

Chapter 3-3

SEWER RATES

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Section 3-3-1 Statement of Policy

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, maintaining and retiring the debt for such public wastewater treatment works.

Section 3-3-2 Definitions

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

(A) "BOD (Biochemical Oxygen Demand)": The quality of oxygen expressed in parts per million by weight, utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five (5) days at twenty degrees Centigrade (20° C). The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods".

(B) "NORMAL DOMESTIC WASTEWATER": Normal wastewater for the City of Storm Lake in which the average concentration of suspended materials and five (5) days BOD is established at not greater than two hundred (200) parts per million each, by weight, ammonia nitrogen (NH₃-N) is no greater than thirty (30) parts per million by weight, and Total Suspended Solids is no greater than two hundred (200) parts per million.

(C) "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 treatment works to achieve the capacity and performance for which such works were designed and constructed.

(D) "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.

(E) "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.

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(F) "SHALL": Is mandatory; "May" is permissive.

(G) "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 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 storm water and sanitary systems.

(H) "TSS" (Total 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.

(I) "USEFUL LIFE": The estimated period during which a treatment works will be operated.

(J) "USER CHARGE": That portion of the total wastewater service charge which is levied in proportional and adequate manner for the cost of operation, maintenance, and replacement of that treatment works.

(K) "WATER METER": A water volume measuring and recording device, furnished and/or installed by the City of Storm Lake or furnished and/or installed by a user and approved by the City of Storm Lake.

Section 3-3-3 Operation, Maintenance and Replacement Fund

(A) The user charge system shall generate adequate annual revenues to pay costs of annual operation and maintenance including replacement and cost associated with debt retirement of bonded capital associated with financing and treatment works 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 3-3-4, 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 thousand dollars (\$20,000.00) annually.

(C) Fiscal year-end balances in the operation and maintenance account and the replacement account shall

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be carried over to the same accounts in the subsequent fiscal year, and shall be used for no other purpose than those designed 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 to 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 3-3-4 Rate Schedule

(A) Each user shall pay for the services provided by the City based on his use of the treatment works as determined by water meter(s) acceptable to the City.

(B) Each contributor shall pay a base user charge of nineteen dollars and sixty-one cents (\$19.61) per month per water meter utilized by such contributor and which charge shall be in addition to the charges set forth in subsections (D) and (E) which follow.

In addition the base user charge shall automatically increase effective July 1, 2016 to twenty dollars and twenty cents (\$20.20) per month per water meter utilized by such contributor, then effective July 1, 2017 to twenty dollars and eighty cents (\$20.80) per month per water meter utilized by such contributor, then effective July 1, 2018 to twenty-one dollars and forty-three cents (\$21.43) per month per water meter utilized by such contributor, then effective July 1, 2019 to twenty-two dollars and seven cents (\$22.07) per month per water meter utilized by such contributor, then effective beginning July 1, 2020 and every year thereafter the base user charge shall automatically increase to twenty-two dollars and seventy-three cents (\$22.73) per month per water meter utilized by such contributor.

If a single meter shall serve more than one dwelling unit, commercial user, or industrial user, the base user charge shall be increased by a factor equal to the total number of such units or users being served. As used herein, a dwelling unit includes separate apartments, condominiums, mobile homes, or distinct portions of a duplex or multi-family dwelling, but it does not include dormitory rooms, hotel or motel rooms, or boarding rooms without separate kitchen and bath facilities.

(C) Amount of hydraulic loading subject to user charge:

1. In addition to the base rate, all residential contributors shall pay monthly user charges which will be based on all water used by that contributor for that month at the rate set forth in subparagraph (D). If a residential contributor uses water for lawn watering which is not returned to the 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, and in a manner acceptable to the City.
2. In addition to the base rate, all industrial and commercial contributors, which shall include all contributors who do not qualify as residential contributors, monthly user charges shall be based on all water used by that contributor for that month at the rate set forth in subparagraph (D). 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, and in a manner acceptable to the City.

(D) Each contributor shall pay a user service charge for operation and maintenance including

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replacement and debt service of three dollars and seventy-seven cents (\$3.77) per one thousand (1,000) gallons of water (or wastewater) as determined in the preceding Section. In addition, the user service charge for operation and maintenance including replacement and debt service shall increase effective July 1, 2016 to three dollars and eighty-eight cents (\$3.88) per one thousand (1,000) gallons of water (or wastewater) as determined in the preceding Section, then effective July 1, 2017 to four dollars (\$4.00) per one thousand (1,000) gallons of water (or wastewater) as determined in the preceding Section, then effective July 1, 2018 to four dollars and twelve cents (\$4.12) per one thousand (1,000) gallons of water (or wastewater) as determined in the preceding Section, then effective July 1, 2019 to four dollars and twenty-four (\$4.24) per one thousand (1,000) gallons of water (or wastewater) as determined in the preceding Section, and effective July 1, 2020 and every year thereafter the user service charge for operation and maintenance including replacement and debt service shall increase to four dollars and thirty-seven cents (\$4.37) per one thousand (1,000) gallons of water (or wastewater) as determined in the preceding Section.

