

**CITY OF PHILIP
ORDINANCE #2023-17
ESTABLISHING SUBSECTION 207.1.d IN CHAPTER 5 OF THE REVISED
ORDINANCES OF THE CITY OF PHILIP, SD**

BE IT ORDAINED by the City Council of the City of Philip, South Dakota, that the following Subsection 207.1.d in Chapter 05, Public Owned Utilities, of the Revised Ordinances of the City of Philip is hereby established—underline indicating text to be added and the remainder of the Article left unaffected—as follows.

5-207.1 WASTEWATER SURCHARGE

The City of Philip designates the following as wastewater surcharges and shall be collected as part of the established sanitary sewer monthly minimum rates collected in accordance with Ord. 5-207 as captured and committed.

- d) Loan #C461205-08: The City of Philip designates \$12.75 of the established sanitary sewer monthly minimum rates collected in accordance with Ord. 5-207 as the wastewater surcharge, captured and committed. Said surcharge is subject to adjustment from time to time by resolution as necessary to repay a \$1,040,803 Clean Water State Revolving Loan Fund (SRF) loan over a period of no more than thirty (30) years at an interest rate of three and one-quarter percent (3.25%), in accordance with the loan agreement to be entered into by the City of Philip and the SD Department of Agriculture and Natural Resources, the proceeds of which loan are to be used for the Northeast Sewer and Stewart Avenue Improvements projects. Such surcharge shall be segregated from all other funds of the City of Philip, shall be and are hereby pledged to secure such loan, and shall be used for no purposes other than for the repayment thereof. Said surcharge will be implemented and reflected once the project is at least fifty percent (50%) complete.

Severability. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

Dated this 2nd day of October 2023.

/s/ Brit Miller, Mayor

ATTEST:

/s/ Monna Van Lint, Finance Officer

Passed First Reading: Sept. 5, 2023

Passed Second Reading: Oct. 2, 2023

Yeas: 5 Nays: 0

Published: Oct. 12, 2023

Effective: Nov. 1, 2023

(Published at an approximate cost of \$_____)