

Presented by: The Manager
Introduced: 7/10/80
Drafted by: L.L.D.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 673

A RESOLUTION PROVIDING FOR AN INCREASE
IN SEWER SERVICE CHARGES AND CONSOLIDATING PRIOR
RESOLUTIONS TO ESTABLISH A COMPREHENSIVE SCHEDULE
FOR SEWER SYSTEM POLICIES, PROCEDURES, AND FEES.

WHEREAS, the City and Borough of Juneau operates and maintains certain facilities for the collection, treatment, and disposal of sewage and industrial waste, and

WHEREAS, the Assembly is authorized and directed by ordinances CBJ 36.10.040 and 36.10.130 to establish from time to time a schedule of rates and charges for connection to and use of the municipal sewer system, in order to finance the cost of operating, maintaining, and improving the municipal sewer system, and

WHEREAS, the Assembly has by Resolutions 122, 328, 413, 457, 465, 513, 530, 594, and 657 imposed sewer charges and regulations, and it is desirable to consolidate these charges in a comprehensive fee schedule, and

WHEREAS, the increased cost of operating and maintaining the municipal sewer system requires a general increase of approximately 25 percent in sewer service charges;

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

1. That effective retroactively to July 1, 1980, Resolutions 122, 328, 413, 457, 465, 513, 530, 594, and 657 are hereby repealed.

2. That effective retroactively to July 1, 1980, the following policies, procedures, and system of rates and charges for connection to and use of the municipal sewer system are hereby established:

A. SEWER UTILITY POLICY.

The City and Borough shall furnish public sewer trunk lines and main lines as funds are made available. Service lines which run from the user's building to the main line in the public right-of-way shall be installed in accordance with the provisions of the Sewer Code, Title 36.10 of the City and Borough of Juneau Code. The City and

Borough shall not be obligated to go upon or across any private property in order to furnish sewer service.

B. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used shall be:

(1) "Customer" shall mean any person, firm, association, corporation, or government agency which is provided sewer service by the City and Borough of Juneau.

(2) "Single-family unit" shall mean a dwelling unit designed, improved, or used as a residence for one family only. Each unit in a multiple family dwelling or each trailer or mobile home not in a mobile home park shall be a dwelling unit.

(3) "Commercial" shall mean any premises used for commercial or business purposes and discharging a quantity of sewage essentially similar to that of a single-family dwelling.

(4) "Industrial" shall mean any premises used for manufacturing or industrial purposes which discharges industrial waste, sanitary waste, and sewage by reason of the manufacturing or industrial process involved, or discharges chemicals or putrescible materials.

(5) "Service Unit" shall mean a unit of measure which is equal to the sewer usage of an average single-family unit, which, for the purpose of this resolution is determined to be that of a single-family unit whose average water consumption is 7,500 gallons per month; such unit being used to equate the sewer usage of a commercial customer to a residential customer.

(6) "Patron Area" shall include the bars, seating area, hallways, lobbies, foyers, dining area, public restrooms, and similar areas within a facility, but does not include food preparation areas, storage areas, and other areas to which patrons do not have regular access.

(7) "City-Borough Engineer" shall mean the Public Works Director or his designee.

C. RESIDENTIAL CUSTOMER SERVICE UNIT EQUIVALENTS:

Single-family dwellings: For each single-family dwelling, one service unit.

D. COMMERCIAL CUSTOMER SERVICE UNIT EQUIVALENTS:

(1) Retail Stores and Warehouses: Shall be charged one (1) service unit for up to the first six (6) persons employed on the premises; for each additional increment of six (6) persons employed or fraction thereof, one (1) service unit.

(2) Hotels, motels, dormitories: For each room or unit served by a bathing and/or toilet facility in a hotel, motel (motor inn or motor court), or dormitory one-half (1/2) service unit.

Hotels or motels with cooking facilities will be charged an additional three-tenths (3/10) service unit for each room with cooking facilities.

(3) Trailer courts, mobile home parks: For each rental space in a trailer court, mobile home park, or other premises where sewer service is available to a space which is or may be used for living purposes, one (1) service unit.

(4) Dining facilities: For the first 200 square feet of patron area or fraction thereof in a dining facility, including restaurants, bars, cafeterias, taverns, one (1) service unit; for each additional 200 square feet of patron area or fraction thereof, one (1) service unit.

(5) Hospitals, rest homes, convalescent homes: For each three (3) beds in a hospital, rest home, or convalescent home, or similar facility, one (1) service unit. For each additional increment of three (3) beds or fraction thereof, one (1) service unit.

(6) Gas stations: For each three (3) gasoline pumps in a gas station, one (1) service unit. For each additional increment of three (3) pumps or fraction thereof, one (1) service unit.

(7) Schools: (a) Public or private high schools or colleges: For each twenty (20) persons in average daily full time attendance at a public or private high school or college, one (1) service unit.

