

USER CHARGE

See also: Sewer; User Charge

AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF USER CHARGES AND INDUSTRIAL WASTE SURCHARGES FROM USERS OF THE PUBLIC SEWAGE WORKS.

BE IT ORDAINED BY THE TOWN OF WALNUT, COUNTY OF TIPPAH, STATE OF MISSISSIPPI AS FOLLOWS:

ARTICLE I

DEFINITIONS

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

- Section 1. "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- Section 2. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and stormwaters as may be present.
- Section 3. "Sewage Works" shall mean all facilities for collecting, transporting, pumping, treating, and disposing of sewage.
- Section 4. "Sewer" shall mean a pipe or conduit for carrying sewage.
- Section 5. "Shall" is mandatory; "May" is permissive.
- Section 6. "Superintendent" shall mean the Superintendent of Utilities of the Town of Walnut or his authorized deputy, agent, or representative.
- Section 7. "Town" shall mean the Town of Walnut, Mississippi, or, when appropriate to the context, its duly authorized representative.

ARTICLE II

USER CHARGE

- Section 1. User charge shall be the charge levied on all users including, but not limited to, persons, firms, corporations or governmental entities that discharge, cause or permit the discharge of sewage into the public sewage works.
- Section 2. The user charge shall reflect the costs of operation and maintenance (including replacement) of the public sewage works, retirement of existing debt included herein, and repayment of any Water Pollution Control Revolving Fund Loans in accordance with the approved User Charge System, included herein by reference.

Section 3. The Superintendent of the sewage works shall review periodically the sewage contributions of users, the total costs of operation and maintenance (including replacement) of the sewage works, and the user charge system. The Superintendent shall advise the Mayor and Board of Aldermen to revise the user charge, if necessary, to generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including replacement) of the sewage works, retirement of existing debt included herein, and repayment of any Water Pollution Control Revolving Fund Loans.

ARTICLE III

SEWER RATE SCHEDULE

The following sewer rate schedule shall apply to each user of the sewage works. This schedule includes the user charge as established herein and the charge for debt service and recovery of other costs, each based on volume of flow.

SEWER RATE SCHEDULE

First 2,000 Gallons	\$6.00 Residential Customers \$7.00 Commercial/Industrial Customers
Over 2,000 Gallons	\$1.75/1000 gal. Residential Customers \$1.75/1000 gal. Commercial/Industrial Customers

ARTICLE IV

AMENDMENTS

This Ordinance shall be amended, as necessary, to comply with Federal or State Regulations.

ARTICLE V

VALIDITY

Section 1. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 2. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

The above Ordinance was first reduced to writing and read and considered by Sections at the recessed August 2010 public meeting of the Mayor and Board of Alderman and on motion duly made for the adoption of said Ordinance and seconded by Alderman Greg James and Alderman Scott Pulliam, respectively, a vote was taken as follows:

Alderman Skip Wise	voted Aye
Alderman David Nabors	voted Aye
Alderman Mickey Martindale	voted Absent
Alderman Scott Pulliam	voted Aye
Alderman Greg James	voted Aye

Thereupon the Mayor declared the Ordinance duly adopted this the 11th day of August, 2010 and declared same to be in full force and effect according to law.

ARTICLE VI

ORDINANCE IN FORCE

- Section 1. This ordinance shall be in full force and effect from and after its passage, approval, recording, and publications as provided by law, taking effect on December 1, 2010.
- Section 2. I, Dana Crowell, Town Clerk and official custodian of the records of The Board of Mayor and Alderman of the Town of Walnut, do hereby certify that the foregoing User Charge Ordinance was passed and adopted at a regular meeting of said Board and is further a matter of record in Minute Book NO. ____ at Page No. ____

Clerk

(See Attachment I, Resolution)

APPENDIX A

ITEMS ASSOCIATED W/INDUSTRIAL WASTES

Definitions:

"BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of the sample under standard laboratory procedure in 5 days at 20°C, expressed in milligrams per liter.

"Industrial User" shall mean any "Industrial User" as defined under 40 CFR 35.905.

"Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage as defined under "Industrial User" in 40 CFR 35.905.

"Suspended Solids" shall mean 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.