(E) For those contributors who contribute wastewater the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal user charge shall be paid. The surcharge for operation and maintenance including replacement is:

\$.44 per pound BOD in excess of the BOD concentration in normal domestic wastewater;

Effective July 1, 2016 \$.45 per pound BOD in excess of the BOD concentration in normal domestic wastewater;

Effective July 1, 2017 \$.47 per pound BOD in excess of the BOD concentration in normal domestic wastewater;

Effective July 1, 2018 \$.48 per pound BOD in excess of the BOD concentration in normal domestic wastewater;

Effective July 1, 2019 \$.50 per pound BOD in excess of the BOD concentration in normal domestic wastewater;

Effective July 1, 2020 \$.51 per pound BOD in excess of the BOD concentration in normal domestic wastewater;

\$.35 per pound TSS in excess of the TSS concentration in normal domestic wastewater;

Effective July 1, 2016 \$.36 per pound TSS in excess of the TSS concentration in normal domestic wastewater;

Effective July 1, 2017 \$.37 per pound TSS in excess of the TSS concentration in normal domestic wastewater;

Effective July 1, 2018 \$.38 per pound TSS in excess of the TSS concentration in normal domestic wastewater;

Effective July 1, 2019 \$.39 per pound TSS in excess of the TSS concentration in normal domestic wastewater.

Effective July 1, 2020 \$.41 per pound TSS in excess of the TSS concentration in normal domestic wastewater.

\$1.67 per pound ammonia nitrogen in excess of the ammonia nitrogen concentration in normal domestic wastewater.

Effective July 1, 2016 \$1.72 per pound ammonia nitrogen in excess of the ammonia nitrogen concentration in normal domestic wastewater.

Effective July 1, 2017 \$1.77 per pound ammonia nitrogen in excess of the ammonia nitrogen concentration in normal domestic wastewater.

Effective July 1, 2018 \$1.82 per pound ammonia nitrogen in excess of the ammonia nitrogen concentration in normal domestic wastewater.

Effective July 1, 2019 \$1.88 per pound ammonia nitrogen in excess of the ammonia nitrogen

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concentration in normal domestic wastewater.

Effective July 1, 2020 \$1.94 per pound ammonia nitrogen in excess of the ammonia nitrogen concentration in normal domestic wastewater.

(F) 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 City Council.

(G) The user charge rates established in this Section apply to all users of the domestic wastewater treatment facility located within the City limits. User charge rates for contributors outside of the City limits whose rates are not established by contract shall be as determined by resolution of the Council, but they shall not be less than the user charge rates established for users located within the City limits. User charge rates for contributors located outside the City limits which are presently established by contract shall be honored for the duration of the contract but no renewal or modification of that contract shall be made which does not provide that the contributor shall pay user charge rates at least equal to those charged to users located within the City limits.

(Ord. 01-O-2015-2016, Amended, 01/18/2016; Ord. 13-O-2010-2011, Amended, 04/18/2011; Ord. 07-O-2008-2009, Amended, 01/05/2009; Ord. 04-O-2004-2005, Amended, 10/03/2005)

Section 3-3-5 Payment, Penalty, Lien, and Deposit For Sewer

(A) Payment and Penalty: 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 fifteen (15) days after the billing is made shall be delinquent. There will be an additional ten percent (10%) charge for sewer charges not paid within fifteen (15) days after the same becomes due and payable.

(B) Lien: The City shall have a lien upon the property served by the sanitary utility for all delinquent rates and charges. The City Clerk shall certify within ten (10) days of the following dates, to the County Auditor for collection with and in the same manner as property taxes and to establish the property lines, all rates and charges which be delinquent over thirty (30) days on the first of March, June, September and December.

(C) Combined Utility Deposit:

1. A combined utility deposit will apply according to 3-9 of the City Code.

(Ord. 17-O-2005-2006, Amended, 06/19/2006; Ord. 05-O-2001-2002, Amended, 09/17/2001)

Section 3-3-6 Review Of Rate Structure

(A) The City shall 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.