

**CITY OF WHEELING, WEST VIRGINIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING AND FIXING WATER RATES,  
FEES AND CHARGES OF THE CITY OF WHEELING, WEST VIRGINIA AND  
PROPOSING THE CONSTRUCTION OF WATER IMPROVEMENTS FOR  
THE CITY'S WATER DIVISION**

WHEREAS, the City of Wheeling intends to pursue the design, acquisition, construction and equipping of capital improvements to address the needs of its water system (the "Water System") of the City's Combined Waterworks and Sewerage System (the "Combined System"). The proposed projects, which are not in the ordinary course of business as referred to in West Virginia Code §24-2-11(*l*), consist of (1) Mozart and Clearview Booster Stations and Water Mains (\$3,226,226) – replacement of booster stations due to main breaks, water loss and old infrastructure. The Mozart portion of the project includes the replacement of the booster station, chlorine fee equipment, piping, valves, 320 LF of water main, a new check valve and a jack and bore under State Route 2. The Clearview portion of the project includes replacement of the booster station, pumps, piping, valves and 900 LF of water main; (2) Atlas, Carmel, Grandview and Oglebay-Leewood/Pogue Run Water Main Improvements (\$6,323,888) – improvements due to main breaks, water loss and aging infrastructure. Atlas portion of project encompasses around 5,600 LF of 6-inch water main, fourteen 6-inch gate valves and 233 LF of residential service replacements. Carmel portion of project replaces 1,500 LF of 8-inch water main and 375 LF of 2-inch water main. Grandview portion of project includes replacement of 500 LF of 20-inch water main using ductile iron pipe with anchor collars due to steep slopes. Oglebay-Leewood portion involves installing 5,090 LF of 8-inch water main, replacing 4,580 LF of 6-inch water main, reconnecting 85 residential services, and a 10-inch water main connection to several meters requiring approximately 300 LF of directional drilling and 50 LF of jack and bore techniques; (3) Boggs Hill Booster Station and Water Main Improvements (\$7,346,472) – Targets Boggs Hill pressure zone to enhance redundancy and operation variability. Extends from National Road, down Edgington Lane to Stonegate Drive along Boggs Hill Road. The current water main ends where Edgington Lane becomes Boggs Hill Road, with an elevation change of about 475 feet to Stonegate Drive. A new water line and booster station are required to meet hydraulic demands; (4) WTP Sludge Dewatering (\$3,333,686) – Replacement of two belt fed presses from the 1970's with screw presses and upgrade related equipment such as polymer feed systems, thickener waste pumps, bypass piping, sludge flow meters, and thickener drive units. The new presses will be in the same building, with HVAC improvements as needed and also include additional sludge handling equipment like transfer pumps and mixer drive units (collectively, the "Projects") and will allow the City to meet customer expectations for reliable water service and enable future City growth; and,

WHEREAS, the total cost of the four proposed projects is projected to be \$22,000,000 to be funded through the issuance of Combined Waterworks and Sewerage System Revenue Bonds.

WHEREAS, the City Council of the City of Wheeling has determined that its current water rates, fees and charges are not adequate to enable the Water Division to cover the on-going costs of daily operations including maintenance of a Cash Working Capital Reserve required by WV Code §24-1-1(k) of the West Virginia Code; pay the cost of budgeted expenditures; and to permit the City to issue bonds to cover the costs of the proposed capital improvements; and,

WHEREAS, the City Council finds that the rates, fees and charges set forth below are just and equitable for the proposed capital improvements and service provided to the City's water customers and that such rates will be sufficient to produce revenues to enable the Water Division to cover the on-going costs of daily operations including maintenance of a Cash Working Capital Reserve required by WV Code §24-1-1(k) of the West Virginia Code; pay the cost of budgeted expenditures; and to permit the City to issue bonds to cover the costs of the proposed capital improvements; and,

WHEREAS, the City Council of the City of Wheeling deems it necessary to increase the current rates and charges for furnishing of water service by 38% which will result in a \$11.63 per month increase to the average residential user, a \$80.76 monthly increase to the average commercial user, and a \$16,904.16 monthly increase to the resale users.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEELING as follows:

