

2022-O-38

CITY OF HUNTINGTON

AN ORDINANCE SETTING FORTH THE RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE SEWERAGE COLLECTION AND TREATMENT SYSTEM OF THE CITY OF HUNTINGTON, WEST VIRGINIA.

WHEREAS, in order to provide revenues sufficient for the Sanitary Board for the City of Huntington to pay the daily expenses associated with the operation of its sewer collection and treatment system, to provide cash working capital reserves as required by Chapter 24 of the West Virginia Code, and to provide sufficient revenues to cover the costs associated with capital improvements and associated debt service, the City Council of the City of Huntington deems it necessary to increase the Sanitary Board's current rates, fees and charges for furnishing sewer service; and

WHEREAS, the City Council finds that the rates, fees and charges set forth in this Ordinance are just and equitable for the sewer service provided to the Sanitary Board's sewer customers and that such rates will be sufficient to meet daily expenses associated with the operation of the sewerage system, to provide cash working capital reserves as required by Chapter 24 of the West Virginia Code, and to provide funding of its debt service.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON, WEST VIRGINIA HERBY ORDAINS that the following rules, rates, fees and charges shall be adopted and placed into effect:

RULES AND REGULATIONS

- I. *Rules and Regulations for the Government of Sewer Utilities*, adopted by the Public Service Commission of West Virginia, and now in effect, and all amendments thereto and modifications thereof hereafter made by said Commission.
- II. **WATER METERS**
Each meter shall be considered a separate billing unit in applying the rates. The registration of water on two or more meters shall be combined and billed to each user as though registered on one meter in the event that the meters are located in only one facility with one sanitary sewer connection subject to the approval of the Sanitary Board.

In the event any person, firm or corporation discharging sanitary sewage, industrial waste, water or other liquid in the City's POTW, either directly or

indirectly, obtains part or all of the water used by him from sources other than the West Virginia-American Water Company, such user of other water shall, at his own expenses, install and maintain water meters satisfactory to the board for measuring all water usage other than that obtained from the West Virginia-American Water Company, and the quantity of water used to determine the sewerage service charge, as above set forth, shall be the sum of the quantity measured by all such meters plus the quantity of water obtained from the West Virginia-American Water Company.

III. WATER NOT ENTERING THE POTW

In the event it is established to the satisfaction of the Sanitary board that a portion of the water measured by the above-named meter or meters does not and cannot enter the public sanitary sewerage system, and in the event that the total water used by such person, firm or corporation exceeds 40,000 cubic feet per month, then the board may determine, in such manner and by such method as it may deem practical, the percentage of the metered water entering the sanitary sewerage system, or the board may require or permit the installation of additional meters in such a manner as to determine either the quantity of the water excluded from the sewerage system or the quantity of water, sewerage or industrial waste actually entering the sewerage system, exclusive of storm water runoff. The sewerage service charge shall be based upon the quantity of water estimated, measured or computed by the Board to be actually entering the sewerage system, exclusive of storm water runoff, subject to the minimum charge provision.

Persons, industries or corporation requesting consideration for a reduction in the sewerage service charge because of water not entering the POTW shall make written application to the Board for such consideration, giving the name of the firm, industry or business, address, West Virginia-American Water account number and supporting data fully describing other sources entering the POTW. Upon request by the Board, the application shall be accompanied by a sketch to approximate scale showing the plan of the property, water distribution system, sewer layout, existing meters and any proposed meters in sufficient detail to determine the quantity of flow entering, or not entering, the sewerage system. The cost of furnishing, installing and maintaining any meters other than those utilized to measure water purchased from the West Virginia-American Water Company shall be borne by the applicant. The type, size, location, arrangement and maintenance of such meters shall be subject to the approval of the Board.

TARIFF

SCHEDULE 1

PHASE 1

(Effective February 1, 2023)

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY OF SERVICE

Available for residential, commercial, industrial sewer service (except unusual industrial waste).

