

CHAPTER XIII

CHARGES LEVIED ON DISCHARGE WASTEWATER

13.0101 Purpose

The purpose of this chapter shall be to generate sufficient revenue to pay all costs for the operation and maintenance of the complete wastewater system. The costs shall be distributed to all users of the wastewater system in proportion to each user's contribution to the total loading of the treatment works. Factors such as strength (BOD and SS), volume, and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution to ensure a proportional distribution of operation and maintenance costs to each user (or use class).

13.0102 Determining The Total Annual Cost Of Operation And Maintenance

The City of Turtle Lake, or its City Engineer, shall determine the total annual costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance, during the service life of the treatment works, for which such works were designed and constructed. The total annual cost of operation and maintenance shall include but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, and a reasonable contingency fund.

13.0103 Determining Each User's Wastewater Contribution Percentage

The City of Turtle Lake, or its City Engineer, shall determine each user's average daily volume of wastewater, which has been discharged to the wastewater system, which shall then be divided by the average daily volume of all wastewater discharged to the wastewater system, the total average daily volume of wastewater shall exclude infiltration and inflow. The City of Turtle Lake, or its City Engineer, shall determine each user's average daily poundage of 5-day 20° Centigrade Biochemical Oxygen Demand (BOD) which has been discharged to the wastewater system which shall then be divided by the average daily poundage of all 5-day BOD discharged to the wastewater system to determine each user's BOD Contribution Percentage.

The City of Turtle Lake, or its City Engineer, shall determine each user's average Suspended Solids (SS) poundage which has been discharged to the wastewater system which shall then be divided by the average daily poundage of all Suspended Solids discharged to the wastewater system, to determine the user's Suspended Solids Contribution Percentage. Each user's Volume Contribution Percentage, BOD Contribution Percentage and Suspended Solids Contribution Percentage shall be multiplied by the annual operation and maintenance costs for wastewater treatment of the total volume flow, of the total 5-day 20° Centigrade BOD and of the Suspended Solids, respectively.

13.0104 Determining A Surcharge System For Users With Excess BOD And SS

The City of Turtle Lake, or its City Engineer, will determine the average suspended solids (SS) and Biochemical Oxygen Demand (BOD) daily loadings for the average residential user. The City of Turtle Lake, or its City Engineer, will assess a surcharge rate for all non-residential users discharging wastes with BOD and SS strengths greater than the average residential user. Such users will be assessed a surcharge sufficient to cover the costs of treating such users' above normal strength wastes. Normal strength wastes are considered to be 200 p.p.m. BOD and 250 p.p.m. SS. The surcharge rate structure for such above normal strength waste dischargers is attached. (Appendix A)

13.0105 Determining Each User's Wastewater Service Charge

Each non-residential user's wastewater treatment cost contributions as determined in Section III and IV shall be added together to determine such users' annual wastewater service charge. Residential users may be considered to be one class of user and an equitable service charge may be determined for each user based upon an estimate of the total wastewater contribution of this class of user. The governing body may classify industrial, commercial, and other non-residential establishments as a residential user, provided that the wastes from these establishments are equivalent to the wastes from the average residential user with respect to volume, suspended solids, and BOD. Each user's wastewater treatment cost contribution will be assessed in accordance with the attached rate schedule. (Appendix B)

13.0106 Payment Of The User's Wastewater Service Charge And Penalties

The City shall submit an annual statement to the user for the user's annual wastewater service charge or one-twelfth of the user's annual wastewater service charge may be included with the monthly water and/or wastewater utility billing. Should any user fail to pay the user wastewater service charge and penalty within three months of the due date, the City may stop the wastewater service to the property.

13.0107 Review Of Each User's Wastewater Service Charge

The City shall review the total annual cost of operation and maintenance as well as each user's Wastewater Contribution Percentage not less often than every two years and will revise the system as necessary to assure equity of the service charge system established herein and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater treatment works. If a significant user, such as an industry, has completed in-plant modifications which would change that user's Wastewater Contribution Percentage, the user can present at a regularly scheduled meeting of the governing body, such factual information and the City shall then determine if the user's Wastewater Contribution Percentage is to be changed. The City shall notify the user of its findings as soon as possible.

13.0108 Notification

Each user will be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services.

13.0109 Wastes Prohibited From Being Discharged To The Wastewater Treatment System

The discharge of any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works is hereby prohibited.

(Article No. II of the City's "Regulation of Sewer Use" Chapter XIV contains additional requirements covering the use of the City's public sewers.)

13.0110 Prohibition Of Clear Water Connections

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

13.0111 Proper Design And Construction Of New Sewers And Connections

The size, slope, alignment, materials of construction of all sanitary sewers and sewer connections, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City of Turtle Lake and the State of North Dakota. In the absence of code provision or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M and W.P.C.F. Manual of Practice No. 9 shall apply.

(Article NO. IV of the City's "Regulations of Sewer Use" Chapter XIV contains additional requirements covering the proper design and construction of the City's sanitary sewers, building sewers, and connections.)

13.0112 Penalties

Any person found to be violating any provision of Chapter XIV shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Any person who shall continue any violation beyond the time limit provided for in Article IX of Chapter XIV, Section I, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding \$10.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss, or damage occasioned the City by reason of such violation.

13.0113 Validity

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence, or provision of this Chapter shall not affect the validity of any other part of this Chapter which can be given effect without invalid part or parts.

SURCHARGE RATE STRUCTURE

For Above Normal Strength Wastes

The City of Turtle Lake, or its Engineer, will determine the average total Suspended Solids (SS) and 5-day Biochemical Oxygen Demand (BOD) daily loadings for the average residential user or in lieu of such a determination will consider the average residential strength wastes to be 200 mg/l BOD and 250 mg/l SS. The City of Turtle Lake, or its City Engineer, will assess a surcharge rate for all non-residential users discharging wastes with BOD and SS strengths greater than the average residential user. The surcharge will be sufficient to cover the costs of treating such users' above normal strength wastes. Such users will pay an additional service charge of 1.3 cents per 1,000 gallons for each 25 mg/l over 200 mg/l of BOD and 1.0 cents per 1,000 gallons for each 25 mg/l over 250 mg/l SS.

RATE SCHEDULE

Residential users are considered to be one class of user and are assessed a charge of \$ 2.25 per month. Non-residential users with flows no greater than the average residential user's flow of 5,200 gallons per month and with BOD and SS no greater than the average residential user's strength of 200 mg/l BOD and 250 mg/l SS will pay the same charge of \$ 2.25 per month as the average residential user.

Non-residential users with volumes greater than the average residential user will pay an additional charge of \$ -0- per 1,000 gallons per month for all flows greater than the average residential user's flow of 5,200 gallons per month.

Any non-residential user with BOD and SS greater than the average residential user's strength of 200 mg/l BOD and 250 mg/l SS will pay a surcharge in accordance with the rates shown in the surcharge rate structure.