The following schedule of rates, fees and charges are hereby fixed and determined as the rates, fees and charges to be charged to customers of the water system of the City of Wheeling throughout the entire territory served and that such rates, fees and charges shall be adopted and placed into effect in lieu of the City's Water Tariff No. 16 currently on file with the Public Service Commission of West Virginia:

**SECTION 1. SCHEDULE OF RATES**

**SCHEDULE I**

**APPLICABILITY**

Applicable within the entire territory served

**AVAILABILITY OF SERVICE**

Available for residential, commercial, industrial and sale for resale water service

RATES (Customers with metered water supply)

First	1,000 gallons used per month	\$ 17.93 per 1,000 gallons
Next	499,000 gallons used per month	\$ 8.11 per 1,000 gallons
Over	500,000 gallons used per month	\$ 4.98 per 1,000 gallons

MINIMUM CHARGE

No bill will be rendered for less than the following, according to the size of meter installed:

5/8	inch meter	\$ 17.93 monthly
3/4	inch meter	\$ 26.90 monthly
1	inch meter	\$ 44.82 monthly
1 - 1/2	inch meter	\$ 89.64 monthly
2	inch meter	\$ 143.44 monthly
3	inch meter	\$ 268.93 monthly
4	inch meter	\$ 448.22 monthly
6	inch meter	\$ 896.45 monthly
8	inch meter	\$ 1,434.32 monthly

SALE FOR RESALE

All water for resale will be billed in accordance with the approved rate of \$5.23 per 1,000 gallons used per month.

CREDIT CARD AND OTHER ELECTRONIC PAYMENTS

A service charge will be imposed on credit card or other electronic payments. The amount shall be equal to the actual charges to the utility from the financial institution for processing payment. If Wheeling determines to accept other forms of payment, Wheeling will charge customers who elect to use other forms of payment an amount equal to the actual charge that Wheeling incurs to process the customer payment.

WATER SERVICE CONNECTION CHARGE

The charge for an approved service connection to the water system will be seven hundred and fifty dollars (\$750.00), or the actual cost of the connection (solely determined by the City) whichever is greater, for all new taps to the system).

TEMPORARY SERVICE

Whenever water service is requested on a temporary basis, such as at a demolition site, an application for service must be submitted along with a deposit. The cost of the service connections and retirement shall be paid by the customer. The deposit for festivals is \$50.00. The deposit for a demolition site is \$500.00.

Temporary service customers will pay for water at the rates and charges set forth above. For demolition customers the amount of the first water bill will be credited against the deposit, up to \$500.00. Any amount in excess of \$500.00 on the first water bill shall be paid by the customer. If any of the \$500.00 deposit remains after payment of the first water bill, the remaining amount will be held as a deposit until service is disconnected. The deposit will also be charged the amount of any damages to City meters and property during the temporary service period.

#### RECONNECTION CHARGE

Whenever water service has been disconnected for non-payment of a water bill, at the request of the City's Water Pollution Control Division for non-payment of a sewer bill, at the request of a sewer utility pursuant to the terms of an inter-utility agreement, for fraudulent use of water, or at the request of a customer, service shall not be restored until all past due water bills and penalties have been paid in full and a reconnection charge in the amount of Sixty Dollars (\$60.00) has been paid.

#### METER REINSTALLATION

In the event a water meter is removed to prevent a customer from unlawfully obtaining water following disconnection of water service for non-payment of a water bill, at the request of the City's Water Pollution Control Division for non-payment of a sewer bill, at the request of a sewer utility pursuant to the terms of an inter-utility agreement, or for fraudulent use of water, the customer shall pay a water reinstallation fee of \$100.00 before the meter is reinstalled and water service is reinstated. This fee shall be in addition to any other reconnection fees.

#### ADMINISTRATIVE FEE

If payment is made at the office or electronically after notice of termination to avoid termination of water service at the premises served, the customer shall be charged an administrative fee of Sixty Dollars (\$60.00), in addition to the amount of any unpaid bill. A Fee of Sixty Dollars (\$60.00) will also be charged to any customer that blocks a meter or makes a meter inaccessible for reading or disconnection.

