

ORDINANCE NO. 19-02

**REPEALING AND RECREATING SECTIONS 5.1 AND 5.2 OF THE DISTRICT'S
ORDINANCES, AND CREATING SECTIONS 5.3 TO 5.7, RELATED TO SEWER SERVICE
CHARGES**

**TOWN OF SULLIVAN SANITARY DISTRICT NO. 1,
JEFFERSON COUNTY, WISCONSIN**

THE COMMISSION OF THE TOWN OF SULLIVAN SANITARY DISTRICT NO. 1,
JEFFERSON COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

SECTION 1: SECTIONS 5.1 and 5.2 of the District's Ordinances are repealed and recreated
as follows:

5.1 Policy

The District will establish sewer service charges sufficient to pay the District's capital costs, operation and maintenance costs, and to establish and maintain a replacement fund and any needed reserve funds. The District's sewer service charge system shall ensure that each user of the District's wastewater facilities pays their proportionate share of these costs.

5.2 User charge system definitions

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Capital costs (C) includes all costs associated with repayment of debts and all costs incurred during the budget period for the construction and/or rehabilitation of wastewater system facilities.

Normal domestic strength wastewater means wastewater with concentrations of BOD₅ no greater than 250 milligrams per liter (mg/l), suspended solids no greater than 250 milligrams per liter (mg/l), TKN no greater than 40 milligrams per liter (mg/l), and phosphorous no greater than 5 milligrams per liter (mg/l), respectively.

Operation and maintenance (O&M) costs includes all costs associated with the administration, operation and maintenance of the District and the District's wastewater facilities. These costs, including costs associated with clear water flows (I/I), shall be divided proportionately among the various sewer users.

Replacement costs (R) includes all costs necessary to accumulate the resources to replace equipment as required to maintain capacity and performance during the design life of the facility. When required by an appropriate authority having jurisdiction, a separate, segregated, distinct replacement fund will be established and used only for repair or replacement of wastewater facilities.

Sewer service charge means the sewer service charge levied on users of the sewer system for payment of capital costs, operation and maintenance costs, replacement costs, and any needed reserve funds.

Single-family dwelling means a single-family detached dwelling, a mobile home, a seasonal dwelling, a duplex unit, an apartment unit, or one unit in a multifamily structure.

SECTION 2: SECTIONS 5.3 to 5.7 of the District’s Ordinances are created as follows:

5.3 Sewer service charge methodology

The District shall establish sewer service charges using a residential equivalent unit (REU) methodology.

5.4 Residential equivalent units

One REU equals the estimated volume of normal domestic strength wastewater discharged by one single-family dwelling. All single-family dwellings are assigned 1.0 REUs. Commercial, industrial, and public users are assigned REUs based on the actual or estimated volume of wastewater discharged by the user compared to the average volume of wastewater discharged by a single-family dwelling. A nonresidential user shall not be assigned less than 1.0 REUs. The District shall assign REUs to new nonresidential users after receiving the recommendation of the District engineer. Assigned REUs may be reviewed and revised as appropriate.

5.5 Sewer service charge

The District shall determine its sewer service charge per REU by dividing its total revenue needs for capital costs, operation and maintenance costs, replacement costs, and any needed reserve funds by the total number of REUs in the District. The District’s determination shall be reflected in a resolution adopted by the District Commission. A user’s sewer service charge shall equal the number of REUs assigned to that user multiplied by the sewer service charge per REU.

5.6 Additional charge for high strength wastewater

A user is required to obtain a discharge permit from the District Engineer to discharge wastewater that is not normal domestic strength wastewater. The discharge permit shall set additional parameters regarding the loading and

strength of the wastewater and shall establish such conditions as are deemed prudent and necessary prior to discharge of the wastewater to the District sewers. Conditions imposed may include pretreatment requirements, testing and sampling and other such conditions as the District Engineer deems reasonable to satisfy public health and safety concerns. The user shall reimburse the District for third-party costs incurred to establish and/or monitor the conditions of the discharge permit. The user may also be subject to additional surcharges and fees established by the District based upon the recommendation of the District Engineer.

5.7 Billing and payment

Sewer service charges shall be billed to each user once every three months (quarterly), or more frequently, if so determined by the District Commission. Such charges shall be payable not later than 20 days after the end of each billing period. A penalty of one percent per month shall be added to all bills not paid by the date fixed for payment.

SECTION 3: Should any portion of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected.

SECTION 4: This Ordinance shall take effect and be in force effective upon passage and publication.

Dated this 15th day of May 2019.

Paul Goeglein, Commission President

Attested:

_____, Commission Secretary

Passed: _____

Approved: _____

Notice of Adoption (summary) Published: _____