

## **ORDINANCE NO. 2010-0-003**

**AN ORDINANCE AMENDING ORDINANCES NO. 665, 686, 687A, 737, 747, 80-0-3, 84-0-8, 87-0-004, 88-0-004, 91-0-004, 95-0-001, 95-0-003, 98-0-005, 2007-0-007, 2007-0-009, 2008-0-003, 2008-0-007, 2008-0-008A, AND 2009-0-002 ENTITLED "AN ORDINANCE REGULATING: THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SYSTEM, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; THE LEVYING OF CHARGES FOR WASTEWATER SERVICES (USE CHARGES) IN THE METRO EAST SANITARY DISTRICT, COUNTIES OF ST. CLAIR AND MADISON, STATE OF ILLINOIS."**

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF COMMISSIONERS OF THE METRO EAST SANITARY DISTRICT, ST. CLAIR AND MADISON COUNTIES, AS FOLLOWS:**

**SECTION 1:** That Article 1, Section 1, Wastewater Service Charges of said Ordinance Nos. 2007-0-009, 2008-0-003, and 2008-0-007, aforesaid shall be and the same is hereby amended to read as follows:

**SECTION 1: Basis for Wastewater Service Charges:** The wastewater service charge for the use of and service supplied by the wastewater facilities of the MESD shall consist of a basic user charge for wastewater treatment, operation and maintenance plus replacement, applicable surcharges and local capital cost charge consisting of a debt service charge.

All users shall be billed monthly.

An industrial or commercial user may be required, at the user's expense, to install proper flow, BOD and SS monitoring equipment as approved by MESD.

The basic user charge for all users of the Metro East Sanitary District sewage system shall be based on water usage as recorded by water meters and/or sewage meters.

### **Residential and Commercial Users (Without Surcharges)**

Beginning July 1, 2010, ending December 31, 2011, the minimum billing shall be EIGHT DOLLARS (\$8.00) for the first 200 cubic feet or less of water usage and/or sewage usage. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage coverage over 200 cubic

feet shall be THREE DOLLARS AND THIRTY CENTS (\$3.30) per 100 cubic feet of water usage or sewage flow.

Beginning January 1, 2012 and continuing monthly thereafter until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for all residential and commercial users of the Metro East Sanitary District sewage system shall be EIGHT DOLLARS (\$8.00) for the first 200 cubic feet or less of water usage and/or sewage usage. For residential and commercial users without BOD and TSS surcharges, the user charge for water/sewage usage over 200 cubic feet shall be THREE DOLLARS AND EIGHTY CENTS (\$3.80) per 100 cubic feet of water usage or sewage flow.

#### **Eagle Park Collector Sewer Area**

In addition to the charges stated above, all sewage users in the designated Eagle Park area of the Metro East Sanitary District will have a special area (user area) with an additional FIVE DOLLARS (\$5.00) per month user minimum charge added to the EIGHT DOLLAR (\$8.00) minimum user charge resulting in a total minimum charge of THIRTEEN DOLLARS (\$13.00) per month for the first 200 cubic feet or less of water usage and/or sewage usage and, thereafter for Operation, Maintenance and Repair to the Eagle Park Sanitary Sewer Collection System. The user rate assigned for the years 2010 and thereafter for residential users shall be as stated in the previous paragraphs.

#### **Residential and Commercial Users (With Surcharges)**

Beginning July 1, 2010, and ending December 31, 2011, the basic user charge for residential and commercial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY DOLLARS (\$20.00) for the first 500 cubic feet or less of water usage and/or sewage usage. For water/sewage usage over 500 cubic feet, the user charge shall be TWO DOLLARS AND THIRTY-ONE CENTS (\$2.31) per 100 cubic feet, plus surcharges.

Beginning January 1, 2012, and continuing monthly thereafter until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for residential and commercial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY DOLLARS (\$20.00) for the first 500 cubic feet or less of water usage and/or sewage usage. For water/sewage use over 500 cubic feet, the user charge shall be TWO DOLLARS AND SIXTY-SIX CENTS (\$2.66) per 100 cubic feet, plus surcharges.

### **Industrial Users**

Beginning July 1, 2010 and ending December 31, 2011, until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for industrial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY DOLLARS (\$20.00) for the first 500 cubic feet or less of water usage and/or sewage usage. For water or sewage use over 500 cubic feet up to 400,000 cubic feet, the user charge shall be TWO DOLLARS AND THIRTY-ONE CENTS (\$2.31) per 100 cubic feet, plus surcharge when applicable, and for water and/or sewage usage in excess of 400,000 cubic feet, the user charge shall be ONE DOLLAR AND ELEVEN CENTS (\$1.11) per 100 cubic feet of water usage and/or sewage usage, plus surcharge when applicable.

