

**AN ORDINANCE ESTABLISHING CHARGES FOR USERS
OF THE TOWNSHIP OF REPUBLIC
WASTEWATER DISPOSAL SYSTEM FACILITIES
ORDINANCE NO. 2013-22**

THE TOWNSHIP BOARD OF REPUBLIC TOWNSHIP, MARQUETTE COUNTY,
MICHIGAN, HEREBY ORDAINS:

Section 1: Republic Township Wastewater Disposal System Facilities

The fees, rates and charges for using the Republic Township Wastewater Disposal System Facilities shall be, upon the conditions and in the amounts set forth in Section 1 et.seq. except where this Ordinance is declared inapplicable for a particular user by a written contract providing for alternative charges between such user and the Township.

Section 2: Definitions

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

- A. “BOD” (Denoting Biochemical Oxygen Demand) - means the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees Celsius, expressed in milligrams per liter, as determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.
- B. “Capital Costs” – means all reasonable and necessary costs and expenses incurred by Republic Township in planning, designing, financing and constructing disposal system facilities, including 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 and acquisition.
- C. “Commercial User” – means all users of the system which are not residential, institutional or industrial users.
- D. “Contract User” – means all users who have a written contract with Republic Township to use the Wastewater Disposal System
- E. “Debt Service” – means the principal and interest necessary to pay bonded indebtedness.
- F. “Debt Service Charge” – means the charge related to the principal and interest necessary to pay bonded indebtedness of facilities owned or operated by the Township.
- G. “Domestic User” – means those establishments of which its related occupations, if any, are usually considered a domestic service and whose discharge consists solely of sanitary wastes.
- H. “Flow” – means the quantity of sewage expressed in gallons or cubic feet per twenty-four (24) hours.
- I. “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, based on the design of the wastewater treatment facility is further defined as flows containing 5-day BOD concentration no greater than 200mg/l and suspended solids concentration no greater than 240 mg/l.
- J. “General Municipal User” – means any user discharging sewage to the general municipal flow other than industrial users, municipalities and other contracted users. This category

of user includes as sub-categories; Domestic Users, Commercial Users, Institutional Users and governmental Users, which are not contract users.

- K. “Governmental User” – includes those establishments whose function is the administration and or execution of governmental programs as well as the offices of executives, legislative bodies and agencies which provide general support services for government.
- L. “Industrial User” – means any non-governmental, non-residential user of the publicly owned treatment works which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary wastes and which is identified in the Federal Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under the following divisions:
 1. Agriculture, Forestry and Fishing
 2. Mining
 3. Manufacturing
 4. Transportation, Communications, electric, Gas and Sanitary Services
 5. Services

Industrial Users will be surcharged for BOD and Suspended Solids Concentrations which are greater than the concentrations as defined for General Municipal Flow. The industrial user’s surcharge will be based on the actual concentration of BOD and Suspended Solids. There shall be no surcharge for the industrial user discharging less than 25,000 gpd of equivalent sanitary wastes, providing such discharge does not contain pollutants which (1) interfere with the treatment process, (2) are toxic, or (3) are incompatible with the treatment process or discharge limitations.

Industrial users shall be subject to any applicable Industrial Cost Recovery System rules and regulation that may be published by the Federal Government.

- M. “Industrial Cost Recovery Charges” - (ICRC) means the charge levied upon each industrial user of the Township facilities as payment for the users share of the total amount of federal grants received by the Township and related to Title II of the Federal Water Pollution Control Act Amendments of 1972 (P.L 42-500, 33 U.S.C. 1251 et.seq.).
- N. “Institutional User” – means those establishments engaged in activities of a non-economic nature, frequently being the performance of services for the general public, (health, educational, social), and not classified as a governmental or commercial user in this Ordinance.
- O. “Load” – means 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).
- P. “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.
- Q. “Replacement Costs” – means costs related to the expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary to maintain and 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.

