

ORDINANCE NO. 102

AN ORDINANCE ESTABLISHING CHARGES FOR USERS OF THE TOWNSHIP OF SAGOLA WASTEWATER DISPOSAL SYSTEM FACILITIES.

The Township Board of Sagola Township, Dickinson County, Michigan hereby

ORDAINS:

SECTION 100 SAGOLA TOWNSHIP WASTEWATER DISPOSAL SYSTEM FACILITIES

The fees, rates, and charges for using the Sagola Township Wastewater Disposal System Facilities shall be upon the conditions and in the amounts set forth in the following Sections of this Ordinance.

SECTION 105 DEFINITIONS

For this purpose of this ordinance, the following words, terms, and abbreviations shall have the meaning set out below unless the context specifically indicates otherwise.

Subd. 1051 “BOD” (DENOTING BIOCHEMICAL OXYGEN DEMAND) means the quantity of oxygen utilized in the biochemical oxidation of organic matter in the five (5) days at 20 degrees C, expressed in milligrams per liter, as determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.

Subd. 1052 – “CAPITAL COSTS” means all reasonable and necessary costs and expenses incurred by Sagola Township in planning, designing, financing and construction disposal system facilities, included, but not limited to costs and expenses for obtaining necessary permits, licenses, approvals, and grants for design and construction costs; fees for legal and consulting services; acquisition.

Subd. 1053 – “COMMERCIAL USER” means those commercial establishments, business establishments, or establishments seeking profit which contributes normal domestic sewage strength waste to the treatment facility.

Subd. 1054 – “CONTRACT USER” means all users who have a written contract with Sagola Township to use the Wastewater Disposal System.

Subd. 1055 “DEBT SERVICE” means the principal and interest necessary to pay bonded indebtedness.

Subd. 1056 “DEBT SERVICE CHARGE” means the charge related to the principal and interest necessary to pay bonded indebtedness for facilities owned by the Township.

Subd. 1057 – “DOMESTIC USER” or Residential User means that discharge coming from domiciles in the service area which contribute that strength equal to or less than normal domestic waste.

Subd. 1058 – “FLOW” means the quantity of sewage expressed in gallons or cubic feet per twenty four (24) hours.

Subd. 1059 – “GENERAL MUNICIPAL FLOW” means the total sewage flow discharged to the Wastewater Disposal System Facilities, minus the flows from industrial users, other municipalities, and contract users and therefore, includes sanitary wastes and infiltration.

General municipal flow includes the flow from Domestic Users, Commercial Users, Institutional Users and Government users.

General municipal flow, based on the design of the wastewater treatment facilities is further defined as flows containing 5 – day BOD concentrations no greater than 200 mg/l and suspended solids concentrations no greater than 240 mg/l.

(General municipal flow is that which is normally generated by domiciles within the service area and may also be referred to as normal domestic strength waste.)

Subd. 1060 – “GENERAL MUNICIPAL USER” means any user discharging sewage to the general municipal flow other than industrial users, municipalities, and other contract users.

This category of user includes as sub-categories: Domestic Users, Commercial Users, Institutional Users, and Governmental Users, which are not contract users.

Subd. 1061 – “GOVERNMENTAL USER” includes those establishments who function in the administration and/or execution of government programs as well as the offices of executives, legislative bodies and agencies which provide general support services for government.

Subd. 1062 – “INDUSTRIAL USER” a user who discharges to the municipal wastewater disposal system liquid wastes resulting from the processes employed in industry, manufacturing or from the development of any natural resource. Industrial wastewater discharges are typically more concentrated than normal domestic strength wastewaters.

Subd. 1063 – “INSTITUTIONAL USER” means those establishments engaged in activities of a non-economic nature, frequently being the performance of services for the general public (health, education, social), and not classified as a governmental or commercial user in this ordinance.

Subd. 1064 – “LOAD” means the quantities of sewage characteristics such as BOD, SS, and other constituents as expressed in milligrams per liter (mg/l) or pounds per twenty-four (24) hours (lbs./24 hours).

Subd. 1065 – “OPERATION AND MAINTENANCE COSTS” (O&M COSTS) Means the expenses related to the costs of the operation, maintenance, replacement, and administration of the Wastewater Disposal System Facilities.

Subd. 1066 – “REPLACEMENT COSTS” means costs related to the expenditures for the obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the useful life of the Wastewater Disposal System Facilities for which such facilities were designed and constructed. The term “operation and maintenance” includes replacement.

Subd. 1067 – “SANITARY WASTES” means the liquid and water carried wastes discharged from sanitary plumbing and facilities.

Subd. 1068 – “SEWAGE” means the liquid carried waste products from whatever source derived, together with such groundwater infiltration and surface water as many be present.

