

ORDINANCE NO. 19-4709

AN ORDINANCE AMENDING CHAPTER XV, ARTICLE 2, OF THE CODE OF THE CITY OF CHERRYVALE, KANSAS; TO REVISE SECTION 15-205 WATER MAIN ACCESS FEE.

WHEREAS, the Governing Body of the City of Cherryvale, Kansas desires to revise Section 5-205 of Chapter XV - Utilities, Article 2 - Water Utility, of the City Code of the City of Cherryvale, Kansas; and,

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHERRYVALE, KANSAS:

SECTION ONE: That Chapter XV - Utilities, Article 2 - Water Utility, of the Code of the City of Cherryvale, Kansas, is hereby revised as follows:

15-205. WATER MAIN ACCESS FEE.

No connection of a service line serving a property not previously served by the water system of the City shall be made as heretofore provided by ordinance, without the person, firm or corporation desiring to make such initial connection having first paid to the City Clerk an initial Water Main Access Fee. The fee for such service shall be as follows:

- (a) Within City: Five Hundred Dollars (\$500.00) for each individual service line so connected.
- (b) Outside City: One Thousand Dollars (\$1,000.00) for each individual water meter so connected.

No connection of a privately owned service line shall be made to a City owned water main or service line at or outside the City limits until the person, firm or corporation desiring to make such initial connection has accomplished the following requirements:

- (1) Presents a formal written request for connection stating therein how the water will be used;
- (2) States in the written request the names of all consumers that will make use of the water from the requested connection and service line;
- (3) States in the written request how and where the applicant intends to make connection with the City owned water main or service line, furnishing a list of materials and specifications of installation to be utilized in making said connection to the City owned water main or service line.
- (4) No connection pursuant to this section shall be made until after the Governing Body of Cherryvale has determined that there would be adequate water for all inhabitants within the City and those presently connected to the municipal water system, and that the requested connection will not affect service to such existing consumers.

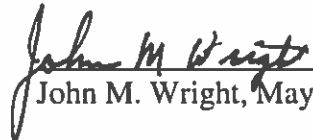
(5) All connections made under this section shall be made pursuant to a contract, drafted by the City Attorney, between the City of Cherryvale and the consumer. All rights of the consumer to the City water shall be determined by said written contract.

(6) No consumer shall be permitted to connect users or consumers to a water connection granted by the City, except that said other user or consumer has previously complied with all requirements of this Section.

REPEAL. All other ordinances in conflict herewith are hereby repealed.


EFFECTIVE DATE: This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Cherryvale, Kansas this 15th day of April, 2019.



John M. Wright, Mayor

ATTEST:



Karen Davis, City Clerk

