

**JEFFERSON COUNTY
SEWER USE CHARGE ORDINANCE
ADOPTED NOVEMBER 6, 2012
AMENDED AND RESTATED BY RESOLUTION DATED SEPTEMBER 23, 2013
EFFECTIVE NOVEMBER 1, 2013**

This document is provided as a convenience to the public. The official ordinance and amendments thereto are contained in the office of the Minute Clerk of Jefferson County in Minute Book 164, pages 38 to 81. In the event of a discrepancy between any words or figures contained in this document and those contained in the official minutes of the Jefferson County Commission, the words and figures reflected in the official minutes shall govern.

**JEFFERSON COUNTY
SEWER USE CHARGE ORDINANCE**

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ARTICLE I. GENERAL PROVISIONS

A. Purpose and Policy

This ordinance establishes sewer charges for those whose sewerage is disposed of or treated by the wastewater collection and treatment system for Jefferson County, Alabama. This ordinance contains the Commission's reasonable and nondiscriminatory rules and regulations fixing rates and charges for sewer service, providing for the payment, collection, and enforcement thereof, and the protection of its property. These rules and regulations accomplish the equitable distribution of costs of the System.

This ordinance shall apply to all System Users in Jefferson County and to persons outside the County who are, by contract or agreement with the County, Users of the System. Except as otherwise provided herein, the Environmental Services Department shall administer, interpret, implement, and enforce the provisions of this ordinance. Where not specifically provided herein, the provisions of this ordinance shall be enforced and interpreted consistent with the "Jefferson County Sewer Use Administrative Ordinance."

B. Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

1. "ADEM" shall mean the Alabama Department of Environmental Management or its duly authorized deputy, agent, or representative.
2. "All contributors" denotes any Person or Owner contributing wastewater to the System.
3. "BOD₅" (denoting five day biochemical oxygen demand), shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C, expressed in milligrams per liter by weight. BOD shall be determined by standard methods as hereinafter defined.
4. "Billed Volumetric Units" shall mean the total metered volume of water after application of the Return Factor (see Article II.A)
5. "COD" shall mean chemical oxygen demand as determined by standard test methods.
6. "Condensate" shall mean liquid water resulting from the change of water vapor to liquid by the use of traditional air conditioner units or water heaters.
7. "Constituents" shall mean the combination of particles, chemicals or conditions existing in the wastewater.
8. "Consumption" shall mean the amount of water used, as measured by a water meter using a given unit of measure.

9. "Cooling Water" shall mean the water discharged from commercial air conditioning, cooling or refrigeration sources such as chillers and cooling towers.
10. "Cu. Ft." denotes cubic feet.
11. "County" shall mean the Jefferson County Commission or its employees, duly authorized agents or representatives.
12. "Director" shall mean the Director of the Environmental Services Department or his designee.
13. "Environmental Services Department" or "ESD" shall mean the County department that has direct responsibility for the maintenance, management and operations of the Sewer System.
14. "FOG" shall mean fats, oils, and grease.
15. "Grease Control Device" shall mean any grease interceptor, grease trap or other approved mechanism, device or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap, collect or treat FOG prior to the balance of the liquid waste being discharged into the System.
16. "Grease Interceptor" shall mean an indoor device located in a food service facility or under a sink designed to collect, contain and remove food wastes and grease from the waste stream while allowing the balance of the liquid waste to discharge to the System by gravity.
17. "Grease Permit" or "Food Service Facility Grease Control Program Permit (FSFGCPP)" shall mean the license/authorization to discharge wastewater/liquid waste into the System granted to the Owner of a Food Service Facility or his/her authorized agent.
18. "Grease Trap" shall mean an outdoor device located underground and outside of a food service facility designed to collect, contain and remove food wastes and grease from the waste stream while allowing the balance of the liquid waste to discharge to the System by gravity.
19. "Health Department" shall mean the State Board of Health as constituted in accordance with Ala. Code § 22-2-1 *et seq.*, and includes the Committee of Public Health or State Health Officer when acting as the Board. The Health Department is not affiliated with the Jefferson County Commission.
20. "Impact Fee" shall mean the charge assessed to any sewer user prior to connection with, or access to, the System.
21. "Industrial User" shall mean any industry discharging liquid waste into the System either with or without pretreatment.

