

**ORDINANCE NO. 03-19**

**ESTABLISHING THE "PRIDE SPECIAL SERVICE AREA NO. 1"**

WHEREAS failing septic tanks and other on-site wastewater disposal systems along the U.S. 27, south corridor are creating non-point source pollution of Lake Cumberland, and

WHEREAS such discharges are a threat to the health and safety of Somerset, Pulaski County residents and visitors, and

WHEREAS failing wastewater systems jeopardize the safety and reliability of the Somerset Water Treatment Plant, the primary provider of potable water to the area, and

WHEREAS the City of Somerset desires to make sanitary sewer service available to allow the abandonment of such failing systems and to provide wastewater service to the corridor along U.S. 27 south thus preventing continuance of pollution and creating a condition conducive to development.

WHEREAS the area of initial wastewater service area shall be along the U.S. 27 highway south, from near Horseshoe Road to near the Somerset Water Treatment Plant. Be it further known that sanitary sewer system design for this critical area will be such as to ultimately accept all waste flow south of the Water Treatment Plant to Pitman Creek.

WHEREAS the City of Somerset hereby establishes this area as "PRIDE SPECIAL SERVICE AREA NUMBER 1", and establishes a system of capital recovery charges to support construction of said wastewater facilities.

WHEREAS the primary beneficiaries of the proposed system are deemed to be owners of property fronting on U.S. 27, south served by the project. Said beneficiaries shall be assessed a "capital recovery" fee based upon an estimated local share cost of \$300,000.00. Capital recovery assessment has been calculated to be \$29.95 per front foot of such properties, but may be adjusted as necessary after receipt of project construction bid and other project costs. Be it known that the City of Somerset Water Treatment Facilities possess approximately 1,071 linear feet of frontage and shall contribute its share in the amount \$32,075.47.

Be it further known that in the event that benefiting property owners fail to pay their "capital recovery" assessment, such costs may be loaned by the City to assure project construction. The total amount loaned to the project by the City shall not exceed \$80,000.00. In the case of any such project loans, the City of Somerset shall file a lien against any such property and recover all loan costs as

a surcharge added to benefiting property owner's monthly sewer bill. Principal amount of such surcharge shall be the delinquent amount of the original assessment plus filing and processing costs and shall bear interest at the rate of 10 percent per annum. The term over which such surcharge shall be levied shall be 5 years.

WHEREAS it is understood that the City of Somerset shall fully own and operate said "PRIDE SPECIAL SERVICE AREA NUMBER 1" wastewater transportation system and the subject users of same to monthly use charges on the basis of current and periodically adjusted rates for "outside" customers.

Whereas, the City of Somerset shall extend the U.S. 27, south sewer project from time to time as it sees fit to further reduce pollution from on-site disposal systems and/or to enhance the development potential of the service area. Capital recovery assessments may or may not be levied in such cases, depending upon finance vehicles available at the time and other factors.

This "PRIDE Special Service Area Number 1" shall continue as a separate part of the Somerset wastewater system until changed by the City of Somerset's duly seated Council.

FIRST READING: December 8, 2003

SECOND READING: January 13, 2004

APPROVED:

J. J. Wiles  
MAYOR

ATTEST:

David H. [Signature]  
CITY CLERK