

CITY OF AUGRES
SANITARY SEWAGE WORKS
RATE ORDINANCE NO. 33

An Ordinance providing for the establishment of rate and charges for the operation and maintenance and debt service of the City of Au Gres Sanitary Sewage System, to provide for collection of rate and charges and to provide for enforcement of this Ordinance and providing for other related matters.

The City of Au Gres hereby ordains:

ARTICLE I

GENERAL

- Sec. 1.1 It is hereby determined to be desirable and necessary for the public health, safety and welfare of the City of Au Gres that the Municipal Sewage Disposal System be operated by said City on a public utility rate basis in accordance with the provisions of Act 94, Public Acts of Michigan, 1933, as amended.
- Sec. 1.2 Definitions
- When used in this Ordinance, unless otherwise indicated by the context, the following definitions shall apply:
- Sec. 1.2.1 "B.O.D." (denoting Biochemical Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation or organic matter under standard laboratory procedure in five (5) days at 20 degrees C., expressed in milligrams per liter.
- Sec. 1.2.2 "Building Drain" means that part of the lowest horizontal piping of a drainage system which receives the sewage discharge from plumbing fixtures inside the walls of a building and conveys it to the building sewer. The building drain extends to a point 5 feet outside the inner face of the building wall.
- Sec. 1.2.3 "Building Sewer" means the extension from the building drain to the public sewer or other place of disposal, and includes the wye and riser installation.
- Sec. 1.2.4 "Classes of Users" shall mean the division of sanitary sewer customers into classes by similar process or discharge flow characteristics, as follows:
- Resident User - shall mean an individual home or dwelling unit including mobile homes, apartments, condominiums or multi-family dwellings that discharge only segregated domestic wastes or wastes from sanitary conveniences.
- Commercial User - shall mean any retail or wholesale business engaged in selling merchandise or a service and that discharges only segregated domestic wastes or wastes from sanitary conveniences.
- Public User - shall mean any educational, governmental, religious or social organization such as a school, church, nursing home, hospital or other similar entity that discharges only segregated domestic wastes or wastes from sanitary conveniences.
- Industrial User - shall mean any manufacturing establishment which produces a product from raw or purchased material.

- Sec. 1.2.5 "City" means the City of Au Gres, Michigan.
- Sec. 1.2.6 "Infiltration" shall mean any waters entering the system from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. Infiltration does not include and is distinguished from inflow.
- Sec. 1.2.7 "Inflow" shall mean any waters entering the system through such sources as, but not limited to, building downspouts, footing or yard drains, cooling water discharges, seepage lines from springs and swampy areas and storm drain cross connections.
- Sec. 1.2.8 "Infiltration/Inflow" shall mean the total quantity of water from both infiltration and inflow.
- Sec. 1.2.9 "Inspector" shall mean any person or persons authorized by the City to inspect and approve the installation of building sewers, private sewers and their connection to the public sewer system.
- Sec. 1.2.10 "Normal Strength Sewage" shall mean a sanitary waste water flow containing an average daily BOD of not more than 180 mg/l, an average daily suspended solids concentration of not more than 200 mg/l and a phosphate concentration of not more than 10 mg/l.
- Sec. 1.2.11 "Person" means a person as defined in Section 1106 of the Michigan Public Health Code being Public Act 368 of 1978, or a governmental entity.
- Sec. 1.2.12 "Public Sanitary Sewer" means a sanitary sewer or sewers used or intended for use by the public for the collection and transportation of sanitary sewage for treatment or disposal and is owned and operated by a governmental agency.
- Sec. 1.2.13 "Sanitary Sewerage System" or "Sewage Works" means all facilities for collecting, pumping, treating and disposing of sewage.
- Sec. 1.2.14 "Shall" is mandatory; "May" is permissive.
- Sec. 1.2.15 "Surcharge" shall mean the additional charge which a user will be required to pay to meet the cost of treating sewage having strength in excess of the limits set by the City for transmission and treatment within the sanitary sewage system.
- Sec. 1.2.16 "Suspended Solids" means solids that either float on the surface of, or are in suspension in water, sewage, or other liquids; which are removable by standard laboratory filtering techniques.
- Sec. 1.2.17 "Superintendent" shall mean the superintendent of the sewage works for the City of Au Gres or his authorized assistant, deputy, agent or representative.
- Sec. 1.2.18 Debt Service Charge - means those charges levied to meet principal and interest costs for monies borrowed to construct the sewerage system.
- Sec. 1.2.19 Operation and Maintenance - means those costs required for personnel, materials and supplies and replacement to operate and maintain the system in good working order.
- Sec. 1.2.20 Sewer Service Charge - means the fees billed to all customers attached to the system for support of the cost of the system. This charge included user charges, debt service charges and surcharges.
- Sec. 1.2.22 Sewer User Charge - means the costs that are levied to cover the cost of operation and maintenance of the system and replacement cost.