22. “Industrial Wastewater” shall mean any wastewater discharge with pollutant loadings in excess of the values described in Article IV.D.1.
23. “Industrial Wastewater Surcharge” shall mean the additional service charge assessed to Users whose wastewater characteristics exceed those of normal wastewater as defined in this ordinance.
24. “l” denotes liter.
25. “Lounge” shall mean any establishment which serves alcoholic beverages for on-premises consumption.
26. “Metered Water” shall mean the quantity of all sources of water, including water from wells, consumed by the sewer User (see Article II).
27. “mg/l” denotes milligrams per liter and shall mean ratio by weight.
28. “Non-Residential User” or “Other User” shall mean a premise or person who is not considered a Residential User and includes multi-family residential (with master meter(s), i.e. apartment complex, mobile home complex, etc.), commercial and industrial premises that discharge wastewater of Standard Strength into the System.
29. “Non-Resident User” shall mean a User whose property is located outside the corporate limits of Jefferson County.
30. “Person” or “Owner” shall mean any natural person, individual, firm, company, joint stock company, association, society, corporation, group, partnership, co-partnership, trust, estate, governmental or legal entity, or their assigned representatives, agents or assigns.
31. “Private Meter” shall mean a secondary water meter installed by the user downstream of the primary domestic water meter to measure non-sewered (outdoor) water use.
32. “Public Water System” shall mean a system for the provision to the public of piped water for human consumption.
33. “Residential User” or “Domestic User” shall mean a premise or person who discharges into the System wastewater that is of a volume and strength typical for residences, and who lives in a single-family structure, such as an individual house, duplex, townhouse, or condominium, or any other independently-owned single-family structure with an individual water meter for metering potable water. Multi-family residential units are not considered Residential Users.
34. “Restaurant” shall mean an establishment which serves food and/or beverages for consumption on the premises by use of reusable flatware/tableware, or glassware.

35. "Sanitary Sewer" shall mean a sewer which carries wastewater, and from which storm, surface, and ground waters are intended to be excluded.
36. "Sewer" or "main sewer" shall mean a pipe or conduit eight (8) inches in diameter or larger intended for carrying wastewater and generally located in public right-of-way or easement.
37. "Sewer Connection Permit" shall mean the license to proceed with work on a sewer service line, either as new construction or for the repair of an existing line.
38. "Sewer Service Line" shall mean any sanitary sewer line or conduit located outside the building structure which connects the building's plumbing from the outside building wall to the main sewer. The sewer service line is usually four (4) inches in diameter, sometimes six (6) inches in diameter, and in special cases eight (8) inches in diameter or larger. The County does not maintain the sewer service line from the outside building wall to the main sewer.
39. "Sewer System" or "System" shall mean a publicly-owned treatment works (POTW) (as defined by Section 212 of the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, codified at 33 U.S.C. § 1292) owned by the County. The term shall mean any wastewater treatment facility, any sanitary sewer that conveys wastewater to such treatment facility and any wastewater pumping facility.
40. "Shall" is mandatory; "may" is permissive.
41. "Standard Methods" shall mean those sampling and analysis procedures established by and in accordance with EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended, or the "Standard Methods for the Examination of Water and Sewer" as prepared, approved, and published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation. In cases where procedures vary, the EPA's methodologies shall supersede.
42. "Standard Strength" shall describe wastewaters of any origin having a pollutant content less than the wastewater pollutant characteristics defined in Article IV, Section D.1 of this ordinance and having no prohibited qualities of sanitary sewer system admission.
43. "Suspended Solids" shall mean solids that either float on the surface, or are in suspension in water, wastewater, or liquid as defined by standard methods.
44. "Total Phosphorous" or "TP" shall mean total phosphorous as determined by standard methods.
45. "TSS" shall mean total suspended solids as determined by standard methods.

46. "Total Solids" shall mean total weight expressed in mg/l of all solids: dissolved, undissolved, organic, or inorganic.
47. "User" shall mean the occupant and/or the owner(s) of property from which wastewater is discharged into the System and any individual or entity, including municipalities, who contributes, causes, or permits the contribution of wastewater into the System.
48. "Wastewater" shall mean any solids, liquids, gas, or radiological substance originating from residences, business buildings, institutions, and industrial establishments together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the System.

