ORDINANCE NO. 2026-05

AN ORDINANCE ESTABLISHING THE RATES TO BE PAID BY CONSUMERS FOR SEWER SERVICE FURNISHED BY THE VILLAGE; PROVIDING AN EFFECTIVE DATE FOR SUCH RATES; REPEALING ALL ORDINANCES AND RESOLUTIONS, AND PARTS THEREOF, IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Village of Gresham, Nebraska owns and operates a municipal sanitary sewer system for the benefit of its inhabitants;

WHEREAS, § 172.057 of the Village Code of Ordinances of the Village of Gresham, Nebraska provides that the rates to be paid by consumers for sewer service shall be fixed and established by ordinance;

WHEREAS, the Board of Trustees finds that the sewer rate increase set forth herein is necessary to address rising operating, maintenance, repair, and regulatory costs and to ensure the sewer utility generates sufficient revenue for the continued reliable and financially sustainable operation of the Village's wastewater system; and

WHEREAS, the Board of Trustees has considered the projected costs of operating and maintaining the sewer system over a multi-year period and finds that a schedule of moderate annual adjustments, adopted in advance, is preferable to infrequent adjustments of larger magnitude, in that such a schedule provides the Village with predictable revenue for planning, budgeting, and debt service purposes, permits consumers to anticipate and plan for the cost of service, and avoids the imposition of a single substantial increase upon consumers at one time;

WHEREAS, the Board of Trustees intends that the rates established herein shall take effect automatically on the dates specified without the necessity of further action, and further intends that nothing herein shall limit the authority of the Board of Trustees to amend, suspend, accelerate, or repeal any rate established herein at any time by subsequent ordinance; and

WHEREAS, the Board of Trustees finds that each rate established herein is reasonable, is uniform as to all consumers within the class of service to which it applies, and bears a reasonable relationship to the cost of providing sewer service.

NOW THEREFORE, BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF GRESHAM, NEBRASKA:

Section 1. Sewer Rates; Schedule of Annual Adjustments. The rates to be paid by consumers for sewer service furnished by the Village of Gresham, Nebraska shall be as follows, with each rate to take effect on the date specified and

to remain in effect until superseded by the next scheduled rate or until otherwise amended by ordinance:

Effective Date	Monthly Service Charge
October 1, 2026	$30.00
October 1, 2027	$30.90
October 1, 2028	$31.83
October 1, 2029	$32.78
October 1, 2030	$33.77
October 1, 2031	$34.78

Section 2. Application of Rates. The rate in effect on the first day of each billing period shall apply to that billing period. Each rate established in Section 1 shall become effective on the date specified without further action of the Board of Trustees and shall continue in effect until superseded in accordance with this Ordinance or amended by subsequent ordinance. The Village Clerk shall cause the applicable rate to be applied to all sewer accounts beginning with the first billing period commencing on or after each such effective date.

Section 3. Reservation of Authority; Periodic Review. Nothing in this Ordinance shall be construed to limit the authority of the Board of Trustees to establish, amend, suspend, or repeal sewer rates at any time by ordinance, and the rates scheduled in Section 1 for effective dates subsequent to October 1, 2026 may be amended, suspended, deferred, accelerated, or repealed by the Board of Trustees at any time prior to the date on which such rate would otherwise take effect. The Board of Trustees shall review the sewer rates established herein not less than annually in connection with the adoption of the Village budget, and shall determine whether the scheduled rates remain sufficient and reasonably related to the cost of providing sewer service. The scheduling of future rates in this Ordinance shall not constitute a covenant, contract, or assurance to any consumer that rates will not exceed the amounts stated.

Section 4. Amendment and Repeal. All other ordinances and resolutions, or parts thereof, fixing rates for sewer service in conflict with the rates established herein are hereby amended to conform to this Ordinance and, to the extent of any conflict, repealed as of October 1, 2026.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, rate, effective date, or rate classification of this Ordinance is for any reason held to be invalid or unenforceable, such holding shall not affect the validity of the remaining portions of this Ordinance, and the Board of Trustees declares that it would have

adopted this Ordinance and each portion thereof, including each rate and each effective date set forth in Section 1, irrespective of the fact that any one or more portions be declared invalid or unenforceable.

Section 6. Publication and Effective Date. This Ordinance shall take effect and be in full force from and after its passage, approval, and publication as required by law, provided that the rates established in Section 1 shall be charged and collected on and after the respective effective dates set forth therein.

PASSED AND APPROVED this 8 day of September, 2026.

VILLAGE OF GRESHAM • SEAL • GRESHAM, NEBRASKA

Chairperson

ATTEST:

Michelle Lowther

Michelle Lowther, Village Clerk

SUSPENSION OF RULES

Whereupon it was moved by Trustee Kim Sheehan, and seconded by Trustee Conner Luettel, that the statutory rules in regard to the passage and adoption of ordinances be suspended so that said Ordinance might be introduced, read, approved and passed at the same meeting. The Chairperson instructed the Clerk to call the role for the vote thereon. The Clerk called the role, and the following was the vote on this motion:

MOVED FOR FINAL PASSAGE

Read Ordinance by title and Trustee Kim Sheehan moved for final passage of Ordinance No. 2026-05. Seconded by Trustee Theo Prusia. Whereupon the Chairperson declared said Ordinance No. 2026-05 approved for final passage.

The Clerk was then instructed by the Chairperson to call the roll for the vote on final passage of Ordinance No. 2026-05. The Clerk called the roll and the following was the vote on Ordinance No. 2026-05.

Yeas: 5
Nays: 0
Absent: 0
Motion: Carried

Trustees of the Village Board, having voted in the affirmative for the passage and approval of said Ordinance No. 2026-05, the Chairperson declared said Ordinance No. 2026-05 duly passed and adopted as an ordinance of the Village of Gresham, Nebraska.

CERTIFICATE OF PASSAGE AND POSTING
OF ORDINANCE NO. 2026-05

STATE OF NEBRASKA)
)
County of York) ss.
)
Village of Gresham)

I, the undersigned, duly elected, qualified and acting Clerk of the Village of Gresham, in the County of York, State of Nebraska, do hereby certify:

That the annexed and foregoing is a full, true and correct copy of Ordinance No. 2026-05 of said Village; the same appears of record in the journal and ordinance book of said Village, and that said Ordinance was duly passed by the Board of Trustees of said Village on the 8th day of September, 2026, and was signed and approved by the Chairperson of said Village Board on the 8th day of September, 2026, and there being no newspaper published in said Village, three (3) copies of said Ordinance were posted by me on the 15th day of September, 2026, one in each of three (3) public places in said Village as follows:

1. Gresham Village Office

2. Gresham Post Office

3. York State Bank, Gresham, NE

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of said Village this **15th** day of **September** 2026.

Michelle Lowther, Village Clerk

(SEAL)

VILLAGE OF GRESHAM
SEAL
GRESHAM, NEBRASKA