RATES

First	2,000	gallons used per month	\$13.25 per 1,000 gallons
Next	1,998,000	gallons used per month	\$7.50 per 1,000 gallons
All Over	2,000,000	gallons used per month	\$7.00 per 1,000 gallons

FLAT RATE CHARGE (non-metered water supply)

Equivalent of 4,500 gallons of water usage \$45.25 per month

MINIMUM CHARGE

No bill will be rendered for less than \$26.50 per month which is the equivalent of 2,000 gallons of usage.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

WATER DISCONNECT/RECONNECT FEES/ADMINISTRATIVE FEE

Whenever water service has been disconnected for non-payment of sewer bills, in conjunction with a water service termination agreement with West Virginia-American Water Company, a disconnection fee of \$25.00 shall be charged; or in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$25.00 will be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of a sewer bill in conjunction with a water service termination agreement with the West Virginia-American Water Company, is reconnected, a reconnection fee of \$25.00 shall be charged.

Any increase in West Virginia-American Water Company's disconnection, reconnection and administrative fees charged to the Sanitary Board will be billed by the Sanitary Board under the same terms set forth above.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

TAP FEE

A tap fee of \$900.00, or the actual cost of the connection (solely determined by the Sanitary Board), whichever is greater, will be charged to all customers who apply for service for each new tap to the system.

LEAK ADJUSTMENT

\$4.00 per 1,000 gallons shall be charged for usage if the leak is eligible under the (i) Public Service Commission's rules for leaks on the customer's side of the meter, and (ii) the utility's leak adjustment policy.

SECURITY DEPOSIT

Not to exceed fifty dollars (\$50.00) or two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, whichever is greater.

INDUSTRIAL SURCHARGE RATES

Rate applicable to Biological Oxygen Demand (BOD)
Concentration in excess of 300 mg/l \$0.156/pound

Rate applicable to Total Suspended Solids (TSS)
Concentration in excess of 350 mg/l \$0.138/pound

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 2 ***(Effective January 1, 2024)***

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY OF SERVICE

Available for residential, commercial, industrial sewer service (except unusual industrial waste).

RATES

First	2,000	gallons used per month	\$14.50 per 1,000 gallons
Next	1,998,000	gallons used per month	\$10.00 per 1,000 gallons
All Over	2,000,000	gallons used per month	\$7.50 per 1,000 gallons

FLAT RATE CHARGE (non-metered water supply)

Equivalent of 4,500 gallons of water usage \$54.00 per month

MINIMUM CHARGE

No bill will be rendered for less than \$29.00 per month which is the equivalent of 2,000 gallons of usage.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

WATER DISCONNECT/RECONNECT FEES/ADMINISTRATIVE FEE

Whenever water service has been disconnected for non-payment of sewer bills, in conjunction with a water service termination agreement with West Virginia-American Water Company, a disconnection fee of \$25.00 shall be charged; or in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$25.00 will be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of a sewer bill in conjunction with a water service termination agreement with the West Virginia-American Water Company, is reconnected, a reconnection fee of \$25.00 shall be charged.

Any increase in West Virginia-American Water Company's disconnection, reconnection and administrative fees charged to the Sanitary Board will be billed by the Sanitary Board under the same terms set forth above.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

TAP FEE

A tap fee of \$900.00, or the actual cost of the connection (solely determined by the Sanitary Board), whichever is greater, will be charged to all customers who apply for service for each new tap to the system.

LEAK ADJUSTMENT

\$4.25 per 1,000 gallons shall be charged for usage if the leak is eligible under the (i) Public Service Commission's rules for leaks on the customer's side of the meter, and (ii) the utility's leak adjustment policy.

SECURITY DEPOSIT

Not to exceed fifty dollars (\$50.00) or two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, whichever is greater.

INDUSTRIAL SURCHARGE RATES

Rate applicable to Biological Oxygen Demand (BOD)
Concentration in excess of 300 mg/l \$0.156/pound

Rate applicable to Total Suspended Solids (TSS)
Concentration in excess of 350 mg/l \$0.138/pound

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 3 *(Effective January 1, 2025)*

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY OF SERVICE

Available for residential, commercial, industrial sewer service (except unusual industrial waste).

