

**CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE 2010-01**

AN ORDINANCE AMENDING ORDINANCE 2007-01, "AN ORDINANCE SETTING FORTH GENERAL ADMINISTRATIVE PROCEDURES, FEES, GUIDELINES AND RATES FOR WATER & SEWER SERVICE WITHIN THE CITY LIMITS OF THE CITY OF RUSSELLVILLE, KENTUCKY; CONTAINING A SEVERABILITY CLAUSE AND REPEALER CLAUSE, AND ESTABLISHING AN EFFECTIVE DATE" BY DESIGNATING THE U. S. BUREAU OF LABOR STATISTICS – SOUTH REGION – CONSUMER PRICE INDEX FOR URBAN CONSUMERS - 50,000 OR LESS, AS THE INDEX USED TO AUTOMATICALLY ADJUST WATER AND SEWER RATES ON AN ANNUAL BASIS, CONTAINING A SEVERABILITY CLAUSE AND REPEALER CLAUSE, AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, the City of Russellville has established water and sewer rates, but no provision exists to automatically adjust those rates based on the cost of living; and

WHEREAS, the U.S. Department of Labor statistics provides reliable annual data which shows the cost of goods and services in the Southern United States; and

WHEREAS, City Council believes it to be prudent to automatically adjust water and sewer rates based on the cost of living;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN AND FOR THE CITY OF RUSSELLVILLE, KENTUCKY, AS FOLLOWS:

I. SECTION G(16) OF ORDINANCE 2007-01 IS AMENDED AS FOLLOWS:

16. Water and sewer usage rates are as follows:

WATER:

First 1,000 gallons	\$13.29
Next 19,000 gallons	11.44
Next 30,000 gallons	10.06
Next 50,000 gallons	9.15
Next 400,000 gallons	8.24
Over 500,000 gallons	7.33
Water crisis surcharge	.55

SEWER:

Per 1,000 gallons	8.95
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NOT APPROVED
2/16/10
BR

~~A regional consumer price index will be used for any annual adjustments.~~

- a. On an annual basis, beginning February 2010, the City Clerk of the City of Russellville shall consult the U.S. Department of Labor - Bureau of Statistics - South Region - Consumer Price Index - for Urban Consumers 50,000 or Less.
- b. The Consumer Price Index at December of the previous year shall be used to adjust Water and Sewer Rates based on the cost of living increase or decrease listed therein.
- c. The City Clerk shall automatically adjust the current Water and Sewer Rates based on the December index, to be effective at March 1 of the current year.

II. SEVERABILITY CLAUSE

If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

III. REPEALER CLAUSE

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

IV. EFFECTIVE DATE

This ordinance shall be effective upon its passage and publication as required by law.

FIRST READING conducted the 2nd day of February, 2010.

SECOND READING being conducted on the 16th day of February, 2010.

**CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2009-08**

AN ORDINANCE FORMALLY ANNEXING INTO THE TERRITORIAL LIMITS OF THE CITY OF RUSSELLVILLE, KENTUCKY, THE LANDS CONTAINING 7.647 ACRES PREVIOUSLY DESCRIBED IN ORDINANCE NO. 99-14; PROVIDING FOR A SEVERABILITY CLAUSE, REPEALER CLAUSE, AND AN EFFECTIVE DATE

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WHEREAS, Ordinance No. 99-14 was enacted on September 21, 1999, by the Russellville City Council; and,

WHEREAS, said ordinance was an ordinance stating an intention to annex certain unincorporated territory contiguous to the City of Russellville; and,

WHEREAS, in order to prepare an accurate and complete map of the boundaries of the City of Russellville it has become necessary to now adopt an ordinance carrying out the stated intentions in the said Ordinance No. 99-14 to complete the annexation of the territory as described in the aforesaid ordinance; and,

WHEREAS, more than sixty (60) days have elapsed since Ordinance No. 99-14 went into effect, and no petition containing signatures of property owners in the area to be annexed has been received by the Mayor pursuant to KRS 81A.420;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Russellville, Kentucky, as follows:

SECTION ONE: That the territory described in Ordinance No. 99-14 be, and it is hereby annexed to, and incorporated in, the territorial boundaries of the City of Russellville, Kentucky, and the description of the annexed territory is attached hereto,

and is incorporated by reference to the said Ordinance No. 99-14 as if fully copied at length.

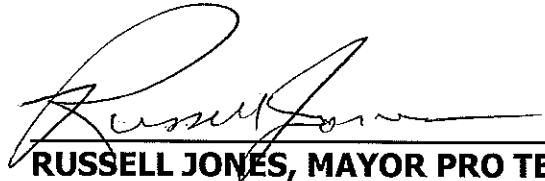
SECTION TWO: All ordinances or parts of ordinances in conflict herewith now in effect are hereby repealed.

SECTION THREE: If any clause, provision or section of this ordinance shall be ruled void or unenforceable by any court of competent jurisdiction, the remainder hereof is intended to be enacted and shall be in force and effect notwithstanding.

SECTION FOUR: This Ordinance shall become effective after passage and publication as required by law.

FIRST READING held on the 8th day of December, 2009.

SECOND READING AND PASSAGE on the 22nd day of December, 2009.



RUSSELL JONES, MAYOR PRO TEM

ATTEST:



BOB RIGGS, CITY CLERK

Ayes: Bell, Pat; Davenport, Jimmy; Jones, Russell; McPherson, Lanny; Nash, Doug; Whipple, Jack.

Nays: None.

Absent: None.

Abstaining: None.

CITY OF RUSSELLVILLE, KENTUCKY

ORDINANCE No. 2009-08

EXHIBIT "A"

The following paragraph describes a tract of land in Logan County in the Longview - Huyton Subdivision adjoining the present city limits of the City of Russellville; this parcel is intended to be annexed into the city limits of Russellville said premises being more particularly described as follows:

Beginning at an iron pin set in the southerly right of way of U. S. Route 68 Russellville By-Pass where the existing City Limits of Russellville intersects said highway; thence along the southeasterly right of way of said highway the following two calls: North 48 degrees 49 minutes 57 seconds East a distance of 22.90 feet to an iron pin set; thence North 58 degrees 05 minutes 13 seconds East a distance of 636.65 feet to an iron pin set at the northwesterly corner of Lot 28 Section C of the Longview-Huyton Subdivision; thence along the northerly line of said Subdivision the following two calls: South 63 degrees 38 minutes 40 seconds East distance of 781.78 feet to an iron pin set at the northeast corner of Lot 1 Section B of said subdivision; thence North 61 degrees 42 minutes 21 seconds East along the northerly line of Lot 7 Section B a distance of 130.00 feet to an iron pin set on the westerly side of Creekside Drive (unimproved); thence along the westerly right of way of Creekside Drive South 30 degrees 38 minutes 39 seconds East a distance of 247.81 feet to an iron pin set in the existing City Limits of the City of Russellville, Kentucky; thence along the existing City Limits of the City of Russellville, Kentucky, North 84 degrees 23 minutes 53 seconds West a distance of 1506.15 feet to the point of beginning. Containing 7.647 acres more or less to be annexed into the city limits of the City of Russellville, Kentucky.

This description based on a survey performed by C. A. Coleman, Kentucky State Registered Land Surveyor #1895 in August of 1999. Bearings for this description are based on the Kentucky Department of Transportation Highway Plans for the U.S. Route 68 Russellville By-Pass.