

Chapter 715

USER CHARGE SYSTEM

Section 715.010. Purpose. [Ord. No. S-44 Art. I, 12-13-1982]

It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges from all users who contribute wastewater to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of operating and maintaining public wastewater treatment works.

Section 715.020. Definitions. [Ord. No. S-44 Art. II §§1 — 10, 12-13-1982]

Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter shall be as follows:

BOD (DENOTING BIOCHEMICAL OXYGEN DEMAND) — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees Celsius (20°C), expressed in milligrams per liter (mg/l).

OPERATION AND MAINTENANCE — All expenditures during the useful life of the treatment works for materials, labor, utilities, and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed.

REPLACEMENT — Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "*operation and maintenance*" includes replacement.

RESIDENTIAL CONTRIBUTOR — Any contributor to the City's treatment works whose lot, parcel of real estate, or building is used for domestic dwelling purposes only.

SHALL — Is mandatory; "*may*" is permissive.

SS (DENOTING SUSPENDED SOLIDS) — Solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

TREATMENT WORKS — Any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, individual systems, pumping, power, and other equipment and their appurtenances; extensions, improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear

well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost, and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal waste or industrial waste, including waste in combined stormwater and sanitary sewer systems.

USEFUL LIFE — The estimated period during which a treatment works will be operated.

USER CHARGE — That portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the wastewater treatment works.

WATER METER — A volume measuring and recording device, furnished and/or installed by the City of Wellington or furnished and/or installed by a user and approved by the City of Wellington.

Section 715.030. User Charge Accounts. [Ord. No. S-44 Art. III §1 — 3, 12-13-1982]

- A. The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement which the City may by ordinance designate to be paid by the user charge system. That portion of the total user charge which is designated for operation and maintenance, including replacement of the treatment works, shall be established by this Chapter.
- B. That portion of the total user charge collected which is designated for operation and maintenance including replacement purposes as established in Section 715.040 shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance and Replacement Fund and will be kept in two (2) primary accounts as follows:
 1. An account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the treatment works (Operation and Maintenance Account).
 2. An account designated for the specific purpose of ensuring replacement needs over the useful life of the treatment works (Replacement Account). Deposits in the replacement account shall be made annually from the operation, maintenance and replacement revenue in the amount of twenty percent (20%) of the annual operation and maintenance.
- C. Fiscal year-end balances in the operation and maintenance account and the replacement account shall be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Monies which have been transferred from other sources to meet temporary shortages in the Operation, Maintenance and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective

accounts within the fiscal year following the fiscal year in which the monies were borrowed.

Section 715.040. User Charge Rates. [Ord. No. S-44 Art. IV §§1 — 5, 12-13-1982]

- A. Each user shall pay for the services provided by the City based on his/her use of the treatment works as determined by water meter(s) acceptable to the City.
- B. *Basis For Monthly User Charges.*
 - 1. For residential contributors, monthly user charges will be based on average monthly water usage during the months of January, February and March. If a residential contributor has not established a January, February and March average, his/her monthly user charge shall be the median charge of all other residential contributors.
 - 2. For industrial and commercial contributors, user charges shall be based on water used during the current month. If a commercial or industrial contributor has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that contributor may be based on a wastewater meter(s) or separate water meter(s) installed and maintained at the contributor's expense, or in a manner acceptable to the City.
- C. (Reference is made to Appendix A which is on file in the City offices). The minimum charge per month shall be seventy-eight cents (\$0.78). In addition, each contributor shall pay a user charge rate for operation and maintenance, including replacement of seventy-seven cents (\$0.77) per one thousand (1,000) gallons of water (or wastewater) as determined in the preceding Subsection.
- D. Any user which discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge from the City's treatment works, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance, or replacement of the treatment works, shall pay for such increased costs. The charge to each such user shall be as determined by the responsible plant operating personnel and approved by the Board of Aldermen.
- E. The user charge rates established in this Section apply to all users, regardless of their location, with respect to the City's wastewater facilities.

Section 715.050. Billing — When Due. [Ord. No. S-44 Art. V §§1 — 2, 12-13-1982]

- A. All users shall be billed monthly. Billings for any particular month shall be made within thirty (30) days after the end of that month. Payments are due when the billings are made. Any payment not received within thirty (30) days after the billing is made shall be delinquent.
- B. A late payment penalty of ten percent (10%) of the user charge bill will be added to each delinquent bill for each thirty (30) days of delinquency. When any bill is thirty (30) days in default, rendition of water and/or sewer service to such premises shall

be discontinued until such bill is paid following due notice and opportunity for hearing.

Section 715.060. City To Review and Notify. [Ord. No. S-44 Art. VI §§1 — 2, 12-13-1982]

- A. The City will review the user charge system at least every two (2) years, and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance, including replacement, and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.
- B. The City will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation, maintenance including replacement of the treatment works.