Terms for which definitions are not specifically provided herein or in the "Jefferson County Sewer Use Administrative Ordinance" shall be interpreted as defined in the Glossary of the current edition of "Design of Municipal Wastewater Treatment Plants, Volume 3" (MOP 8) published by the WEF and the American Society of Civil Engineers.

ARTICLE II.BILLING UNITS

A. Volume Determination

The Environmental Services Department shall, at its own discretion, determine the factor and percentage of metered or non-metered water discharged to the System for the purposes of billing consistent with the following:

In making a quantity determination for System Users, the quantity of wastewater discharged by the User to the System shall be the same as the quantity of water delivered to the User by the Public Water System. In limited circumstances, should well water be used for the User’s supply of water, the well shall be metered and quantities made known to the County on a monthly basis.

1. Residential Users

Billed Volumetric Units for Residential Users, except participants in the private meter program or as otherwise determined, shall be the metered quantity multiplied by a Return Factor as an allowance for metered water not returned to sewer. The Factor shall be as follows:

Residential Return Factor 0.85

Multi-family residences, apartments, condominiums, lofts and other residential users without unique, contiguous, deeded, unimproved land for that residential unit shall not be eligible for the Residential Return Factor.

2. Non-Residential Users

Billed Volumetric Units for Non-Residential Users and participants in the private meter program shall be the metered quantity multiplied by a Return Factor of 1.00, *provided, however,* a custom return factor may be established at the discretion of ESD for future, continuous use where sufficient evidence exists.

It shall be the obligation of Non-Residential Users who evaporate or otherwise dispose of water delivered by the Public Water System to alternate disposal systems to install such meters or other devices deemed necessary by the County to determine the estimated quantity discharged to the System. The County will consider establishing a constant ratio, factor, or percentage to be applied to the metered water quantity delivered by the Public Water System in order to determine the quantity of wastewater discharged by the User. It shall be the responsibility of the User to provide adequate written documentation which justifies the factor to the satisfaction of the County. The value of this factor will be reviewed for accuracy by ESD biannually, or whenever deemed necessary by the County in its sole discretion.

B. Impact Fee Units

1. Fixtures

Impact fee units shall be billed per defined unit times the rate provided in this ordinance as follows:

| <u>Fixture Type</u> | <u>No. Units</u> |
|--|------------------|
| Bathtub | 1 |
| Shower | 1 |
| Water Closet/toilet | 1 |
| Lavatory | 1 |
| Sink | 1 |
| Urinal | 1 |
| Bidet | 1 |
| Sink | 1 |
| Dishwasher | 1 |
| Washing Machine | 1 |
| Garbage disposal units or pre-wiring for same | 1 |
| Stub outs for plumbing fixtures | 1 |
| Floor drain | 0.25 |
| Trench drain (per 18" of length) | 0.25 |
| Bradley wash sink (per 18" of sink perimeter) | 1 |
| Body wash/massage | 1 |
| Drinking fountain | 0.25 |
| Condensate drain | 0.25 |
| Sump pump or ejector | 1 |
| Dumpster Drain | 1 |
| Commercial kitchen sink | 1 |
| Commercial dishwasher | 1 |
| Commercial ice machine | 1 |
| Photographic developing machine | 1 |
| Autoclave | 1 |
| Restaurant/Bar Seat (booths are calculated per 18" length) | 1 |
| Other (any other connection to the System as determined by the County as a full or partial unit) | |

2. Food Service Establishments

The impact fee for full service restaurants and lounges shall be assessed at a rate of one (1) plumbing fixture per seat. The impact fee for all other food-serving establishments shall be determined on the basis of projected volume of flow to the sewer as provided for in Article II.B.4.

3. Alternate Waste Disposal (Septic) System Conversion

A fixture credit shall be applied for each existing fixture up to a maximum of sixteen (16) fixtures (or equivalent fixtures) in the event of a conversion from an existing septic or

alternate waste disposal system. If the conversion is performed without a permit then the fixture credits shall not apply.

4. Non-Residential

The impact fee for any connection to the System which will result in a non-domestic discharge of wastewater by virtue of the volume, rate of flow, or the level of pollutant concentrations will be determined by the County on a case-by-case basis. The County will base its determination upon all factors which may substantially affect System hydraulic and treatment capacity.

