

BILL NO. 24-77

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CAPE GIRARDEAU, MISSOURI, ESTABLISHING WATER RATES AND FEES BY AMENDING CHAPTER 29; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY AT THE ELECTION TO BE HELD ON NOVEMBER 5, 2024; AND DIRECTING THE CITY CLERK TO PROVIDE NOTICE OF SAID ELECTION

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. Section 29-213 of the Code of Ordinances of the City of Cape Girardeau, Missouri, entitled "Rates", reading as follows:

Sec. 29-213. Rates.

(a) *General water service.*

Availability. This rate schedule is available to any metered customer adjacent to the city's water distribution mains, using standard water service.

Rate. The monthly rate for service delivered hereunder shall be the total of:

(1) A customer charge per month for each meter as follows:

Meter Size(s) (inches)	Monthly Customer Charge (per meter)
5/8	\$10.37
$\frac{3}{4}$	\$15.99
1	\$21.58
1 $\frac{1}{2}$	\$40.39
2	\$61.72

3	\$115.62
4	\$190.81
6	\$398.93

plus;

(2) A commodity charge of:

	Bills Rendered Before July 1, 2024
--	---------------------------------------

First 60 CCF used per month--\$3.001 per CCF.

All over 60 CCF used per month--\$2.312 per CCF.

	Bills Rendered After July 1, 2024
--	--------------------------------------

First 60 CCF used per month--\$3.151 per CCF.

All over 60 CCF used per month--\$2.428 per CCF.

(b) *Private fire protection service.*

Availability. This rate schedule is available to customers adjacent to adequate water distribution mains for private fire protection service.

Rate. Private fire protection service rates for all types of private fire protection systems are based on the size of connection of customer's private fire protection service to city's distribution main and shall be charged for as follows:

Size of Connection	Rate Per Connection Effective July 1, 2024
4 inch or smaller	\$13.20 per month
6 inch	\$26.44 per month

8 inch	\$39.71 per month
--------	-------------------

(c) *Industrial water service.*

Availability. This rate schedule is available for industrial use only, when separated from standard water service, to any customer adjacent to the department's water mains in The Greater Cape Girardeau Development Corporation Industrial Tract.

Rate. The monthly rate for service delivered hereunder shall be the total of:

- (1) A customer charge per month for each meter as follows:

Meter Size(s) (inches)	Monthly Customer Charge (per meter)
5/8 or $\frac{3}{4}$	\$10.05
1	\$20.96
1 $\frac{1}{2}$	\$39.23
2	\$61.11
3	\$112.32
4	\$185.20
6	\$387.31

plus;

- (2) A commodity charge of \$0.1944 per CCF for all water used during the billing month.

is hereby repealed in its entirety, and a new Section 29-213, entitled "Rates" is hereby enacted in lieu thereof, in words and figures, to read as follows:

Sec. 29-213. Rates.

(a) *General water service.*

Availability. This rate schedule is available to any metered customer adjacent to the city's water distribution mains, using standard water service.

Rate. The monthly rate for service delivered hereunder shall be the total of:

(1) A customer charge per month for each meter as follows:

Meter Size(s) (inches)	Monthly Customer Charge (per meter)
5/8	\$17.45
3/4	\$20.15
1	\$27.19
1 1/2	\$50.89
2	\$68.51
3	\$138.93
4	\$211.94
6	\$442.81

plus;

(2) A commodity charge of:

	Bills Rendered After July 1, 2024
--	--------------------------------------

First 60 CCF used per month--\$3.151 per CCF.

All over 60 CCF used per month--\$2.428 per CCF.

	Bills Rendered After January 1, 2025
--	---

First 70 CCF used per month--\$3.96 per CCF.

All over 70 CCF used per month--\$3.05 per CCF.

(b) *Private fire protection service.*

Availability. This rate schedule is available to customers adjacent to adequate water distribution mains for private fire protection service.

Rate. Private fire protection service rates for all types of private fire protection systems are based on the size of connection of customer's private fire protection service to city's distribution main and shall be charged for as follows:

Size of Connection	Rate Per Connection Effective January 1, 2025
4 inch or smaller	\$16.63 per month
6 inch	\$33.31 per month
8 inch	\$50.03 per month

(c) *Industrial water service.*

Availability. This rate schedule is available for industrial use only, when separated from standard water service, to any customer adjacent to the department's water mains in The Greater Cape Girardeau Development Corporation Industrial Tract.

