

40

AN ORDINANCE ESTABLISHING  
CHARGES FOR USERS OF THE  
CITY OF NEW MUNICH  
WATER POLLUTION CONTROL FACILITIES

THE COUNCIL OF THE CITY OF NEW MUNICH HEREBY ORDAINS:

SECTION 1.00. NEW MUNICH WATER POLLUTION CONTROL FACILITIES.

The fees, rates and charges for using the New Munich Water Pollution Control Facilities shall be upon the conditions and in the amounts set forth in Section 1.00 et seq.

SECTION 1.05. DEFINITIONS

For the purpose of this Ordinance, the following words, terms and abbreviations shall have the meaning set out below, unless the context specifically indicates otherwise.

Subd. 1. Commercial User means all Users of the Water Pollution Control Facilities classified as Industrial Users in the Standard Industrial Classification Manual, 1972, U. S. Office of Management and Budget, as amended and supplemented, under Divisions A, B, C, D, E and I, but who are excluded from such definition for the purposes of this Ordinance, because they discharge primarily segregated domestic wastes, or wastes from sanitary conveniences, except that the classification shall not include such exempt Users who are otherwise classified in this Ordinance as Domestic Users or Governmental Users.

Subd. 2. Domestic User means those establishments of which its related occupations, if any, are usually considered as domestic service and whose discharge consists solely of sanitary wastes.

Subd. 3. Flow means the quantity of sewage expressed in gallons or cubic feet per twenty-four (24) hours.

Subd. 4. Governmental User includes those establishments whose function is the administration and/or execution of governmental programs as well as the offices of executives, legislative bodies and or agencies which provide general support services of government.

Subd. 5. Industrial User means any Non-Governmental User of the Wastewater Collection System identified in the Federal Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:

- (a) Agriculture, Forestry and Fishing
- (b) Mining
- (c) Manufacturing
- (d) Transportation, Communication, Electric, Gas and Sanitary Services
- (e) Services

A User in the divisions listed may be excluded if the City Council determines it will primarily introduce domestic wastes or wastes from sanitary conveniences.

Subd. 6. Sewage means the liquid-carried waste products from whatever source derived, together with such ground water infiltration and surface water as may be present.

Subd. 7. Sewer System means pipelines or conduits, pumping stations, forcemains, and all other devices and appliances appurtenant thereto, used for collecting or conducting sewage.

Subd. 8. User means any person, firm corporation or other entity discharging sewage into the Water Pollution Control Facilities.

Subd. 9. Water Pollution Control Facilities (WPCF) means individually or collectively all parts and facilities of the sewer system and wastewater treatment plant.

Subd. 10. Wastewater Treatment Plant means any facility, appurtenant structures, or arrangement of devices used for the treatment of sewage.

SECTION 1.10. GENERAL

It is the purpose of this Ordinance to recover from users of the Water Pollution Control Facilities, on an equitable basis, funds for the operation and maintenance, replacement, and improvements of the Water Pollution Control Facilities.

Subd. 1. The user charges provided for in this section are hereby levied and assessed upon each lodge, parcel of land, building or premises having any connection with, or discharging either directly or indirectly into the sewer system.

Subd. 2. The City Council shall annually determine and fix the unit costs for use of the Water Pollution Control Facilities on the basis of Flow, and may increase or decrease such unit cost as often and in such amounts as may reasonably be required to accomplish the purposes of this Section.

Subd. 3. The City Clerk shall compute the amount due the City for Sewer User Charges and render a statement thereof, at periodic intervals, as directed by the City Council, to the owner or occupant of any premises using the wastewater collection system. All amounts due hereunder shall be payable at the office of the City Clerk.

SECTION 1.15. CHARGES, A LIEN

Each charge levied pursuant to this section shall be a lien against the property, and all such charges due on September 30 of each year, more than thirty (30) days past due, and having been properly mailed to the occupant or owner of the premises, shall be certified by the

City Clerk to the County Auditor between the first and tenth day of October of each year and the City Clerk so certifying such charges to the County Auditor, shall specify the amount thereof, the description of the premises, the name of the owner thereof, and the amount so certified shall be expended upon the tax rolls against such premises in the same manner as other taxes, and collected by the County Treasurer and paid to the City, along with other taxes.

SECTION 1.20. CIVIL ACTION

Any charges levied pursuant to this section, and which have been properly sent to the occupant or owner and not paid, may be recovered in a civil action by the City in any Court of competent jurisdiction.

SECTION 1.25. FUNDS FROM USER CHARGES

The funds received from the collection of the charges authorized by this Ordinance shall be deposited as collected in the New Munich Sewer Fund and shall be used for the operation, maintenance, replacement, and improvements of the WPCF.

SECTION 1.30. USER CHARGES

Subd. 1. The charges to users shall be the product of the unit cost for flow as determined by the City Council and the quantity of water used by such user as measured by the City water meter on the premises, provided, however, that in determining the charge to be paid for premises used exclusively for residential purposes, the water meter readings from the first billing of each year may be used as the basis for the computation of such user charges for each billing period for that year. The formula for this calculation is as follows:

Unit Cost Per Volume of Water x User Metered

Water Flow = User Charge

Subd. 2. In the event a user is not supplied with City water or the water so used is not measured by a City meter, then in such cases the user charge shall be fixed and determined by the City Council in such method as they may find just, equitable and practicable.

Subd. 3. If a substantial portion of the water utilized by any user is not discharged into the sewer system, the volume of such water shall be deducted in computing the sewer use charge, provided a separate meter is installed to measure such volume. The user desiring to install such separate meter shall make application and payment for the meter to the City and engage, at his own expense, a plumber to effect the necessary piping changes and install the couplings so the meter can be set.

#### SECTION 1.35. MONITORING FACILITIES

When required by the City each Industrial User shall install suitable monitoring facilities and shall submit to the City a monthly report of daily flows and other pertinent information on a form approved by the City. This form shall be for billing purposes and shall be submitted prior to the 10th day of the subsequent month. The City shall have the right to periodically or continuously inspect the monitoring facilities and to measure the user's flow. In the event of any discrepancy between the flows determined by the City and the Industrial User, the values determined by the City shall be used for billing purposes.

#### SECTION 1.40. SURCHARGE

In addition to the charges provided for herein, the City may impose a surcharge on any user based on some other pollutant loading factor which requires special treatment or handling, or causes special problems with materials or maintenance of the Water Pollution Control Facilities.

SECTION 1.45. EFFECTIVE DATE

SECTION 1.45. ORDINANCE shall be in full force and effect from and after

This Ordinance shall be in full force and effect from and after

day of \_\_\_\_\_ 19\_\_\_\_ A.D.  
Adopted by the Council of the City of New Munich, Minnesota, at a

regular meeting held on the 3 day of April, 1919, at the

following meeting held the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, by the

following vote:

Ayes: 4

Noes: 0

Nays: \_\_\_\_\_

\_\_\_\_\_  
City Council President

\_\_\_\_\_  
City Council President

Approved by the Mayor of the City of New Munich, this 3 day of April

Approved by the Mayor of the City of New Munich, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_ 19\_\_\_\_.

Ralph C. ...  
Mayor of the City of New Munich

\_\_\_\_\_  
Mayor of the City of New Munich

ATTEST:

ATTEST:

David Butler  
City Clerk

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