Industrial Waste Surcharge:

Section 1 In the event that a user discharges industrial wastes to the sewage works having an average Biochemical Oxygen Demand (BOD) content in excess of 300 mg/l, and/or an average Suspended Solids (SS) content in excess of 300 mg/l, and/or an average Total Kjeldahl Nitrogen (TKN) content in excess of 30 mg/l, and/or an average grease content in excess of 150 mg/l, said industrial user shall pay a surcharge based upon the excess strength of their discharges. BOD, SS, and TKN may be increased by written approval of Superintendent for limited periods of time if not in conflict with any pretreatment permits or other state or federal requirements.

Section 2. The costs of treatment of each pound of BOD, SS, TKN and grease removed by the sewage works shall be reviewed at the end of each fiscal year and appropriate surcharge rates applied to the sewage billing. These rates shall be in effect until the next annual rate review.

Method of Billing Surcharge:

Section 1. The industrial waste surcharge shall be based on the following formula, with the total applied to the monthly bill of affected users:

$$\{A(E-300) + B(F-300) + C(G-30) + D(H-150)\} \frac{8.34}{1000} \times I \times J =$$

Surcharge payment (\$/Mo)

Where:

- A. Surcharge Rate for BOD, in \$/Pound.
- B. Surcharge Rate for SS, in \$/Pound.
- C. Surcharge Rate for TKN, in \$/Pound.
- D. Surcharge Rate for Grease, in \$/Pound.
- E. Industrial User's BOD Concentration, in mg/l.
- F. Industrial User's SS Concentration, in mg/l.
- G. Industrial User's TKN Concentration, in mg/l.
- H. Industrial User's Grease Concentration, in mg/l.
- I. Industrial User's Flow to Sewage Works, in 1000 gallons/day.
- J. Number of Days in Month.

Section 2. No reduction in sewage service charges, fees, or taxes shall be permitted because of the fact that certain industrial wastes discharged to the sewage works contain less than 300 mg/l of BOD, 300 mg/l of SS, 30 mg/l of TKN or less than 150 mg/l of grease.

**APPENDIX B
OTHER**

The following item may be helpful in determining user charges:

The Supervisor shall revise the user charge, if necessary, to maintain the proportionate distribution of operation, maintenance, replacement and debt retirement costs among users as provided herein.

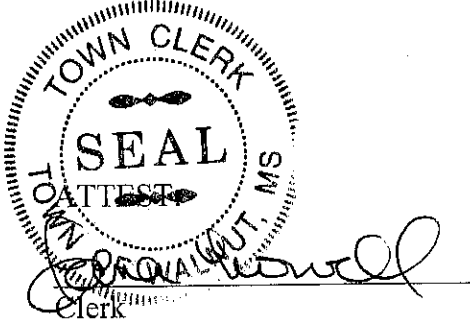
USER CHARGE SYSTEM
 PROPOSED BUDGET
 WATER & SEWER SYSTEM

I. PROJECTED REVENUE		172,104
Water	96,564	
Sewer	75,540	
II. PROJECTED EXPENSES		170,009
A. Operation/Maintenance/Equipment Replacement		
Salaries & Benefits	31,801	
System Maintenance	37,961	
Utilities	22,588	
Audit & Accounting	3,675	
Office Supplies	218	
Insurance	3,118	
Billing	1,093	
Miscellaneous	7,100	
Equipment Replacement	<u>2,000</u>	
Sub-Total	109,554	
B. Debt Service		
Existing	47,221	
New Facilities	<u>13,234</u>	
Sub-Total	60,455	
III. SURPLUS/DEFICIT		2,095

The above Ordinance was first reduced to writing and read and considered by Sections at the recessed August 2010 public meeting of the Mayor and Board of Aldermen and upon motion duly made for the adoption of said Ordinance by Alderman James and seconded by Alderman Pulliam, a vote was taken as follows:

Alderman Skip Wyse	Aye
Alderman David Nabors	Aye
Alderman Mickey Martindale	ABSENT
Alderman Scott Pulliam	Aye
Alderman Greg James	Aye

Thereupon the Mayor declared the Ordinance duly adopted this the 11th day of August, 2010 and declared same to be in full force and effect according to law.



Vicini J. James

Mayor

ARTICLE VI

Section I. This ordinance shall be in full force and effect from and after its passage, approval, recording and publications as provided by law, taking effect on December 1, 2010.

Section II. I, Dana Crowell, Town Clerk and official custodian of the records of The Board of Mayor and Alderman of the Town of Walnut, do hereby certify that the foregoing User Charge Ordinance was passed and adopted at the regular recessed meeting of said Board in Book No. _____ and at page no. _____.

