

ORDINANCE NO. 3008 -2025

AN ORDINANCE ESTABLISHING RATES, CHARGES, CLASSIFICATIONS, DEFINITIONS, AND CERTAIN RULES FOR USERS OF THE MUNICIPAL WATER DISTRIBUTION SYSTEM AND THE MUNICIPAL SANITARY SEWER COLLECTION SYSTEM OF THE CITY OF GARDEN CITY, KANSAS; AMENDING CURRENT CODE SECTIONS 90-177, 90-201, AND 90-204; REPEALING CURRENT CODE SECTIONS 90-177, 90-201, AND 90-204; ALL TO THE CODE OF ORDINANCES OF THE CITY OF GARDEN CITY, KANSAS.

BE IT ORDAINED by the Governing Body of the City of Garden City, Kansas:

SECTION 1. Section 90-177 of the Code of Ordinances of the City of Garden City, Kansas, is hereby amended to read as follows:

Section 90-177. Water rates.

The monthly water rates required to be charged and collected by the city for water service furnished by the city shall be as follows:

- (1) *Rates for residential and commercial water used inside the corporate limits of the city:*
 - (a) *Availability.* Water service under this rate schedule is available within the corporate limits of the city.
 - (b) *Applicability for Residential Water Service.* Water service under this schedule is applicable in individually metered service units for single and multifamily and for multiple service units served through single service connections, all of which are considered dwelling units. The city reserves the right to require special contracts in the case of unusual water requirements.
 - (c) *Applicability for Commercial Water Service.* Water service under this schedule is applicable to individually metered service units and for multiple service units served through single service connections, all of which are considered for commercial or industrial type use. The city reserves the right to require special contracts in case of unusual water requirements.
 - (d) The rates scheduled in this section shall apply and be figured on the consumption of water by the 1,000 gallons, or fraction thereof, to the nearest 100 gallons.
 - (e) *Net monthly rate schedule:*

Year	Residential	Residential	Residential	Residential	Commercial
	0 - 15,000 gallons (Charge per 1,000 gallons)	15,001 - 30,000 gallons (Charge per 1,000 gallons)	30,001 - 60,000 gallons (Charge per 1,000 gallons)	60,001 or more gallons (Charge per 1,000 gallons)	All Water Usage (Charge per 1,000 gallons)
April 1, 2025 to March 31, 2026	\$3.13	\$3.58	\$4.27	\$5.23	\$3.24
April 1, 2026 to March 31, 2027	\$3.26	\$3.72	\$4.45	\$5.44	\$3.37

April 1, 2027 to March 31, 2028	\$3.39	\$3.87	\$4.62	\$5.66	\$3.51
April 1, 2028 to March 31, 2029	\$3.52	\$4.02	\$4.81	\$5.88	\$3.65
April 1, 2029 to March 31, 2030 and thereafter	\$3.66	\$4.19	\$5.00	\$6.12	\$3.80

- (f) **Minimum monthly charge.** The minimum monthly charge shall be determined by the size of the meter and main tap through which individual service units, and for multiple serviced units served through single service connections, and shall be charged according to the following schedule at such time as service is made available following application therefore:

Minimum Monthly Charge for Residential and Commercial Water Service

Meter Size (In.)	April 1, 2025 to March 31, 2026	April 1, 2026 to March 31, 2027	April 1, 2027 to March 31, 2028	April 1, 2028 to March 31, 2029 and thereafter	April 1, 2029 to March 31, 2030 and thereafter
3/4	\$24.67	\$25.66	\$26.68	\$27.75	\$28.86
1	\$27.52	\$28.62	\$29.76	\$30.95	\$32.19
1.5	\$32.27	\$33.56	\$34.90	\$36.30	\$37.75
2	\$48.89	\$50.85	\$52.88	\$55.00	\$57.19
3	\$84.50	\$87.88	\$91.40	\$95.05	\$98.85
4	\$119.64	\$124.43	\$129.40	\$134.58	\$139.96
6	\$155.73	\$161.96	\$168.44	\$175.17	\$182.18
8	\$250.70	\$260.73	\$271.16	\$282.01	\$293.29
10	\$286.31	\$297.76	\$309.68	\$322.06	\$334.94

- (g) **Delayed payment.** The total amount based upon the net monthly rate and minimum monthly charge specified in this section are due on the date indicated on the bill. After that date, the amount due will be increased by five percent (5%).
- (2) **Rates for residential and commercial water used outside the corporate limits of the city:**
- (a) **Availability.** Water service under this rate schedule is available outside the corporate limits of the city; provided, that water service shall not be made available for use outside the corporate limits of the city in any manner whatsoever, except upon specific approval of the governing body.
- (b) **Applicability.** Service under this schedule is applicable to individually metered service units and multiple service units served through single service connections for all water use.
- (c) **Net monthly rate.** The rate for water service outside the corporate limits shall be two (2) times the rate established for like service within the corporate limits. Bills shall be computed under the inside city rate and multiplied by two (2).

