

**AN ORDINANCE TO CHANGE THE CALCULATION OF THE BASE SEWER RATE FOR RESIDENTIAL USERS BY AMENDING SUBSECTION 13.16.360C. OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City has adopted ordinances to set the sewer rates for users of the City's sewer service system; and

WHEREAS, the sewer rate for residential users is determined by averaging the metered water use for December through February, with new and intermittent users paying a rate based on the average water consumption of residential users; and

WHEREAS, average use of the City's water service system has decreased; and

WHEREAS, intermittent users are charged a full average rate that does not reflect actual use of the sewer service system; and

WHEREAS, the Common Council desires to amend the sewer rate ordinance for residential users to establish a sewer rate that more accurately reflects the sewer system user's actual usage.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Subsection 13.16.360C. of the Rapid City Municipal Code be and is hereby amended to read as follows:

C. *Rate determination.* All wastewater and industrial waste discharged to the wastewater facilities shall be paid for by the tenant or owner of the premises served. The methods used for determining the sewer use charge shall be as follows:

1. *Residential users.* All residential wastewater users shall be assessed a monthly meter charge per the rates under subsection B.1 of this section. The wastewater flow from residential connections shall be determined each year from the metered water use for 3 winter months using the water meter readings ~~taken in January, February and March~~ showing usage in December, January, and February. A residential user may, upon application on a form provided by the Public Works Department, petition for the use of 3 months other than those listed. The Director of Public Works or his or her designee shall have the discretion to grant such petition for good cause. Residential users who move to a new residence shall have the use from their previous residence assigned to them. The average monthly winter use measured in hundreds of cubic feet, shall be multiplied by the rate in subsection A.1 of this section and the product will determine the monthly sewer use charge for the 12-month period commencing April 1 for each year. New residential users, or intermittent users who do not petition as provided above, shall pay a sewer use charge based on the average single-family residential water use of ~~700~~ 500 cubic feet per month per dwelling unit served and this volume shall be used until the end of the next averaging period (December, January and February). For any of the 3 averaging months in which the meter is not actually read, the amount of ~~700~~ 500 cubic feet times the number of dwelling units shall be inserted for that month to determine the average for the 3 months. Residents with city sewer service only (i.e., no city water) will pay a city use charge of 700 cubic feet per month. The resident may elect to install a potable water meter and radio read as an alternative to the 700 cubic feet per month and be charged per the normal

winter use average as identified within this chapter. Residents experiencing leaks located after the meter during the sewer usage averaging period will be allowed sewer billing adjustments until the completion of the next sewer averaging period following notification by the customer. Sewer usage will be adjusted by taking the ~~last 3 years~~ average of the last 3 winter averaging periods, or the minimum billing volume of ~~700~~ 500 cubic feet if the record is less than 3 years. Residential users irrigating during any of the 3 months from which the sewer rates are determined will be allowed a rate reduction, as set forth in the previous paragraph. To receive such an adjustment, a residential user must sign an affidavit provided by the Public Works Department, affirming that they irrigated during the time of the sewer charge calculation.

2. *Commercial and institutional users discharging domestic wastewater.* All commercial and institutional wastewater users shall be assessed a monthly meter charge per the rates under subsection B.2 of this section. The sewer use charge for commercial and institutional connections discharging wastewaters similar in physical, biological and chemical quality to domestic wastewater shall be determined by multiplying the monthly wastewater volume in 100 cubic feet by the rate established by subsection A.1 of this section per 100 cubic feet. The wastewater volume shall be determined from the monthly metered water use unless special allowances are made or the wastewater is metered as provided herein.

3. *Industrial users.* All industrial wastewater users shall be assessed a monthly meter charge per the rates under Subsection B.3 of this section. The sewer charge for industrial connections shall be determined by multiplying the monthly wastewater volume measured in 100 cubic feet, by the rate established by subsection A.1 of this section per 100 cubic feet, whenever the BOD concentration is less than 260 mg/l and the suspended solids concentration is less than 250 mg/l based on the average of flow proportioned, composite samples, collected at the times, frequencies and in the manner designated by the Director. Whenever the BOD concentration exceeds 260 mg/l or the suspended solids concentration exceeds 250 mg/l, based on the sampling and testing program specified by the Director, a surcharge will be assessed at the following rates per pound on the portion of wastes in excess of 260 mg/l BOD or 250 mg/l TSS.

| User | 2009   | 2010   | 2011   | 2012   | 2013   |
|------|--------|--------|--------|--------|--------|
| BOD  | \$0.13 | \$0.16 | \$0.19 | \$0.23 | \$0.27 |
| TSS  | \$0.09 | \$0.11 | \$0.14 | \$0.17 | \$0.21 |

CITY OF RAPID CITY

\_\_\_\_\_  
Mayor

ATTEST

\_\_\_\_\_  
Finance Officer

(seal)