- R. “Sanitary Wastes” – means the liquid and water carried wastes discharged from sanitary plumbing facilities.
- S. “Sewage” – means the liquid carried waste products from whatever source derived, together with such ground water infiltration and surface water as may be present.
- T. “Sewer” – means a pipe or conduit for carrying sewage, industrial waste and other liquids.
- U. “Sewer Service Charge” – means the aggregate of all the charges including the user charges, debt service charges, industrial cost recovery charges and other sewer related charges that are billed periodically to users of the Wastewater Disposal System Facilities.
- V. “Sewer Systems” – means pipelines or conduits, pumping stations, force mains and all other devices and appliances appurtenant thereto, used for collecting or conducting sewage.
- W. “Significant Industrial User” – means any industrial user who discharges sewage which constitutes greater than ten per cent (10%) of the design flow or design pollutant loading of the wastewater treatment plant.
- X. “Suspended Solids or SS” – 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 Standard Methods for the Examination of Water and Wastewater.
- Y. “User” – means any person, firm, corporation or other entity, whether municipal or otherwise, discharging sewage into the Township disposal system facilities.
- Z. “User Charge” – means a charge levied on users of Wastewater Disposal System Facilities for the cost of operation and maintenance of such facilities.
- AA. “Wastewater Disposal System” – means any facility appurtenant structures or arrangement of devices used for the treatment of sewage and includes the sewer system.

Section 2: General

It is the purpose of this Ordinance to recover from 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.

- A. The sewer service charges provided for 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
- B. The Township Board shall at least annually determine and fix by resolution the unit costs of use of the Wastewater Disposal System facilities on the basis of flow, BOD, SS and any other pollutant, taking into consideration the cost of treatment of such sewage and may increase or decrease such unit costs as often and in such amounts as may reasonably be required to accomplish the purposes of this section. The Township Board shall revise the Debt Service Charge pertaining to the fiscal year ending March 31, 1995 as required on the basis of revenue source then available.
- C. The Township shall compute the amount due the Township for sewer user charges and render a statement thereof, at periodic interval, 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 this Ordinance.

All amounts due hereunder shall be payable at the office of the Township or other designated locations.

- D. 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 40 CFR 35.935 -13(b); the need to review the replacement account to determine its proper level of funding and a review of the ICRS to assure that each industrial user pays its share of the federal grant amount used to construct Wastewater Disposal System Facilities for industrial waste treatment.

3: Billing Practice

- A. The debt charge, operation and maintenance charge, any required surcharge and ICR payment portions of the service charges 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 established by the Township.
- B. All portions of the Sewer Service Charge shall be payable at the time the bill for same is issued.
- C. Charges levied in accordance with this Ordinance shall be a debt due to the Township and shall be a lien on 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. If delinquent payments are not received by November 1st of the calendar year a ten percent (10%) charge shall be added to delinquent bills. Thereafter, if payment is not received prior to November 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 purpose

The expense 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 and restoration shall have been paid.

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

- D. 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.

4: Funds from Sewer Service Charges

The funds received from the collection of the charges authorized by this 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.

5: Unit Cost Categories

The cost to be recovered pursuant to this Ordinance and the unit costs to be fixed by the Township Board in Section 2B shall be determined and allocated in each of the following categories:

- 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
- B. Operation & Maintenance of Wastewater Disposal System Facilities – This shall be the annual cost of operating and maintaining the Wastewater Disposal System, including an amount for replacement costs of personal property, which shall be segregated in a separate fund.
- C. Industrial Cost Recovery Charge – This shall be a charge that will be made a part of this Ordinance if and when such a charge is required by any agency having proper authority.

6: Industrial Sewer Service Charges

- A. The industrial debt charges for Capital Improvement Projects 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 to be received at the Wastewater Treatment Plant in that year.

Industrial debt charges shall be the sum of the products obtained by multiplying the unit cost as determined above by the users' actual FLOW, BOD and SS during the billing period. Industrial users with sewage exceeding the parameters for the General Municipal flow shall pay an additional charge pro rata.

- B. The industrial user charges for operation and maintenance of the Wastewater Disposal System Facilities shall be determined as follows:

Unit cost for FLOW, BOD and SS shall be calculated by apportioning the Category B cost each to FLOW, BOD and SS, then dividing each cost so apportioned by the total billable FLOW, BOD and SS to be received at the Wastewater Treatment Plant in that year. As a minimum all industrial users will pay the same cost as the general user and any user with sewage concentrations actually exceeding the design parameters for BOD and SS shall pay an additional amount pro rata.