- (d) *Minimum monthly charge.* The minimum monthly charge is computed on a per meter basis and shall be two (2) times the minimum monthly charge for the same size of service connection inside the city.
- (e) *Delayed payment.* The total amount based upon the net monthly rate and minimum monthly charge specified in this section are due on the date indicated on the bill. After that date, the amount due will be increased by five percent (5%).

SECTION 2. Section 90-201 of the Code of Ordinances of the City of Garden City, Kansas, is hereby amended to read as follows:

Section 90-201. Definitions.

The following terms for purposes of this subdivision shall be defined as follows:

- (1) *Service Unit* – Any “service unit” as such term is defined by Section 90-178, and amendments thereto.
- (2) *User* – a person or legal entity producing or causing to be produced wastewater requiring processing and treatment to remove pollutants and having premises connected to the wastewater collection and treatment system.
- (3) *Wastewater* – is synonymous with sewage and the two terms may be interchanged without altering the meaning of either.
- (4) *Wastewater collection and treatment system* – the municipal system used for the gathering, transporting, and treating of wastewater prior to its reentry into rivers, streams, or other bodies of water and any of its infrastructure and equipment, together with any appurtenance or ancillary component related thereto, including, but not limited to, any sanitary sewers, sewer mains, pump stations, processing and treating facilities, and holding ponds.

SECTION 3. Section 90-204 of the Code of Ordinances of the City of Garden City, Kansas, is hereby amended to read as follows:

Section 90-204. Wastewater schedule of charges.

The monthly wastewater rates required to be charged and collected by the city for wastewater service furnished by the city shall be as follows:

- (1) *Residential use.* For each service unit using the city's water and sewage system for domestic purposes in a one-family residence, or one-family apartment, or private rooming house, none of which offer for rent more than three sleeping rooms not equipped for light housekeeping, or separately metered multifamily dwelling, or separately metered home in a manufactured home park or separately metered unit in a motel, used and occupied as a residence and having a wastewater connection directly or indirectly with the wastewater disposal system of the city, a monthly charge based on the quantity of water used on the premises furnished with such wastewater service, for users or customers within the corporate limits of the city shall be as follows:

April 1, 2025 to March 31, 2026:

Base charge, per month.....	\$10.07
Plus, for each 1,000 gallons, per month.....	\$2.12
The maximum monthly charge will not exceed.....	\$67.00

April 1, 2026 to March 31, 2027:

Base charge, per month.....	\$10.67
Plus, for each 1,000 gallons, per month.....	\$2.25
The maximum monthly charge will not exceed.....	\$67.00

April 1, 2027 to March 31, 2028:

Base charge, per month.....	\$11.31
Plus, for each 1,000 gallons, per month.....	\$2.38
The maximum monthly charge will not exceed.....	\$67.00

April 1, 2028 to March 31, 2029:

Base charge, per month.....	\$11.99
Plus, for each 1,000 gallons, per month.....	\$2.52
The maximum monthly charge will not exceed.....	\$67.00

April 1, 2029 to March 31, 2030 and thereafter:

Base charge, per month.....	\$12.71
Plus, for each 1,000 gallons, per month.....	\$2.68
The maximum monthly charge will not exceed.....	\$67.00

- (2) *Single metered multifamily use.* For each service unit using the city's water and sewage system for domestic purposes where a multifamily dwelling (duplex and greater), apartment, single-family apartment or private rooming house in which more than three rooms are rented or available to rent to transient or permanent roomers having a wastewater connection directly or indirectly with the wastewater disposal system of the city and a water connection to the water system of the city through a single or master meter, a monthly charge for users or customers within the corporate limits of the city shall be as follows:

April 1, 2025 to March 31, 2026:

\$22.79 per dwelling unit, billed to the tenant or occupant

April 1, 2026 to March 31, 2027:

\$24.16 per dwelling unit, billed to the tenant or occupant

April 1, 2027 to March 31, 2028:

\$25.61 per dwelling unit, billed to the tenant or occupant

April 1, 2028 to March 31, 2029:

\$27.14 per dwelling unit, billed to the tenant or occupant

April 1, 2029 to March 31, 2030 and thereafter:

