

CHAPTER 43: AIN BULK@ DISCHARGE BY SATELLITE COMMUNITIES

Flagg Creek Water Reclamation District - AIn Bulk@ Discharge by Satellite Communities

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' 43-1.01 RECITATIONS.

The recitations of this Ordinance 767 are hereby incorporated herein.
(Ord. 767, passed 3-25-2004)

' 43-1.02 ACCEPTING RECOMMENDATION TO CHARGE IN BULK SATELLITE COMMUNITIES.

The Board of Trustees of the District hereby accepts the recommendations of the District staff to commence to charge each and every such Ain bulk@ satellite community or other non-individual legal entity user of District services which owns and/or operates any non-combined sewer system within or without the District and which discharges flows to the District collection system for collection, conveyance and ultimate treatment, where flow measurements are obtainable, for the actual burden which such satellite community or other non-individual legal entity user contributes to the District system.

(Ord. 767, passed 3-25-2004)

' 43-1.03 CONSIDERATIONS FOR BILLING SATELLITE COMMUNITIES.

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The Board of Trustees hereby directs the District staff to bill such satellite community or other non-individual legal entity owner in each geographic area where the satellite community or other non-individual legal entity owner is the user to whom the District renders the bill for District services, where no individual user charge bills are rendered to the individual home or business owners by the District, the total delivered flow and/or total collected flow charge based upon the total delivered flow and/or total collected flow taking into consideration the following:

(A) The greater of:

(1) Pumped potable water, per meter reading from the satellite community water system, utility or other source of potable water supply; or

(2) Measured total delivered flow and/or total collected flow, including such infiltration/inflow as may have entered the satellite community=s or other legal entity owner=s local lateral and minor interceptor system as measured at the junction(s) of the such sanitary sewer system with that of the District.

(B) Plus an additional charge based upon the following: number and type of lift stations serving the flow stream down stream of the common connection and the annual operation cost, including depreciation based upon a 30-year life basis and number of users (flow based per meter reading with the gallons per equivalent home being 282 GPD, adjusted annually) billing period base as follows:

(1) Serving only the geographic area;

(2) Serving the geographic area and other areas; and

(3) Spinning wheel lift station.

(C) The District=s cost of operation and maintenance, including replacement, as required by the regulations 40 C.F.R. Chapter 1, part 35, ' 35.929-2.

(Ord. 767, passed 3-25-2004)

' 43-1.04 FORMULA FOR CHARGES.

The following formula shall be utilized to calculate the actual per unit of measure (gallons or cubic feet) charge for the total delivered flow and/or total collected flow charge for all such geographic areas:

Monthly cost = $F_s \times UC/1,000 + LSOM$

LSOM = Lift station(s) operation and maintenance cost (proportionate share)

UC = User charge (updated annually)

Where F_s = Flow measured by District flow meter in sewer line

Where F_s is always greater than or equal to the metered flow

(Ord. 767, passed 3-25-2004)

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' 43-1.05 EFFECTIVE DATE.

The total delivered flow and/or total collected flow charge for each such geographic area shall be placed into effect commencing as soon as the necessary information becomes available, with the first billing not later than January 2, 2005.

(Ord. 767, passed 3-25-2004)

' 43-1.06 NOTIFICATION.

The District shall notify the satellite community or other entity responsible for the sewage collection system in each such geographic area to which the total delivered flow and/or total collected flow charge shall become applicable, in writing, not later than six months prior to the effective date of the institution of such charge.

(Ord. 767, passed 3-25-2004)

' 43-1.07 ADJUSTING ANNUAL BUDGET.

The District shall include the necessary information in its annual budget to adjust the total delivered flow and/or total collected flow charge for each fiscal year as may be necessary to properly reflect the costs for collection, conveyance and treatment of the flows emanating from each satellite community or other non-individual legal entity owner in delivering AIn bulk@ flows to the District from non-combined sanitary sewer systems.

(Ord. 767, passed 3-25-2004)

' 43-1.08 FAILURE TO PAY.

The failure of any such satellite community or other entity responsible for the sewage collection system to promptly remit (within 30 days after billing) the billed amount shall constitute a default and shall result in interest being added to the amount billed at the rate of 1.5% per month. If, after due notice of the assessment of interest on the unpaid amount, the amount billed, including interest remains unpaid for six months, the District shall double the billed amount. If, after one year after the original billing date, the billed amount and subsequently billed amounts are not paid, and, where applicable, the doubled amount plus interest at the same rate, the District shall have the right to disconnect the satellite community, or other legal entity owned system from the District collection system.

(Ord. 767, passed 3-25-2004)

' 43-1.09 RECONNECTION.

If, after such disconnection, there is an application for reconnection, such request for reconnection

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shall be deemed to constitute not only a request for the connection of the common system, but for the individual connection of each individual building connected to the common system and the normal District composite connection charges, and composite connection charge surcharges, if applicable, for each individual customer of the satellite community or other entity shall become due and payable, unless evidence is presented to the District that a previous connection charge has been paid to the District by any individual user seeking connection to the District system. In addition thereto, before authorizing the common connection to the District collection system, the satellite community or other legal entity owning such system shall be required to deposit with the District one full year=s estimated collection, conveyance and treatment charges as a performance guarantee deposit. Said deposit shall be refunded without interest after one full year=s prompt payment of the total delivered flow and/or total collected flow charge.
(Ord. 767, passed 3-25-2004)

' 43-1.10 UNAUTHORIZED CONNECTIONS.

Nothing herein contained shall authorize the connection of any storm or surface water collection system to the District collection system.
(Ord. 767, passed 3-25-2004)