Subd. 1069 – “SEWER” means a pipe or conduit for carrying sewage, industrial waste and other waste liquids.

Subd. 1070 – “SEWER SERVICE CHARGE” means the aggregate of all the charges including the user charges, debt service charges and other sewer related charges that are billed periodically to users of the Wastewater Disposal System Facilities.

Subd. 1071 – “SEWER SYSTEMS” means the pipelines or conduits, pumping stations, force mains, and all other devices and appliances appurtenant thereto, used to collecting or conducting sewage.

Subd. 1072 – “SIGNIFICANT INDUSTRIAL USER” means any industrial user who discharges sewage which constitutes greater than ten percent (10%) of the design flow or design pollutant loading of the wastewater treatment plant.

Subd. 1073 – “SS” (DENOTING SUSPENDED SOLIDS) means 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,

in accordance with the latest edition of Standards for the Examination of Water and Wastewater.

Subd. 1074 – “USER” means any person, firm, corporation, or other entity, whether municipal or otherwise, discharging sewage into the Township disposal system facilities.

Subd. 1075 – “USER CHARGE” means a charge levied on users of Wastewater Disposal System Facilities for the cost of operation and maintenance of such facilities.

Subd. 1076 – “WASTEWATER DISPOSAL SYSTEM” means any facility, appurtenant structures, or arrangement of devices used for the treatment of sewage and includes the sewer system.

SECTION 110 GENERAL

It is the purpose of this ordinance to recover from the users of the Wastewater Disposal System Facilities, on an equitable and proportional basis, the share of the Wastewater Disposal System Facilities costs attributable to such users, and to provide funds for the operation and maintenance, debt service, replacement and improvements of the Wastewater Disposal System.

Subd.1101 – The Sewer Service charges provided in this section are hereby levied and assessed upon each parcel of land, building, or premises having any connection with, or discharging whether directly or indirectly into the sewer system.

Subd. 1102 – The Township Board shall at least annually determine and fix by resolution the unit costs of the use of the Wastewater Disposal System Facilities of the basis of Flow, BOD, SS, and any other pollutant, taking into consideration the cost of the treatment of such sewage and may increase or decrease such unit cost as often and in such amounts as may reasonably be required to accomplish the purposes of this section.

Subd. 1103 – The Township Board shall compute the amount due the Township for sewer user charges and render a statement thereof, at monthly intervals, to the owner or occupant of any premises using the Wastewater Disposal System Facilities. Such charges shall be pursuant to the most recent resolution establishing charges and rates in accordance with the ordinance. All amounts due hereunder shall be payable at the office of the township or other designated locations.

Subd. 1104 – The Township Board shall each year provide an internal audit report that will address specific areas of concern including: the need to generate sufficient revenue through user charges to cover total O&M Costs; debt service costs; the necessity of maintaining a proportionate system of user

charges pursuant to current federal regulations; the need to review the replacement account to determine its proper level of funding.

SECTION 115 BILLING PRACTICE

Subd. 1151 – The debt charge, operation and maintenance charge and any required surcharge provided in this ordinance shall be included as separate items on a person’s bill by the Township. The bill will be payable in accordance with the schedule by the Township.

Subd. 1152 – All portions of the Sewer Service charge shall be payable at the time of the bill for the same issued.

Subd. 1153 – Charges levied in accordance with the ordinance shall be a debt due to the township and shall be a lien upon the property. If this debt is not paid within twenty (20) days after it shall be due and payable, it shall be deemed delinquent and may be recovered by civil action in the name of the Township against the property owner, the person or both. On all delinquent bills, the Township shall include a charge at the rate of one and one-half percent (1 ½%) per month from date of billing. If full payment is not received prior to September 15, the delinquent bill will be forwarded to the county for placement on the succeeding tax roll.

In the event of failure to pay sewer service charges after they become delinquent, the Township shall have the right to remove or close sewer connections and enter upon the property for accomplishing such purposes.

The expenses of such removal or closing, as well as the expense of restoring service, shall likewise be a debt to the Township and lien upon the property and may be recovered by civil action in the name of the Township against the property owner, the person or both.

Sewer service shall not be restored until all charges, including the expense of removal, closing the restoration, shall have been paid.

Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

Subd. 1154 – The Township shall annually notify each user in conjunction with a regular bill of the breakdown of the rates and user charges related to the Wastewater Disposal System.

SECTION 120 FUNDS FROM SEWER SERVICE CHARGES

The funds received from the collection of the charges authorized by the ordinance shall be deposited as collected in the Wastewater Disposal System Operating Fund and shall be used for the operation, maintenance, debt service, replacement, and improvements of the Wastewater Disposal System except that the portion of any such funds which is limited to a particular use by applicable State or Federal rules or regulations, shall be used in compliance with such restrictions. Separate accounts for each activity shall be maintained.

