

ORDINANCE NO. 13 - 2025

AN ORDINANCE OF THE CITY OF BERE, KENTUCKY, RELATING TO THE RESTRUCTURING OF FUNDING OF THE EMERGENCY COMMUNICATIONS CENTER/ENHANCED 911 SERVICE THROUGH IMPLEMENTATION OF A WATER METER FEE IN THE INCORPORATED AREAS OF THE CITY OF BERE.

WHEREAS, Pursuant to Resolution No. 17-2025, the City of Bere has entered into a Madison County Emergency Communications Center Interlocal Agreement with the Madison County Fiscal Court and the City of Richmond, Kentucky, dated September 2025 (the Agreement); and

WHEREAS, the Agreement provides that the Madison County Emergency Communications Center (the MCECC) shall be jointly funded by the Madison County Fiscal Court, the City of Richmond, and the City of Bere; and

WHEREAS, the Agreement further provides that the parties to the Agreement shall contribute to the projected MCECC budget on an annual basis based on the respective party's share of total calls for service inside its jurisdiction from the previous calendar year; and

WHEREAS, the Agreement further provides that each party to the Agreement shall determine its specific method of funding and collecting its Annual Budget Contribution; and

WHEREAS, the City Council of the City of Bere has determined to enact a reliable, equitable, and sustainable funding mechanism to support its Annual Budget Contribution.

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

SECTION 1 **Definitions**

For purposes of this Ordinance:

"911 Service" means the emergency telephone answering service provided by Madison County that enables a caller to reach a public safety answering point (PSAP).

"Water meter" means a devise used to measure water consumption, installed and maintained by a water district, water association, or other water utility provider operating within the incorporated areas of the City of Bere.

"Incorporated areas" means all areas of the City of Bere lying within the corporate limits of the City.

"Cost of Living Adjustment/CPI adjustment" means the annual percentage increase published and submitted by the Kentucky Department of Local Government each January.

"Non-Commercial Classification" means any account that is not required to pay Kentucky sales tax to the utility district, and these accounts shall pay the fee imposed herein based on each non-commercial unit, and not by meter.

"Non-Commercial Unit" means a single or multi family residential structure owned either by the occupier or which is a single or multi-family residential rental property whose occupants are required by the Kentucky Department of Revenue to fill out a declaration of domicile form.

"Commercial Classification" means any account that is required to pay Kentucky sales tax to the utility district and has a water meter that is less than or equal to one inch (1") in size.

"Industrial/Large Commercial Classification" means any account that is required to pay Kentucky sales tax to the utility district and has a water meter greater than one inch (1") in size.

SECTION 2

Establishment of 911 Fee

(a) Effective for water bills due on and after January 10, 2026, there is hereby imposed a monthly 911 service fee on each active water meter located in the incorporated area of the City of Berea.

(b) The fee shall be assessed according to the following schedule:

Classification	Definition (for billing purposes)	Monthly Fee
Non-Commercial	Every active account that is NOT required to pay Kentucky sales tax to the utility district, calculated per unit	\$ 3.50
Commercial	Every active account that is required to pay Kentucky sales tax to the utility district with a meter size (less than or equal to) ≤ 1 " (one inch), calculated per meter)	\$41.67
Industrial/Large Commercial	Every active account that is required to pay Kentucky sales tax to the utility district with a meter size (greater than) >1 " (one inch)(calculated per meter)	\$125.00

SECTION 3
Automatic CPI Adjustment

- (a) Beginning July 1, 2027, and on July 1 of each year thereafter, the monthly fees established under Section 2 shall automatically increase by the percentage change in the Cost of Living/CPI Adjustment as determined by the Kentucky Department of Local Government each January for the calendar year. In the event the COLA/CPI does not increase, the monthly fees shall remain the same as the previous year.
- (b) The City of Berea Finance Director shall share the COLA/CPI adjustment annually with the Mayor and City Council based on the information provided by the Kentucky Department of Local Government, along with the budgeting process, by March 31 of each year.
- (c) The City Council may decline to implement the COLA/CPI increase for the upcoming year in the budget ordinance.

SECTION 4
Collection of Fees

- (a) Each water district, water association, or other water utility operating within the incorporated areas of the City of Berea shall be responsible for collecting the 911 fee from its customers.
- (b) The collected fees shall be remitted monthly to the City of Berea Finance Director to be deposited into a special revenue fund designated solely for the operation, maintenance, and improvement of the Madison County Emergency Communications Center/911 system.
- (c) The water utilities may retain an administrative fee that is fair and reasonable compensation of the total amount collected each month, to offset reasonable costs of collection and outlined in a Memorandum of Understanding. In the event that a water utility fails to agree to a proposed MOU, the City shall impose the amount of the administrative fee by unilateral action.

SECTION 5
Use of Funds

All funds collected under this ordinance shall be used exclusively for the provision, operation, maintenance, and improvement of the Madison County 911 emergency communications system as outlined in KRS 65.760, and shall be remitted to the Madison County Fiscal Court pursuant to Section IV(A)(3) of the Amended Madison County Emergency Communications Center Interlocal Agreement of September 2025.

SECTION 6
Enforcement

Failure of a water utility to collect or remit the fees as required by this Ordinance shall subject the utility to penalties as provided by Kentucky law and as may be enforced by the City of Berea, including but not limited to a legal action to recover the fees provided in Section 2 herein.

SECTION 7
Severability

If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

SECTION 8
Effective Date

This Ordinance shall take effect upon passage, approval, and publication as required by law, and the water meter fee shall be first assessed for water bills due on and after January 10, 2026.

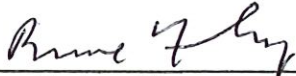
SECTION 9

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

FIRST READING: November 4, 2025

SECOND READING AND ENACTMENT: November 12, 2025

APPROVED BY:



Bruce Fraley, Mayor

ATTEST:



City Clerk

Published this 19th day of November, 2025.

Prepared by:



Corporation Counsel