

ORDINANCE PROVIDING FOR PENALTIES AND ESTABLISHING A FEE AND BILLING PROCEDURE IN CONNECTION WITH THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM

ORDINANCE NO.

Be it hereby ordained by the City of Russellville, Kentucky as follows:

13-243 Purpose

It is the purpose of this chapter to provide for the equitable recovery of costs from Users of the City's wastewater treatment system, including costs of operation, maintenance, administration, bond service costs, capital improvements, and depreciation.

13-244 Types of Charges and Fees

The charges and fees as established in the City's schedule of charges and fees, may include, but not be limited to:

- (a) Inspection fee and tapping fee;
- (b) Fees for application for discharge;
- (c) Sewer use charges;
- (d) Surcharge fees;
- (e) Industrial wastewater discharge permit fees;
- (f) Fees for industrial discharge monitoring;
- (g) Holding tank waste disposal permit fees; and
- (h) Other fees as the City may deem necessary to carry out the requirements of this Ordinance.

13-245 Fees for Applications for Discharge

A fee may be charged when a User or prospective User makes application for discharge as required by Articles 13-213 and 13-214 of this Ordinance.

13-246 Inspection Fee and Tapping Fee

An inspection fee and tapping fee for a building sewer installation shall be paid to the Board at the time the application is filed. Fees shall cover the costs of inspecting new and/or existing plumbing within subject building establishments as well as inspection of building sewers, property sewers, and sewer service lines and connections to the public sewers. The inspection fee and tapping fee shall be set by the City. The inspection fee for inspection not during normal working hours, Monday through Friday, 8:00 a.m. through 5:00 p.m., may be increased at the discretion of the Board.

13-247 Sewer User Charges

(a) Classification of Users

Users of the wastewater system shall be classified into two (2) general classes or categories depending upon the User's contribution of wastewater loads; each class User being identified as follows:

- (1) Class I: Those Users whose average biochemical oxygen demand is two hundred fifty milligrams per liter (250 mg/l) by weight or less, and whose suspended solids discharge is two hundred fifty milligrams per liter (250 mg/l) by weight or less.
- (2) Class II: Those Users whose average biochemical oxygen demand exceeds two hundred fifty milligrams per liter concentration (250 mg/l) by weight and whose suspended solids exceeds two hundred fifty milligrams per liter concentration (250 mg/l).

(b) Determination of Costs

The City shall establish monthly rates and charges for the use of the wastewater system and for the services supplied by the wastewater system. Said charges shall be based upon the cost categories of administration costs, including billing and accounting costs; operation and maintenance costs of the wastewater collection and treatment system; and debt service costs.

13-248 Surcharge Fees

If it is determined by the City that the discharge of other loading parameters or wastewater substances are creating excessive operation and maintenance costs within the wastewater system, whether collection or treatment, then the monetary effect of such a parameter or parameters shall be borne by the discharge of such parameters in proportion to the amount of discharge.

13-249 Industrial Wastewater Discharge Permit Fees

A fee may be charged for the issuance of an Industrial Wastewater Discharge ~~Fee~~ <sup>Permit</sup> in accordance with Article 13-214 of this Ordinance.

13-250 Fees for Industrial Discharge Monitoring

Fees may be collected from Industrial Users having pretreatment or other discharge requirements to compensate the City for the necessary compliance monitoring and other administrative duties of the pretreatment program.

13-251 Billing

The Rules and Regulations for Billing shall be set by the City.

Penalty: Costs

13-252 Civil Penalties

Any User who is found to have violated an Order of the City or who will fully or negligently failed to comply with any provision of this Ordinance, and the order, rules, regulations and permits issued hereunder, shall be fined with the fine not to exceed One Thousand and 00/100 Dollars (\$1000.00) for each offense. Each day of which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the City may recover reasonable attorney's fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this Ordinance or the orders, rules, regulations, and permits issued hereunder.

13-253 Validity

- (a) All Ordinances or parts of ordinances in conflict herewith are hereby repealed.
- (b) The validity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such <sup>invalid</sup> part or parts.
- (c) This Ordinance and its provisions shall be valid for all service areas, regions, and sewage works under the jurisdiction of the City of Russellville, Kentucky.

13-254 Effective Date

The provisions of this Ordinance shall be effective upon passage and publication.  
First reading held on 8/21/84.

Second reading held on 9/4/84.

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor