

TOWN OF ANSTED

AN ORDINANCE SETTING FORTH THE RATES, FEES
AND CHARGES FOR SERVICE TO CUSTOMERS OF
THE SEWERAGE SYSTEM OF THE TOWN OF ANSTED.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF ANSTED: The following rules, rates and charges are hereby fixed, determined and established for municipal sewerage services provided to all customers of the Town of Ansted's Municipal Sewage Treatment Plant and Collection System, commencing upon the effective date as hereinafter provided, and in accordance with the following Rates and Schedules:

RULES AND REGULATIONS

- I. *Rules and Regulations for the Government of Sewer Utilities*, adopted by the Public Service Commission of West Virginia, and now in effect, and all amendments thereto and modifications thereof hereafter made by said Commission.
- II. The Town of Ansted shall have a lien on all lands, building and premises served by the sewer facilities thereof, which lien shall attach when fees, rates and charges have been delinquent for 30 days, as provided by West Virginia Code, Chapter 16, Article 13, Section 16.

SECTION 1 – TARIFF

SCHEDULE I

(Effective 45 Days After Enactment)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for general domestic, commercial and industrial sanitary sewer service.

RATES

Flat rate per 1,000 gallons used per month \$24.12 per 1,000 gallons

MINIMUM CHARGE

No bill will be rendered for less than \$48.24 per month, which is equivalent of 2,000 gallons per month at a rate of \$24.12 per 1,000 gallons.

UNMETERED RATE

The unmetered monthly bill shall be \$96.48 per month (based on 4,000 gallons).

CONNECTION CHARGE

The connection charge for each new tap to the system shall be \$300.00 or the actual costs as solely determined by the Town.

DISCONNECT FOR NON-PAYMENT

If any bill is not paid within 20 days after the bill due date, water service to the customer will be discontinued and will not be restored until all past due bills have been paid in full, together with all penalty charges, the disconnection charge, and the reconnection charge, subject to the applicable rules of the Public Service Commission of West Virginia.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

Whenever water service has been disconnected for nonpayment of sewer bills in conjunction with a water service termination agreement with West Virginia American Water, a disconnection fee of \$20.00 shall be charged; or in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$20.00 shall be charged.

Whenever water service has been disconnected for nonpayment of sewer bills in conjunction with a water service termination agreement with West Virginia American Water, a reconnection fee of \$20.00 shall be charged; or in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$20.00 shall be charged.

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the net current amount unpaid. This payment is not interest and is to be collected only once for each bill where it is appropriate.

SECURITY DEPOSIT

A security deposit will be required for all new accounts opened within the territory served. The deposit shall not be more than fifty dollars (\$50) or two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, whichever is greater.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed by the banking institution to the sewer utility up to a maximum of \$25.00 (per WV Code 61-3-39e) will be imposed upon any customer whose check for payment of charges is returned by the banking institution due to insufficient funds.

MUNICIPAL EXCISE TAX SURCHARGE

The municipality listed below, having imposed a public utility tax computed on the basis of two percent (2%) of revenues from the sewer service sales by the sewer utility within the corporate limits of such municipalities. shall be billed as a "surcharge" to customers receiving service within said corporate limits.

The sewer utility is required to collect the utility tax pursuant to West Virginia Code 8-13-5a.

Customers receiving sewer service within the corporate limits of the specified municipality shall pay a surcharge on the following surcharge rates.

Municipality
Town of Ansted

Utility Excise Tax
Local Utility Excise Tax Rate: Two Percent (2%)

STORM SEWER DRAIN AND BROKEN OR DAMAGED SERVICE CONNECTION

No person shall connect or permit to be connected a storm sewer or storm drain to a sanitary sewer, or otherwise allow or permit water to enter a sanitary sewer, or continue to have a storm or storm drain connected to a sanitary sewer, or continue to allow or permit storm water to enter a sanitary sewer.

The provision of this section shall also apply outside the municipality where sanitary sewers are connected to the sanitary sewer system of the Town of Ansted.

Whenever the Town of Ansted has discovered that a customer's broken or damaged service connection, roof drain, downspout, storm sewer or other similar or like facilities conducting surface water have been connected to the Town of Ansted sanitary sewer system, and such customer has failed to take appropriate action, within thirty (30) days of receipt of a demand by the Town of Ansted Sewer Department in accordance with the Rules and Regulations of the Public Service Commission of West Virginia to eliminate such connection or defect, a surcharge will be imposed upon the customer calculated on the basis of the following formula:

$$S = A \times R \times .0006233 \times C$$

- S - The surcharge in dollars.
- A - The area under roof and/or the area of any other water collection surface connected to the sanitary system, in square feet.
- R - The measured monthly rainfall
- .0006233 - A conversion factor to change inches of rain x square feet of a surface to thousands of gallons of water.
- C - The Town of Ansted Sewer department approved rate per thousand gallons of sewage treated.

The Town of Ansted shall not impose the surcharge unless and until the customer has been notified by certified mail, return receipt requested, or by hand delivery, that it has been established by smoke testing, dye testing, or on-site inspection that rain or other surface water is being introduced into the sanitary sewer system at the customer's location, and that the customer has not acted within thirty (30) days from the receipt of such notice to divert the water from the sanitary sewer.

Said surcharge shall be calculated and imposed for each month that said condition continues to exist. Failure to pay the surcharge and/or correct the situation shall give rise to possible termination of water service in accordance with the Rules and Regulations of the Public Service Commission of West Virginia.

The above rates and charges shall be applicable for any owner or occupant of each and every lot or parcel of land or building within or without the corporate limits of the Town of Ansted and having any connection to the sanitary sewer system of the Town of Ansted.

SECTION 2 – TARIFF EFFECTIVE DATE

The rates, charges and penalties provided herein shall become effective on the dates provided herein.

SECTION 3 – SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES

The provisions of this Ordinance are severable, and if any clause, provision or section hereof shall be held void or unenforceable by the West Virginia Public Service Commission or any court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance. Upon the effective date hereof, all ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflicts, hereby repealed, and to the extent that the provisions of this Ordinance do not touch upon the provisions of prior ordinances, resolutions, orders or parts thereof, the same shall remain in full force and effect.

SECTION 4 – STATUTORY NOTICE AND PUBLIC HEARING

Upon introduction hereof, the Town shall cause to be published a copy of this Ordinance once in a qualified newspaper of general circulation in the Town of Ansted, and said notice shall state that this Ordinance has been introduced, and that any person interested may appear before Council on June 4, 2026 at 6:30 p.m., which date is not less than five (5) days after the date of the publication of the Ordinance and notice, and present any comment or protest thereto, following which hearing, Council shall take such action as it shall deem proper. Copies of this Ordinance shall be available to the public for inspection at the office of the Town Recorder, Town of Ansted, 20165 Midland Trail, Ansted, West Virginia.

First Reading: May 7, 2026

Second Reading
and Public Hearing: June 4, 2026

TOWN OF ANSTED, a municipal corporation

Mayor: _____

Recorder: _____