(b) Public or private elementary schools: For each forty (40) persons in average daily attendance at a public or private elementary school, one (1) service unit.

Average daily attendance shall be based on annual attendance. "Persons" as used in this section includes students, teachers, and all school staff and administration.

(8) Churches: For each church, one (1) service unit.

(9) Offices, theaters, and auditoriums: For each 3,500 square feet of net floor area or fraction thereof, one (1) service unit.

(10) Laundromats: For each washing machine in a commercial laundromat or in an other washing facility the use of which is not strictly limited to occupants of the residential building, trailer court, or mobile home park in or on which the facility is located, three-fourths (3/4) of a service unit.

(11) Combined facilities: For each building which has more than one type of business or function on one sewer system, the number of service units will be charged the sum of the individual service units which are applicable to the facilities involved.

(12) In any case where a commercial customer is not specifically listed above, the manager or his designee may determine which category, (1) through (10), the customer most closely resembles in quantity and quality of sewage output and classify each customer accordingly.

(13) Minimum charge is one service unit per customer.

(14) In the event that a building is devoted to a business involving special water-consuming devices or equipment, the manager or his designee may establish a special rate therefor pursuant to the formula contained in Subsection E.

E. INDUSTRIAL CUSTOMERS

Customers in the industrial category shall pay a metered rate according to the following formula:

$$\text{Monthly Rate} = \text{VoVl} + \text{bo Bl} + \text{so Sl}$$

Vo = Average unit costs of transport and treatment chargeable to volume, \$/gal.

- bo = Average unit costs of treatment, chargeable to BOD, \$/lb.
- so = Average unit costs of treatment, chargeable to SS, \$/lb.
- V1 = Volume of waste water from industrial users, gal/month.
- B1 = Weight of BOD from industrial users, lb/month.
- S1 = Weight of SS from industrial users, lb/month.
- BOD = 5 day biochemical oxygen demand.
- SS = Suspended solids.

F. RATE: (1) Each customer shall pay for sewer service at the rate of \$14.50 per service unit for each month of service or part of a month which exceeds 14 days when less than a full month of service is received.

(2) Each customer on property which the owner of said property asserts is not subject to local improvement district assessments made or for which similar payments have not been made shall pay for sewer service at a rate which consists of the per service unit rate established in (1) above plus a plant depreciation and interest expense increment computed as set forth in (3) and (4) below. The computed rate shall be a charge for each month of service or part of a month which exceeds 14 days when less than a full month of service is received.

(3) The depreciation and interest expense increment required by (2) above shall be effective for 10 years and is equal to:

$$\frac{1.385 \times \text{the unpaid LID assessment}}{120}$$

(4) Should the depreciation and interest expense increment computed in paragraph (3) above apply to property which has more than one customer, said increment shall be apportioned among the customers in accordance with the number of service units each customer contributes to the entire property.

G. BILLING AND PAYMENT:

Customers shall be billed on a monthly or bi-monthly basis as determined by the manager or his designee. Billings shall be for services after rendered.

H. DEPOSIT:

Upon application for service, a prospective customer shall deposit with the city and borough an amount, rounded to the nearest ten dollars, equal to an estimated three months' charge for service to the applicant's premises to insure payment of sewer service bills. The manager or his designee may apply such deposit to the payment of a delinquent sewer service account which such deposit secures. Upon payment by a customer of a delinquent account which has been paid by application of security deposit funds, such payment shall be first applied to restore the deposit to its original balance unless otherwise directed by the manager or his designee.

I. REFUND OF DEPOSIT:

Deposits shall be refunded without interest, to the customer upon his application, provided that the account which the deposit secures has been kept current for the 24 months immediately preceding the date of application for refund.

J. VACANCY:

No credit, adjustment, or refund will be made to any customer because the customer's premises or any part thereof are vacant unless said premises are disconnected from the city and borough's sewer system as provided herein. Premises will be presumed to be effectively disconnected and sewer service billing may be terminated upon receipt of a written request of the user if the manager or his designee finds, (1) that the building is vacant, (2) that the only source of water for the building is a municipally-owned water system, and (3) that the property has been disconnected from such water system.

K. BILLING ADJUSTMENTS:

(1) A commercial business may, at the discretion of the city and borough, elect to be billed on the basis of water consumption when it is deemed by the manager or his designee that sewer usage can be directly related to water consumption. Therefore, the equivalent service units

of a particular business may be determined by taking the water consumption of the business and dividing it by 7,500 gallons. All additional meters and other plumbing required to measure water consumption will be provided by the owner of the premises concerned or other interested parties at no expense to the city and borough. An election by a customer under this section shall be binding upon the customer for not less than one (1) year.

(2) Where it can be shown to the satisfaction of the city and borough that a significant portion of the water consumed on the premises does not enter the sewer system, then the city and borough may require or shall permit the installation of meters or other devices as may be deemed necessary to establish the portion that does enter the sewer system, and the billing procedures adjusted accordingly. All such additional metering facilities or other devices will be provided by the owner of the premises concerned or other interested parties at no expense to the city and borough.

L. INTEREST ON DELINQUENT ACCOUNTS:

Interest at the rate of 0.67 percent per month (8.0 percent per annum) shall accrue on all accounts from the date of delinquency unless the manager or his designee determines that a longer period of time should be allowed to elapse before interest should accrue. If such determination is made, it shall apply uniformly to all delinquent sewer accounts.

M. GOVERNMENTAL OR PUBLIC PREMISES:

The provisions of this resolution shall apply to governmental or public premises in the same manner as to premises which are not governmental or public.

N. CHARGES FOR SEWER SERVICE CONNECTIONS:

When it is necessary to tap the sewer line in order to serve an applicant and the property to be served has not been charged for a sewer service connection as a part of a local improvement district or otherwise, the applicant shall pay a charge of \$100.00 for the service connection; provided, however, that if the labor, materials, and equipment usage exceed the charge set forth herein, the charge shall be the cost of the labor, materials, and equipment usage, plus 10 percent (10%) for administration and inspection costs.

All applications for sewer service connection shall be made to the City-Borough Engineer on forms supplied by him. The engineer shall compute the fees and charges according to the applicable formulas in this resolution, and shall be paid prior to approval of the application by the engineer. If actual costs are more or less than the engineer's estimate, the excess amount shall be refunded to the applicant, or the deficiency shall be billed to the applicant. This shall be noted in the agreement with the applicant.

O. FEE IN LIEU OF SEWER ASSESSMENT:

(1) Each property connection to the municipal sewer system which has not been previously assessed for LID interceptor and treatment plant costs shall be charged an amount equal to \$0.03 per square foot of lot served adjusted as provided in subsection (2).

(2) The square footage rate charged under subsection (1) shall be adjusted annually by the manager or his designee based on the Latest Week Construction Cost Index as published in the Engineering News Record for the week containing January 1 of each year, said construction cost index being 2499.1 for such week in January 1977 and which corresponds to the base rate of \$0.03 per square foot.

(3) The charge levied in subsection (1) shall be added to the next following real property tax bill unless sooner paid and shall be a lien as provided in CBJ 36.10.040(b) or other applicable law or ordinance. A charge made a part of the real property tax bill shall be subject to penalties and interest in the same manner as real property taxes and shall be paid in full not later than the last day on which taxes may be paid, provided, if the real property taxes are paid in two installments, said charge may be paid in two installments in the same manner as provided for taxes.

P. FEE FOR SEPTIC SLUDGE PUMPING:

The fee for the pumping of septic sludge at a treatment plant is one and one-half units per 100 gallons of sludge.

Q. EFFECTIVE DATE OF CHARGES:

(1) Sewer service shall be deemed to be provided and sewer service and use charges shall become effective with respect to premises connected directly or indirectly to said sewer system, or thereafter discharging

directly or indirectly any sewage into said sewer system, on the date of such connection or discharge, or, with respect to premises which are not directly or indirectly connected to said sewer system, upon the expiration or the period given in any notice to connect to the sewer system regardless of whether such connection has actually been made, whichever occurs first. However, no sewer service charge shall apply until such time as a final building inspection has been passed, or a permit authorizing occupancy has been issued by the building official, or actual occupancy occurs, whichever occurs first.

(2) The rates and charges set forth herein, except deposits, shall become effective for service provided on and after July 1, 1980, except the fee established in Section 2P shall be effective upon adoption of this resolution.

(3) Deposits set forth in Section 2H shall be required of all applicants for service on and after January 1, 1976.

3. At such time that industrial wastes, as defined under the Construction Grant Regulations, 40 CFR Part 35.905 are to be discharged to the facilities constructed under EPA Grant Nos. C-020031, C-020032, and C-020054, the City and Borough of Juneau will develop and adopt an industrial cost recovery system consistent with requirements of the EPA construction grant regulations. The cost recovery system will comply with the requirements of PL 92-500 and all regulations and guidelines pertaining thereto as they provide at the time of Step 3 grant offer acceptance or at the time of adoption of this resolution, if later. In the event that the EPA requirements in the future are relaxed or otherwise changed, the City and Borough of Juneau may instead comply with the lesser requirements, if applicable. If EPA adopts new industrial cost recovery regulations that impose additional requirements upon a municipality after Step 3 award or adoption of this resolution, if later, it is understood that such new requirements will not be applied retroactively unless failure to so apply such regulations would be in conflict with Federal Law as it exists at that time.

ADOPTED this 10th day of July, 1980.


Mayor

Attest:


Clerk