

CITY OF SOMERVILLE
ORDINANCE NO. 2024-
IN CITY COUNCIL: _____, 2024

Be it ordained by the City Council, in session assembled, that Sections 2-371, 11-125, and 11-164 of the code of ordinances of the City of Somerville are amended as follows by deleting the ~~struckthrough~~ text and adding the underlined text.

Sec. 2-371. – Water and Sewer income and expenses.

~~The income received by the city from the waterworks shall be credited to revenue for the current year and the estimated amount to be received shall be used to reduce the amount to be raised by taxes. Sums necessary to meet the expenses of the department and to pay the metropolitan water district assessment be appropriated in the annual budget.~~

The revenue accrued by the city's water and sewer department shall be credited to the respective enterprise funds for the current year's revenue, with the estimated amount intended to self-sustain. Appropriations in the annual budget will be designated to cover necessary expenses of the department, including but not limited to the payment of assessments to the Massachusetts Water Resources Authority (MWRA), the expenses of the department, and all debt service obligations.

Sec. 11-125. – Water rates and base charges.

- (a) Established. Water rates and base charges for water use shall be established by the ~~superintendent of the water and sewer department~~ director of water and sewer, subject to the approval of the mayor and city council. Prior to setting the water rates and base charges, the ~~superintendent~~ director shall conduct a public hearing on the proposed rates and charges no later than May ~~15~~ 31 of any given year with notice of any new rates or charges provided to the city council at least 14 days prior to the public hearing. Any proposed new rates and charges shall be provided to the city council on or before June ~~4~~ 15 for its review and approval. Rates set may be adjusted, subsequent to initial approval by the ~~superintendent~~ director with the approval of the mayor and city council, without the necessity of a public hearing, to reflect any changes in any charge assessed to the city by any governmental body or agency of the commonwealth. If any such adjustment results in a lower rate than previously set, the new rate shall take effect immediately upon approval by the mayor and city council. If such adjusted rate is higher than otherwise set, the new rate shall take effect no sooner than 30 days after approval by the mayor and city council. Except as otherwise approved by the city council, failure to hold a public hearing on or before May ~~15~~ 31, or provide the proposed rates and charges to the city council for its review on or before June ~~4~~ 15 as required above shall prohibit the city from increasing rates and charges.
- (b) Method of assessment. Rates shall be established based upon a ~~uniform~~ tiered rate per 100 cubic feet of water consumed. Said assessments shall be made pursuant to readings obtained from metering devices approved by the commissioner. Where water consumption data is not available, bills for water use shall be based upon estimated consumption, as determined by the commissioner.
- (c) Payment. Bills for water use shall be rendered a minimum of two per year and a maximum of ~~six~~ 12 per year ~~for commercial and four per year for residential~~ and are due and payable within 45 days. Interest shall accrue on bills not paid within 45 days of the date of mailing at the rate established by Section 57 of Chapter 59 of the General Laws.

Sec. 11-164. – Sewer user charges.

(a) User charges

- (1) Established. Charges for sewer service shall be established by the ~~superintendent~~ director of the water and sewer department, subject to the approval of the mayor and city council. Prior to setting the new sewer service charge, the water and sewer ~~superintendent~~ director shall conduct a public hearing on the proposed charge no later than May ~~15~~ 31 of any given year with notice of any new charges provided to the city council at least 14 days prior to the public hearing. Any proposed new charges shall be provided to the city council on or before June ~~4~~ 15 of any given year for its review and approval. Charges may be adjusted, subsequent to initial approval by the ~~superintendent~~ director, with the approval of the mayor and city council, without the necessity of a public hearing, to reflect any changes in any charge assessed to the city by any governmental body or agency of the commonwealth. If any such adjustment results in a lower charge than previously set, the new charge shall take effect immediately upon approval by the mayor and city council. If such adjusted charge is higher than otherwise set, the new charge shall take effect no sooner than 30 days after approval by the mayor and city council. Except as otherwise approved by the city council, failure to hold a public hearing on or before May ~~15~~ 31, or provide the proposed charges to the city council for its review on or before June ~~4~~ 15 as required above shall prohibit the city from increasing charges.
- (2) Method of assessment. Rates shall be established based upon a ~~uniform~~ tiered rate per 100 cubic feet of water consumed. At a user's option and expense, assessments may be made on continuously metered sewage flow, or upon water sales to activities resulting in a discharge to the sewer. Said assessments shall be made pursuant to readings obtained from metering devices approved by the commissioner. For users whose bill is based upon metered sewage, the rate shall be 1.11 times the rate established for those whose bill is based upon metered water. Where water consumption data is not available, bills for sewer services shall be based upon estimated consumption, as determined by the commissioner.
- (3) Payment. Bills for sewer service shall be rendered a minimum of two per year and a maximum of ~~six~~ 12 per year ~~for commercial and four per year for residential~~ and are due and payable within 45 days. Interest shall accrue on bills not paid within 45 days from the date of mailing at the rate established by Section 57 of Chapter ~~93~~ 59 of the General Laws.

Approved:

President

Approved:

Mayor