

**CITY OF MOAB ORDINANCE #2022-01**

**AN ORDINANCE AMENDING THE CITY OF MOAB MUNICIPAL CODE TITLE 13  
CHAPTER 24 RATES AND CHARGES**

WHEREAS, the City has adopted Title 13 Chapter 24 of the Moab Municipal Code, which establishes the rates and charges for the City; and,

WHEREAS, the Moab City Council finds that updating the code to reflect current practices and updated disconnect services to better serve the community.

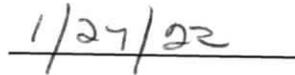
NOW THEREFORE, the Moab City Council hereby ordains that Title 13 Chapter 13.24, Rates and Charges be amended as displayed in Exhibit A:

PASSED AND APPROVED by a majority of the City of Moab City Council. This ordinance shall take effect immediately upon passage.

SIGNED:



Joette Langianese, Mayor



Date

ATTEST:



Sommar Johnson, Recorder

## Chapter 13.24

### RATES AND CHARGES

#### Sections:

- 13.24.001 Definitions.
- 13.24.005 Deposit required--Delinquent accounts policy.
- 13.24.020 Sewer rate schedule.
- 13.24.030 Special rates for unusual consumption.
- 13.24.040 Billing procedure.
- 13.24.050 Failure to pay charges.
- 13.24.060 Failure of meter to register.
- 13.24.070 Water meter reread charges.
- 13.24.080 *Reserved.*

#### 13.24.001 Definitions.

For the purposes of this chapter:

“Average monthly winter water usage rate” is defined as the water usage rate in thousands of gallons, calculated annually by averaging the water usage in the four months of November through February.

“Commercial establishment” is defined as any retail, service, or business establishment, including all businesses that provide overnight accommodations.

“Governmental entity” is defined as any legislative, judicial, administrative, or regulatory entity.

“Institution” is defined as including schools, churches, hospitals, nursing homes, and similar institutional establishments.

“Multiple dwelling” or “multiple unit residential complex” is defined as any group of residential units used for domestic purposes, served by one water meter, including, but not limited to multiple-household dwellings, apartment unit complexes, townhouses, and condominium complexes, and trailer and mobile home parks.

“Single-household residential dwelling” is defined as any single-household dwelling unit used for domestic purposes, served by one water meter. (Ord. 19-13 § 21 (part), 2019; Ord. 95-10 (part), 1995)

### 13.24.005 Deposit required--Delinquent accounts policy.

A deposit is required for all City water, sewage, and trash service accounts. The amount of the deposit is itemized in Chapter 3.50, the Master Fee Schedule.

A. All deposits made with the city are noninterest-bearing. After one year the account may be reviewed and the deposit refunded if payment history shows twelve current consecutive payments.

B. The City will disconnect service to any accounts ten days or more delinquent. (Ord. 19-29 (part), 2019; Ord. 19-13 § 21 (part), 2019; Res. 12-90, 1990)

### 13.24.020 Sewer rate schedule.

The sewer rate schedule shall be adopted by resolution of the City Council. If deemed necessary, the City may by resolution specify additional (or excess) sewer rates for users that discharge wastewater in excess of that defined for an equivalent residential user (ERU) as to total dissolved solids (TSS) or biochemical oxygen demand (BOD). Additionally, the City may specify an additional rate for any user which may cause the City to incur increased costs for handling and disposal of excess sewage sludge. Costs associated with treating inflow and infiltration flows into city sewer pipelines will be borne by all rate payers. (Ord. 17-30 (part), 2017; Ord. 17-25 (part), 2017; Ord. 99-17, 1999; Ord. 98-15, 1998)

### 13.24.030 Special rates for unusual consumption.

A. The City Council may from time to time fix special rates and conditions for water and sewer users who use an exceptionally large or small amount of water upon such terms and conditions as they may deem proper.

B. In the event of a water leak on the property owner's side of the water meter, the treasurer's department, upon approval of the City Manager, Finance Director, Public Works Director, and City Treasurer, shall issue up to fifty percent of the amount of the water charge during the period in which the water leak occurred with the following conditions:

1. The property owner must provide to the City a written statement stating when the leak was discovered and providing evidence that the leak has been fixed. Shall the city be the one to notify the owner of a water leak on the property, the owner will have five business days to fix the issue to be considered for the leak relief.

2. The Public Works Director must determine that excessive usage was not caused by neglect of water lines by the current property owner.

3. The leak must have produced water usage at or above twenty thousand gallons per month higher than the previous year's history. If usage history has not been established, evaluation by City Treasurer on accounts comparable to the resident will be made and submitted to the City Manager.

4. Refunds will be given for the maximum of one month in which the water leak occurred. (Ord. 01-09, 2001; prior code § 26-64)

#### 13.24.040 Billing procedure.

The treasurer's office, at the end of each month, shall mail a written statement to each water and sewer user that have selected paper billing, and upload file to the online payment portal, stating the amount of the water and sewer bill assessed against them and when and where payable. The water service and sewer service charges shall be separately itemized but shall have a single total. (Prior code § 26-65)

#### 13.24.050 Failure to pay charges.

If any person neglects, refuses, or fails to pay their water or sewer service charges within thirty days from the date of billing thereof, the City Treasurer shall notify the person in writing that the water will be turned off from his premises after ten days from the date of such notification. The City Treasurer shall issue an order to the water department to turn the water off from the premises of such person where such unpaid charges are assessed. Before the water shall be turned on again, all delinquent water and sewer service charges shall be paid in full, plus a deposit and turn-on fee to be established by the City Council and specified in the Master Fee Schedule, Chapter 3.50. The City Treasurer is authorized to enforce the payment of all delinquent water and sewer rates by an action in law in the corporate name of the city. (Ord. 19-29 (part), 2019; Ord. 87-04 § 5, 1987; prior code § 26-66)

#### 13.24.060 Failure of meter to register.

If any water meter gets out of order and fails to register, the water user shall be charged for the time it was out of order at the average daily rate as registered by the meter when in order. (Prior code § 26-67)

### 13.24.070 Water meter reread charges.

The rates for water meter rereads at the customer's request, and changing of the meters, are itemized in Chapter [3.50](#), the Master Fee Schedule. (Ord. 19-29 (part), 2019; Res. 07-88, 1988)

### 13.24.080 Reserved.

\* Editor's note: Ord. No. [19-29](#), adopted September 24, 2019, repealed § 13.24.080, which pertained to backflow inspection fees and derived from Res. No. [32-91](#).

**The Moab Municipal Code is current through Ordinance 21-14, passed July 13, 2021.**

Disclaimer: The City Recorder's Office has the official version of the Moab Municipal Code. Users should contact the City Recorder's Office for ordinances passed subsequent to the ordinance cited above.

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