

**RICHMOND CITY CORPORATION**  
**ORDINANCE 2015-6**

WHEREAS the City of Richmond is responsible for ensuring that its citizens are provided as safe and clean of an atmosphere as possible; and

WHEREAS a Sanitary Sewer System has been in place and operating since 1972 in the City of Richmond; and

WHEREAS Title 14-000 entitled "Utilities" of the *Code of Revised Ordinances of Richmond (1975, adopted 1976.)*, Chapter 14-200 and Chapter 14-500, Part 14-530 establish the authority and responsibility of the Richmond City Council to set forth water and sewer rates; and

WHEREAS growth in population of Richmond City and increasing demands by the United States Environmental Protection Agency and the State of Utah Division of Environmental Quality have necessitated the construction and operation of an active wastewater treatment plant instead of the traditional passive lagoon system; and

WHEREAS it is the responsibility and obligation of the Richmond City Council to ensure that the Sewer Enterprise Fund remains solvent through periodic review and adjustment of rates;

NOW THEREFORE the City Council of Richmond City, County of Cache, State of Utah, hereby adopts, passes, and publishes the following:

AN ORDINANCE ESTABLISHING A MONTHLY BILLING AND  
RATE SCHEDULE FOR THE RICHMOND CITY SANITARY SEWER  
SYSTEM AND TREATMENT AS AUTHORIZED BY TITLE 14-000,  
CHAPTER 14-500 OF THE *CODE OF REVISED ORDINANCES OF  
RICHMOND (1975, ADOPTED 1976.)*

A. All charges contained herein shall be based upon:

1. The number of gallons of culinary water which passes through an authorized Richmond City water meter per the provisions of Title 14-000, Chapter 14-100, Section 14-1124.C., or

2. The number of gallons of actual wastewater as measured by an authorized sonic meter per the provisions of Title 14-000, Chapter 14-540.C.

3. The accepted ratio of culinary water received to wastewater discharged, for the purpose of this ordinance, shall be twenty thousand (20,000) gallons of culinary water will produce fifteen thousand (15,000) gallons of wastewater.

a. Should a user desire to challenge this ratio, the user may install an authorized sonic meter per item A. 2. above.

b. The monthly sewer bill may be incorporated into a general utilities bill reflecting all charges generated by Richmond City plus any charges passed through by Cache County.

B. Residential rates will be based upon the assumption of an Equivalent Residential Unit as outlined in A. 3. above.

1. The base cost will established by a separate resolution.

2. Residential customers metered to be using in excess of twenty-thousand (20,000) gallons of culinary water per month for three (3) or more consecutive months may be subject to a surcharge.

a. Twenty thousand one (20,001) to and including maximum usage gallons will be charged one dollar (\$1.00) per thousand (1,000) gallons of metered culinary water.

b. Residential customers who maintain that the excess consumed culinary water does not go into the sewer system may qualify for an exemption upon complying with the provisions of a commercial/industrial/public building/agricultural user exemption as outlined in Title 14-000, Chapter 14-500, Part 14-540 of the *Code of Revised Ordinances of Richmond (1975, Adopted 1976)*.

1) Customers using a sonic meter will be charged for all gallonage recorded by the meter.

C. Commercial, Industrial, Public Buildings, and Agriculture rates will be based upon the following readings and criteria:

1. The basic sewer rate will be applied to one Equivalent Residential Unit of twenty thousand (20,000) gallons of culinary water per calendar month as established by separate resolution.

2. The following surcharge rates will apply to gallonage in excess of one ERU per the provisions of Title 14-000, Chapter 14-500, Part 14-540 of the *Code of Revised Ordinances of Richmond (1975, Adopted 1976)*:

a. Twenty Thousand One (20,001) to and including maximum usage gallons of culinary water will be charged one dollar (\$1.00) per thousand (1,000) gallons of metered culinary water.

b. Commercial/industrial/public building/agricultural customers who maintain that the excess consumed culinary water does not go into the sewer system may qualify for an exemption upon complying with the provisions of a user exemption as outlined in Title 14-000, Chapter 14-500, Part 14-540 of the *Code of Revised Ordinances of Richmond (1975, Adopted 1976)*.

1) Customers using a sonic meter will be charged for all gallonage recorded by the meter.

