited circumstances;

NOW, THEREFORE BE IT ORDAINED by the City Council, City of Berea, Commonwealth of Kentucky;

SECTION I

That Section 32.103 of the Berea City Code is hereby amended so that such Section shall read as follows:

§ 32.103 WATER RATES

The following rates and tariffs be and the same are hereby adopted by the city for the operation of the water utility.

~~(A) Class A Residential~~

~~— First 200 cubic feet (minimum bill) ————— \$10.00 /monthly
— Cubic feet over first 200 ————— \$3.76/100 cubic feet~~

~~(B) Class 2 Commercial~~

~~— First 200 cubic feet (minimum bill) ————— \$10.45/monthly
— Next 1,800 cubic feet ————— \$3.86/100 cubic feet
— Next 3,000 cubic feet ————— \$3.51/100 cubic feet
— Next 5,000 cubic feet ————— \$3.11/100 cubic feet
— Next 5,000 cubic feet ————— \$2.56/100 cubic feet
— Over 15,000 cubic feet ————— \$2.26/100 cubic feet~~

~~(C) Class 3 Industrial~~

~~— First 200 cubic feet (minimum bill) ————— \$10.45/monthly
— Next 1,800 cubic feet ————— \$3.86/100 cubic feet
— Next 3,000 cubic feet ————— \$3.51/100 cubic feet

— Next 5,000 cubic feet ————— \$3.11/100 cubic feet
— Next 5,000 cubic feet ————— \$2.56/100 cubic feet
— Over 15,000 cubic feet ————— \$2.26/100 cubic feet~~

~~(D) Class 6 Wholesale Service~~ This class of service is also subject to the applicable rules and regulations adopted from time to time for the Berea Municipal Water Utility by the City Council.

~~Garrard County Water Association~~

~~Per cubic foot for all water used \$0.0162490~~

~~Southern Madison Water District~~

~~Per gallon for all water used \$0.0021720~~

~~(E) Class 7 Fire Protection~~

~~6 inch sprinkler line \$41.00/monthly~~

~~8 inch sprinkler line \$57.00/monthly~~

~~10 inch sprinkler line \$74.00/monthly~~

~~12 inch sprinkler line \$90.00/monthly~~

<u>A. Residential Rate</u>	<u>First 1,496 Gallons</u> <u>Over 1,496 Gallons</u>	<u>\$12.00 Flat Fee per month</u> <u>\$0.006885 per gallon</u>
<u>B. Commercial Rate</u>	<u>First 1,496 Gallons</u> <u>Next 13,464 Gallons</u> <u>Next 22,440 Gallons</u> <u>Next 37,400 Gallons</u> <u>Next 37,400 Gallons</u> <u>Over 112,200 Gallons</u>	<u>\$13.00 Flat Fee per month</u> <u>\$0.006123 per gallon</u> <u>\$0.005655 per gallon</u> <u>\$0.005120 per gallon</u> <u>\$0.004385 per gallon</u> <u>\$0.004144 per gallon</u>
<u>C. Fire Protection Rate</u>	<u>6" Sprinkler Line</u> <u>8" Sprinkler Line</u> <u>10" Sprinkler Line</u> <u>12" Sprinkler Line</u>	<u>\$47.25 per month</u> <u>\$65.75 per month</u> <u>\$85.25 per month</u> <u>\$103.75 per month</u>
<u>D. Wholesale Rate</u>	<u>Garrard County Water Association</u>	<u>\$0.020777 per gallon</u>

Southern Madison
Water District

\$0.002777 per gallon

~~(F)~~ E. *All Classes*

(1) *Late payment charge:* 10% will be added if bill is not paid by the 10th day after billing date; provided that the one-time waiver of delinquent utility bills specified in § 31.105 shall also apply to water bill delinquencies.

(2) *Reconnect charges:* \$20.00.

(3) *Discontinuance of service for non-payment:* If the account is not paid by the 20th day after the date of mailing of the monthly bill, service may be discontinued in accordance with the rules and regulations of the Berea Municipal Water Utility.

(4) *Additional charges:* There shall be added to the bill of each customer as a separate item:

(a) A franchise replacement fee equal to 3% of the gross bill for the water service provided, pursuant to Ordinance No. 16-04; and

(b) An amount equal to the proportionate share of any license, franchise or similar fee or tax now or hereafter imposed upon the Berea Municipal Water Utility by any governmental body or entity, including but not limited to Berea Independent School District or the Madison County School District, or the Kentucky River Authority or similar administrative or governmental body.

(5) *Revenue stabilization adjustment:* A monthly adjustment, which may either be a charge or credit, shall be applied for the purpose of providing for the difference between

Berea's budgeted cost of service and projected revenues for the current fiscal year. Cost of service shall include operation and maintenance expenses, interest and principal on debt, average extensions and replacements, and margins. The adjustment shall be determined prior to the beginning of each fiscal year and remain in effect for the entire fiscal year. For customers taking service under Residential Service - Class 1, Commercial - Class 2, or Industrial - Class 3, the revenue stabilization adjustment shall be applied as charge or credit per cubic foot or gallon, whichever is applicable.

(6) *Penalty fee for tampering with metering device:* In the event a customer, or anyone on the customer's behalf, reconnects service or otherwise tampers with the service connection or metering device after service is terminated for non-payment, then (a) BMU is authorized to disconnect the service and/or remedy the tampered with service connection or metering device, and (b) the customer shall be assessed a penalty fee of \$500.00, in addition to any reconnect charges, to be added to the customer's bill of account at BMU, and BMU shall not provide service to the customer until the full amount of the customer's account, including any penalty fee and overdue service payment, is paid and satisfied in full.

SECTION II

That Section 31.383(A) of the Berea City Code is hereby amended so that such Section shall read as follows:

§ 31.383 SEWER RATES

(A) The rates and charges for sewer service shall be based insofar as possible upon the quantity of water supplied to the respective premises as the same is measured by water meter(s) used by the utility companies supplying water to sewer customers.

There shall be charged monthly to the owner or occupant of each and every lot, parcel of land, building or premises, within the corporate limits, discharging sewage, water or other liquid wastes connected with the municipal sewer system, the following rates for user charges and rates for debt service charges based upon the water meter readings or estimated water consumption as follows:

(1) *Commodity charge:*

A. Berea Municipal Utility Customers

First ~~200 cubic feet~~ 1,496 gallons (minimum bill) ~~\$6.9000~~10.50/monthly

Over ~~200 cubic feet~~ 1,496 gallons ~~\$2.63/100 cubic feet~~ 0.006296/gallon

B. Southern Madison Water Utility Customers

First ~~200 cubic feet~~ 1,496 gallons (minimum bill) ~~\$6.9000~~10.50/monthly

Over ~~200 cubic feet~~ 1,496 gallons ~~\$2.63/100 cubic feet~~ 0.006296/gallon

(2) *Late payment charge:* 10% will be added if bill is not paid by the 10th day after billing date.

(3) *Reconnect charges:* \$20.00 for customers of Berea Water Utility; \$40.00 for customers of Southern Madison Water District.

(4) *Discontinuance of service for non-payment:* If the account is not paid by the 20th day after the date of mailing of the monthly bill, service may be discontinued in accordance with the rules and regulations of the Berea Municipal Sewer Utility.

(5) *Additional charges:* There shall be added to the bill of each customer as a separate item an amount equal to the proportionate part of any license, franchise or similar fee or tax now or hereafter imposed upon the Berea Municipal Sewer Utility by any

governmental body or entity, including but not limited to the Berea Independent School District or the Madison County School District, or similar administrative or governmental body.

SECTION III

That the Code of Ordinances is hereby amended to enact Sections 31.335 of the Berea City Code so that such Section shall read as follows:

A. Definitions

For purposes of this Section:

1. **Low-Pressure Force Main (LPFM) System** means a wastewater collection system in which small groups of users discharge sewage through privately owned and maintained grinder pumps or ejector pumps into a pressurized force main owned and maintained by BMU.
2. **Grinder Pump Unit** means a sewage pump equipped with a grinder or macerator device designed to receive and grind domestic wastewater from a structure and discharge it under pressure into an LPFM system.
3. **Service Connection** means the privately owned piping, pump, and appurtenances extending from a building's plumbing system to the public LPFM force main.
4. **Public Force Main** means the pressurized sewer piping system owned and maintained by BMU that receives discharge from one or more service connections.

B. Authorization

1. BMU hereby authorizes the use of LPFM systems as an approved means of wastewater collection within designated service areas, subject to compliance with the design and operational requirements set forth in this Section.
2. The BMU Director (or equivalent official) shall determine where LPFM systems are appropriate and may approve such systems where:
 - a. The area's topography prevents gravity flow
 - b. Extension of gravity sewer is economically infeasible
 - c. Installation of LPFM system is advantageous to promote development within the BMU sanitary sewer service area, benefits the customer in providing public sewer access, and is economically beneficial to the developer.

d. BMU determines that an LPFM system provides equal or superior environmental protection.

C. Design and Construction Standards

1. All LPFM systems shall be designed in accordance with the Kentucky Energy and Environment Cabinet's Division of Water—Minimum Design Criteria for Sanitary Sewer Systems (latest edition), the Kentucky Plumbing Code (815 KAR 20:025), and BMU design standards for pressure sewer systems.
 2. All materials, workmanship, pipe sizes, and appurtenances shall conform to standards approved by the BMU Director.
 3. Grinder pump units shall be approved by BMU prior to installation and shall include check valves, isolation valves, and electrical controls meeting local electrical code requirements.
 4. Grinder pump units shall be installed per the manufacturer's recommendations.
 5. Force main design shall include adequate provisions for flushing, air release, and maintenance access.
 6. No connection to a public LPFM system shall be made without prior written approval and inspection by BMU authorizing officials.
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D. Ownership and Maintenance

1. **Private Components:** Grinder pumps, service laterals, and all components upstream of the connection to the public force main shall be owned, operated, and maintained by the property owner.
 2. **Ownership and maintenance responsibilities shall be included as a note on the recorded final plat and submitted on deed restrictions.**
 3. **Public Components:** The public LPFM force main and all appurtenances downstream of the service connection shall be owned, operated, and maintained by BMU.
 4. Property owners shall be responsible for ensuring continuous operation of grinder pump units and for repairs or replacements as necessary to maintain service.
 5. BMU shall have the right to enter upon private property, at reasonable times, to inspect LPFM installations for compliance and to address public health or operational concerns.
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E. Prohibitions and Requirements

1. No person shall connect to or discharge into an LPFM system without authorization from BMU.
2. Roof drains, foundation drains, sump pumps, or any other inflow or infiltration sources are strictly prohibited from being connected to any LPFM or sanitary sewer system.
3. The discharge of industrial wastewater, grease, oils, or any non-domestic pollutants into an LPFM system is prohibited unless specifically authorized in writing by BMU under a separate permit or pretreatment agreement.
4. No person shall bypass, alter, or modify a grinder pump system without BMU approval.

F. Fees and Assessments

BMU may establish connection fees, inspection fees, and maintenance charges for LPFM systems by separate resolution or ordinance.

G. Enforcement and Penalties

1. Any violation of this Section shall constitute a violation of the Berea Sewer Use Ordinance and be subject to enforcement actions, disconnection, penalties, or legal remedies as provided in the Berea Code of Ordinances.
2. BMU may disconnect or suspend sewer service to any property found to be in violation until compliance is achieved.

SECTION IV

The provisions of Sections I and II herein will apply to BMU's customers in the month after the AMI water meters are installed on the respective customer's premises.

SECTION V

That all ordinances or parts of ordinances in conflict herewith are repealed. This Ordinance shall be published according to law.

FIRST READING: December 2, 2025

SECOND READING AND ENACTMENT: _____, 2025

APPROVED BY:

Bruce Fraley, Mayor

ATTEST:

City Clerk

Published this _____ day of _____, 2025.

Prepared by:

Corporation Counsel