

## **Ordinance No. 22OR009**

### **An ordinance revising Section 13.20.050 of the Viroqua Municipal Code.**

Section 1: Section 13.20.050 of the Viroqua Municipal Code is revised as follows:

#### 13.20.050 SEWER SERVICE CHARGE SYSTEM.

A. ADDITIONAL DEFINITIONS. The following terms shall have the following meaning under this Ordinance:

1. DEBT SERVICE CHARGES shall include all costs associated with repayment of debts incurred for the construction and/or rehabilitation of wastewater collection system and treatment facilities. The Debt Service Charge is also referred to as the Residential Equivalent Unit Charge (REU Charge). (ORD 539, 2003)

2. NORMAL DOMESTIC STRENGTH WASTEWATER shall mean wastewater with concentrations of BOD<sub>5</sub> no greater than 250 milligrams per liter (mg/L), COD no greater than 750 milligrams per liter (mg/L) suspended solids no greater than 250 milligrams per liter (mg/L), total nitrogen no greater than 40 milligrams per liter (mg/L), ammonia nitrogen no greater than 25 milligrams per liter (mg/L) and total phosphorus no greater than 7 milligrams per liter (mg/L).

3. NORMAL USER shall be a user whose contributions to the sewerage system consist only of normal domestic strength wastewater originating from a house, apartment, or other living quarters occupied by a person or persons constituting a distinct household, business or commercial enterprise.

4. OPERATION AND MAINTENANCE (O&M) COSTS shall include all costs associated with the operation and maintenance of the wastewater collection and treatment facilities. These costs, including costs associated with clear water flows (I/I), shall be divided proportionately among the various sewer users.

5. REPLACEMENT COSTS (R) shall include all costs necessary to accumulate the resources to replace equipment as required to maintain capacity and performance during the design life of the facility. A separate, segregated, distinct replacement fund shall be established and used only for replacement of equipment designated by the fund.

6. SEWER SERVICE CHARGE shall include all costs associated with operation and maintenance and replacement costs.

7. SEWER SERVICE CHARGE is the total service charge levied on users of the sewer system for payment of capital expenses, including debt service charges, as well as

the operation and maintenance costs, including replacement of said facilities. The Sewer Service Charge is the total of the Debt Service Charges and the Sewer Use Charge.

B. POLICY. It shall be the policy of the City to obtain sufficient revenues to pay the costs for debt service and the operation and maintenance of the wastewater facilities, including a replacement fund, through a system of sewer service charges as defined in this section. The system shall assure that each user of the wastewater facilities pays their proportionate share of the cost of such facilities.

C. BASIS FOR SEWER SERVICE CHARGE. The sewer service charge shall be based on two parts, the Residential Equivalent Unit ("REU") plus the Sewer Use Charge. If any person discharging sewage into the public sewer system procures any part or all of his or her water from sources other than the City Water Utility, the person shall furnish, install and maintain at his or her expense water meters of a type approved by the Water Utility for the purpose of determining the volume of sewage discharged to the sewerage system. (Ord 539, 2003)

The Residential Equivalent Unit charge shall be sufficient to pay the Debt Service Charges related to the Utility. The Sewer Use Charge shall be sufficient to pay the costs of operation and maintenance, including any replacement fund, of the wastewater facilities. The City Council has provided the initial estimates of number of users, costs, etc., to calculate the first year's user charges. The rates in this ordinance shall be reviewed not less than biennially. Such review will be performed by the City Council. Rates shall be adjusted, as required, to reflect the actual number and size of users and actual costs. Users shall be notified annually of the portion of service charges attributable to operation, maintenance, replacement and debt service.

The City's share as a customer of the municipal sewer utility may be up to \$60,000.00, in order to allow the City to meet the requirements of previous and recent Bond issues.

D. RESIDENTIAL EQUIVALENT UNIT CHARGE. A Residential Equivalent Unit charge (REU) is hereby imposed upon each lot, parcel of land, building or premises served by the sewerage system or otherwise discharging sewage, including non-domestic and industrial wastes, into the system. (Ord 539, 2003)

The following sewer rates shall be effective January 1, 2023:

	<u>Fixed Charge</u>	<u>Flow Charge</u>
Residential Equivalent Unit (REU) (Ord 100R004; Ord. 549, 2003; Ord. 12OR005)	\$18.16	\$5.95 ccf

E. SEWER USE CHARGE. A Sewer Use Charge is hereby imposed on all users of the sewerage system based upon the metered water used thereon or therein as calculated by the Water Utility. On or before October 15 of each year, the City Clerk shall recompute the Sewer Use Charge per 100 cubic feet of water used. This charge shall be computed by dividing

the proposed net yearly operation, maintenance and replacement budget as provided in this ordinance by the previous year's average billable water usage. (Ord 539, 2003)

Any refrigeration, air conditioning/humidification system or industrial cooling water not entering the sewerage system shall not be used in computing the Sewer Use Charge if a separate meter is installed. The user of such system shall be responsible for furnishing, installing and maintaining the necessary meter.

