

**AN ORDINANCE TO APPROVE A REVISED WATER USER RATE AND RELATED MATTERS FOR THE VILLAGE OF CONEY ISLAND, MISSOURI**

**WHEREAS**, In order to facilitate the standardized and equitable provision of, and payment for water services within the confines of the Village of Coney Island, Missouri;

**NOW THEREFORE**, The Village of Coney Island Board of Trustees approves the following:

(A) Definitions:

1. "Base Rate" is defined as minimum quarterly charge for provision of water related services, including the first Fifteen Thousand (15,000) gallons per quarter, within the Village of Coney Island, Missouri, reflecting the cost to maintain said services:
2. "Minimum Usage" is defined as water usage of Fifteen Thousand (15,000) gallons, whether or not that amount is actually utilized.
3. "Water Meter"- a device used to measure the volume of water used by residential and commercial customers that are supplied with water by the Village of Coney Island, Missouri.
4. "Village"- the Village of Coney Island, Missouri.
5. "Residential" - permanently, long term- 30+ days, second home- residence occupied part of year as residence.
6. "Commercial" - business, short-term<30days. Examples: nightly rental. \*Board discussion.

(B) The quarterly "Base Rate" shall be:

Residential - One Hundred Eight Dollars and Sixteen Cents(\$108.16) per quarterly billing period,

Commercial – Two Hundred Sixteen Dollars and Thirty-two Cents(\$216.32) per quarterly billing period,

subject to adjustment as determined by the Board of Trustees of the Village; and further shall include a four (4%) percent annual adjustment review for residential and commercial rates.

(C) Each residential and commercial owner within the confines of the Village of Coney Island, Missouri shall be required to obtain and arrange with the Village to install a functioning Water Meter which shall be utilized to determine water usage, with such Water Meter to be secured through the Village. The Village shall become the owner of the properly installed Water Meter/Setter, and the line to the meter from the Village main line. A duly authorized representative of the Village shall be granted ingress and egress for the purpose of determining such usage at the Water Meter.

(D) The current rate for setting and/or the removal of a Water Meter, and/or for transfer of water meter services shall be Fifty and no/100 Dollars (\$50.00) per occurrence, subject to adjustment by the Board of Trustees of the Village.

(E) All water (Residential and Commercial) usage, above the Base Rate of Fifteen thousand gallons (15,000) will be billed at the rate of Five and no/100 Dollars (\$5.00) per One Thousand (1,000) gallons of water usage over 15,000 gallons, subject to adjustment by the Board of Trustees of the Village.

(F) Each residential, commercial or vacant lot customer shall be assessed a fee of Ten and no/100 Dollars (\$10.00) for the purpose of annual water testing for less than a two (2) inch meter, a Twenty-five Dollars (\$25.00) for a two inch meter. No meters larger than 2" allowed attached to the Village water system. The landowner of a multiple-unit residence shall acquire a water meter for each unit. The Village shall be the sole judge and shall have full authority to determine how many units are contained in a residence and that determination shall be final and binding upon the landowner of any multiple-unit residence and upon any User therein. This fee shall be subject to adjustment by the Board of Trustees of the Village.

(G) No residential, commercial or vacant lot customer shall provide water service to an adjoining lot or location through a properly set water meter. No residential, commercial, or vacant lot customer or anyone acting on behalf of the same shall tamper with or cause damage to a Water Meter, including any attempt to provide water to an unauthorized person or location, or to stop, and/or change properly provided water service. Violation of any of these requirements could result in a discontinuance of water service and/or a fee of up to One Hundred Fifty and no/100 Dollars (\$150.00) being assessed at the discretion of the Board of Trustees of the Village.

(H) The record owner of all property in the Village shall be responsible for payment of all properly assessed sums for water service, whether or not they are personally utilizing the service or it is being utilized by a lessee or some 3<sup>rd</sup> party. Failure to pay all sums due for the provision of water service as set forth in this ordinance may result in the filing of a lien or special assessment against the real property at the discretion of the Board of Trustees of the Village.

(I) Any extension of water lines and/or of additional Water Meters shall be completed by the Village upon the written request of an individual property owner, and at the property owner's sole expense, upon approval by the Village of the written request from the property owner, and prior payment in full of the estimated cost of completion for the same.

(J) There will be a 5% penalty added to any bill not paid within 30 days. At 45 days past due you will receive a notice. At 60 days past due the water will be disconnected and to reconnect your water your bill will be due in full, including a \$50 reconnect fee.

(K) The charges defined in this ordinance do Not include any applicable Sales Tax. Sales Tax will be assessed per taxing authority.

(L) All parties or entities requesting water services from the Village must complete a Water Contract attached hereto as Exhibit A and by this reference, made a part hereof.

