

**RICHMOND CITY CORPORATION**  
**ORDINANCE 2008-2**

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 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 the number of gallons of water passing through the authorized water meter installed by, or under the direct supervision of, Richmond City in a given period.

1. Unless precluded by snow cover or other extenuating circumstances, meters shall be read on a monthly basis by an authorized representative of Richmond City.

2. A monthly billing for sewer service based upon the number of gallons of culinary water passing through said meter shall be provided each customer.

a. 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 of 15,000 gallons of culinary water per calendar month.

1. Due to State of Utah requirements relative to loans and bonding for a wastewater treatment facility due to become operational in 2008, the base cost will be \$41.00 per month per Equivalent Residential Unit hereafter referred to as an ERU.

a. An annual increase of \$1.00 will be applied to the basic rate effective the first day of July beginning in the year 2009 and continuing through and including first day of July of 2012.

2. Residential customers metered to be using in excess of twenty-thousand (20,000) gallons of culinary water per month for five (5) or more consecutive months will 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)*.

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 Rate of fifteen thousand gallons of culinary water at \$41.00 per calendar month.

a. An annual increase of \$1.00 will be applied to the basic rate effective the first day of July beginning in the year 2009 and continuing through and including July 1<sup>st</sup> of 2012.

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 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)*.

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 BOD, TSS, or other elements detrimental to the wastewater treatment system, a monthly surcharge will be incurred based upon BOD, TSS, and hydro-gallage. These surcharge rates should be used for any residential or non-residential user whose average wastewater flows exceed 20,000 gallons per month, and/or Biochemical Oxygen Demand (BOD) exceeds 200 mg/l per month, and/or whose Total Suspended Solids (TSS) exceeds 250 mg/l per month. An example of such surcharge calculations follow:

1. The BOD and the TSS are determined by sampling the discharge of the user to the collection system upon determination of an excessive discharge rate, or upon the establishment of a non-residential use that presents the possibility of excessive BOD and/or TSS rates.

2. If BOD and TSS rates are found to be equal to or less than the standards established by Richmond City, a routine sample will be conducted by an authorized laboratory on an annual basis with the results being provided to Richmond City.

3. All testing costs shall be the responsibility of the sewer user.

G. *Cost Proportion for Main Constituents.* This section gives the percentage of the total cost of treatment attributable to each of the three categories, e.g. 80% of the total cost of the wastewater system is used to convey the flow.

1. Flow, (Q)	80%
2. Biochemical Oxygen Demand, (BOD)	10%
3. Total Suspended Solids, (TSS)	10%

H. *Surcharge Rates.* The monthly surcharge rate will be calculated using the below standards.

1. Water flow. \$0.80 per thousand gallons in excess of 20,000 gallons of culinary water used during the same period.

- 2. BOD.                      \$0.10 per pound of BOD based upon the state-wide average cost of service for BOD.
  
- 3. TSS.                      \$0.06 per pound of TSS based upon the state-wide average cost of service for TSS.

I. *Examples of Determining Surcharge.* The following example is provided to assist in calculating a customer’s wastewater surcharge based upon the assumption that the customer has discharged 40,000 gallons in one month with a BOD of 550 mg/l and TSS of 750 mg/l.

**Flow:** The flow rate is calculated by subtracting 20,000 gallons from the total culinary water used in the subject month.

$$40,000 - 20,000 = 20,000 / 1,000 = 20 \times \$0.80 = \$16.00$$

Total Culinary less standard equals excess divided by 1,000 times \$0.80 = Total

**BOD:** The cost for the BOD equals the pounds of BOD in water times the cost to service the BOD per pound. The same excess flow as previously determined applies to the BOD calculations, with the weight of water being 8.34 pounds per gallon.

$$20,000 / 1,000,000 = 0.02 \times 550 = 11 \times 8.34 = 91.74 \times \$0.10 = \$9.17$$

Excess in gallons/month divided by one million times 550 times 8.34 times \$0.10

**TSS:** The cost of the TSS is calculated using the same formulation as the BOD except for TSS number and the cost to service the TSS as shown below:

$$20,000 / 1,000,000 = 0.02 \times 750 = 15 \times 8.34 = 125.1 \times \$0.06 = \$7.51$$

Excess in gallons/month divided by one million times 750 times 8.34 times \$0.06

**Total Billing:**

Flow	\$16.00
B. O. D.	\$9.17
T. S. S.	\$7.51
 TOTAL	 \$32.68

J. This ordinance will automatically become historic and un-enforceable on the 16<sup>th</sup> day of January, 2013, per the provisions of Title 14-000, Chapter 14-500, Part 14-530.C. of the *Code of Revised Ordinances of Richmond (1975, Adopted 1976)*.

ADOPTED AND PASSED by the Richmond City Council this 15<sup>th</sup> day of January, 2008.

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Michael E. Hall  
Mayor

ATTEST:

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Justin B. Lewis  
Recorder

Posting Date: January 15, 2008

CERTIFICATE OF DUE POSTING

I, Justin B. Lewis, City Recorder of Richmond, Cache County, Utah, do hereby certify that on the 15<sup>th</sup> day of January, 2008, in the City of Richmond, County of Cache, State of Utah, was posted the foregoing Ordinance 2008-2 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 15<sup>th</sup> day of January, 2008.

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Justin B. Lewis  
Richmond City Recorder