

RESOLUTION NO. 11-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, AMENDING RATES CHARGED FOR CITY WATER, SEWER, AND GARBAGE FEES.

WHEREAS, Sections 7-1-4123(7) and 7-13-4304, MCA, authorize the governing body of the municipality operating a municipal water and sewer system and providing garbage services to fix, establish and collect rates and charges for the services, facilities, and benefits, directly or indirectly, taking into account services provided and benefits received; and

WHEREAS, as required by Section 7-13-4307, MCA, the rates and charges established by the City's system must be sufficient in each year to provide income and revenues adequate for the payment of the reasonable expense of operation and maintenance and the expenditures for depreciation and replacement of its system, as determined by the City Council; and

WHEREAS, staff has recommended adjustments to fees charged to cover the rising costs of collections and reconnections for City water, sewer, and garbage services as follows:

	<u>Current</u>	<u>Proposed</u>
Delinquent Fees		
1st Delinquent Notice--Late Fee	\$5	\$10
2nd Delinquent Notice--Door Tag	\$0	\$15
Non-Payment Fee	\$25	\$40
Other Fees		
Reconnect Fee	\$10	\$25
Check and ACH NSF Fee	\$25	\$25

WHEREAS, as required by Section 69-7-111, MCA, public notice on the City's proposed fee increases for City water, sewer, and garbage fees was published on January 26, February 2, and February 9, 2011, proper notice was mailed to persons served by the City at least seven (7) days and not more than thirty (30) days prior to the hearing, and the Montana Consumer Counsel received proper notice of the hearing, and

WHEREAS, at a lawfully noticed public hearing on February 22, 2011, after receiving public comment and reviewing a staff report recommending increases, and having considered the cost of operation and services, the Whitefish City Council reviewed the recommended increases in City water, sewer, and garbage fees and found them to be reasonable and necessary.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: The fees for City water, sewer, and garbage services are amended and established as follows:

Delinquent Fees

1st Delinquent Notice--Late Fee	\$10
2nd Delinquent Notice--Door Tag	\$15
Non-Payment Fee	\$40

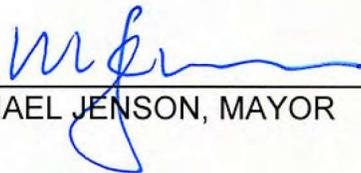
Other Fees

Reconnect Fee	\$25
Check and ACH NSF Fee	\$25

Section 2: Accordingly, the *Rules and Regulations for the City of Whitefish Water and Wastewater Utility* adopted November 18, 2002, by Resolution No. 02-55, are hereby amended with the above established fees.

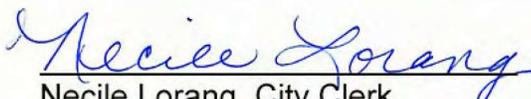
Section 3: This Resolution shall take effect immediately upon its adoption by the City Council, and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 22ND DAY OF FEBRUARY, 2011.



MICHAEL JENSON, MAYOR

ATTEST:



Necile Lorang, City Clerk