Rate. The monthly rate for service delivered hereunder shall be the total of:

- (1) A customer charge per month for each meter as follows:

Meter Size(s) (inches)	Monthly Customer Charge (per meter)

5/8 or $\frac{3}{4}$	\$20.15
1	\$27.19
1 $\frac{1}{2}$	\$50.89
2	\$68.51
3	\$138.93
4	\$211.94
6	\$442.81

plus;

(2) A commodity charge of \$0.2449 per CCF for all water used during the billing month.

ARTICLE 2. The amendment to Chapter 29 of the Code of Ordinances of the City of Cape Girardeau, Missouri, contained in Article 1 hereof shall become effective on January 1, 2025, as provided by law only upon approval thereof by a majority of the votes cast on the Question in Article 3 by the qualified voters of the City voting thereon.

ARTICLE 3. It is the intention of the governing body and it is hereby ordained that the amendment contained in Article 1 hereof shall only upon approval thereof by a majority of the votes cast on the Question in Article 4 by the qualified voters of the City voting thereon become and be made a part of the Code of Ordinances of the City of Cape Girardeau, Missouri, and the sections of this Code may be renumbered to accomplish such intention.

ARTICLE 4. The Question shall be submitted to the qualified voters of the City for their approval pursuant to Section 6.13 of the Charter of the City of Cape Girardeau, Missouri, at an election hereby called and to be held in the City on Tuesday, November 5, 2024. The ballot question shall contain substantially the following language:

Shall the City of Cape Girardeau raise water rates and fees for the purpose of funding necessary improvements

and maintenance of the water system such that during the current fiscal year the increase exceeds five (5) percent and shall Section 29-213 of the Code of Ordinances of the City of Cape Girardeau, Missouri, be amended establishing new water rates and fees effective January 1, 2025, resulting, based on current usage, in an increase in the current fiscal year ranging between \$8.19 and \$13.89 per month for 89% of water customers?

Yes

No

ARTICLE 5. The City Clerk is hereby authorized and directed to notify the Cape Girardeau County Clerk (the "Election Authority") of the adoption of this ordinance no later than 5:00 P.M. on the tenth Tuesday prior to the election or such other date as required by the Election Authority or by law, and to include in said notification all the terms and provisions required by Chapter 115 RSMo., and to take such other steps as may be required so that an election may be lawfully conducted. The form of the Notice of Election for said election, a copy of which is attached hereto as Exhibit A and incorporated as if fully set out herein, is hereby approved. The Election Authority shall conduct such election according to law and certify the results thereof.

ARTICLE 6. Said election shall be held at such places in such wards and precincts as the Election Authority may direct, and shall follow the procedures prescribed by said Election Authority. The election shall be held in conformity with the Missouri Constitution and the laws of the State of Missouri, and in accordance with all applicable ordinances adopted by the City Council of the City.

ARTICLE 7. Pursuant to Section 3.15(d) of the Charter of the City of Cape Girardeau, Missouri, this measure is adopted as an emergency measure as providing for the submission of a proposal to the people. Specifically, this declaration is due to the notice from the City of Cape Girardeau for the election to the Election Authority must be submitted on or before August 27, 2024. Accordingly, this ordinance will take effect immediately upon its passage and approval.

ARTICLE 8. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



Exhibit A

**NOTICE OF GENERAL ELECTION
CITY OF CAPE GIRARDEAU, MISSOURI**

Notice is hereby given to the qualified voters of the City of Cape Girardeau, Missouri that the City Council has called an election to be held in said City on Tuesday, November 5, 2024, commencing at 6:00 A.M. and closing at 7:00 P.M. on the question contained in the following sample ballot.

**OFFICIAL BALLOT
GENERAL ELECTION
CITY OF CAPE GIRARDEAU, MISSOURI
November 5, 2024**

Shall the City of Cape Girardeau raise water rates and fees for the purpose of funding necessary improvements and maintenance of the water system such that during the current fiscal year the increase exceeds five (5) percent and shall Section 29-213 of the Code of Ordinances of the City of Cape Girardeau, Missouri, be amended establishing new water rates and fees effective January 1, 2025, resulting, based on current usage, in an increase in the current fiscal year ranging between \$8.19 and \$13.89 per month for 89% of water customers?

Yes

No

If you are in favor of the question, place an "X" in the box opposite "Yes".

If you are opposed to the question, place an "X" in the box opposite "No".