*This Ordinance is hereby reviewed and amended.*

Read a first and second time and passed by the Board of Trustees of the Village of Coney Island, Missouri this 11 day of April 2022.

Chairman:



Darren Vest, Chairman

Attest:



Jennifer Fliflet, Village Clerk



## ATTACHMENT A

Village of Coney Island  
103 Broadway Ave.  
Reeds Spring, MO 65737

Chairman: Darren 417-880-9220  
Clerk, Jennifer: 712-310-0689  
villageofconeyisland@gmail.com

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### Village of Coney Island Water Application

The undersigned (hereinafter called the "Applicant") hereby applies for membership in and agrees to purchase water services from Village of Coney Island (hereinafter called the "Village") upon the following terms and conditions:

1. Applicant shall, when water service becomes available from the Village of Coney Island, purchase all water services provided on the premises described in this application, subject to and in accordance with the by-laws and rules and regulations of general application of the Village of Coney Island, provided however that the Village of Coney Island may limit the amount of water service to be furnished for industrial or commercial use.
2. The water service purchased hereunder shall be used only by the Applicant. The Applicant shall pay for water services purchased hereunder at the time and at the rates determined from time to time by the Village of Coney Island in the manner prescribed by the by-laws of the Village. Applicant shall pay a quarterly bill as calculated by the Village of Coney Island, regardless of the amount of water service delivered by the Village of Coney Island and used by the Applicant.
3. Upon acceptance of this application, Applicant agrees to: (A) Permit the Village of Coney Island through its Board members, employees, and contractors to construct new facilities as required: (B) Permit the Village of Coney Island to operate and maintain all facilities: (C) comply with the Village of Coney Island water use rules.
4. The Applicant will comply with and be bound by the by-laws and such rules and regulations of the Village of Coney Island as may be adopted from time to time by the Village. Copies of all the foregoing which are available from the Village of Coney Island Clerk have been furnished to the Applicant or made available to the Applicant through the Clerk and the same are incorporated into this application as though fully set forth herein.
5. The Village of Coney Island shall not be liable to the Applicant or any other person if it is unable to provide water service to Applicant or if water service to Applicant is interrupted, disrupted or defective through failure or breakdown of the Village of Coney Island facilities or if such failure or breakdown or defective service is caused by any wholesale supplier of water service to the Village of Coney Island, or by strike, necessary repairs to the Village of Coney Island's facilities, labor disturbances, riot, act of God, by accident, the elements, inability to secure right-of way or easement, inability to secure environmental or other permits, or authority necessary to provide the same, or by legal processes, direction of any governmental agency, or by any cause beyond the reasonable control of the Village of Coney Island. The Village expressly does not guarantee pressure or adequacy of pressure for fire suppression systems.

## ATTACHMENT A

6. The private property of the Applicant as a member of the Village of Coney Island shall be exempt from execution for the debts of the Village of Coney Island and no member of the Village of Coney Island shall be liable or responsible for any debts of the Village.

7. If Applicant's account is disconnected for non-payment, Applicant agrees the full costs of disconnection and re-connection fees shall be paid before service is re-connected. An additional deposit will be collected if a service connection is requested, and the person has an outstanding bill at another location. A disconnect will disable any fire suppression system.

8. Applicant agrees to pay all attorney fees and other costs of collection of account.

**Applicant(s): (sign)** \_\_\_\_\_

**(Print)** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **&/or** \_\_\_\_\_ **date:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Physical Address:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Received By :** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Meter #:** \_\_\_\_\_



## ATTACHMENT B

### VILLAGE OF CONEY ISLAND WATER CONTRACT

Village of Coney Island owns and maintains the water treatment facility which provides your home with water service. We are a Village of Coney Island municipality, maintained by the Village of Coney Island Board of Trustees. Your quarterly fees will be billed to your home the first week of January, April, July, and October. The Village follows Political Subdivision of the State of Missouri Rules. The Village also is required to follow Ordinances of the Southern Stone County Fire Protection District. A copy of their applicable ordinance No. 2021-01 is attached hereto as Attachment C, and by this reference, make a part hereof.

(A) Definitions: are as defined in Ordinance No. 1-2022. This covers Base Rate, Overages and Water Meter chargers and ownership and related charges for tampering and/or damages to the water meter.

(B) Each residential, commercial, and vacant lot customer shall be assessed an annual fee of Ten and no/100 Dollars (\$10.00) for each meter less than two (2) inches and Twenty-five and no/100 Dollars (\$25.00) for 2" meters for the purpose of annual water test. This fee shall be subject to adjustment by the Board of Trustees of the Village.

