

CHAPTER 10. FEES AND CHARGES.

8-10-1. Purpose.

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8-10-3. Collection procedures.

8-10-1. Purpose.

Each user shall pay all fees and charges required by the POTW. Surcharges, where applicable, will be imposed. It is the purpose of this Chapter to provide for the payment of all POTW maintenance and operation cost from the users. The total annual cost of operation and maintenance shall include labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, debt service and reserves, and a reasonable contingency fund. The charges will be based upon the quality and quantity of user's wastewater, and also upon the POTW's capital and operating costs to intercept, treat, and dispose of wastewater. The applicable charges shall be set forth in the Tooele City Fee Schedule. The charges shall be adjusted from time to time to equitably apportion such costs, including energy costs, among the users of the POTW.

(Ord. 2015-17, June 3, 2015) (Ord. 1997-16, 04-02-1997) (Ord. 1993-12, 09-20-1993)

8-10-2. Fees and charges.

(1) Users of the POTW may be divided into various classifications, including single dwelling units, duplexes, multiple dwelling units, and nonresidential. Further classifications may be established by the POTW for each nonresidential user class or otherwise.

(2) The POTW may adopt fees which may include, but are not to be limited to, the following fees for:

- (a) POTW costs, including maintenance and operation;
- (b) reimbursement of costs of setting up and operating the POTW's Pretreatment Program;
- (c) monitoring, inspections and surveillance procedures, to include but not be limited to laboratory analysis;
- (d) reviewing accidental discharge procedures and construction;
- (e) processing permit applications and issuing industrial discharge permits;
- (f) filing appeals;
- (g) processing requests for the consistent removal by the POTW of pollutants otherwise subject to Federal Pretreatment Standards;
- (h) connection to the sewer system;
- (i) repairs and disconnection;
- (j) inspections related to private sewer connections to the POTW;
- (k) development and expansion; and,
- (l) other fees as the POTW may deem

necessary to carry out the requirements of this regulation.

(3) Sewer charges shall be established by Resolution of the City Council.

(4) Metering of sewer lines will be allowed when the user elects to have the sewage flow metered subject to the following requirements:

(a) The charges for sewer service will be based upon the actual sewer meter readings rather than upon the average of the winter readings; and

(b) The user will furnish, install, and maintain at user's expense a meter pursuant to the City's standards and specifications.

(5) The City may provide for adjustments as needed to ensure equitable sewer charges. Such adjustments may be made where excessive quantities of culinary water pass through the water meter, but are consumed on the premises and do not enter the sewer system. In each such instance, the user will have the burden of providing evidence of such inequities by showing that the quantity of water not entering the sewer, but passing through the meter, exceeds 20% of the total flow in order to merit such consideration by the City.

(6) The City may make adjustments under the following conditions due to faulty inside plumbing:

(a) When defective plumbing has caused the average winter water consumption to exceed the previous year's average by 25% or more, there may be an adjustment made on a pro rata basis. The customer must provide to the City evidence of the plumbing repairs and the period of time the problem existed, with a plumber's invoice for repairs completed including the dates of final repair.

(b) When the repairs are accomplished by the customer rather than by a plumber, dated receipts for supplies purchased to make the repairs must be submitted together with a letter to the City.

(c) When neither a plumber's invoice nor a receipt for supplies is available, the customer must provide a notarized affidavit in letter form, outlining the repairs made, who made them and when they were completed. If the metered water consumption shows a significant reduction after the repairs, and is comparable to the usage for the same time of the two preceding years, an adjustment may be made.

(d) All adjustments will be determined by the sewer charge of the preceding year. When the charge for the preceding year is not established on a winter average, a minimum of ten units shall be charged.

(e) All adjustments shall be made at the discretion of the Public Works Director upon a written finding consistent with this Chapter.

(7) Where connections involve a POTW sewer installed at the City's expense without assessment to the property, an additional charge representing the user's assessment shall be charged at the time of connection based upon the property owner's frontage.

(8) Where the POTW provides culinary water, the

wastewater treatment charges may be combined for billing purposes with charges for water services rendered.

(9) In the event POTW service to any building or premises in the POTW is shut off, a fee to be set by the POTW shall be charged for restoring sewer service.

(10) When a user's discharge causes an obstruction or damage, or because of the nature of the discharge, toxic pollutants increase the costs for managing the effluent or the sludge of the POTW, the user shall pay for the costs of removing the obstruction and repairing the damage.

(11) The POTW shall review, as often as deemed necessary by the Public Works Director or Finance Director, the total cost of operation and maintenance, as well as each user's discharge, and will revise charges as necessary to assure equity and sufficient funds to adequately operate and maintain the POTW, which operation and maintenance cost includes debt service and reserves. If a significant industrial user has completed in-plant modifications which would significantly change that user's discharge, the user can present to the Public works Director such factual information, and the POTW shall determine if the user's charge is to be changed. (Ord. 97-16, 04-02-97)

(12) 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) Surcharges.

(a) All users discharging sewage into the POTW shall be subject to a surcharge, in addition to other sewer service charges, if these wastes have a concentration greater than the following normal domestic strength wastewater:

- (i) BOD of 200 mg/L; or
- (ii) TSS of 250 mg/L.

(b) The computation of the sewage surcharge shall be determined by the following formulae:

$$SC = VS \times 8.34(RBOD(BOD-200)) \text{ and } SC = VS \times 8.34(RSS(TSS-250))$$

(c) The components of the formulae given in Subsection (2)(b) shall have the following meanings:

- (i) SC means surcharge in dollars.
- (ii) VS means volume of sewage in millions of gallons for the billing period.
- (iii) 8.34 is the conversion factor to convert BOD and TSS from mg/L to pounds.
- (iv) RBOD means the unit charge for BOD in dollars per pound.
- (v) RSS means the unit charge for TSS in dollars per pound.

(d) The rates of the industrial waste surcharge for each of the following constituents shall be as contained in the Tooele City Fee Schedule.

(14) Users may discharge septic and holding tank waste into the POTW only upon approval of the Public works Director. Users who discharge septic and holding tank waste into the POTW shall pay fees contained in the Tooele City Fee Schedule (Ord. 2015-17, June 3, 2015) (Ord. 1994-05, 01-01-1994) (Ord. 1993-12, 09-20-1993)

8-10-3. Collection procedures.

(1) All fees and charges made for sewer services shall be chargeable against and payable by the persons making application for such services.

(2) The City shall cause billings for wastewater treatment charges, and/or water, to be rendered periodically at rates established in the Tooele City Fee Schedule.

(3) Fees and charges levied in accordance with this chapter shall be a debt due to the City. If this debt is not paid within 30 days after billing, it shall, at the City's option, be deemed delinquent and subject to penalties and may be recovered by civil action, and the City shall have the right to terminate sewer and/or water service and enter upon private property for accomplishing such purposes.

(4) The City shall receive and collect the sewer fees and charges levied under the provision of this Chapter. In the event of partial payment, the City may apply the payment to any sums due for water and/or sewer fees or charges.

(5) Sewer service shall not be restored until all charges, including the expense of termination and restoration of service, shall have been paid. (Ord. 2015-17, June 3, 2015) (Ord. 1993-12, 09-20-1993)