

**ORDINANCE NO. 2017-14**

**AN ORDINANCE AMENDING ORDINANCE NO 2017-14**

**WHEREAS**, the Marshall County Fiscal Court wishes to amend three sections of Ordinance 2017-14 dealing with rates of the Marshall County Sanitation District;

**NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF MARSHALL COUNTY, COMMONWEALTH OF KENTUCKY, THAT ORDINANCE NO. 2017-14 IS HEREBY AMENDED TO READ AS FOLLOWS:**

**SECTION 5: EXCLUSION OF ~~STORM WATER AND OTHER SURFACE WATER~~  
UNPERMITTED DISCHARGES INTO WASTEWATER SYSTEM**

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D. In addition to ensuring that all unpermitted sources of water do not enter the Sanitation District's wastewater system, it is likewise the responsibility of the property owner to ensure that other unpermitted, non-water discharges do not enter wastewater system. These unpermitted discharges include, but are not limited to: garbage, plastics, cloth materials, cardboard, metals, or any other substance of any type of material that would or could cause damage to the Sanitation District's wastewater treatment facilities or infrastructure. The Sanitation District, in its discretion, has the authority to require property owners to install reasonable prophylactic devices or undertake other reasonable preventative measures to effectively block the unpermitted discharges contemplated by this subsection from entering the Sanitation District's wastewater system.

**SECTION 9: FEES, RATES AND CHARGES**

Section 9

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D) Any public wastewater service charges that are owed to the Sanitation District are ultimately the responsibility of the owner of the property to which service is provided. The Sanitation District shall have the right and the fiduciary responsibility to use any and all appropriate means to secure payment for its services, as provided by law, including, but not limited to, the right to cut off services on the subject property until all outstanding monies owed to the Sanitation District have been paid in full. In pursuing monies that may be owed, the Sanitation District may bring an action against the owner of the subject property and/or a tenant who benefited from the wastewater services on the subject property.


E) Notwithstanding any of the foregoing, the Rate Advisory Committee is authorized to establish a reasonable special rate for an extremely high volume governmental-entity consumer. For purposes of this section, an extremely high volume governmental-entity consumer shall be defined as a public entity supported primarily by public dollars, which introduces, on an average monthly basis, approximately 250,000 or more gallons of flow into the Sanitation District's wastewater treatment facilities. The special rate shall be designed to cover the costs related to the duty of the Sanitation District to routinely inspect and/or clean prophylactic guards, such as bar screens, which may be required to be located on the property of the extremely high volume governmental-entity consumer.

Amended and Effective this the 7<sup>th</sup> day of July, 2020.

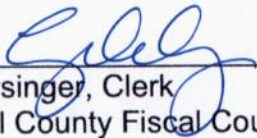
First Reading: June 16, 2020

Second Reading: July 7, 2020

Publication: July 14, 2020

  
Kevin Neal  
Marshall County Judge/Executive

ATTEST:

  
Cory Dysinger, Clerk  
Marshall County Fiscal Court

Date: July 7, 2020