RATES

First	2,000	gallons used per month	\$17.50 per 1,000 gallons
Next	1,998,000	gallons used per month	\$11.75 per 1,000 gallons
All Over	2,000,000	gallons used per month	\$7.80 per 1,000 gallons

FLAT RATE CHARGE (non-metered water supply)

Equivalent of 4,500 gallons of water usage \$64.38 per month

MINIMUM CHARGE

No bill will be rendered for less than \$35.00 per month which is the equivalent of 2,000 gallons of usage.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

WATER DISCONNECT/RECONNECT FEES/ADMINISTRATIVE FEE

Whenever water service has been disconnected for non-payment of sewer bills, in conjunction with a water service termination agreement with West Virginia-American Water Company, a disconnection fee of \$25.00 shall be charged; or in the event the

delinquent sewer bill is collected by the water company, an administrative fee of \$25.00 will be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of a sewer bill in conjunction with a water service termination agreement with the West Virginia-American Water Company, is reconnected, a reconnection fee of \$25.00 shall be charged.

Any increase in West Virginia-American Water Company's disconnection, reconnection and administrative fees charged to the Sanitary Board will be billed by the Sanitary Board under the same terms set forth above.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

TAP FEE

A tap fee of \$900.00, or the actual cost of the connection (solely determined by the Sanitary Board), whichever is greater, will be charged to all customers who apply for service for each new tap to the system.

LEAK ADJUSTMENT

\$4.60 per 1,000 gallons shall be charged for usage if the leak is eligible under the (i) Public Service Commission's rules for leaks on the customer's side of the meter, and (ii) the utility's leak adjustment policy.

SECURITY DEPOSIT

Not to exceed fifty dollars (\$50.00) or two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, whichever is greater.

INDUSTRIAL SURCHARGE RATES

Rate applicable to Biological Oxygen Demand (BOD)	
Concentration in excess of 300 mg/l	\$0.156/pound
Rate applicable to Total Suspended Solids (TSS)	
Concentration in excess of 350 mg/l	\$0.138/pound

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 4
(Effective January 1, 2026)

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY OF SERVICE

Available for residential, commercial, industrial sewer service (except unusual industrial waste).

RATES

First	2,000	gallons used per month	\$24.00 per 1,000 gallons
Next	1,998,000	gallons used per month	\$12.25 per 1,000 gallons
All Over	2,000,000	gallons used per month	\$8.00 per 1,000 gallons

FLAT RATE CHARGE (non-metered water supply)

Equivalent of 4,500 gallons of water usage \$78.63 per month

MINIMUM CHARGE

No bill will be rendered for less than \$48.00 per month which is the equivalent of 2,000 gallons of usage.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

WATER DISCONNECT/RECONNECT FEES/ADMINISTRATIVE FEE

Whenever water service has been disconnected for non-payment of sewer bills, in conjunction with a water service termination agreement with West Virginia-American Water Company, a disconnection fee of \$25.00 shall be charged; or in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$25.00 will be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of a sewer bill in conjunction with a water service termination agreement with the West Virginia-American Water Company, is reconnected, a reconnection fee of \$25.00 shall be charged.

Any increase in West Virginia-American Water Company's disconnection, reconnection and administrative fees charged to the Sanitary Board will be billed by the Sanitary Board under the same terms set forth above.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

TAP FEE

A tap fee of \$900.00, or the actual cost of the connection (solely determined by the Sanitary Board), whichever is greater, will be charged to all customers who apply for service for each new tap to the system.

LEAK ADJUSTMENT

\$4.75 per 1,000 gallons shall be charged for usage if the leak is eligible under the (i) Public Service Commission's rules for leaks on the customer's side of the meter, and (ii) the utility's leak adjustment policy.

SECURITY DEPOSIT

Not to exceed fifty dollars (\$50.00) or two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, whichever is greater.

INDUSTRIAL SURCHARGE RATES

Rate applicable to Biological Oxygen Demand (BOD)	
Concentration in excess of 300 mg/l	\$0.156/pound
Rate applicable to Total Suspended Solids (TSS)	
Concentration in excess of 350 mg/l	\$0.138/pound

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

SCHEDULE 2

PHASE 1

(Effective February 1, 2023)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for resale customers.

RESALE RATES

Based on flow of sewage from flow meter reading	\$3.75 per 1,000 gallons
Based on water usage	\$4.64 per 1,000 gallons

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 2
(Effective January 1, 2024)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for resale customers.