SECTION 125 UNIT COST CATEGORIES

The cost to be recovered pursuant to this ordinance and the unit cost to be fixed by the township board is subsection 110, Subd. 1022 shall be determined and allocated in each of the following categories.

Subd. 1251 – “Category A.” Debt Service for Wastewater Disposal System Facilities Project: This shall be the amount of the annual interest and principal cost necessary to retire the bond or bonds issued to pay for the local share of any necessary capital improvement projects.

Subd.1252 – “Category B.” Operation and Maintenance – Wastewater Disposal System Facilities: This shall be the annual cost of operating and maintaining the Wastewater Disposal System Facilities, including an amount for replacement costs of personal property, which shall be segregated in a separate fund.

SECTION 130 DEBT SERVICE CHARGES

Subd.1301 - The debt service charges for capital improvement projects (Section 125, Subd. 1251 Category A) shall be determined as follows:

Unit costs for Flow, BOD, and SS shall be calculated by apportioning as appropriate the debt service cost associated with that year to Flow, BOD, and SS and then dividing each cost so apportioned by the total estimated billable Flow, BOD, and SS to be received at the Wastewater Treatment Works in that year.

Each user’s debt service charge shall be the sum of the products obtain by multiplying the unit cost as determined above by the user’s actual Flow, BOD, and SS during the billing period. Users with sewage

exceeding the parameters of the General Municipal Flow shall pay an additional charge pro rata.

SECTION 132 OPERATION AND MAINTENANCE CHARGES FOR INDUSTRIAL USERS AND OTHER USERS WITH WASTEWATERS DISCHARGED EXCEEDING THE PARAMETERS OF THE GENERAL MUNICIPAL FLOW.

Subd.1321 – The charge for Industrial users shall be determined by flow if the pollutant concentrations in the wastewater discharged are less than that for the General Municipal Flow.

The unit cost for the flow shall be calculated by apportioning the Category B cost to Flow and then dividing by the total billable flow to be received at the Wastewater Treatment Facility in that year.

Users discharging sewage exceeding the parameters of the General Municipal Flow shall pay an additional charge pro rata. The unit cost for BOD and SS shall be calculated by apportioning the Category B cost to each Flow, BOD and SS and then dividing each cost so apportioned by the total billable flow, BOD and SS to be received at the Wastewater Treatment Facility in that year. The user charge shall be the sum of the projects obtained by multiplying the unit cost as determined above by the users' actual Flow, BOD, and SS during the billing period.

Subd. 1322 – In addition to the charges provided for the herein, the township may impose a surcharge on any user pursuant to the Sewer Use Ordinance or based on some other pollutant loading factor which requires special treatment at the Wastewater Treatment Works.

SECTION 135 MEASUREMENTS OF STRENGTH AND VOLUME

Subd. 1351 – When required by the township, each user shall install a suitable measuring, sampling and analyzing devices in compliance with the sewer use ordinance.

Subd. 1352 – The Township shall not require installation of such devices where the Township determines that such user has concentrations of BOD and suspended solids no greater than the constituents in general municipal flow and the satisfactory methods and access exist for sampling and determining the total daily sewage flow. In such cases the charges to those users shall be based on the flow rates as determined, and the BOD and SS loads equal to the average load of the general municipal flow.

Subd. 1353 – Each user required by the township to install and maintain wastewater monitoring facilities, shall submit to the township a monthly report of daily Flow, BOD, and SS on a form approved

by the township. This report shall be used for billing purposes and shall be submitted prior to the 15th day of subsequent month.

Subd. 1354 – The township shall have the right to periodically or continuously inspect the monitoring facilities, to measure, sample, and analyze the samples obtained by the user. The Township may, at its direction, charge the user for any monitoring services performed, such charges shall be at cost.

In the event of any discrepancy between the flows or loads determined by the Township and the user, the values determined by the Township shall be used for the billing purposes.

SECTION 140 OPERATION AND MAINTENANCE CHARGES FOR GENERAL USERS – DOMESTIC, COMMERCIAL, INSTITUTIONAL AND GOVERNMENTAL USERS

Subd. 1401 – The charge for General Users shall be determined by flow since the pollutant concentrations in domestic sewage are approximately equal.

The unit cost for flow shall be calculated by apportioning the Category B cost to Flow and then dividing total billable Flow to be received at the Wastewater Treatment Works in that year. All users discharging sewage exceeding the parameters of the General Municipal Flow shall pay an additional charge pro rata.

