

ORDINANCE NO. 3516

AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 43 WATER, SEWER, SEWAGE DISPOSAL AND STORMWATER QUALITY; ARTICLE III, SEWERS AND SEWAGE DISPOSAL; DIVISION 8, USAGE RATES AND CHARGES; SECTION 43-230, CAPITAL IMPROVEMENT CHARGES; PROVIDING FOR REPEALER, SEVERABILITY AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

ORDINANCE

Section 1. That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 8, Usage Rates and Charges, Section 43-230, Capital improvement charges, is hereby amended to read as follows:

Section 43-230, Capital improvement charges.

There shall be established a capital improvement fund for the express purpose of funding improvements to the sanitary sewer system of the City of Midwest City.

(1) Revenues for this fund shall be deposited in a nontransferable interest bearing account. Funds from other sources may be deposited in this account but, once deposited in this account, can only be expended in the same manner and under the same regulations that govern this account.

(2) Expenditures may be made from this account for physical capital improvements including, but not limited to, items such as new or upgraded sanitary sewer treatment facilities, new lift stations and the replacement of existing lift stations, new sanitary sewer lines and replacement of old sanitary sewer lines, and engineering studies, site preparation, buildings, structures, furniture, equipment, software and other and/or services necessary or appropriate to effect the improvements to the sewer system.

(3) Expenditures from this account can also be made for general operation, maintenance, supplies, operational salaries, or any item or structure that has an expected useful life of less than twenty (20) years.

(4) There is hereby added a fifty cent (\$0.50) fee per one thousand (1,000) gallons of sewage charged to each customer to fund this account.

(5) Expenditures from this account in any amount, in excess of one-hundred thousand dollars (\$100,000.00) must be approved by a majority vote of the city council. Any expenditure from this account that is one-hundred thousand dollars (\$100,000.00) or less shall be approved by the City Manager.

1 (6) In addition to the fee established in paragraph four (4) above, there is hereby added a
2 ninety cent (\$0.90) fee per one thousand (1,000) gallons of sewage billed to each customer to
3 fund this account.
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5 **Section 2. REPEALER.** All other ordinances or parts of ordinances in conflict herewith are
6 hereby repealed.
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8 **Section 3. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
9 any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
10 of the ordinance.
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12 Ordinance Amendment PASSED AND APPROVED by the Mayor and the Council of the City of
13 Midwest City, Oklahoma, this 16 day of May, 2023.
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18 THE CITY OF MIDWEST CITY, OKLAHOMA

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20 Pat Byrne
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22 PAT BYRNE, Acting Mayor
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24 ATTEST:

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26 Sara Hancock
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28 SARA HANCOCK, City Clerk
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30 Approved as to form and legality this 17th day of May, 2023.
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33 Donald D. Maisch
34 DONALD D. MAISCH, City Attorney
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1 **Section 4. EMERGENCY.** The City Council declares this ordinance to be an emergency, it being
2 immediately necessary for the preservation of the peace, health and safety of the City of Midwest
3 City and the inhabitants thereof that the provisions of this ordinance be put into full force and
4 effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect
5 and be in full force from and after its passage as provided by law.
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7 Emergency Clause PASSED AND APPROVED by the Mayor and the Council of the City of
8 Midwest City, Oklahoma, this 16 day of May, 2023.
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THE CITY OF MIDWEST CITY, OKLAHOMA

Pat Byrne
PAT BYRNE, Acting Mayor

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