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2
3 **ORDINANCE NO. 3550**

4 **AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER**
5 **43, WATER, SEWER, SEWAGE DISPOSAL AND STORMWATER QUALITY,**
6 **ARTICLE I, IN GENERAL, SECTION 43-5, TEMPORARY WATER; ARTICLE II,**
7 **WATER, DIVISION 3, METERS, SECTION 43-55, TESTING OF METERS; DIVISION 4,**
8 **RATES AND CHARGES; SECTION 43-63, WATER RATES INSIDE CITY; SECTION**
9 **43-68, DISCONTINUANCE OF SERVICE AND FEE FOR REINSTATEMENT; SECTION**
10 **43-69, CAPITAL IMPROVEMENT CHARGES; SECTION 43-71, WATER SYSTEM**
11 **IMPROVEMENT FEE; AND PROVIDING FOR REPEALER AND SEVERABILITY.**

12
13 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

14
15 **ORDINANCE**

16
17 **SECTION 1.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
18 and Stormwater Quality, Article I, In General, Section 43-5, Temporary Water, is hereby amended
19 to read as follows:

20 **Sec. 43-5. Temporary water.**

- 21 (a) Builders shall pay a thirty-five dollar (\$35.00) utility deposit and the applicable utility
22 application fee to the city upon payment of connection and meter fees. No utility account
23 will be closed or deposit refunded until all final inspections have been completed and
24 approved by the city.
- 25 (b) Landlords can establish temporary water service for a consecutive thirty-day period to allow
26 for maintenance and clean up. Applicants must pay an eighty-one dollar (\$81.00) fee for
27 this service, which includes the applicable utility application fee. Any usage above three
28 thousand (3,000) gallons will be billed at the current water rate at the end of thirty (30) days
29 or when the customer has notified the city to discontinue service.

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31 **SECTION 2.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
32 and Stormwater Quality, Article II, Water, Division 3, Meters, Section 43-55, Testing of Meters,
33 is hereby amended to read as follows:

34 **Sec. 43-55. Testing of meters.**

35 Where the accuracy of a water meter is questioned, it shall be removed at the customer's
36 request, and shall be in his presence tested in the shops of the utility department by means of the
37 apparatus there provided, and a report thereon duly made. Both parties to the test must accept the
38 findings so made. If the test discloses an error against the consumer of more than three (3)
39 percent in the meter's registry, the excess of the consumption on the three (3) previous readings
40 shall be credited to the customer's account the utility department shall bear the entire expense of
41 the test and the deposit required as hereinafter prescribed shall be returned. On the other hand,
42 where no such error is found, the person who has required the test shall pay the charge for such
43 test. Before making a test of any meter the person requesting such test shall at the time of filing

1 his request with the superintendent, make a deposit with the city clerk in the amount charged for
2 such test subject to the conditions herein stated, which charges are fixed as follows:

- 3 (1) For testing five-eighths-inch, three-fourths-inch, one-inch, one-half-inch, or two-inch
4 meters, one hundred dollars (\$100.00).
- 5 (2) For testing three-inch or four-inch meters, two hundred-fifty dollars (\$250.00).
- 6 (3) For testing any meters six (6) inches or larger, four hundred-fifty dollars (\$450.00).

7
8 **SECTION 3.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
9 and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-63, Water Rates
10 Inside City, is hereby amended to read as follows:

11 **Sec. 43-63. Water rates inside city.**

12 (a) The water rates for users of water inside the corporate limits of the city shall be as follows:

- 13 (1) Base Rate (minimum charge based on meter size for the first two thousand (2,000)
14 gallons used) for All Users:

Meter Size	Beginning May 1, 2024	Beginning May 1, 2025	Beginning May 1, 2026	Beginning May 1, 2027	Beginning May 1, 2028
5/8"	\$15.87	\$18.19	\$21.29	\$22.83	\$24.38
1"	\$21.96	\$25.62	\$30.48	\$32.91	\$35.34
1 ½"	\$78.09	\$91.37	\$109.05	\$117.89	\$126.73
2"	\$100.01	\$116.61	\$138.71	\$149.76	\$160.81
3"	\$238.70	\$281.86	\$339.32	\$368.05	\$396.78
4"	\$453.16	\$536.15	\$646.66	\$701.91	\$757.16
6"	\$892.56	\$1,058.54	\$1,279.56	\$1,390.06	\$1,500.57
8"	\$1,249.37	\$1,481.74	\$1,791.16	\$1,945.87	\$2,100.58

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16 (2) Beginning May 1, 2024, charge per additional 1,000 gallons used for all users shall be
17 \$3.80.

18 Beginning May 1, 2029, and May 1st each subsequent year thereafter, the rates will be adjusted
19 annually by the average monthly increase in the Consumer Price Index as set out in section 43-
20 70.

- 21 (b) Any household whose gross income for its family size is below the amount determined
22 annually by the HUD income guidelines for very low income households, for any tax year,
23 may bring proof of its gross income to the city clerk to receive a credit against its charges
24 for water each calendar year. This credit will be calculated as one dollar fifty cents (\$1.50)
25 per month toward the minimum charge, plus an additional credit of fifty cents (\$.50) per

1 thousand (1,000) gallons above the two thousand-gallon minimum, for each month the
2 household had an account with the city during the tax year shown. Residents requesting this
3 credit must show photo identification to prove ownership of the account and proof of gross
4 income by April 15th of each year.

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6 **SECTION 4.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
7 and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-68, Discontinuance
8 of Service and Fee for Reinstatement, is hereby amended to read as follows:

9 **Sec. 43-68. Discontinuance of service and fee for reinstatement.**

- 10 (a) In the event any account is not paid in full by the close of business on the twenty-fifth day
11 following the billing date, an administrative cut-off processing fee of thirty dollars (\$30.00)
12 shall immediately be charged to the account or to any other account that customer may have
13 with the city regardless of whether the water service is, in fact, discontinued due to
14 nonpayment. Immediately upon nonpayment, water service to such account or customer
15 shall be eligible to be discontinued. Discontinued water service to any such account or
16 customer shall not be reinstated or resumed until all sums due the city, including
17 indebtedness to the city of all kinds together with the administrative cut-off processing fee
18 of thirty dollars (\$30.00), shall have been paid in full. If payment in full is received before
19 the water service has been discontinued, the service can continue uninterrupted; however,
20 the administrative cut-off processing fee of thirty dollars (\$30.00) will still apply and must
21 still be paid. A fee of thirty dollars (\$30.00) will be charged when water service is
22 discontinued at the voluntary request of a customer. One waiver of the thirty dollars (\$30)
23 administrative cut-off processing fee may be provided per a calendar year per a utility
24 customer account.
- 25 (b) When an account has been charged an administrative cut-off processing fee of thirty dollars
26 (\$30.00), as specified in subsection (a) above, more than four (4) times in a twelve-month
27 period, an additional security deposit of fifty dollars (\$50.00) must be paid prior to water
28 service being reinstated.

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30 **SECTION 5.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
31 and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-69, Capital
32 Improvement Charges, is hereby amended to read as follows:

33 **Sec. 43-69. Capital improvement charges.**

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

- 36 (1) Revenues for this fund shall be deposited in a nontransferable interest bearing account.
37 Funds from other sources may be deposited in this account but, once deposited in this
38 account, can only be expended in the same manner and under the same regulations that
39 govern this account.
- 40 (2) Expenditures may be made from this account for physical capital improvements
41 including, but not limited to, items such as new wells, additional water treatment

1 facilities, new water lines and replacement of old water lines, and engineering studies
2 and services necessary or appropriate to effect the improvements to the water system.

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

6 (4) There is hereby added a thirty-five cent (\$0.35) fee to each one thousand (1,000)
7 gallons of water above the minimum sold to each customer to fund this account.
8 Beginning on May 1, 2024, this fee shall increase according to the following schedule:

Effective Date	Fee per additional 1, 000 gallons
May 1, 2024	\$0.50
May 1, 2025	\$1.00
May 1, 2026	\$1.50
May 1, 2027	\$1.75
May 1, 2028	\$2.00

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

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15 **SECTION 6.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
16 Disposal and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-71, Water
17 System Improvement Fee, is hereby amended to read as follows:

18 **Sec. 43-71. Water system improvement fee.**

19 There is hereby established a water system improvement fee which shall be deposited in the
20 water capital improvement fund. Expenditures may be made from this fund only for physical
21 capital improvements to the city's water system including, but not limited to, new wells,
22 additional water treatment facilities, new water lines and replacement of old water lines, and
23 engineering studies and services necessary or appropriate to effect the improvements to the water
24 system, or to repay or secure indebtedness incurred to effect improvements to the water system.

25 (1) The water system improvement fee shall be an additional fifty-seven cents (\$0.57)
26 which shall be added to each one thousand (1,000) gallons of water sold above the
27 minimum two thousand (2,000) gallons for each utilities account each month.
28 Beginning on May 1, 2024, this fee shall increase according to the following schedule:

Effective Date	Fee per additional 1, 000 gallons
May 1, 2024	\$1.00
May 1, 2025	\$1.50

May 1, 2026	\$1.75
May 1, 2027	\$2.00
May 1, 2028	\$2.25

(2) Expenditures from this fund cannot be made for general operations, maintenance, supplies, operational salaries, or any item or structure that has an expected useful life of less than twenty (20) years.

(3) 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.

Section 7. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of the ordinance.

PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this 26 day of March, 2024.

ATTEST:



THE CITY OF MIDWEST CITY, OKLAHOMA

Matthew D. Dukes, II
MATTHEW D. DUKES, II, Mayor

Sara Hancock
SARA HANCOCK, City Clerk

Approved as to form and legality this 27th day of March, 2024.

Don Maisch
DON MAISCH, City Attorney