

Presented by: The Manager  
Introduced: 12-02-76  
Referred to:

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 417

A RESOLUTION INCORPORATING THE SEWER  
FACILITIES OF CERTAIN DOWNHILL, PUMPING,  
SEWER USERS INTO THE MUNICIPAL SYSTEM AND  
PROVIDING FOR THE MAINTENANCE THEREOF.

WHEREAS, the city and borough of Juneau operates and maintains the public sewer system in the city and borough, and

WHEREAS, the city and borough and its predecessors have installed and maintain sewer systems in the urbanized areas, and

WHEREAS, all users of the public sewer system should be treated as fairly and equally as possible, and

WHEREAS, it is the policy of the city and borough in designing public sewer systems to provide each consumer with a gravity flow discharge into the public system, and

WHEREAS, in certain instances, cost effectiveness considerations mandate collector installations at elevations which make gravity feed unavailable to certain property owners, and

WHEREAS, such property owners are required to utilize lift pumps on their own property as a result of such engineering decisions, and

WHEREAS, the operational savings effected through such engineering decisions are shared by all the users of the system while the increased costs of such decisions fall solely upon the downhill user, and

WHEREAS, all sewer users should share the increased costs as well as the savings which result from such engineering decisions;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU:

1. That the pumps and lines of those downhill, pumping, sewer users who consent and agree as provided herein are incorporated into the city and borough sewer system for the purpose of operation, maintenance, repair and replacement.

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2. That "downhill, pumping, sewer user" means the owner or occupier of property on which there is located a structure which pumps its sewage into a city and borough collector or main sewer line when such pumping has been determined by the city and borough to be necessary to provide sewer service to the ground floor of the structure and the pump and pressure line installation have been approved by the manager or his designee. The ground floor is the lowest floor of a structure on which not less than seventy percent of its enclosed, habitable area is at or above the finished grade of the immediately surrounding land as determined by the manager or his designee.

3. Upon approval of the pump and pressure line by the city and borough, the downhill, pumping, sewer user may consent and agree to the incorporation of the approved facilities into the sewer system of the city and borough. The acceptance of the facilities by the city and borough is conditioned upon an agreement by the downhill pumping sewer user that such user shall operate, maintain, repair and replace the approved facilities for the city and borough at the user's expense. The city and borough will compensate such user in accordance with the table set out in paragraph 4 below. Such compensation may be paid directly to the user, or, at the option of the city and borough, may be offset against any amount the user owes the city and borough. The agreement shall contain such additional terms as the manager deems necessary to protect the interests of the city and borough.

4. Downhill, pumping, sewer users shall be compensated in accordance with the following table:

<u>Number of Service Units (Per Resolution No. 328)</u>	<u>Monthly Compensation</u>
1	\$ 5.10
2	9.80
5	12.00
10	24.00

The manager shall extrapolate from the foregoing rate table for users with a number of service units which does not appear in the table. The foregoing rate structure is based on estimates of allowable operating expenses for acceptable pump and pressure line installations. No allowance may be made for operation, maintenance, repair or replacement costs which a gravity flow sewer user would incur as a normal incident to a gravity flow system. The manager shall revise these rates from time to time based on substantial changes in the costs of operation and actual experience.

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5. The owner or occupier of property upon which there is an approved and accepted facility shall be bound by an agreement hereunder made by any person owning or occupying the property subsequent to the adoption of this resolution for so long as such owner or occupier accepts payments or offsets as provided in paragraph 3 above.

Adopted this 2nd day of December, 1976.

  
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Mayor

Attest:

  
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Clerk