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CHAPTER VI UTILITIES

ARTICLE I - WASTEWATER TREATMENT SYSTEMS

SECTION 6-101: DESIGN, OPERATION AND MAINTENANCE

A document entitled Title 124, Rules and Regulations for the Design, Operation and Maintenance of On-Site Wastewater Treatment Systems as published by the Nebraska Department of Environmental Control, and as amended from time to time, be and hereby is adopted as the Code of the Village for regulation of the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of sewage systems in the Village providing for the issuance of permits and collection of fees therefore; and three copies of each and all of the regulations as contained in Title 124 as set forth herein are on file in the office of the Village and are made a part hereof as if fully set out in this article.

SECTION 6-102: WASTE WATER TREATMENT RATES

Rates for the sewer use shall be set by Ordinance and shall be on file at the office of the Village Clerk for public inspection at any reasonable time. The following sewer use fees shall be in effect until changed by Ordinance:

The Sewer Use Fee shall be increased in price from the current \$17.00 per month to \$31.00 per month.

This Ordinance shall become effective on November 1, 2009.

ARTICLE II - GARBAGE DISPOSAL

SECTION 6-201: DUMPING PROHIBITED

It is hereby unlawful for any person, firm or corporation to dump garbage, refuse, tin cans, other food receptacles or papers anywhere within the Village, other than for the purposes of pickup and disposal by the regularly authorized person, firm or corporation hired for such purpose.

SECTION 6-202: GARBAGE COLLECTION; CONTRACT, REGULATIONS

It shall be unlawful for any person, firm or corporation to engage in the business of collecting, hauling or transporting refuse, garbage, trash or rubbish in the Village without first obtaining approval and a contract from the Village Board to engage in such business. All provisions and regulations of this section shall be complied with before such approval and contract shall be issued. All persons, firms or corporation applying for permits to engage in the business of collecting, hauling or transporting refuse, garbage, trash or rubbish shall provide satisfactory proof that they own or have continuing access and dumping rights to appropriate landfill disposal sites or processing facilities as hereinafter required for the deposit therein of matter collected, transported or hauled, and the manner of collection must comply with all legal requirements. All refuse or matter which consists in whole or in part of garbage shall be disposed of only in a legal landfill site or legal incinerator. Refuse or matter which contains no garbage shall be disposed of in a legal dump, a legal landfill site or legal incinerator. As used herein, the term "legal" shall mean fully approved by the Village and complying with all requirements of the Nebraska Environmental Protection Act, as amended, and the officially adopted rules and regulations thereunder of the Nebraska Department of Environmental Quality and the Environmental Protection Agency, and at all times operated in accordance with the applicable rules and regulations of the Health Department of the State of Nebraska and the County or other political subdivision having jurisdiction over the facility or site. Before any person, firm or corporation shall engage in the business of collecting, hauling or transporting refuse, garbage, trash or rubbish, they shall submit the equipment proposed to be used for inspection by the Village Board. Any vehicular equipment used for the transporting of garbage, trash, refuse or rubbish over the streets, avenues or alleys in the Village shall have attached thereto a metal body of the totally enclosed watertight sanitary refuse collection type. The floor shall be of such pitch and shall so meet the sides and front so as to prevent the leakage and dripping of liquids. The body shall be maintained clean and odor free.

ARTICLE III – WATER

SECTION 6-301: WATER RATES; DEPOSIT; SHUT OFF FEE; LATE FEE; DUE DATE

The monthly water-use fee shall be \$27.00.

The tax on water shall be calculated at the current sales rate in place.

A. Each homeowner or property owner who rents homes or leases apartments shall be liable for the water use fee of \$27.00 per month per each home owned, rented or apartment leased, unless and until the homeowner directs the Village Board to shut off the water at the stop box, in which case the homeowner shall not be liable thereafter for water rates until the water is turned on again.

B. DEPOSIT: Each homeowner is required to pay a \$50.00 water deposit to initiate water service to a home or an apartment. The deposit will be refunded after one (1) year of timely payments.

C. SHUT OFF: If water services are discontinued due to a non payment of monthly, there shall be a \$40.00 reconnect fee that must be paid prior to water services being reconnected as well as full payment of the past due water billing.

D. Any water bill that is past due more than sixty (60) days shall be assessed a \$10.00 per month late fee for each and every month the water bill is not paid in full.

E. Water bills are due and payable on the 5th day of each month at the office of the Village Clerk. Bills not paid within thirty (30) days following the billing date shall be deemed to be delinquent. Upon being deemed delinquent, as herein defined, the Village Clerk shall give a written notice to the customer of such delinquency and shall demand payment immediately. In the event that the bill is not paid within fourteen (14) days after the sending of said notice, it shall be discretionary with the Village Board to cut off service at any time.

F. It shall be the duty of the Village Clerk to charge and collect from each customer for the amount of water consumed since the last month, together with any other charges, properly

itemized, due to the Village.

This Ordinance shall become effective on November 1, 2009.

ARTICLE IV - PENAL PROVISION

SECTION 6-401: VIOLATION; PENALTY

Any person, firm, association or corporation violating any of the provisions of Chapter VI hereof for which no other penalty is imposed shall, upon conviction, be deemed guilty of a misdemeanor and be fined in an amount of not more than \$500.00. Each day's maintenance of the same shall constitute a separate offense.