Beginning January 1, 2012 and continuing thereafter until changed or modified by subsequent amendment(s) to this Ordinance, the basic user charge for industrial users with BOD and TSS surcharges, in addition to surcharge when applicable, shall be TWENTY DOLLARS (\$20.00) for the first 500 cubic feet or less of water usage and/or sewage usage, plus surcharge when applicable. For water or sewage use over 500 cubic feet up to 400,000 cubic feet, the user charge shall be TWO DOLLARS AND SIXTY-SIX CENTS (\$2.66) per 100 cubic feet, plus surcharge when applicable, and for water and/or sewage usage in excess of 400,000 cubic feet, the user charge shall be ONE DOLLAR AND TWENTY-EIGHT CENTS (\$1.28) per 100 cubic feet of water usage and/or sewage usage, plus surcharge when applicable.

### **Wastewater Surcharge Calculations**

The basic user charge shall be based on revenue requirements for meeting treatment costs including costs of treating flow contributed by infiltration and inflow, operation and maintenance costs, replacement costs, debt service costs, administrative costs and bad debt costs.

The basic user charge for users with water usage 5,000 cubic feet or less shall be based on water usage as recorded by water meters and/or sewage meters for wastes having an average concentration of:

- A. A five day, 20 degree centigrade (20 C) biochemical oxygen demand (BOD) of 250 mg/L.
- B. A suspended solids (SS) content of 300 mg/L.

The basic user charge for users with water usage 5,000 cubic feet or less shall cover costs of treatment of actual flow of average strength sewage (BOD = 250 mg/L and SS =

300 mg/L), operation and maintenance costs, replacement costs, cost of treating flow contributed by infiltration and inflow, administrative costs and bad debt expense costs. For users, where there exists reasonable evidence, as determined by the President, that a user's discharge has a higher concentration or less, such user may be required to install and operate monitoring equipment approved by MESD to accurately determine actual BOD and SS concentrations in the discharge. If the waste does exceed the average concentration for users with water usage 5,000 cubic feet or less, a surcharge shall be levied for all excess BOD and all excess SS. The surcharge shall be based on metered flow and measured concentrations of BOD and SS.

The basic user charge for users with water usage at least 5,000 cubic feet or more shall be based on water usage as recorded by water meters and/or sewage meters for wastes having an average concentration of:

- A. A five day, 20 degree centigrade (20 C) biochemical oxygen demand (BOD) of 250 mg/L.
- B. A suspended solids (SS) content of 300 mg/L.

The basic user charge for users with water usage at least 5,000 cubic feet or more shall cover costs of treatment of actual flow of average strength sewage (BOD = 250 mg/L and SS = 300 mg/L), operation and maintenance costs, replacement costs, cost of treating flow contributed by infiltration and inflow, administrative costs and bad debt expense costs. A surcharge will be levied to all users whose wastes exceed the average concentration of BOD = 250 mg/L and SS = 300 mg/L. The surcharge shall be based on metered flow and measured concentrations of BOD and SS.

The surcharge rates shall cover actual additional treatment costs. The surcharge rate for excess BOD and SS shall be the same as the current Granite City sewer use charge rate for surcharge, and be updated and changed annually.

The commercial/industrial billed users who have uses of water exceeding 5% of total usage, which is used in their process and does not discharge, and cannot be discharged into the sanitary sewer system, may request that a deduction be made for that portion of water use that does not discharge into the sanitary sewer system. The user must submit satisfactory evidence to MESD that the flow cannot be discharged into the sanitary sewer system. In all such cases, the President shall determine whether or not the flow may be deducted for billing purposes and his decision shall be final and conclusive.

### **Annual Review of Rates**

The adequacy of the wastewater service charge shall be reviewed, not less often than annually, by Certified Public Accountants for the MESD in their annual audit report. The

wastewater service charge shall be revised periodically to reflect a change in local capital cost of a change in operation and maintenance costs including replacement costs.

The users of wastewater treatment services will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to the wastewater treatment operation, maintenance and replacement.

**Late Fees**

All sewer bills are due and payable twenty-four (24) days following the date of billing. All bills not paid on or before the 24<sup>th</sup> day are delinquent after the 24<sup>th</sup> day following the date of billing. In addition to the actual delinquent sewer bill, interest will be added at a rate of one and one-half percent (1½%) per month and charged to all subsequent sewer bills commencing on the day following the due date.

**SECTION 2:** That all other provisions not in conflict with this Amending Ordinance of Ordinances Nos. 665, 686, 687A, 737, 747, 80-0-3, 84-0-8, 87-0-004, 88-0-004, 91-0-004, 95-0-001, 95-0-003, 98-0-005, 2007-0-007, 2007-0-009, 2008-0-003, 2008-0-007, 2008-0-008A, and 2009-0-002 shall remain in full force and effect.

PASSED by the Board of Commissioners of the Metro East Sanitary District of Madison and St. Clair Counties of Illinois on the 23<sup>rd</sup> day of June, 2010.

APPROVED this 23<sup>rd</sup> day of June, 2010.

Metro East Sanitary District by:

Andrew J Economy  
President

ATTEST:

Sumner Kosta  
Clerk (Seal)

Ayes Three (3) Nays None (0) Absent Two (2)