The determination shall be based on the annual volume contributed by a domestic household, which is defined as having twelve (12) plumbing fixtures, and the flow from which is equivalent to 125 hundred cubic feet per year. Therefore, an equivalent fixture, in terms of flow, shall be equal to 10.42 hundred cubic feet per year.

The impact connection fee for non-domestic users shall be as follows:

- 1) The impact fee shall be determined based on the applicant's estimates of flow at the time of application to secure an impact permit.
- 2) The County shall apply the applicant's estimates to the following formula to determine the number of equivalent plumbing fixtures and the impact fee to be charged as a result thereof.

$$\text{Number of Equivalent Plumbing Fixtures} = \frac{\text{annual volume of water to sewer (cu. ft.)}}{1,042}$$

$$\text{Non-Residential Impact Fee} = \text{Number of Equivalent Plumbing Fixtures} \times \text{the rate established by Article IV.E.1}$$

- 3) A determination of actual wastewater volume discharged to the System shall be made using actual metered water consumption during the first year of the applicant's use. If it is determined by actual measurement that the volume discharged to the System is substantially different from the estimates given by the applicant, an adjustment will be made either by refund or additional charge to the applicant. The adjustment shall be made on the highest six (6) month volume discharged to the System. Metering shall be installed at the User's expense if required by the County for determination of actual wastewater volume discharged.

ARTICLE III. ADJUSTMENTS AND CREDITS

A. Sewer User Adjustments

Users are eligible to receive a leak adjustment credit based on their volumetric (consumption) sewer charge within the prior twelve (12) month period. Any leak of domestic water that does not discharge to a sanitary drainage system at the premise may be eligible for credit. However, such leak shall be documented to have arisen from a defect in the permanent plumbing system and subsequently have been repaired. A “Jefferson County ESD Request for Leak Adjustment Form” must be completed in its entirety and returned to the Sewer Permitting and Inspections Office, located at 716 Richard Arrington Jr. Blvd. North, Suite A300, Birmingham, AL 35203, along with a dated and descriptive plumbing repair invoice, a work order from a Public Water System, or a receipt in cases where the Owner completes his own repairs.

The County does not provide “courtesy” adjustments. No adjustment will be given based solely on the fact that a User has an unusually high water and sewer bill, and water adjustments or credits given by a Public Water System shall not form the sole basis nor create an obligation to the County to grant a similar adjustment for sewer charges. Sewer charges may be adjusted only if the User supplies sufficient written documentation.

Swimming pools which have been verified on site, measured for volume, and are deemed to be a permanent structure by a Sewer Service Inspector, are eligible for a once-per-year adjustment. The User must be able to demonstrate that the water drained from the pool was not discharged to the System. The adjustment shall be allowed only in cases where there is a substantial pool filling. Adjustments shall not be made prior to the User being billed for the water volume.

B. Adjustment Limitations

Any request for an adjustment of sewer charges shall be limited to one (1) year from the billing date of the original charge, and shall be submitted to the Sewer Permitting and Inspection Office (716 Richard Arrington Jr. Blvd. North, Suite A300, Birmingham, AL).

C. Credit for Existing Fixtures

If an existing structure is to be demolished, altered, remodeled or expanded, an applicant will be allowed credit for the plumbing fixtures in the existing structure. Credit will be given only for those plumbing fixtures in the existing structure which are connected to the System and shall only be applied to a new or remodeled structure at the same location. To receive credit for existing fixtures, applicants must arrange an inspection by County personnel to verify the fixture count before removing the old fixtures. Credit will not be given unless the fixtures have been inspected by ESD prior to removal or evidence of a prior paid impact permit is presented. Except as provided herein, credit for existing connections and fixtures cannot be transferred to another location.

In circumstances such as natural disasters or other uncontrollable circumstances where credit for existing fixtures cannot be accurately determined, the County shall determine the credits available based on available information consistent with this Ordinance. The burden of proof for establishing any claimed credit as provided herein shall be on the applicant.

D. Exemptions

The governing bodies of all municipalities under the terms of their respective unification agreements shall be exempt from payment of all impact fees for facilities which will be used directly by those governing bodies for carrying out their governmental functions. The impact fee exemption does not apply to park boards, recreation boards, school systems, or any other boards or alliances which are autonomous, or are not a direct function of, or owned by, the municipal governing body. However, this fee exemption does not remove the requirement that any applicable permits must be obtained prior to securing a building permit.