RESALE RATES

Based on flow of sewage from flow meter reading	\$4.25 per 1,000 gallons
Based on water usage	\$5.26 per 1,000 gallons

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 3
(Effective January 1, 2025)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for resale customers.

RESALE RATES

Based on flow of sewage from flow meter reading	\$4.75 per 1,000 gallons
Based on water usage	\$5.88 per 1,000 gallons

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 4 ***(Effective January 1, 2026)***

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for resale customers.

RESALE RATES

Based on flow of sewage from flow meter reading	\$5.25 per 1,000 gallons
Based on water usage	\$6.50 per 1,000 gallons

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

SCHEDULE 3

PHASE 1

(Effective February 1, 2023)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for Steel of West Virginia, Inc. and Special Metals Corporation.

RATE

\$5.75 per 1,000 gallons.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

SECURITY DEPOSIT

Not to exceed fifty dollars (\$50.00) or two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, whichever is greater.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 2

(Effective January 1, 2024)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for Steel of West Virginia, Inc. and Special Metals Corporation.

RATE

\$6.00 per 1,000 gallons.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

SECURITY DEPOSIT

Not to exceed fifty dollars (\$50.00) or two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, whichever is greater.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 3
(Effective January 1, 2025)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for Steel of West Virginia, Inc. and Special Metals Corporation.

RATE

\$6.50 per 1,000 gallons.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

SECURITY DEPOSIT

Not to exceed fifty dollars (\$50.00) or two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, whichever is greater.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 4
(Effective January 1, 2026)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for Steel of West Virginia, Inc. and Special Metals Corporation.

RATE

\$7.00 per 1,000 gallons.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

SECURITY DEPOSIT

Not to exceed fifty dollars (\$50.00) or two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, whichever is greater.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

SCHEDULE 4
PHASE 1
(Effective February 1, 2023)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for wastewater and leachate haulers.

RATES

Metered Haulers – Each hauler delivering through metered means shall be charged \$44.00 per thousand gallons.

Non-Metered Haulers – Commodity Charge: Each hauler shall pay a commodity charge of \$44.00 per 1,000 gallons per load. Load will be the actual capacity of the truck or other transport method delivering wastewater and leachate. Actual capacity shall be determined or verified solely by the Sanitary Board.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 2
(Effective January 1, 2024)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for wastewater and leachate haulers.

RATES

Metered Haulers – Each hauler delivering through metered means shall be charged \$48.00 per thousand gallons.

Non-Metered Haulers – Commodity Charge: Each hauler shall pay a commodity charge of \$48.00 per 1,000 gallons per load. Load will be the actual capacity of the truck or other transport method delivering wastewater and leachate. Actual capacity shall be determined or verified solely by the Sanitary Board.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 3

(Effective January 1, 2025)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for wastewater and leachate haulers.

RATES

Metered Haulers – Each hauler delivering through metered means shall be charged \$48.00 per thousand gallons.

Non-Metered Haulers – Commodity Charge: Each hauler shall pay a commodity charge of \$48.00 per 1,000 gallons per load. Load will be the actual capacity of the truck or other transport method delivering wastewater and leachate. Actual capacity shall be determined or verified solely by the Sanitary Board.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

PHASE 4 (Effective January 1, 2026)

APPLICABILITY

Applicable in entire territory served.

AVAILABILITY OF SERVICE

Available for wastewater and leachate haulers.

RATES

Metered Haulers – Each hauler delivering through metered means shall be charged \$50.00 per thousand gallons.

Non-Metered Haulers – Commodity Charge: Each hauler shall pay a commodity charge of \$50.00 per 1,000 gallons per load. Load will be the actual capacity of the truck or other transport method delivering wastewater and leachate. Actual capacity shall be determined or verified solely by the Sanitary Board.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility or \$25.00, whichever is greater, will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

On all current usage billings not paid in full by the latest pay date, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

EFT, CREDIT CARD, ACH AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, Credit Card, ACH or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

SCHEDULE 5

MUNICIPAL EXCISE TAX SURCHARGE

The municipality listed below, having imposed public utility tax computed on the basis of two percent of revenues from sewer service sales by the sewer utility within the corporate limits of such municipalities, shall be billed as a "surcharge" to the customers receiving service within said corporate limits.