Industrial User charges shall be the sum of the products obtained by multiplying the unit costs as determined above by the users actual FLOW, BOD, and SS during the billing period.

- C. In addition to the charges provided for herein, the Township may impose a surcharge on any industrial user pursuant to the Sewer Use Ordinance or based on some other pollutant loading factor which requires special treatment at the Wastewater Treatment Plant

7: Measurements of Strength and Volume

- A. When required by the Township each industrial user shall install suitable measuring, sampling and analyzing devices in compliance with the Sewer Use Ordinance.
- B. The Township shall not require installation of such devices where the Township determines that such industrial user has concentrations of BOD and SS no greater than the concentration of such constituents in the General Municipal Flow and a satisfactory method and access exist for sampling and determining the total daily sewage flow. In such cases the charges to those industrial users shall be based on the flow rate as determined and on BOD and SS loads equal to the average load of the General Municipal Flow.
- C. Each industrial user required by the Township to install and maintain sewerage 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 the subsequent month.
- D. The Township shall have the right to periodically or continuously inspect the monitoring facilities, to measure, sample and analyze the sample obtained by the industrial user. The Township may at its discretion charge the industry for any monitoring service performed; such charges shall be at cost.

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

8: Charges for general users – Domestic, Commercial Institutional and Governmental users

- A. The charge for general users shall be determined by the 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 by the total billable flow, to be received at the Wastewater Treatment Plant in that year. Industrial users discharging sewage exceeding the parameters of the General Municipal Flow shall pay an additional charge pro rata.

- B. The charges to Domestic Users shall be the product of the unit cost obtained in accordance with 8A 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 computation of such user charges for each billing period that year.
- C. The charges to commercial users shall be the product of the unit costs obtained in accordance with section 8A and the quantity of water used by such user as measured by the water meter on the premises.
 - D. The charges to institutional users shall be the product of the unit cost obtained in accordance with section 8A and quantity of water used by such user as measured by the water meter on the premises
 - E. The charges to governmental users shall be the product of the unit cost obtained in accordance with section 8A and quantity of water used by such user as measured by the water meter on the premises
 - F. 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 fee on a fixed monthly charge basis. Using this basic charge the other Sewer Service charges shall be calculated as follows:
 - 1. Each unit of the townhouse shall have a value of 1
 - 2. Condominiums, duplex units and apartments shall have a value of 1 for each living unit
 - 3. Mobile homes shall have a value of 1
 - 4. Other buildings and structures shall be assigned a value of 1 for each 100,000 gallons of yearly flow which is estimated they will discharge and commercial and industrial building units shall be assigned a value in accordance with the chart in section 8G.
 - G. 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 tests to insure accurate flow. The following table is a listing of standards used in assigning the flow value for various commercial public and institutional facilities.

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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	1
Boarding House	3 beds	1
Bowling Alleys	3 Alleys	1
Cabins/Modern rental units and part of a resort	3 units	2
Campground w/ 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 w/ ind sewer hookups	3 hook ups	2
Resorts w/ housekeeping	3 units	2
Restaurant (drive in)	9 parking spaces	1
Restaurant (24 hour service)	12 seats	1
Restaurant (w/ 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 and car wash	Each	8
Swimming pools	27 swimmers	1
Theatre	75 seats	1
Theatre (drive in)	55 parking spaces	1
Trailer park or Campground with central bathhouse	Two sites	1

Trailer park with Flush toilets and no showers	3 sites	1
Warehouses	14 employees	1

- H. 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 not be levied when no wastewater is discharged by a user during on complete billing cycle if written notice of the non-use is received in advance of the billing period by the Township.
- I. 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.
- J. 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 in computing the sewer use charge provided a separate meter is installed to measure such volume. The user desiring such separate meter shall make an 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 provided it is approved by the Township.

9: Effective Date

This Ordinance shall be in full force and effect from and after 27th day of May, 1982

Adopted by the Republic Township board this 27th day of May 1982 by the following vote

Yes: 4
 No: 0
 Absent: 1