**ORDINANCE NO. 583**

AN ORDINACE PROVIDING FOR A GAS TRANSMISSION AND DISTRIBUTION SYSTEM IN, ON, UNDER AND OVER THE STREETS, ALLEYS AND PUBLIC PLACES IN THE CITY OF ARGONIA, KANSAS, FOR THE PROVISION, DISTRIBUTION, AND SALE OF GAS, ARTIFICAL, NATURAL, OR OTHERWISE, FOR HEATING, DOMESTIC, INDUSTRIAL AND OTHER PURPOSES; FIXING THE RATES THEREFOR AND REGULATING THE SAME IN ALL RESPECTS.

Be it ordained by the Governing Body of the City of Argonia, Kansas:

SECTION I

 The City of Argonia shall maintain and operate a gas transmission and distribution system, including mains, pipes, conduits, services and other necessary structures and appliances there appertaining in, under, upon, over, across and along the streets alleys, bridges and public places within the present and future corporate limits of the City of Argonia, Kansas, for the furnishing, transmission, distribution and sale of gas, whether artificial, natural, mixed or otherwise, for heating, domestic, industrial and other purposes, and for transmitting gas into, through and beyond said city.

SECTION II

 The following rates are established for the sale of natural gas in the City of Argonia and will become effective upon publication.

 From zero to the first 1,000 cubic feet, or any part thereof, per month, the price shall be figured using the following: The actual charge, plus the transportation charge, plus the KMGA fee, plus a markup of $3.25 for the month being billed by the gas company supplying gas to the City of Argonia. This amount shall be figured monthly with the billing prices going up or down each month.

 For the next 29 MCF, or any part thereof, per month, the price shall be figured using the following: The actual charge, plus the transportation charge, plus the KMGA fee, plus a markup of $3.25 for the month being billed by the gas company supplying gas to the City of Argonia. This amount shall be figured monthly with the billing prices going up or down each month.

 For any and all in excess of 30 MCF, or any part thereof, per month, the price shall be figured using the following: The actual charge, plus the transportation charge, plus the KMGA fee, plus a markup of $3.50 for the month being billed by the gas company supplying gas to the City of Argonia. This amount shall be figured monthly with the billing prices going up or down each month.

 The monthly minimum charge shall be $15.00 for regular residential meters. The monthly minimum charge shall be $20.00 for commercial, large school and agricultural (irrigation) meters. These charges will be assessed as a monthly service charge on the utility billing.

SECTION III

 The Governing Body of the City of Argonia is hereby authorized to provide by resolution such reasonable rules and regulations for the proper distribution and sale of gas and operations in connection therewith, and the City of Argonia shall have the right to enter the premises of consumer at all reasonable times to read meters, inspect pipes and appliances, disconnect and remove meters, and any other related purpose.

SECTION IV

A. Taps. The City shall make all taps from the gas mains and pipes of the City, install all service pipe from the mains to the property line, install all meters, and make all excavations in all streets and alleys. Installation of pipe from the property line to the home (yard line) shall be at the cost of the owner; costs shall be assessed per foot of line installed at the following rates:

 (1) First 100 feet of line installed shall be **$5.00** per foot.

 (2) From 100 feet and beyond of line installed shall be **$2.50** per foot.

B. Tap Fees. The following definitions shall apply:

 (1) Tap - Any and all connections to the city’s main distribution line.

 (2) Re-tap - To move a pre-existing tap for a specific address to a new location

 at the same address in the city’s main distribution line and reattach

 the connection; this includes capping the old tap.

 All taps on plastic line shall be done by city maintenance and be charged a flat fee of $600.00 This includes excavating the main line, tapping the main line and any parts or materials needed to tap the main.

 All taps on steel line shall be done by the gas certified contractor under contract with the City of Argonia, the costs incurred from the gas certified contractor will be passed on to the customer. This includes excavating the main line, tapping the main line and any parts or materials needed to tap the main. Any additional parts or materials utilized by city maintenance for the tap will be assessed in a separate bill from the gas certified contractor.

 This shall exclude those taps that are located within the boundaries of the Argonia Development, since they are covered by the Developer’s Agreement filed with the Sumner County Register of Deeds.

SECTION V

 All consumers shall keep their own service pipes and apparatus in good repair at their expense, and no claim shall be made against the City by reason of any defect or leakage of any service pipes. All meters shall be furnished and installed by the City.

SECTION VI

 The City reserves the right to discontinue service to any and all consumers, without notice, when the same is necessary for repair of the system or any part thereof or for the extension of the system by giving an 8-hour notice of such extension.

SECTION VII

 A. Billing: All bills shall be mailed out on or around the twenty-fifth (25th) of every month for gas used in the preceding month. All bills are due and payable without penalty on the tenth (10th) of the next month. A penalty of 10% shall be added to all bills not paid on or before the 10th day of the month. If a utility bill has not been paid on or before the due date as provided in this chapter, a shut off notice, in the form of a door hanger, will be written and hung on the tenants door on the 11th of the month unless the date falls on a Saturday, Sunday or legal holiday, in which event such notice will be given the following business day which shall state that the tenant has 24 hours to make pay the charges, or make arrangements by contacting the city offices. The notice shall state:

(1) The amount due, plus delinquency charge;

(2) The date in which services will be terminated and what time.

 B. Disconnect and Reconnect Fees: All accounts shut off for non-payment shall be subject to a disconnect fee of $50.00 and a reconnect fee of $50.00 for a total of $100.00.

 C. Reconnection of Service: Reconnections shall only be done during normal business hours Monday through Friday. A payment must be made prior to utilities being reconnected; this amount shall be discussed and agreed upon between the customer and the City of Argonia.

 D. Hearing Process: If any customer believes that they have been disconnected or shut off unfairly they may request a hearing before the governing body of the City of Argonia. This hearing must be requested in writing within seven (7) days of being disconnected. The customer shall be notified if a special meeting is scheduled, otherwise all hearings will be held at the next regularly scheduled council meeting.

SECTION VIII

 Any ordinances or parts thereof, are in conflict with the provisions of this ordinance is hereby repealed.

SECTION VIIII

 This ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Argonia, Kansas.

 Adopted by the Governing Body on this 1st day of February 2021.

[SEAL]

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ATTEST:

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Tara Pierce, City Clerk