Subd. 1402 – The charges to Domestic Users shall be the product of the unit cost obtained in accordance with 140, Subd.1401 and the quantity of water used by such user as measured by the water meter on the premises; provided, however, that in determining the charge to be paid for premises used exclusively for residential purposes, the water meter readings from the first quarter of each year may be used as the basis for the computation of such user charges for each billing period for that year.

Subd.1403 – The charges to commercial users shall be the product of the unit cost obtained in accordance with Section 140, Subd. 1401 and the quantity of water used by such users as measured by the water meter on the premises.

Subd. 1404 – The charges to institutional users shall be the product of the unit cost obtained in accordance with Section 140, Subd.1401 and the quantity of water used by such a user as measured by the water meter on the premises.

Subd. 1405 – The charges to governmental users shall be the product of the unit cost obtained in accordance with Section 140, Sub 1401 and the quantity of water used by such user as measured by the

water meter on the premises.

Subd. 1406 – Facilities not having a water supply that is metered shall be charged based on the flow anticipated from a typical single-family dwelling. The typical single-family dwelling shall be assigned a flow value of 1 and shall pay for the Wastewater Disposal System use on a fixed monthly charge basis.

Using this basic charge, the other Sewer Service charges shall be calculated as follows:

- A. Each unit of the townhouse shall have a value of 1.
- B. Condominiums, duplex units, and apartments shall have a value of 1.0 for each living unit.
- C. Mobile homes shall have a value of 1.0.
- D. Commercial and Industrial building units shall be assigned a minimum value of 1 living unit.
- E. Other buildings and structures not listed in the table below shall be assigned a value of 1 for each 100,000 gallons of the estimated annual wastewater discharge.
- F. All non- family dwellings may be required to install and maintain water meters at no charge to the Township. The Township reserves the right to require annual test to insure accurate flow.

The following is the listing of standards used in assigning the flow value for various commercial, public and institutional facilities.

TYPE OF FACILITY	PARAMETER	FLOW VALUE
Arenas	100 Seats	1
Automobile Service Center	2 Service Bays	1
Barber Shop	Each	1
Bible Camp	5 Campers (persons)	1
Boarding House	3 Beds	1
Bowling Alleys	3 Alleys	1
Cabins, Modern (rental units and part of a resort)	3 Units	2
Campground with Central Bath Facilities	Two sites	1
Car Wash	Each	30
Car Wash (self service)	1 Stall	1
Churches	250 Seats	1
Club House (shower heads)	Each	1
Cocktail Lounge	25 seats	1
General Office Building	2,400 sq. ft Floor Space	1

Hospitals	1 Bed	1
Laundromats or Laundry Rooms	1 Machine	1
Motels and Hotels (assume 2 persons per room)	2 Rooms	1
Recreation Vehicle Campground with Individual Sewer Hookups	Three Hookups	2
Resorts (with housekeeping)	Three Units	2
Restaurant (drive in)	9 Parking Spaces	1
Restaurant (24 hour service)	12 Seats	1
Restaurant (with cocktail lounge)	9 Seats	1
Retail Stores	3,000 sq. ft. Floor Space	1
Rooming Houses	7 Beds	1
Schools (Elementary)	20 Students	1
Schools (Secondary)	15 Students	1
Service Station (gas pumping only)	Each	1
Service Station with Service Center & Car Wash	Each	1
Swimming Pools	27 Swimmers	1
Theatre	75 Seats	1
Theatre (drive in)	55 Parking Spaces	1
Trailer Park or Campground with Central Bathhouse	2 Sites	1
Trailer Park or Campground with Flush Toilets & no Showers	3 Sites	1
Warehouses	14 Employees	1

Subd. 1407 – There shall be a minimum monthly sewer service charge that shall be calculated by dividing the annual fixed costs by the equivalent number of users of the Wastewater Disposal System. The minimum charge shall be levied when no wastewater is discharge by a sewer during on complete

billing period and written notice of the non-use is received in advance of the billing period by the Township.

Subd. 1408 – Unmetered users may install their own meter and be charged in the same manner as metered customers if the meter is installed and maintained pursuant to all Township rules and regulations.

Subd. 1409 – If a substantial portion of the water utilized by any user is not discharged into the sewer system, the volume of such water shall be deducted computing the sewer use charge provided a separate meter is installed to measure such volume. The user desiring to install such separate meter shall make application and payment for the meter to the Township and engage, at their own expense, a plumber to affect the necessary piping changes and install the couplings so the meter can be set. The user may also make direct payment to the distributor for the necessary meter provide it is approved by the Township.

SECTION 145 EFFECTIVE DATE

This ordinance shall be in full force and effect from the date of enactment.

Adopted by the Sagola Township Board this 6th day of March 1984 by the following vote:

YES: 5

NO: 0

ABSENT: 0

Mary T Van Oss

Township Supervisor

Elizabeth Benzie

Township Clerk