Such Sewer Use Charge shall be payable as hereinafter provided and in an amount determinable as follows:

(A) CATEGORY A is defined as normal domestic strength wastewater as defined in subsection A.2. of this section. The sewer service charge for Category A wastewater is a volumetric charge calculated as follows:

$$\text{Sewer Use Charge} = [C_F + 0.00156 (C_B + C_S) + 0.000250 C_N + 0.000043 C_P] \times V = C_V \times V$$

- $C_F$  = Flow unit price = \$2.32 per 100 cubic feet
- $C_B$  = BOD unit price = \$348.41 per 1,000 pounds
- $C_S$  = SS unit price = \$426.81 per 1,000 pounds
- $C_N$  = TN unit price = \$2,095.89 per 1,000 pounds
- $C_P$  = TP unit price = \$17,323.02 per 1,000 pounds
- $V$  = Total volume of water used during billing periods in units of 100 cubic feet
- $C_V$  = Volume unit price = \$5.95 per 100 cubic feet.

(B) CATEGORY B is defined as wastewater having strength greater than normal domestic strength wastewater as defined in subsection A.2. of this section. The minimum Category B charge will be no less than the Category A charge for normal domestic strength wastewater.

1. The equation for the monthly Category B is as follows unless COD in mg/L is three times greater than BOD in mg/L:

**Sewer Use Charge = Category A charge +**

$$\frac{\text{BOD} \times V \times 0.00834 \times C_B}{1000} + \frac{\text{SS} \times V \times 0.00834 \times C_S}{1000} +$$

$$\frac{\text{TN} \times V \times 0.00834 \times C_N}{1000} + \frac{\text{TP} \times V \times 0.00834 \times C_P}{1000}$$

Where:

- BOD = Total biochemical oxygen demand expressed in mg/L less 250 mg/L
- $C_B$  = BOD unit price = \$348.41 per 1,000 pounds
- SS = Total suspended solids expressed in mg/L less 250 mg/L

$C_s$  = SS unit price = \$426.81 per 1,000 pounds  
 TN = Total nitrogen expressed in mg/L less 40 mg/L  
 $C_N$  = TN unit price = \$2,095.89 per 1,000 pounds  
 TP = Total phosphorus expressed in mg/L less 7 mg/L  
 $C_P$  = TP unit price = \$17,323.02 per 1,000 pounds  
 V = Total volume of water used during billing period in units of 1,000 gallons.

2. If the COD in mg/L is three times greater than BOD in mg/L the modified equation for the monthly Category B is as follows:

**Sewer Use Charge = Category A charge +**

$$\begin{aligned}
 & \frac{\text{COD} \times V \times 0.00834 \times C_C}{1000} + \frac{\text{SS} \times V \times 0.00834 \times C_s}{1000} + \\
 & \frac{\text{TN} \times V \times 0.00834 \times C_N}{1000} + \frac{\text{TP} \times V \times 0.00834 \times C_P}{1000}
 \end{aligned}$$

Where:

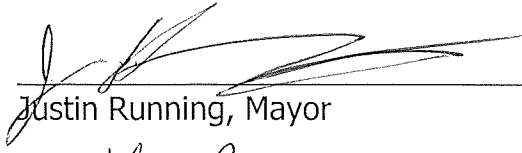
All definitions in subsection 1 apply and  
 COD = Total chemical oxygen demand expressed in mg/L less 750 mg/L  
 $C_C$  = COD unit price = \$116.14 per 1,000 pounds.

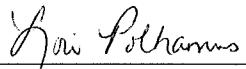
(C) CATEGORY C is defined as having strength greater than normal domestic strength wastewater as defined in subsection A.2. of this section. The equation for the charge is the same as Category B with an additional debt service and administrative charge of \$24.43 per load. It will be assumed that holding tank wastewater had a BOD of 600 mg/L, SS of 1,800 mg/L, TN of 150 mg/L and TP of 30 mg/L septic tank wastewater has a BOD of 5,000 mg/L, SS of 15,000 mg/L, TN of 1000 mg/L and TP of 200 mg/L unless an actual analysis is furnished by the discharger.

(D) CATEGORY D is defined as leachate from the Vernon County Landfill. The equation for the charge is the same as Category B with an additional debt service and administrative charge of \$34.36 per load. The BOD and SS concentrations shall be based on the average of weekly lab analysis of the leachate, with a minimum strength of 250 mg/L BOD or 750 mg/L COD whichever is greater, 250 mg/L suspended solids, 40 mg/L total nitrogen, and 7 mg/L total phosphorus. This rate is based on leachate delivered to the wastewater treatment facility. (Ord. 07OR002; Ord. 12OR005)

January 1, 2023

Section 2: This ordinance shall take effect ~~March 1, 2016~~, after passage and publication of a "summary" meaning a brief, precise, and plain-language description that can be easily understood.

 Date: 12/2/2022  
Justin Running, Mayor

 Date: 12/2/2022  
Lori Polhamus, Clerk

Passed 1st time at council meeting on November 29, 2022

Passed 2nd time at council meeting on (waived)

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