#### LEAK ADJUSTMENT

\$3.73 per 1,000 gallons is to be used when the bill reflects unusual consumption which can be attributed to eligible leakage on customer's side of the meter. This rate shall be applied to all such consumption above 200% of the customer's historic average usage.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the City, not to exceed \$25.00, will be imposed on any customer whose check for payment of charges is returned by his or her bank due to insufficient funds.

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

SECURITY DEPOSIT

A deposit of \$100.00 or 2/12 of the average annual usage of the applicant's specific customer class, whichever is greater, shall be required from all new customers and from all existing customers that are disconnected for nonpayment. In the event that a customer is disconnected for non-payment, this deposit shall be applied to the account, and must be repaid by the customer prior to restoration of service.

RATE ADJUSTMENT

The rates set forth above shall be subject to adjustment every two years based upon changes in the published price indices as reflected in the published Consumer Price Index as set forth in the publication Value Line.

SCHEDULE II

AVAILABILITY OF SERVICE

Available for public and private fire protection service

RATE

Fire Service Lines:

2 inch or smaller	\$ 92.74 per year
3 inch	\$ 148.38 per year
4 inch	\$ 241.11 per year
6 inch	\$ 500.77 per year
8 inch	\$ 871.72 per year
10 inch	\$1,391.04 per year
 If unmetered	 \$ 139.10 per year
 Hydrants:	 \$ 215.28 per hydrant

### **DELAYED PAYMENT PENALTY**

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### **SECTION 2 AUTHORIZATION OF THE PROJECTS**

1. The City of Wheeling (the “City”) is a municipal corporation and political subdivision of the State of West Virginia. The City provides water service within certain areas of Ohio County, West Virginia (the “City’s Water Service Territory”).

2. The City presently owns and operates a public water system (the “System”). The Council of the City deems it necessary and desirable for the health and welfare of the inhabitants of the City’s Water Service Territory, that the City acquire, construct and equip certain extensions, additions, betterments and improvements to the System, consisting of the Projects.

3. The Projects are in the best interests of the citizens of the City’s Water Service Territory. Thus, it is in the best interests of the City to move forward with the Projects.

4. The City intends to finance the costs of the Projects through the issuance of Combined Waterworks and Sewerage System Revenue Bonds.

5. The City has complied with all requirements of West Virginia law relating to the authorization of the design, acquisition, construction and operation of the Projects and the System.

### **SECTION 3 – EFFECTIVE DATE**

The rates and charges provided herein shall become effective 45 days after the enactment hereof.

**SECTION FOUR – SEPARABILITY; REPEAL OF CONFLICTING ORDINANCES**

The provisions of this Ordinance are separable, and if any clause, provision or section hereof be held void or unenforceable by any court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance. Upon the effective date of the fees, rates and charges as herein set forth, all ordinance, resolutions, orders or part thereof in conflict with the provisions of this Ordinance are, to the extent that the provisions of this Ordinance do not touch upon the provisions of prior ordinances, resolutions, orders or parts thereof, the same shall remain in full force and effect.

**SECTION 4 – STATUTORY NOTICE AND PUBLIC HEARING**

During the calendar month immediately prior to the calendar month in which the public hearing for this Ordinance will occur, the City shall provide the water customers of the System notice of the City’s intent to pursue construction projects which are not in the ordinary course of business as required by the West Virginia Code. Upon introduction hereof, the City Clerk shall publish a copy of a Public Notice of this Ordinance as a Class I-O legal publication in qualified newspapers of opposite politics published and of general circulation in the City of Wheeling, and said notice shall state that this Ordinance has been introduced, and that any person interested may appear before Council on the 7th day of October, 2025, at 5:30 p.m., at City Council Chambers, Room 103, 1500 Chapline Street, Wheeling, West Virginia, and present protests. At such hearing all objections and suggestions shall be heard and the Council shall take such action as it shall deem proper on the premises.

Further, said Notice shall advise the public that a copy of this ordinance is available for public inspection at the City Clerk’s Office.

The above Ordinance has been introduced at a meeting of Council held on September 16, 2025.

Passed on First Reading: \_\_\_\_\_

Passed on Second Reading

Following Public Hearing: \_\_\_\_\_

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City Clerk