

2/26/2016 12:32 PM Change in Rate to \$6.25 per 1,000 gallons

A LOCAL LAW to amend Chapter 280 of the Code of the Town of Yorktown entitled "WATER," by amending Section 280-31(E)(1) through (6) to change the Water Rate Schedule for the Yorktown Consolidate Water District.

Be it enacted by the Town Board of the Town of Yorktown as follows:

Section I. Statement of Authority.

This Local Law is authorized by the New York State Constitution, the provisions of the New York Municipal Home Rule Law, the provisions of the Statute of Local Governments, the relevant provisions of the Town Law of the State of New York, the laws of the Town of Yorktown and the general police power vested with the Town of Yorktown to promote the health, safety and welfare of all residents and property owners in the Town.

Section II. Section 280-31 (E) (1) through (6) of the Town Code entitled "WATER" is amended as follows:

E. Water rate schedule for the Yorktown Consolidated Water District. A graduated water rate schedule is established to promote water conservation. Under the graduated water rate schedule, the charge for each unit consumed increases with consumption. The purpose of this graduated rate schedule is to combat the recurrent water shortages experienced by the Town of Yorktown and other area municipalities. The graduated water rate schedule will encourage water consumers, particularly the large consumers, to curtail their water usage, benefitting the general welfare of all consumers of water in Yorktown and area municipalities. The rate schedule shall be as follows:

- (1) Consumers of 9,000 gallons of water or less per billing period:
 - (a) Inside district: \$56.25 plus the annual percentage increases in the New York water rate (NYR) and the Northern Westchester Joint Water Works Consumption rate (NWJWW rate) charged for 9,000 gallons or portion thereof.
 - (b) Outside of district: \$112.50 plus the annual percentage increases in the NYR and the NWJWW rate charged for 9,000 gallons or portion thereof.
- (2) Consumers of more than 9,000 gallons of water per billing period up to but not including 250,000 gallons of water per billing period:
 - (a) Inside district: \$56.25 plus, for each additional 1,000 gallons or portion thereof above 9,000 gallons, \$6.25 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(b) Outside of district: \$112.50 plus, for each additional 1,000 gallons or portion thereof above 9,000 gallons, \$12.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(3) Rates for moderate consumers.

(a) Consumers of 250,000 gallons of water per billing period up to but not including 500,000 gallons of water per billing period

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[1] Inside district: \$6.75 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$13.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(b) Consumers of 500,000 gallons of water per billing period up to but not 750,000 gallons of water per billing period:

[1] Inside district: \$7.25 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$14.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(c) Consumers of 750,000 gallons of water per billing period up to but not including 1,000,000 gallons of water per billing period:

[1] Inside district: \$7.75 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$15.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(d) Consumers of 1,000,000 gallons of water per billing period up to but not including 1,250,000 gallons of water per billing period:

[1] Inside district: \$8.25 per every 1,000 gallons of water thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$16.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(e) Consumers of 1,250,000 gallons of water per billing period up to but not including 1,500,000 gallons of water per billing period:

[1] Inside district: \$9.75 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$19.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(4) Rates for moderate to large consumers.

(a) Consumers of 1,500,000 gallons of water per billing period up to but not including 1,750,000 gallons of water per billing period:

[1] Inside district: \$9.25 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$18.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(b) Consumers of 1,750,000 gallons of water per billing period up to but not including 2,000,000 gallons of water per billing period:

[1] Inside district: \$9.75 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$19.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(c) Consumers of 2,000,000 gallons of water per billing period up to but not including 2,250,000 gallons of water per billing period:

[1] Inside district: \$10.25 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$20.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(d) Consumers of 2,250,000 gallons of water per billing period up to but not including 2,500,000 gallons of water per billing period:

[1] Inside district: \$10.75 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$21.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(e) Consumers of 2,500,000 gallons of water per billing period up to but not including 2,750,000 gallons of water per billing period:

[1] Inside district: \$11.25 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$22.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(5) Large consumers.

(a) Consumers of 2,750,000 gallons of water per billing period up to but not including 3,000,000 gallons of water per billing period:

[1] Inside district: \$11.75 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

[2] Outside of district: \$23.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.

(b) Consumers of 3,000,000 gallons of water per billing period up to but not including 3,250,000 gallons of water per billing period:

- [1] Inside district: \$12.25 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.
 - [2] Outside of district: \$24.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.
- (c) Consumers of 3,250,000 gallons of water per billing period up to but not including 3,500,000 gallons of water per billing period:
- [1] Inside district: \$12.75 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof
 - [2] Outside of district: \$25.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.
- (d) Consumers of 3,500,000 gallons of water or greater per billing period:
- [1] Inside district: \$13.25 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.
 - [2] Outside of district: \$26.50 per every 1,000 gallons of water or portion thereof plus the annual percentage increases in the NYR and the NWJWW rate per every 1,000 gallons of water or portion thereof.
- (6) Bulk hauler rate.
- (a) All bulk hauler purchasers of water shall pay \$16.25 per 1,000 gallons inside the district and \$32.50 per 1,000 gallons outside the district. Minimum bulk hauler purchase shall be deemed to be 1,000 gallons.
 - (b) For purposes of this section, the quantity of water purchased shall be measured by the full capacity of the equipment used to haul such water. The water shall be taken solely from a designated hydrant under the control and conditions of the Water Superintendent or his authorized representative.
 - (c) Wholesale rate for other municipalities by contract; other out-of-district rates at double the amount; ten-percent penalty charge after due date.

Section III. Severability.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section IV. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section V. Effective Date.

This Local Law shall become effective upon filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law.