E. Refund of Impact Fees

Upon proper application by the permittee, the County will refund Impact Fees for fixtures which have not been installed. If no building permit was issued, the permittee must return all copies of the original impact permit in order to receive a refund. If a building permit was issued, the permittee must return the applicant's copy of the impact permit along with the original issued receipt to the Sewer Permitting and Inspection Office within two (2) years of issuance. The administrative fee shall be deducted from the total amount of the refund.

F. Private Meters

A User of the System may elect to install a private meter on a water service line that is connected to fixtures, equipment, or systems that do not discharge wastewater to the System. Users with installed private meters shall not be eligible for the Residential Return Factor adjustment. Private meter requirements and credit procedures are as follows:

- 1) A private meter must be permanently installed on the water service line or water distribution system downstream of the primary domestic water service meter. Water metered by the private meter must not directly or indirectly enter the System. Portable meters that attach onto the end of a hose or faucet are not eligible.
- 2) The private meter shall be registered by an ESD Sewer Service Inspector. The initial meter reading shall start from the reading that is registered at the time of inspection. It is the responsibility of the User to inform the County of the presence of a private meter by calling 205-325-5801 to request a registration/inspection of the private meter. Retroactive usage credit prior to registration shall not be allowed.

- 3) The private meter owner or an authorized party must be present at the time the private meter is registered by the County and must acknowledge its limitations of use.
- 4) All private meter readings must be submitted to the Environmental Services Sewer Permitting and Inspection Office at 716 Richard Arrington Jr. Blvd. North, Suite A300, Birmingham, AL 35203.
- 5) Meter readings should be submitted every 6 months, but not more frequently than every 6 months. Credit shall not be granted for any use prior to the twelve-month period from the date of submission for credit.
- 6) Private meter forms must be filled out in their entirety in order to be processed.
- 7) A private meter processing fee as provided for in Article IV.B shall be charged for each private water meter credit administered.

Any active participant of the private meter program who wishes to terminate their current enrollment status must request such action in writing to ESD and shall not be allowed re-enrollment for a twelve month period from the date of request.

The County reserves the right to require, at any time, the private meter to be inspected or re-registered by a Sewer Service Inspector.

It shall be the responsibility of the User to determine whether a private meter is enrolled in the credit program.

ARTICLE IV.FEES, CHARGES, AND PENALTIES

A. Sewer Use Charges

All Users of the System, or their designated agents, shall pay a sewer use charge to the County. Sewer use charges shall include (1) fixed monthly charges and (2) volumetric charges in accordance with the following schedules. Sewer use charges for unmetered water will be determined by the County in its sole discretion.

1. Residential

A block volume charge shall be levied on Billed Volumetric Units in accordance with the below schedule. Whole units shall be used to determine under which Block the charge arises.

| | <u>Per 100 Cubic Feet</u> | | |
|---------------|---------------------------|---------|---------|
| | Block 1 | Block 2 | Block 3 |
| Volume | 0-3 | 4-6 | 7+ |
| Rate per unit | \$6.77 | \$10.52 | \$12.02 |

| | <u>Per 1000 Gallons</u> | | |
|---------------|-------------------------|-------------|---------|
| | Block 1 | Block 2 | Block 3 |
| Volume | 0-2.243 | 2.244-4.487 | 4.488+ |
| Rate per unit | \$9.05 | \$14.06 | \$16.07 |

2. Non-residential

A block volume charge shall be levied on Billed Volumetric Units in accordance with the below schedule.

| | <u>Per 100 Cubic Feet</u> |
|---------------|---------------------------|
| Volume | 0+ |
| Rate per unit | \$11.82 |

| | <u>Per 1000 Gallons</u> |
|---------------|-------------------------|
| Volume | 0+ |
| Rate per unit | \$15.82 |

3. Monthly Base Charge

In addition to the volumetric charges in A.1 and A.2, a monthly base charge for each installed meter (except Private Meters) shall be levied as follows:

| <u>Meter Size</u> <u>(in. dia.)</u> | <u>Charge</u> |
|--|---------------|
| 5/8" | \$22.55 |
| 3/4" | 24.80 |
| 1" | 31.54 |
| 1.5" | 40.57 |
| 2" | 65.35 |
| 3" | 247.80 |
| 4" | 315.40 |
| 6" | 473.09 |
| 8" | 653.30 |
| 10" | 833.51 |

4. Billing Frequency

Bills are rendered monthly or quarterly at the discretion of the County.

