

ORDINANCE NO. 5667

**AN ORDINANCE TO PROVIDE STANDARD METHODS TO
ADJUST SEWER BILLS BASED ON USAGE BY AMENDING
SECTION 13.08.370(C) OF THE RAPID CITY MUNICIPAL CODE**

WHEREAS, the City of Rapid City has adopted an ordinance establishing sewer rates and use charges; and

WHEREAS, the ordinance provides for sewer bill adjustments for residential users in the event of water leaks during the sewer averaging period but does not currently provide for adjustments to commercial, institutional, industrial or nonresidential sewer users; and

WHEREAS, the ordinance does not provide a method for adjustments for residential users in cases other than water leaks; and

WHEREAS, the Common Council of the City of Rapid City finds that it is in the best interests of the City to amend Section 13.08.370(C) of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City that Section 13.08.370(C) of the Rapid City Municipal Code 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. 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 shall pay a sewer use charge based on the average single-family residential water use of 700 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 cubic feet times the number of dwelling units shall be inserted for that month to determine the average for the 3 months. Residential users assigned 700 cubic feet per month due to intermittent usage may request an alternate assignment which shall be calculated by averaging the usage records of the prior 36 months. If the actual records for a residential user include fewer than 36 months of usage, the average shall be calculated using all actual usage records that exist and assigning 700 cubic feet for all months where no record exists, so that the average is based on a total of 36 months. 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, or the minimum billing volume of 700 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

4. *Billing adjustments for non-residential users.* If any adjustment is requested on a commercial, institutional, industrial or non-residential sewer bill based upon a user’s leaks in piping located after the meter and unknown to the user, during the preceding month, plumbing fixtures excluded, the adjustment shall not be more than 50% of the bill over the minimum charge, and adjustment shall be made on one monthly bill for any leak. Reasonable proof of leaks must be established before any adjustment will be made.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:
Second Reading:
Published:
Effective: