

TITLE IV – HEALTH REGULATIONS

CHAPTER 35

SEWER USER CHARGE SYSTEM

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35.01 SEWER SERVICE CHARGES. Every person whose premises are served by a connection with the ICA in Warren County either directly or indirectly shall pay to the County the rates and charges hereinafter established and specified for the purpose of contributing toward the costs of construction, maintenance and operation of the ICA.

35.02 BASIC SEWER CHARGE. Except as hereinafter noted, each contributor whose property lies within the corporate limits of the County shall pay to the County either directly or, at the direction of the County Supervisors, through its collection agent at the agent’s office, a basic charge for domestic wastewater contribution, calculated on a per 1,000 gallon basis of water consumption by the user. The basic charge shall be assessed to all such users on the basis of monthly water usage and shall be determined annually by the ICA Board, utilizing budget expense and revenue amounts for the next fiscal year and wastewater flow data for the preceding calendar year with the following formula:

$$\frac{(A + B + C + D + J) - E}{X}$$

Where: A is the budgeted amount of the operation and maintenance costs for the ICA sewer system; and

B is the County share of operation, maintenance and replacement costs for ICA sewers, including flow metering, which shall be allocated based on the County’s share of total sewer flow contributed into each segment of sewer pipe; and

C is the County’s share of the operation and maintenance costs for the wastewater treatment

plant processes, which shall be allocated based on the County's share of the total sewer flow contributed into the wastewater treatment plant; and

D is the County's share of the industrial pretreatment costs for the wastewater treatment plant, which shall be allocated based on the County's share of the industrial flows contributed to the wastewater treatment plant; and

E is non-operating revenue of the wastewater treatment system, which shall be allocated based on the County's share of the total sewer flow contributed to the wastewater treatment plant; and

J is the County's share of ICA general administration costs, which shall be allocated based on the County's share of total sewer flow contributed to the wastewater treatment plant; and

X is the total number of billable gallons of water consumed by contributors within the County or under contract with the County during the preceding calendar year.

The ICA Board shall determine the basic sewer charge on or before February 15 of each year and shall certify the same promptly thereafter to the County Board of Supervisors. The Board shall inform the users of the rate so calculated at the time that the budget for the wastewater treatment system is submitted to the Board for its review and approval. The County shall thereafter publish said rate once in a newspaper of general circulation, shall give notice thereof to contributors if and as required by applicable State or Federal law, and shall, in the absence of Board enactment of an ordinance not later than May 1 directing the imposition of a different rate, proceed to impose and collect said rate from and after June 30 of that year.

35.03 DETERMINATION OF QUANTITY USED. The user charge shall be applied to the quantity of water used by each contributor of sanitary sewerage for each individual water meter contributing to said sewer system as determined by monthly water meter readings of the contributor, and by such privately owned water supplies as may contribute to the sewerage system, and in case of unmetered water supplies, the quantity of water used and discharged into the sewerage system of said County shall be determined to the satisfaction of the Board and at the expense of the owner of unmetered water supply. If the estimated quantity of water from any unmetered water supply is estimated to be in excess of an

average of Four Thousand Five Hundred (4,500) per month, the County may require that such water supply be metered at the expense of the owner of such water supply.

35.04 PAYMENT OF BILLS. All sewer user charges shall be due and payable at the office of the County Treasurer within ten (10) days from the due date thereof.

35.05 LIABILITY. The owner of the premises served and the occupant thereof and the user of the sanitary sewer service shall be jointly and severally liable for the sewer service provided said premises.

35.06 NONPAYMENT LIEN. Sewer user charges remaining unpaid and delinquent shall constitute a lien upon the premises served and shall be certified by the County Auditor to the County Treasurer for collection in the same manner as property taxes.

35.07 SPECIAL AGREEMENTS. The user charge ordinance shall take precedence over any terms or condition of agreements or contracts which are inconsistent with the requirements of Section 204(B)(1)(A) of the Act and 40 CFR 35.2140 dated February 17, 1984.

35.08 REVIEW OF USER CHARGE SYSTEM. The County shall review the user charge system annually and revise user charge rate as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operating and maintenance including replacement costs among user and user classes.

35.09 NOTIFICATION OF RATE. The County will notify each user at least annually, in conjunction with a regular bill, of the rate being charged for operation and maintenance including replacement of the treatment works.