

ORDINANCE 2015-18

AN ORDINANCE TO AMEND CHAPTER 54, UTILITIES, ARTICLE II, WATER SUPPLY AND SEWAGE TREATMENT SYSTEMS, DIVISION 9, WATER AND SEWAGE BILLS, AND DIVISION 11, GENERAL REGULATIONS, OF THE CODE OF THE CITY OF ROCHESTER TO AMEND, DELETE AND ADD NEW PROVISIONS FOR WATER AND SEWER BILL RATE STRUCTURES AND APPEAL PROVISIONS.

THE CITY OF ROCHESTER ORDAINS:

DIVISION 9. - WATER AND SEWAGE BILLS

Sec. 54-201. - Fiscal year.

The water system and sewage system shall be operated on the basis of a fiscal year commencing on July 1 and ending June 30.

Sec. 54-202. - Joint bills.

The water and sewage bills provided by this Article shall not be severable but shall be paid as one bill. Authority is hereby granted to the City Manager in his discretion to accept partial payments on water and sewage bills; provided, however, that such payments are prorated over the water and sewage components of the bill in proportion to the amounts of each such component.

Sec. 54-203. - Quarterly due dates.

- (a) For the purpose of making and collecting charges, for water and sewer service, the calendar year shall be subdivided into quarterly periods established by the City, and all charges for water and sewage shall be due and payable on the first day of each quarter for each preceding quarter or as designated on the billing.
- (b) The charges shall be subject to a penalty of five percent if not paid on or before 18 calendar days after the billing date. The same penalty shall apply to monthly accounts. The payment must be received by the City on or before the due date or the penalty shall be assessed. A postmark on the envelope shall not constitute receipt by the City.

Sec. 54-204. - Vacant premises.

When one property consists of several premises as defined in this Article, the property may be served by a single meter or more than one meter as directed by the City, at the option of the owner of the property who shall be held responsible for the water and sewage treatment charges. In case of the temporary vacancy of any premises, the water will be turned off at the stop box, and the meter shall be removed by the Department of Public Works upon written request of the owner of the premises to the Department of Public Works and will be turned on again and meter set when requested. The minimum charge for any quarter in which such vacancy occurs will be reduced in

proportion to such vacancy, but no rebate will be allowed for a period of less than 30 successive days in any quarterly period. Where the premises are left unoccupied with the water not turned off by the Department of Public Works, no rebate will be allowed nor will any allowance be made for any water registered by the meter that may leak or waste through the plumbing or fixtures.

Sec. 54.205. – Water/sewer rate schedule.

Water and sewer services shall be charged to all users in the City of Rochester based on the amount of water consumed by the customer as measured by the City's meter located at each respective premises and a flat ready-to-serve MEU* and fee at the below rates:

(a) Water rate schedule. The following schedule of water rates is hereby established:

(i) City well customers (1 unit is equal to 100 cubic feet):

Water rate: \$0.84/per unit
Water ready-to-serve rate (quarterly): \$6.67/per MEU*

(ii) Detroit water customers (1 unit is equal to 100 cubic feet):

Water rate: \$4.87/per unit
Water ready-to-serve rate (quarterly): \$4.94/per MEU*

(b) Sewer rate schedule. The following schedule of sewer rates is applicable to all customers (sewer units are equal to the number of water units billed):

Sewer rate: \$3.09/per unit
Sewer ready-to-serve rate (quarterly): \$31.99/per MEU*

*MEU (Meter Equivalent Unit). Each meter size has a multiplier to MEU as noted on the table below:

| <u>Meter Size**</u> | <u>MEU Multiplier</u> |
|---------------------|-----------------------|
| 1/2" | 1 |
| 5/8" | 1 |
| 3/4" | 1 |
| 1" | 1 |
| 1-1/2" | 2.25 |
| 2" | 4 |
| 3" | 9 |
| 4" | 16 |
| 5" | 36 |
| 6" | 36 |
| 8" | 36 |

(Compound meters will be at the higher diameter used)

**Any size meter not listed above will be rounded up to the next size listed.

- (c) Commercial and industrial customers. For commercial and industrial properties, the following charges are added in addition to those set forth above:

- (1) Fixed charges.

| <u>Meter Size**</u> | <u>Charge Per Bill</u> |
|---------------------|------------------------|
| 5/8" | \$ 16.50 |
| 3/4" | \$ 24.75 |
| 1" | \$ 41.25 |
| 1-1/2" | \$ 90.75 |
| 2" | \$132.00 |
| 3" | \$239.25 |
| 4" | \$330.00 |
| 6" | \$495.00 |
| 8" | \$825.00 |

(Compound meters will be at the higher diameter used)

**Any size meter not listed above will be rounded up to the next size listed.

- (2) Pollutant charges. Industrial and commercial customers contributing sewage to the system with concentrations of pollutants exceeding the levels described shall pay additional charges as follows:

| <u>Pollutant surcharge rate per excess pound</u> | <u>Charge \$/lb.</u> |
|---|----------------------|
| Biochemical Oxygen Demand (BOD) in excess of 275 mg/1 | \$0.477 |
| Total Suspended Solids (TSS) in excess of 350 mg/1 | \$0.483 |
| Phosphorus (P) in excess of 12 mg/1 | \$7.129 |
| Fats, Oil & Grease (FOG) in excess of 100 mg/1 | \$0.459 |

- (d) Special rates. Rates for flat rate supply, for special supply, or for temporary supply for any purpose shall be fixed by the City Manager and shall not be less than the minimum charge.
- (e) Premises outside corporate limits. The rates for water supplied for all premises outside the corporate limits of the City of Rochester shall be 150 percent of the rates listed above.
- (f) Temporary fire hydrant.

Basic service connection\$50.00

Deposit for temporary meter\$350.00

The hydrant connection will be issued by the Department of Public Works. The use of a privately owned hydrant connection is prohibited. The unused portion of the deposited fee will

be refunded to the user upon return of the hydrant connection, less any amounts due to the City for water usage.

Sec. 54-206. RESERVED

Sec. 54-207. RESERVED

Sec. 54-208. - Alternate outside sewage rate.

In the event the City Manager determines that a water meter is not necessary or the property is serviced by a private water supply well to measure flow on an outside service, then a flat rate of \$85.00 per quarter (three months) shall be levied for single services from single-family residences outside the corporate limits of the city.

Sec. 54-209. - Delivery of bills.

The Department of Public Works will deliver or mail bills to the premises to which the water is supplied and will assume no responsibilities for loss or failure of such bill to reach the proper persons. Tenants of premises for which the owner pays the water and sewage bills should see that such bill reaches the owner promptly for payment.

Sec. 54-210. - Deductions not permitted.

Charge will be made for all water registered by the meter, and no deduction will be made for leaks or for alleged inaccuracy of the meter, except as provided in section 54-138.

Sec. 54-211. - Payment to clerk.

Payment of all water and sewer charges and other accounts due to the Department of Public Works shall be made to the City Clerk, or designated agent.

Sec. 54-212. - Collection.

The City is hereby authorized to enforce the payment of charges for water service to any premises by discontinuing the water service to such premises and the payment of charges for sewage service to any premises may be enforced by discontinuing either the water service or the sewage service to such premises, or both, and litigation may be instituted by the City against the customer. The charges for water service and sewage service becomes liens on the premises to which services were furnished. All unpaid charges which have remained unpaid for a period of six months shall be certified to the city assessor who shall place the same on the next City tax roll. Such charges so assessed shall be collected in the same manner as general City taxes. Where the water service to any premises is turned off to enforce the payment of water service charges or sewage service charges, such service shall not be reinstated until all delinquent charges have been paid, and there shall be a water turn-on charge of \$20.00 during normal working hours, Monday through Friday, except holidays. At all other times, there shall be a water turn-on charge of \$40.00.

DIVISION 11. – GENERAL REGULATIONS.

Sec. 54-261. – Appeal process.

A customer claiming to be overcharged for water or sewage treatment, or who feels that a water leak is the cause of a substantial increase in usage such that a corresponding sewer charge is not appropriate, may appeal to the City for consideration. The matter will first be submitted to an administrative committee for consideration, which will be comprised of the City Manager, Finance Director and DPW Director. The committee will meet with the customer, consider any documentation provided by the customer (i.e., historic usage, plumbing reports), take any other action deemed necessary to consider the claim, and will decide whether an adjustment is appropriate. The customer may appeal the committee decision to City Council, which will decide whether any adjustment is warranted. For claims of water leakage situations, only the corresponding sewer charges are appealable, not the water charges.

THIS ORDINANCE shall become effective immediately after publication.

A true copy of this ordinance may be purchased or inspected at the office of the City Clerk at the Rochester Municipal Building, 400 Sixth Street, Rochester, Michigan, 48307, during regular business hours, 8:00 a.m. to 5:00 p.m. daily, except weekends and holidays.

Made and passed by the City Council of the City of Rochester, State of Michigan, this 9TH day of November, 2015.

CITY OF ROCHESTER
A Michigan Municipal Corporation

By: _____
Jeffrey T. Cuthbertson, Mayor

By: _____
Lee Ann O'Connor, City Clerk