B. Private Meter/Pool Processing Fee

A processing fee in the amount of \$18.03 shall be imposed for the processing of each application for private meter or pool credit.

C. Non-Resident Users

All Non-Resident Users shall pay a sewer User charge to the County equal to the User charges described in Sections A.1 through A.3 of this Article multiplied by the following Non-Resident User Factor.

$$\text{Non-Resident User Factor} = 1.06$$

The monthly base charges set forth in Section A.3 of this Article shall also be multiplied by the Non-Resident User Factor. All other fees or charges described within this Ordinance shall be assessed to Non-Resident Users in accordance with the schedules set forth herein or as may be established by Jefferson County.

At the discretion of the County and at such times when County ad-valorem tax or any other System-related tax is modified or adopted, the Non-Resident User Factor may be changed or modified by the County.

D. Industrial Waste Surcharges

1. Industrial User Surcharges

An industrial waste surcharge shall be levied against any Industrial User of the System whose wastewater characteristics exceed the following standard strength:

| <u>Constituent</u> | <u>Strength</u> | <u>Rate per pound</u> |
|--------------------|-----------------|-----------------------|
| BOD | 300 mg/l | \$1.2443 |
| COD | 750 mg/l | \$0.6221 |
| TSS | 300 mg/l | \$0.4107 |
| FOG | 50 mg/l | \$0.2575 |
| TP | 4 mg/l | \$4.9035 |

If an industrial wastewater discharge contains excessive loading for both BOD and COD, the imposed surcharge will be based on one of the two parameters as determined by the County in its sole discretion.

At the discretion of the County and at such times when data has been compiled and established, additional or modified industrial waste surcharge parameters, concentrations, or rates may be imposed.

Pounds shall be computed by multiplying the factor 0.00624 (the conversion factor used to determine the weight in pounds of one milligram per liter (mg/l) for a liquid volume in hundreds of cubic feet) times the volume of the wastewater (in hundreds of cubic feet) times the parts per million (ppm) of wastewater characteristics as described in the Table above.

2. Sampling and Analysis

Sampling and analysis charges shall be calculated and assessed as follows:

- (1) Round trip mileage shall be charged per mile at the currently published Internal Revenue Service Standard Mileage Rate.
- (2) Crew cost: \$52.54 per hour (charged in ¼ hour segments at sampling site, each segment = \$13.14).
- (3) Laboratory analytical cost: Billed by wastewater characteristic, as defined in the laboratory fee schedule, which may be obtained from the Industrial Pretreatment Office at 205-238-3878 or 205-238-3866.
- (4) Technical and administrative fees including data collection, calculations, entry, report dispersal and billing per sampling cycle: Flat rate of \$75.10.

3. Miscellaneous Fees

Cost incurred by the County for sampling, analysis and monitoring of industrial wastewater not otherwise provided for in this Ordinance shall be charged to the monitored industry on an actual cost basis.

4. Hauled Wastewater

Charges for discharging all hauled wastewater into an approved System facility, as measured at the receiving facility, shall be as follows:

| <u>Waste type</u> | <u>Rate per 1000 gallons</u> |
|---------------------------------|------------------------------|
| Septage and domestic wastewater | \$90.12 |
| Grease trap waste | \$112.65 |
| Other | * |

*Charges for other non-standard discharges shall be calculated by the County based on estimated increased operating costs if, at the County's discretion, the particular waste stream constituents are higher concentrations than typical domestic septage or grease trap waste. Leachate, unless otherwise determined, shall be considered septage.

E. Sewer Impact Fees

1. Fixture Rate

An impact fee shall be levied upon each new connection to the System regardless of county jurisdiction as follows:

| <u>Fixture</u> | <u>Impact Fee</u> |
|--------------------------------|-------------------|
| Single fixture unit | \$337.91 |
| Equivalent fixture unit | \$337.91 |
| Stubouts for plumbing fixtures | * |
| Other fixtures | ** |

* Impact fee for stubouts will be the cumulative fee for the fixtures to be served by the stubout.

** Impact fee to be determined by the County on a case by case basis in accordance with Article II.B.4 and at a rate of \$337.91 per plumbing fixture.

Failure to make payment for any plumbing fixture prior to installation shall result in a doubling of the payment if said payment is not submitted within thirty (30) days of notification. However, failure to mail any notice, or failure to receive any notice, shall in no way affect the obligation of the applicant to pay the fees and any penalty.

2. Alternate Waste Disposal System Conversion

Any home, mobile home or commercial building served by a septic tank, package plant, or other means of waste disposal which was constructed and approved for use subject to the standards of the Jefferson County Department of Health may connect to the System, provided there is no prohibition in the regulations of the County, State or Federal Government and upon payment of a one hundred dollar (\$150.19) fee for such connection.

3. Impact Fees Refund

An administrative fee for refund of impact fees will be assessed as follows:

| <u>No. Fixtures</u> | <u>Fee</u> |
|---------------------|------------|
| 1 - 10 | \$30.05 |
| 11 - 50 | \$45.06 |
| 51 | \$75.10 |

F. Sewer Connection Fees

The sewer connection fees as listed include all required inspections and will be assessed for each single user connection in accordance with the following schedule:

| <u>Permit type</u> | <u>Prior to installation</u> | <u>After installation</u> |
|--------------------|------------------------------|---------------------------|
| Connection | \$75.10 | \$826.00 |
| Repair | \$75.10 | \$826.00 |
| Tap ¹ | \$225.29 | |
| Disconnection | \$37.56 | |

¹County provides saddle, labor, and materials for tap to existing sewer mains.

If the County Sewer Service Inspector is required to visit the connection site for more than two (2) inspections due to faulty material, poor workmanship etc., the third inspection and each inspection thereafter shall be charged at \$150.19 per inspection. After hour, weekend, and holiday inspections must be pre-approved by the ESD and shall be charged at a rate of \$150.00 per hour, with a 2 hour minimum. The rate is “per inspector” as deemed necessary by the County.

G. Grease Trap Fees

Grease trap and interceptor fees shall be assessed in accordance with the following schedule:

| <u>Number</u> | <u>Annual Inspection Fee</u> |
|---------------|------------------------------|
| 1-5 | \$450.57 |
| 6-10 | \$750.91 |
| 11+ | * |

*Units in excess of 10 shall be assessed \$750.91 plus \$300.38 for each additional 5 units in excess of 10

| <u>Type</u> | <u>Other Fees</u> |
|----------------|-------------------|
| Non-compliance | \$600.75 |
| Re-inspection | \$600.75 |
| Exemption | \$450.57 |

Installation, modifications, repairs or replacement of grease control devices shall be inspected by the ESD inspectors. Any work completed without prior notice shall be subject to a non-compliance fee.

H. Billing Fees

Billing fees shall be assessed in accordance with the following schedule:

| <u>Type</u> | <u>Fee</u> |
|----------------------------|------------|
| Lien Recording | \$24.05 |
| Lien Satisfaction | \$24.05 |
| Return Check | \$45.06 |
| Pay Off Amount (per sheet) | \$6.03 |

ARTICLE V. GENERAL PROVISIONS

A. Validity

All resolutions, ordinances, parts of resolutions, or parts of ordinances in conflict herewith are hereby repealed.

B. Severability

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence or part thereof, or the application thereof to any individual or entity, shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of this Ordinance, it being the Commission's legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof separately and independently of each other.

C. Penalties

The County shall be allowed to recover reasonable attorney's fees, interest, penalties, collection fees, court costs, court reporter's fees and any other expenses of litigation or collections from any person or entity in violation or non-payment of the provisions of this this Ordinance.

ARTICLE VI.ORDINANCE IN FORCE

A. Date Effective

This ordinance shall be in full force and effect on the date of passage, with such rates and charges being assessed as soon as is practicable.

B. Date Adopted

Passed and adopted by the Jefferson County Commission on the 6th day of November, 2012. Amended and restated by resolution on the 23rd day of September, 2013.

by W.D. Carrington, President – Jefferson County Commission

Attest:

Diane Townes

Minute Clerk of the Jefferson County Commission

Approved as to correctness: