

ORDINANCE NO. 1482

LEXINGTON, NEBRASKA.

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An ordinance of the City of Lexington, Nebraska adopting sewer use charge rates and customer classifications, repealing Chapter 23, Article 11 Lexington Municipal Code and providing for publication in pamphlet form and effective date of ordinance.

Be it ordained by the Mayor and Council of the City of Lexington:

Chapter 23, Section 11 Lexington Municipal Code is hereby repealed and that the sewer use charge and rates established in this ordinance will be effective April 1, 1977.

ARTICLE I Sewer use Charges and Rates

1. Customer Classifications Definitions

a. Industrial 1A Users

This Classification is for industrial users that discharge process waste or wastes other than segregated domestic waste into the treatment system.

b. Commercial and Industrial Users

This classification is for commercial or industrial users that discharge primarily segregated domestic waste or wastes into the sewerage system.

c. Residential

Any structure separate from other structures, designed to be occupied by one family and discharge only domestic waste or wastes into the sewerage system.

d. Multiple Residential

Any structure separate from other structures, designed to be occupied by two or more families or individuals living independently of each other, excluding duplexes.

e. User

Any person obtaining services of the municipal sewerage system of this City and the owners and tenants of real estate and buildings connected with the sewerage system or served thereby who in anyway use the same or discharge sanitary sewage, industrial waste, water or other liquid, either directly or indirectly, into the sanitary sewerage system of the City.

## 2. Rates Generally

### a. Industrial 1A (Industrial Cost Recovery)

This rate is established for users that are subject to repayment of federal monies under Industrial Cost Recovery Ordinance No. 1483.

The federal guidelines for industrial repayment of the federal share of the treatment plant grant allows repayment on an as used basis and is covered under the Industrial Cost Recovery Ordinance.

### b. User Rate A Plant

All users are subject to this rate. The user charge under rate A shall generate sufficient revenue to offset the cost of all treatment works operation and maintenance. The user charges for Rate A will be based on the budgeted costs for operation and maintenance. Treatment plant records for plant loading for Flow, BOD and suspended solids for the previous year will be used to determine user charges under this rate. The user charge for this rate will be reviewed annually and will be revised periodically to reflect actual treatment plant costs and plant loadings.

### c. User Rate B Collection System

All users are subject to this rate. The user charge under Rate B shall generate sufficient revenue to offset the cost of operation and maintenance, debt service requirements and capital outlay requirements for the sanitary sewer collection system.

The user charges for Rate B will be based on the budgeted costs for operation, maintenance, debt service requirements and capital outlay. Treatment plant records for plant loadings for Flow, BOD and suspended solids for the previous year will be used to determine user charges under this rate. The user charge for this rate will be reviewed annually and will be revised periodically to reflect actual collection system costs and plant loadings.

Exceptions: Users that do not discharge sanitary waste or wastes into the collector system mains, but discharge directly to the plant are not subject to Rate B and will be billed under Rate A.

All other users classifications will be billed under the combined Rates A and B.

### 3. User charges

The use charges shall be levied against each property served directly or indirectly by the sanitary sewer system of the City; and shall be set by resolution by the City Council for all user classifications and shall be on file in the City Offices for public inspection at any reasonable time.

The formulas used to develop the sewer use charge for the Treatment Plant Rate A, and the Collection System Rate B are as follows:

#### Rate A Treatment Plant

##### Industrial Rate:

$$V_2 = \frac{V_{ca}}{V_t} \quad B_I = \frac{B_c}{B_t} \quad S_I = \frac{S_c}{S_t}$$

$$C_u = V_I V_u + B_I B_u + S_I S_u$$

##### Residential Commercial:

$$V_{rca} = V_I \quad B_{rc} = B_I (y \times 8.34 \times .001) \quad S_{rc} = S_I (z \times 8.34 \times 0.001)$$

$$C_{tc} = V_{rca} + B_{rc} + S_{rc}$$

#### Rate B Collection System

##### Residential Commercial:

$$V_{reb} = \frac{V_{cb}}{V_{tc}}$$

$V_I$	Unit cost per 1000 gallons Industrial User Rate A
$V_{ca}$	Budget costs charged to Flow (40% of Treatment Plant Budget) Rate A
$V_{cb}$	Budget costs charged to Flow Collection System Budget Rate B
$V_t$	Total Flow Treatment Plant per unit of time
$V_u$	Flow contribution from a user per unit of time
$V_{rca}$	Unit cost per 1000 gallons residential commercial user Rate A
$V_{rcb}$	Unit cost per 1000 gallons residential commercial user Rate B
$V_{tc}$	Total City flow treatment plant per unit of time
$B_I$	Unit cost for treatment per pound BOD Industrial User
$B_c$	Budget costs charged to BOD (30% of Treatment Plant Budget) Rate A
$B_t$	Total BOD contribution in pounds from all users per unit of time
$B_u$	Total BOD contribution in pounds from a user per unit of time
$B_{rc}$	Unit cost for treatment of BOD per 1000 gallons domestic sewage
$S_I$	Unit cost for treatment per pound suspended solids Industrial user
$S_c$	Budget costs charged to suspended solids (30% of treatment plant budget)
$S_t$	Total suspended solids contribution in pounds from all users per unit of time
$S_u$	Total suspended solids contribution in pounds from a user per unit of time
$S_{rc}$	Unit cost for treatment of suspended solids per 1000 gallons domestic sewage
$Y$	Mg/L BOD domestic sewage
$Z$	Mg/L Suspended Solids domestic sewage
$C_u$	A users charge for O & M per unit of time Industrial Rate A
$C_{tc}$	A user charge per 1000 gallons Residential Commercial Rate A

a. Special Rates

Where in the judgement of the City, special conditions affecting the real property of any user shall exist to the extent that user charges set out in the above schedule will result in an inequitable or unfair charge either for the City or the user, the City may levy a special rental or use charge based upon the facts and circumstances of each individual case (Ord. No. 804, 3)(Ord. No. 1331,-1).

b. Procedure When User Has Private Water Supply

Users having a private water supply which is discharged into the sanitary sewerage system shall meter the same at the user's expense and shall be billed at the same rate as that applied to like users having the City water supply, or the private water shall be added to the water supplied by the City for billing purposes if City water is also used by the user (Ord. 804-5).

c. Lien On Property (Failure of Payment)

The sewer use charge prescribed by this article shall be charged to each user served by the City's sanitary sewerage system and shall be a lien upon the property served for failure of payment.

d. Use of Funds


All money collected under this article shall be placed in a separate fund to be known as the Sewerage Use Fund and shall be used to service and retire such sewer revenue bonds as may from time to time be issued by the City and secured by a pledge of such funds, and to defray the expense of administering the terms and provisions of this article and for the construction, extension, maintenance, operation and all purposes necessary and incidental to the sewerage system of the City, including the sewage disposal plant.

This ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved this 12th day of April, 1977.

Mayor 

Attest:

  
City Clerk

(S E A L)