(C) The Water Meter is or will be located at the following location:

Building: \_\_\_\_\_ Lot No.: \_\_\_\_\_

And is to be used for  Commercial  Residential use as approved by the Village.

(D) No residential, commercial, and vacant lot customer shall provide water service to an adjoining lot or location through a properly set water meter. No residential, commercial or vacant lot customer or anyone acting on behalf of the same shall tamper with or cause damage to a water meter, including any attempt to provide water to an unauthorized person or location, or to stop properly provided water service. Violation of any of these requirements could result in a discontinuance of water service and/or a fee of One Hundred Fifty and no/100 Dollars (\$150.00) being assessed at the discretion of the Board of Trustees of the Village.

(E) The record owner of all property in the Village shall be responsible for payment of all properly assessed sums for water service, whether or not they are personally utilizing the service, or it is being utilized by a lessee or some 3<sup>rd</sup> party. Failure to pay all sums due for the provision of water service as set forth in this ordinance may result in the filing of a lien or special assessment against the real property at the discretion of the Board of Trustees of the Village.

(F) Any extension of water lines or additional water meters shall be completed by the Village upon the written request of an individual property owner, and at the property owner's sole expense, upon approval by the Village of the written request from the property owner, and prior payment in full of the estimated cost of completion for the same.

(G) There will be a 5% penalty added to any bill not paid within 30 days. At 45 days past due you will receive a notice. At 60 days past due the water will be disconnected and to reconnect your bill will be due in full, including **\$50 reconnect fee**.

**ATTACHMENT B**

(H) Included is the **Cross-Contamination Ordinance #13-2016** that regulates additional connections to water system.

This passed on the 11 day of April 2022.

Please sign and return this Contract between the Village of Coney Island and property owner(s).

Owner Signature(s): \_\_\_\_\_

Print \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Village of Coney Island    Date: \_\_\_\_\_

By: \_\_\_\_\_

Attachment C  
**ORDINANCE**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SOUTHERN STONE COUNTY FIRE PROTECTION DISTRICT AS FOLLOWS:**

An ordinance of the Southern Stone County Fire Protection District adopting the 2018 edition of the International Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Southern Stone County Fire Protection District; providing for the issuance of permits and collection of fees therefore; repealing Bill No. 66, Ordinance No. 2017-01 and 2017-01A of the Southern Stone County Fire Protection District and all other ordinances and parts of ordinances in conflict therewith.

The Board of Directors of the Southern Stone County Fire Protection District does ordain as follows:

**Section 1.**

That a certain document, copies of which are on file in the office of the Office Manager of Southern Stone County Fire Protection District, being marked and designated as the International Fire Code, 2018 edition, including the following Chapters 1(excluding section 102.3-102.5), 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 50, 51, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 80 and Appendix Chapters A, B, C, D, E, F, G, H, I, J, K, L, M, N as published by the International Code Council, and is hereby adopted as the Fire Code of the Southern Stone County Fire Protection District, in the State of Missouri regulating and governing the safeguarding of life and property from fire and explosion hazards arising from storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore and each and all of the regulations, provision, penalties, condition, and terms of said Fire Codes on file in the office of the Southern Stone County Fire Protection District are hereby referred to adopt, and make a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions, and changes, if any, prescribed in Section 2 of this Ordinance.

**Section 2.** That the following sections are hereby revised:

**Section 101.1 Insert:** Southern Stone County Fire Protection District

**Section 102.3 Remove:** "and the International Building Code"

**Section 102.4 Remove:** entire section.

**Section 102.5 Remove:** entire section.



**Section 110.4 Insert:** (Class B misdemeanor, \$500.00, 90 days)

**Section 112.4 Insert:** (\$50.00 and \$500.00)

**Section 1103.5.3 Insert:** Date determined by Fire Code Official

**Section 307.6 Insert:** Special Permits. A special permit for burning of trees, brush, clearing waste, and untreated sawn wood is required when it can be shown that burning is the only possible, feasible method of disposal and when permitted by the Fire Official. Written permission from the Department of Natural Resources (DNR) shall be required, if applicable.

Permit conditions and requirements:

1. All permits shall be requested and issued to the person(s) in legal control of the parcel of land which burning is to be done,
2. Location of burn pile shall be at least six hundred (600) feet from any building or structure.
3. An area of at least one hundred (100) feet surrounding the burn pile shall be clear of any combustible matter.
4. All burnings shall take place between the hours of 7:00 A.M. and 5:00 P.M. unless otherwise approved by the Fire Official or his/her designation.
5. No burning will be allowed when winds are more than fifteen (15) miles per hour.
6. Manned fire control/extinguishment shall be on scene and immediately available.
7. Fires shall not be left unattended until fire is completely extinguished.
8. Air curtain destructor shall be used. If applicable.