The sewer utility is required to collect the utility tax pursuant to West Virginia Code Section 8-13-5a.

Customers receiving sewer service within the corporate limits of the specified municipality shall pay a surcharge on the following surcharge rates.

Utility Excise Tax

<u>Municipality</u>	<u>Local Tax Rate</u>	<u>Surcharge Rate</u>
Huntington	2%	2%

SCHEDULE 6 – All Customers

SURCHARGE FORMULA FOR USERS PRODUCING UNUSUAL WASTE

The charge for the treatment of unusual waste will be calculated on the basis of the following formula:

$$Ci = VoVi + BoBi + SoSi$$

Ci	=	Charge to unusual users per year.
Vo	=	Average unit cost of transport and treatment chargeable to volume, in dollars per gallon.
Vi	=	Volume of wastewater from unusual users in gallons per year.
Bo	=	Average unit cost of treatment, chargeable to Biochemical Oxygen Demand (BOD) in dollars per pound.
Bi	=	Weight of BOD from unusual users in pounds per year.
So	=	Average unit cost of treatment (including sludge treatment) chargeable to total solids in dollars per pound.
Si	=	Weight of total solids from unusual users in pounds per year.

When an unusual user is to be served, a preliminary study of its wastes, and the cost of transport and treatment thereof, will be made. Waste containing materials which, in the judgment of the Board, should not be introduced into the sewer system, need not be handled by it. The results of this preliminary study will be used to determine the

feasibility of the proposed sewer service and the charge therefore, based upon the formula set out above.

Thereafter, unusual sewage service will be monitored on a regular basis and at the conclusion of each fiscal year, based on the investigation aforesaid and audit of the Board's records, new cost figures will be calculated for use in the above formula. The cost of establishing the monitoring facilities shall be paid by the unusual user. Based on these audited figures, additional billings covering the past fiscal year will be made for payment by each unusual user, or refund given by the Board, as the case may be. Such audited figures will then be used for the preliminary billing for the next fiscal year, at the end of which an adjustment will be made as aforesaid.

SCHEDULE 7 – All Customers

APPLICABLE INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE SANITARY BOARD OF THE CITY OF HUNTINGTON

Where the amount of sanitary sewage discharged into the Board's wastewater collection and/or transmission and/or treatment system by certain industrial plant or plants cannot be accurately determined by the use of the Board's meter or meters, and said plant cannot install a flow meter to measure such waste, a special formula will be used whereby such plant or plants will pay to the Board a sewer charge calculated at fifty (50) gallons of water per each employee at the plant each working day.

SECTION 2 – TARIFF EFFECTIVE DATE

The rates, charges and penalties provided herein shall become effective as provided herein.

SECTION 3 – SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES

The provisions of this Ordinance are severable, and if any clause, provision or section hereof shall be held void or unenforceable by any court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance. Upon the effective date hereof, all ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflicts, hereby repealed, and to the extent that the provisions of this Ordinance do not touch upon the provisions of prior ordinances, resolutions, orders or parts thereof, the same shall remain in full force and effect.

SECTION 4 – STATUTORY NOTICE AND PUBLIC HEARING

Upon introduction hereof, the City shall cause to be published a copy of this Ordinance once in a qualified newspaper of general circulation in the City of Huntington, and said notice shall state that this Ordinance has been introduced, and that any person interested may appear

before Council on December 12, 2022 at 7:30 p.m. and present any comment or protest thereto, following which hearing, Council shall take such action as it shall deem proper. Copies of this Ordinance shall be available to the public for inspection at the office of the City Clerk, City of New Huntington, 800 Fifth Avenue, Huntington, West Virginia.

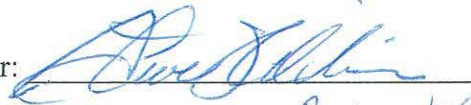
First Reading: November 28, 2022 ORDERED ADVERTISED

Second Reading

and Public Hearing: December 12, 2022 ADOPTED - 9 yeas, 2 nays
(Bowen and Sweeney)

CITY OF HUNTINGTON, a municipal corporation

Mayor:



Approved ✓

Clerk:

Lisa Adams, Asst. City Clerk