D. In the case of Multiple Family Dwellings and Mobile Home Parks, i.e., trailer courts, the following provisions shall prevail:

1. If there is a single culinary water meter the legal owner/operator will be charged at the rate of one ERU per tenant or space. Richmond City will not bill tenants individually.

2. If each tenant or space has its own meter, billing will be as outlined in B. above.

E. In the case of sub-rentals in a Commercial/Industrial complex, unless separate meters are installed for each sub-rental location, the legal owner/operator will be charged based upon the total water used as recorded by meter under the rates outlined in C. above.

F. In the case of users who introduce into the wastewater system excessive amounts of Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), Total Kjeldahl Nitrogen (TKN), Total Phosphorus (TP) or other elements detrimental to the wastewater treatment system, a monthly surcharge will be incurred.

1. The threshold numbers that will initiate additional surcharges for treatment are:

- |                                    |          |
|------------------------------------|----------|
| a. Biochemical Oxygen Demand (BOD) | 228 mg/L |
| b. Total Suspended Solids (TSS)    | 200 mg/L |
| c. Total Kjeldahl Nitrogen (TKN)   | 35 mg/L  |
| d. Total Phosphorus (TP)           | 8 mg/L   |
| e. Fats, Oils, Grease (FOG)        | 100 mg/L |

2. If the users wastewater flow is based upon the ERU per culinary water received, and through sampling it is determined that excessive BOD, TSS, TKN and/or TP is being introduced at that source, surcharge for excess treatment will be based upon one random sample per month with the resulting beyond threshold numbers plus any sampling costs times the total ERU.

a. Should more than one sample be taken during a given billing period, the average of the multiple samples shall determine the threshold and basic measuring point.

3. If the users wastewater flow is based upon a sonic meter, the charges will be based upon one random sample per month with the resulting beyond threshold numbers plus any sampling costs times the actual wastewater flow total.

a. Should more than one sample be taken during a given billing period, the average of the multiple samples shall determine the threshold and basic measuring point.

4. Since laboratory costs fluctuate, those costs applicable to the above surcharge will be established by a separate resolution to reflect current actual costs.

a. A record of charges applied to each surcharged user will be maintained by the City for a period of five years and will be readily available to users upon their request.

5. These surcharges are added onto charges listed in B. and C. above.

G. Calculation of Surcharge fees.

1. The total excess flow (culinary meter) or total flow (sonic meter) divided by one million (1,000,000) multiplied by the excess unit measurement less the threshold number times 8.34 (conversion factor mg/L to lbs/MGal) times the cost of treatment plus any associated handling charges.

$$\text{Flow}/1,000,000 \times (\text{Grab minus threshold}) \times 8.34 \times \text{Treatment} + \text{Handling} = \text{Surcharge}$$

2. The above process will be followed for each item found to exceed the threshold, with the total of all excesses comprising the final surcharge per billing unit.

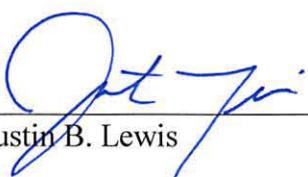
H. The provisions of this ordinance will automatically expire on June 30, 2017.

I. Upon passage of this ordinance, Ordinance 2001-4 and Ordinance 2012-1 automatically become historic.

ADOPTED AND PASSED by the Richmond City Council this 17<sup>th</sup> day of November, 2015.

  
Michael E. Hall  
Mayor

ATTEST:

  
Justin B. Lewis



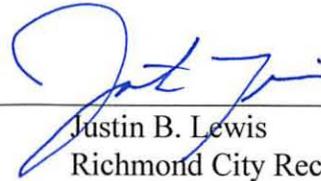
Posting Date: November 17, 2015

CERTIFICATE OF DUE POSTING

I, Justin B. Lewis, City Recorder of Richmond, Cache County, Utah, do hereby certify that on the 17<sup>th</sup> day of November, 2015, in the City of Richmond, County of Cache, State of Utah, was posted the foregoing Ordinance 2015-6 in a likely manner, a copy of which is hereunto attached, in each of the three most public places in the said City of Richmond, to wit:

1. Richmond City Office.
2. Richmond Public Library.
3. Richmond City Post Office.

WITNESS my hand this 17<sup>th</sup> day of November, 2015.



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Justin B. Lewis  
Richmond City Recorder