**Section 5704.2.9.6.1 Insert:** Southern Stone County Fire Protection District

**Section 5706.2.4.4 Insert:** Southern Stone County Fire Protection District

**Section 5806.2 Insert:** Southern Stone County Fire Protection District

**Section 6104.2 Insert:** Southern Stone County Fire Protection District

**Addendum 1:** Nightly Rentals will be classified as a Business Occupancy with the following specifications and any other applicable codes will apply:

1. Occupancy will be configured at 125 Sq. feet per person not to exceed the maximum egress calculations.
2. Fire Extinguisher required minimum 2.5 pounds.
3. Emergency Evacuation Plan posted on back of main entrance door.
4. Smoke detectors present in all sleeping areas and one on each floor.
5. Sprinkler or Alarm systems will follow appropriate code.



**Section 3.** That Bill No. 66, Ordinance No. 2017-01 and 2017-01A of the Southern Stone County Fire Protection District entitled A. Ordinance Adopting the 2015 Edition of the International Fire Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause, or phrase of this ordinance is, held to be unconstitutional; such decision shall not affect the validity of the remaining of this ordinance. The Board of Directors hereby declares that it would have passed this ordinance, and each section, subsection, clause, sentence, or phrase thereof, irrespective of the fact than any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**Section 5.** That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; no shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

**Section 6.** That the Office Manager of the Southern Stone County Fire Protection District is here ordered and directed to cause this ordinance to be published.

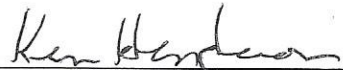
**Section 7.** That this ordinance and rules, regulations, provisions, requirements, orders, and matters established and adopted shall take effect and be in full force and effect until repealed or a substitute ordinance is adopted.

PASSED by the Board of Directors of the SOUTHERN STONE COUNTY FIRE PROTECTION

DISTRICT this 20~~16~~ day of May 2021



\_\_\_\_\_  
Tommy Johnson, Board Member

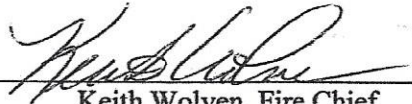
  
\_\_\_\_\_  
Ken Henderson, Board Member

  
\_\_\_\_\_  
Jerry Hageman, Board Member

  
\_\_\_\_\_  
Larry Bauer, Board Member

  
\_\_\_\_\_  
Larry Maloney, Board Member

ATTEST:

  
Keith Wolven, Fire Chief

First Reading: April 15, 2021

Second Reading: May 20, 2021

STATE OF MISSOURI     )  
  ) SS  
COUNTY OF STONE     )

On this 20<sup>th</sup> day of May, 2021 before me personally appeared Jerry Hageman, Ken Henderson, Tommy Johnson, Larry Bauer, Larry Maloney Directors of the Southern Stone County Fire Protection District, known to be the persons described in and who executed this Ordinance, and acknowledged that they executed same pursuant to their duties.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed my seal in my office in Branson West, Stone County, Missouri, the day, and year first above written.



  
Melissa K. Hern, Notary Public



**WHEREAS**, the District desires to approve the occupancy permit fee schedule in order to ensure that the District recovers the actual cost of performing the inspections and other work relating to the issuance and administration of permits;

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors:

Permits for activities, operations, practices or functions for which a Permit to Occupy/Operate shall be issued:

- (a) Annual Fire Safety Occupancy Inspections
  - 1-50 Rated Occupants: \$25.00
  - 51-100 Rated Occupants: \$50.00
  - 101 or more Rated Occupants: \$75.00
  - Non-Profits/Churches: \$25.00
- (b) Exhibits and Trade Shows: \$50.00 for each location per event.
- (c) Explosives: \$75.00 per year.
- (d) Fireworks/Pyrotechnics: \$100.00 per year for each location.
- (e) Hotel/Motel: \$50.00 per year per location.
- (f) Nightly Rental: 1-5 rentals in the same location \$25.00, otherwise \$25.00 per separate location.

PASSED by the Board of Directors of the SOUTHERN STONE COUNTY FIRE PROTECTION

DISTRICT this 20<sup>th</sup> day of May 2021

\_\_\_\_\_  
Tommy Johnson, Board Member

Ken Henderson  
Ken Henderson, Board Member

Jerry Hageman  
Jerry Hageman, Board Member

Larry Bauer  
Larry Bauer, Board Member

Larry Maloney  
Larry Maloney, Board Member

 **COPY**

ATTEST:

Keith Wolven  
Keith Wolven, Fire Chief

First Reading: April 14, 2021

Second Reading: May 20, 2021