- Sec. 1.2.23 "Replacement" means the replacement in whole or in part of any equipment, appurtenances and accessories in the wastewater transportation or treatment systems to insure continuous treatment of wastewater in accordance with the NPDES Permit and other applicable state and federal regulations.
- Sec. 1.3 The operation and management of the sanitary sewage works shall be under the supervision and control of the City. Said City may employ such person or persons in such capacity or capacities as it deems advisable to carry on the efficient management and operation of the sanitary sewage works; and may make such rules, agreements, orders and regulations as it deems advisable and necessary to assure the efficient management and operation of the sanitary sewage works. The City shall set the rates and charges for the use of the sanitary sewage works.
- Sec. 1.4 User charges as established herein are based on the principle of imposing the cost of sewage treatment directly upon the sources of the sewage so that each user pays its proportionate share as determined by flow. This is to be accomplished by keeping accurate records and reports of sanitary sewage works loadings, treatment results and costs.
- Sec. 1.5 Users shall be grouped into classes based on the type of user function. The cost of operating and maintaining sanitary sewage works will be established for each user class periodically and will be borne proportionately by the users in that class.
- Sec. 1.6 The transportation and treatment costs for sewage originating outside of the City of AuGres will be borne by the users in that area. Individual agreements will be established to provide sufficient income to cover the actual costs of the service and to recover the capital investment made by the City on that portion of the treatment works reserved for such users. Operation, maintenance and replacement rates for users will be the same regardless of geographic location.
- Sec. 1.7 The City AuGres Sewer Use and Connection Ordinance establishes requirements for building sewer and connections, design and construction standards and use of the sanitary sewage system.

ARTICLE II

BASIS FOR SEWAGE SYSTEM RATES

- Sec. 2.1 It is hereby declared necessary for the protection of the health, welfare and convenience of the citizens of AuGres area to levy and collect sewer user charges upon each establishment served by the sanitary sewage works controlled by the City. The proceeds of such user charges are to be used for the benefit of the sewage system for operation and maintenance and replacement of sewage works facilities. The rates hereby established in this article are estimated to be sufficient to provide for the payment of the system's expenses. The City shall provide for an annual review of the system's operations and revenues to ensure continued proportionality of rates and economic self-sufficiency of the system. The Council by resolution from time to time as may be necessary shall modify rates to meet the needs of the system.
- Sec. 2.2 An establishment for the purpose of levying sewer service charges shall be defined as follows:
- A. Each dwelling unit is a separate establishment, regardless of whether it is in a connected structure, such as a duplex, flat, apartment, condominium, Condo, private or public campgrounds.

B. Each mobile home is an establishment. Mobile homes, travel trailers or motor homes which are for transient use are not separate establishments and will be treated as provided for in C. below.

C. A group of cabins or motel rooms operated as a transient facility is a single establishment. Should the use of a single cabin or group of cabins change to permanent dwelling units, then each such dwelling unit will become a separate establishment.

"A group of cabins or motel rooms operated as a transient facility are equated to 10 units or rooms equals 1 dwelling unit."

A combination of transient cabins and a dwelling unit which is used by the manager or owner constitutes two establishments.

For the purposes of this Ordinance, any unit rented on a daily or weekly basis is a "transient facility".

D. Each individual business, industry or public facility is a separate establishment, even though it might be housed along with one or more other businesses or industries in a single structure with a common landlord.

"For purposes of this Ordinance, a Marina facility or Condo Marina is equated to 10 sites equals 1 dwelling unit."

E. Combinations of any of the above are each a separate establishment.

Sec. 2.3

To determine the sanitary sewage flow from any establishment, the City's superintendent shall use one of the following methods:

A. The amount of water supplied to the establishment by the City or a private water supply, as shown upon the water meter.

B. Flows from establishments that are temporarily unmetered or have faulty meters shall be estimated by the Superintendent based on past water consumption or based on size of water service and estimated contribution to the sewage system.

C. Flows from establishments where the water supplied to the premises is not entirely discharged into the sewer system shall only be adjusted based on meters installed at the expense of the owner to measure that water which does not enter the sewage system.