\$28.77 per dwelling unit, billed to the tenant or occupant

- (3) *Single metered mobile homes or manufactured housing.* For each service unit using the city's water and sewage system for domestic purposes where a mobile home or manufactured housing unit having a wastewater connection directly or indirectly with the wastewater disposal system of the city and a water connection to the water system of the city through a single or master meter, a monthly charge for users or customers within the corporate limits of the city shall be as follows:

April 1, 2025 to March 31, 2026:

\$22.79 per dwelling unit, billed to the tenant or occupant

April 1, 2026 to March 31, 2027:

\$24.16 per dwelling unit, billed to the tenant or occupant

April 1, 2027 to March 31, 2028:

\$25.61 per dwelling unit, billed to the tenant or occupant

April 1, 2028 to March 31, 2029:

\$27.14 per dwelling unit, billed to the tenant or occupant

April 1, 2029 to March 31, 2030 and thereafter:

\$28.77 per dwelling unit, billed to the tenant or occupant

- (4) *Commercial use.* For each service unit using the city's water and sewerage system for commercial purposes or a combination of commercial and domestic purposes, including any commercial enterprise or business activity where the public is invited to come for service rendered or for the transaction of business, or where any service-connected outbuilding or appurtenances on the same premises is used as a place of any professional office or the rendering of a professional service; or where any manufacturing, processing or building activity is conducted for hire or profit; or where service is taken for resale or shared with others; public rooming house; hotel; motel; sports field; church; school or other institution; or any other separately metered commercial enterprise having a wastewater connection directly or indirectly with the wastewater disposal system of the city, a monthly charge based on the quantity of water used on the premises furnished with such wastewater service, for users or customers within the corporate limits of the city shall be as follows:

April 1, 2025 to March 31, 2026:

Base charge, per month\$15.37
Plus, for each 1,000 gallons, per month.....\$2.12

April 1, 2026 to March 31, 2027:

Base charge, per month\$16.29
Plus, for each 1,000 gallons, per month.....\$2.25

April 1, 2027 to March 31, 2028:

Base charge, per month.....\$17.27
Plus, for each 1,000 gallons, per month.....\$2.38

April 1, 2028 to March 31, 2029:

Base charge, per month.....\$18.31
Plus, for each 1,000 gallons, per month.....\$2.52

April 1, 2029 to March 31, 2030 and thereafter:

Base charge, per month.....\$19.40
Plus, for each 1,000 gallons, per month.....\$2.68

- (5) *Water not obtained for city.* If, on any premises, except a single-family dwelling, connected with the wastewater disposal system of the city's, water is obtained from a source other than the city's water and sewage system, then the user shall at the user's expense, install and maintain on such premises a water meter satisfactory to the director of public utilities or his representative, which shall measure all water received on such premises from all sources, or such water obtained from sources other than the city's water and sewage system, may be measured and determined by other records kept and maintained by such user and open to inspection by and acceptable to the city's representative and in such cases, the wastewater service charge to be made against such premises shall be based on the aggregate quantity of water received on said premises from the city's water and sewage system and all other sources.
- (6) *User outside city limits.* For users or customers outside the corporate limits of the city entitled to use the city's wastewater disposal system by virtue of consent of the governing body, the rates for such use shall be double those prescribed under subsections (1), (2), (3), (4), and (5).

SECTION 4. REPEAL. Sections 90-177, 90-201, and 90-204 of the Code of Ordinances of the City of Garden City, Kansas, as previously existing, shall be and the same are hereby repealed, to be replaced as specified herein, upon the effective date of this ordinance.

SECTION 5. SEVERABILITY. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, then it shall not affect the validity of any remaining parts of this ordinance. This severability provision shall apply to, but not be limited to, any unconstitutionality or invalidity due to any part or portion of the Through Truck Route, as defined herein, not being within the corporate limits of Garden City, Kansas.

SECTION 6. HEADINGS; SECTION REFERENCES. The headings used in this ordinance are intended for convenience of reference only and shall not affect the interpretation or construction of this ordinance or any part hereof.

SECTION 7. EFFECTIVE DATE; PUBLICATION. This ordinance shall take effect and be in full force and effect from and after: (a) the passage and signature hereof; (b) the publication of a summary hereof in The Garden City Telegram, the official city newspaper; and (c) the publication of the full text hereof on the City's website in compliance with subsection (b) of K.S.A. 12-3007.

APPROVED AND PASSED by the Governing Body of the City of Garden City, Kansas, the 4th day of March, 2025.



ROY CESSNA, Mayor

ATTEST:



CELYN N. HURTADO, City Clerk
KORI A. LONGORIA, Deputy City Clerk



APPROVED AS TO FORM AND CONTENT:



JENNIFER V. CUNNINGHAM, City Attorney