

ORDINANCE NO. 3542

AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 43 WATER, SEWER, SEWAGE DISPOSAL AND STORMWATER QUALITY; ARTICLE III, SEWERS AND SEWAGE DISPOSAL; DIVISION 10, SEWER MAINLINE BACKUP SERVICE PROGRAM; SECTIONS 43-251, PROVISIONS, 43-254, FEES; PROVIDING FOR REPEALER AND SEVERABILITY.

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 10, Sewer Mainline Backup Service Program, Section 43-251, Provisions, is hereby amended to read as follows:

Section 43-251, Provisions.

In cases of mainline sanitary sewer blockage and backups into homes or commercial buildings due to main sewer line stoppage by routine occurrence the mandatory service agreement will pay, for certain damages, including, but not limited to: for dewatering, cleanup, disinfecting, sanitizing, removal of pad and carpet, drying, reinstallation and/or replacement of pad and carpeting, floor covering, and structural material of like kind and quality pursuant to the following Program Limitations:-

Program Limitations: (Maximum Payment)	
Residential/mobile homes	\$10,000.00 per occurrence, per dwelling unit.
Commercial/office/industrial/institutional/apartment nonresidential	\$10,000.00 per occurrence, per billed account.

Section 2. That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 10, Sewer Mainline Backup Service Program, Section 43-254, Fees is hereby amended to read as follows:

Section 43-254, Fees.

Fees from surcharge on sewer accounts shall be:

Residential, per month, per dwelling unit\$ 0.25

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2 Mobile homes, per month, per dwelling unit0.25
3 Apartments/commercial/office/industrial/nonresidential, per month, per billed
4 account0.75
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6 All monies shall be deposited in a special "sewer mainline backup account" and all
7 balances will be carried forward from year to year.
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9 When the balance of the sewer mainline backup account reaches a balance of one hundred
10 thousand dollars (\$100,000.00) the fees from the surcharge shall be suspended on the last day of
11 the month. If the balance of the sewer mainline backup account should fall below the balance of
12 seventy-five thousand dollars (\$75,000.00) the surcharge fee shall be resumed on the first day
13 of the month.
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15 **Section 3.** REPEALER. All other ordinances or parts of ordinances in conflict herewith are
16 hereby repealed.
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18 **Section 4.** SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
19 any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
20 of the ordinance.
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22 Ordinance Amendments PASSED AND APPROVED by the Mayor and the Council of the City
23 of Midwest City, Oklahoma, this 14 day of November, 2023.
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THE CITY OF MIDWEST CITY, OKLAHOMA

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MATTHEW D. DUKES, II, Mayor

36 ATTEST:

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SARA HANCOCK, City Clerk

Approved as to form and legality this 14 day of November, 2023.

DONALD D. MAISCH, City Attorney