

ORDINANCE NO. BG2012 - 42

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 23 (WATER AND SEWER) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO MAKE VARIOUS ADMINISTRATIVE CHANGES

WHEREAS, from time to time, the City of Bowling Green reviews its Code of Ordinances for compliance with applicable state law and current needs; and,

WHEREAS, a review of Chapter 23 (Water and Sewer) indicated a need to make various administrative amendments; and,

WHEREAS, these amendments are in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 23 (Water and Sewer) is hereby amended as follows:

23-2 BOWLING GREEN MUNICIPAL UTILITIES BOARD.

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23-2.03 Appointment of Members; Qualifications, Terms and Salaries.

a. The Board shall be composed of five (5) members ~~and no one shall be appointed unless he has resided within the City for two (2) years preceding the date of his election, is a citizen, a taxpayer and a legal voter, nor unless he is otherwise qualified under KRS 96.740.~~

b. The initial four (4) regular members shall be appointed by the Mayor, subject to approval by the Board of Commissioners, to terms ranging in length from one to four (4) years; one member shall serve for one year, one member for two (2) years, one member for three (3) years, one member for four (4) years. At the conclusion or termination of the term of each member, that member may be reappointed, ~~by Ordinance,~~ to one additional term by the Mayor with the approval of the Board of Commissioners. If that member is not reappointed, a new member shall be appointed, ~~by Ordinance,~~ by the Mayor with the approval of the Board of Commissioners. Each new member

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appointed and any member reappointed shall serve for a term of four (4) years. In no case shall any regular member serve more than eight (8) consecutive years on the Board. If any member resigns or, for any reason, ceases to be a member before the expiration of his term, the Mayor with the approval of the Board of Commissioners shall appoint, ~~by Ordinance,~~ a new member to serve for such member's unexpired term, pursuant to KRS 96.760. The four (4) regular members of the Board shall be residents of the City and shall have resided in the City for not less than one (1) year preceding the date of the appointment and shall be a citizen, taxpayer and legal voter of the City and otherwise qualified pursuant to KRS 96.740.

c. The fifth member shall be one of the members of the Board of Commissioners or the City Manager as designated by the Mayor ~~by Ordinance,~~ with the approval of the Board of Commissioners, and his term shall be for such time as the Mayor may fix, but not beyond such appointee's ~~the~~ term of his office. That member may be reappointed, ~~by Ordinance,~~ to the Board by the Mayor with approval of the Board of Commissioners as long as he remains in office, ~~but in no case shall this member serve on the Board more than eight (8) consecutive years.~~

d. The salaries for the four (4) regular members of the Board shall be determined by the Board not to exceed the amount provided for by KRS 96.750; provided, however, the fifth or the ex officio member from the Board of Commissioners or City Manager shall be paid no salary as a member of this Board. Any salaries shall be paid by the Board from allowable operating revenues generated by Bowling Green Municipal Utilities.

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23-2.04 Meetings and Minutes.

a. The Board shall hold regular public meetings at least once each month at such regular time and place as the Board may determine pursuant to KRS 96.770, and the Board may have as many special meetings as it shall desire. ~~Agenda items may be added by the General Manager any time prior to the regular meeting and the Board may add items to the agenda by a vote of not less than~~

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~~a majority of the members of the Board present.~~

b. Special meetings of the Board will be called by the Chairman or by any two (2) members of the Board, provided written notice is delivered to each member in advance of the meeting; stating the time and purpose of the meeting pursuant to KRS 96.770.

c. No meeting of the Board shall be held unless a majority of the members are present and all acts of such Board shall be by a majority vote of those present.

d. The Secretary of the Board shall keep minutes of all meetings.—~~At each regular meeting, the minutes of the last regular meeting of such Board and subsequent special meetings shall be read, unless dispensed with by unanimous vote. All members shall sign all minutes, stating their approval of the action taken or stating wherein they disapprove.~~

23-2.05 Officers.

Within ten (10) days after appointment and qualification of the members, the Board shall hold a meeting and elect its Chairman and its Secretary-Treasurer, but neither officer shall be paid any extra compensation above their salary as members of the Board.—~~The Chairman and Secretary-Treasurer shall serve until the regular meeting in July, at which time their successors shall be elected to serve one-year terms. The Chairman shall not succeed himself however, a member serving as Acting Chairman is not to be construed as serving as Chairman, pursuant to KRS 96.770.~~

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23-3.05 Prohibitions and Limitations on Use of the Public Sanitary Sewers.

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f. Limitations on Wastewater Discharges. No person shall discharge or convey, or permit or allow to be discharged or conveyed to the public sanitary sewer any wastewater containing pollutants of such character or quantity that will:

1. Not be susceptible to treatment, cause interference with the process or efficiency of the wastewater treatment system or pass through the treatment plant to the receiving

stream.

2. Constitute a hazard to human or animal life, or to the stream or watercourse receiving the wastewater treatment plant effluent.

3. Violate Federal, State or City pretreatment standards.

4. Exceed the following discharge limitations:

<u>Constituents</u>	<u>Limits mg/l*</u>
Arsenic	10.84
Barium	2.500
Beryllium	0.004
Cadmium	0.02
Chlorides	1,600.0

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2. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on December 18, 2012, and given final reading on January 15, 2013, and said Ordinance shall be in full force and effect as of January 1, 2013, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: January 15, 2013

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Kate Shaller
City Clerk

SPONSORED BY: Bruce Wilkerson, Mayor, 12/07/2012, 7:30 a.m.