

ORDINANCE NO. 5157

AMENDING THE CITY OF MEMPHIS CODE OF ORDINANCES CHAPTER 33 ARTICLE IV DIVISION 3. STORM WATER ENTERPRISE FUND, TO REVISE THE RATE SCHEDULE AND TO SPECIFY AN IMPLEMENTATION DATE.

WHEREAS, The City of Memphis established a storm water enterprise fund through passage of Ordinance 5135 and that ordinance contained a rate for the first billing period that can be reduced by implementing the fund charges on 1 May 2006 instead of 1 July 2006;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEMPHIS, TENNESSEE:

Section 1.

Chapter 33 Article IV DIVISION 3. STORM WATER ENTERPRISE FUND of the City of Memphis Code of Ordinances is hereby amended by adding thereto the following:

Add the following definition to Sec. 33-260. Definitions.

Implementation Date means the date that the City of Memphis will begin charging the storm water fee to its customers (1 May 2006). The fee will become due at the end of the month upon which it is charged and will be payable in the following month. For example, the first charge will be due on 31 May 2006. Depending upon the billing cycle it will appear on MLGW utility bills sometime during the month of June 2006. The fee will then be collected in the month of July 2006 when those bills are paid.

Section 2

Sec. 33-264. Establishment of SFU, SFU rate and Storm water fee; establishment of policy regarding expenditure of enterprise revenues is hereby amended by revising the following:

Revise sub-section (d) FY2007 data as follows:

- (d) The SFU rate to be applied to residential and nonresidential properties for fiscal years 2007 through 2011 are identified below:

FY 2007*	\$2.177/SFU/month
FY 2008	\$2.88/SFU/month
FY 2009	\$3.30/SFU/month
FY 2010	\$3.64/SFU/month
FY 2011	\$4.02/SFU/month

* For the purposes of this article, the rate shown for FY2007 is based upon the inclusion of the last two months of FY2006 for a total billing period of 14 months.

Section 3.

This Ordinance shall take effect from and after the time it shall have been passed by the Council, certified and delivered to the Mayor in writing by the Comptroller, and shall become effective as otherwise provided by law.

Passed, approved and adopted this ___ day of ___, 2006.

THE FOREGOING ORDINANCE

5157 PASSED

1st Reading 2-21-2006

2nd Reading 3-7-2006

3rd Reading 4-11-06

Approved [Signature]
Chairman of Council

Date Signed: 4-25-2006

Approved: [Signature]
Mayor, City of Memphis

Date Signed: 5/2/06

I hereby certify that the foregoing is a true copy, and said document was adopted by the Council of the City of Memphis as above indicated and approved by the Mayor.

[Signature]
Comptroller

[Signature]
Chairman, Memphis City Council