D. Flows determined by measurements and tests of samples taken at a monitoring station.

E. The estimated flow of infiltration and inflow from an establishment with an illegal connection or leaking sewer during the period such flows continue, based on weir readings or television inspection of the sewer lead.

F. An estimated flow, as determined by the Superintendent through any combination of the foregoing or by any other equitable method.

Sec. 2.4

Sewer rates to be charged for services furnished by the sewage system shall be as follows:

3-12-91
3-1-91
1-7-91
3-27-90
3-12-90
2-19-90
2-5-90

A. Basic Sewer User Rate

Flat rate
\$10.00 min
\$3.00 per 1,000
per 6/8/95
meeting

1. Commodity charge - All users shall pay the following:
\$2.03 per 1000 gallons for operation, maintenance and replacement
\$0.53 per 1000 gallons for debt service
\$2.56 per 1000 gallons total

2. Flat Rate - For Sanitary Sewage Customers which do not have City Water service, a flat rate of:
Operation, Maintenance & Replacement \$17.79
Debt Service 4.64
Total Monthly Charge \$22.43

B. Rate for Waste Which Exceeds Normal Strength Sewage

Excess strength sewage shall be charged the basic sewer user rate, plus the following rates for each sewage constituent, that exceed the values in the definition of Excess Strength Waste.

<u>Constituent</u>	<u>Cost</u>
B.O.D.	\$0.14 per lb.
Suspended Solids	\$0.12 per lb.
Phosphorous	\$0.95 per lb.

The quantity of excess strength waste contributed shall be based on average annual laboratory results on sewage obtained from permanent or temporary monitoring stations, located at the individual establishment.

Sec. 2.5 Special Services

Rates for miscellaneous or special services for which a charge has not been established shall be determined from time to time by the City Council.

No free service shall be furnished by said system to any person, firm or corporation, public or private, or to any public agency or instrumentality.

Sec. 2.6 Building Sewer Connection Charges

The cost for the connection of the building sewer to the public sanitary sewer and the cost of the building sewer from the public sanitary to the property line shall be borne entirely by the property owner.

Permit and inspection fees for these connections shall be as follows:

1. Inspection fee: \$25 tap ^{\$1,500 Amended 2/15/04}
2. Connection capital fee: ~~\$500~~ per equivalent unit shall be charged for all new connections per Section 2.10 with the minimum equivalent unit factor being not less than 1.0.

New building sewers and connections to the public sewer, constructed by the City or contracted agents of the City, will be used by the property owner when available. The actual costs of constructing these building sewers and connections shall be borne by the property owner and shall be due and payable when the application for the building sewer is submitted. Construction requirements for building sewer and connections are provided in the City's Sewer Use and Connection Ordinance.

Sec. 2.7 Billing - Billings for the Commodity Rate, and/or flat rate shall be due and payable twenty (20) days from the date of billing. For any bill not paid within 30 days of the date of billing, a penalty of five percent (5%) of the amount of such bill shall be added.

Sec. 2.8 Enforcement

The charges for sewer services which are under the provisions of Section 21, Act 94 Public Acts of Michigan, 1933, as amended, made a lien on all premises served thereby, unless notice is given that a tenant is responsible, are hereby recognized to constitute such lien, and whenever any such charge against any piece of property shall be delinquent for six (6) months, the City official or officials in charge of the collection thereof shall certify annually, on May 1st of each year, to the tax-assessing officer of the City, the fact of such delinquency, whereupon such charge shall be by him entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general City taxes against such premises are collected and the lien thereof enforced: Provided, however, where notice is given that a tenant is responsible for such charges and service as provided by Section 21 no further service shall be rendered such premises until a cash deposit of not less than One Hundred Dollars (\$100) shall have been made as security for payment of such charges and services.

Sec. 2.9 Annual Notification and Audit

All customers of the City wastewater system will receive an annual notification, either printed on the bill or enclosed in a separate letter, which will show the breakdown of the sewer into its components for operation, maintenance and replacement and for debt service. The above charges, other than the debt service charges, are user charges to pay the operation, maintenance and replacement of the sewage works and they are the same for customers located inside or outside the City and the equality of rates shall exist in any future modifications. The rates hereby fixed are estimated to be sufficient to provide for the expenses of operation, maintenance and replacement of the system as are necessary to preserve the same in good repair and working order. Such rates shall be fixed and revised from time to time as may be necessary to produce these amounts. An annual audit shall be prepared. Based on said audit, rates for sewage services shall be reviewed annually and revised as necessary by the City Commission by resolution to meet system expenses and to insure that all user classes pay their proportionate share of operation, maintenance and equipment replacement cost.