

Section 3: Sewer User Charges

- A. 1. Sewer Service Charge: There is hereby levied and assessed upon each lot or parcel of land with a building having a lateral available to discharge normal sewage to the Public Sewer System, a sewer service charge based upon rates established by the Commission. Such sewer service charge shall be payable as herein provided and shall consist of a system charge and a sewer use charge to be determined by the commission as provided herein. Said service charges shall be assessed and collected as determined by the Commission.
- a. System Charge. The system charge component of the sewer service charge shall be calculated on the basis of the number of connections to the system. The monthly system charge shall be equal to one-twelfth (1/12) of the annual system charge per connection.
- b. Sewer Use Charge. The sewer use charge component of the sewer service charge shall be based upon the total water use of system users. The monthly sewer use charge shall be the product of each user's monthly metered water use times the per gallon cost of operation, maintenance and replacement costs.
2. Budget and Sewer Service Charge Approval: Upon completion of preparation of the annual budget and determination of the annual sewer system charge per connection and the sewer use charge, the Commission shall set the annual sewer service charge, and shall record such action in the official minutes.
3. Payments:
- a. Sewer service charges shall be established annually for the year and shall be payable monthly.
- Sewer service charges shall commence with the next full month following connection to the sewer, but in any event, not later than the date of installation of a water meter serving the property.
- b. In the event of late payment after payment is due, a late charge of one percent (1.0%) per month (of the total amount due) shall be added to the sewer user charge and shall be collectible with the normal sewer user charge.
4. Disposition of Revenue: The amounts received from collection of the charges authorized by this Ordinance with the exception of the replacement fund shall be credited to a sewer revenue account which shall show all receipts and expenditures of the District. When appropriated and authorized by the District, credits to said account shall be available for payment of the

costs of operation, maintenance, and repairs of the sewer system. Any surplus in the account shall be applied to the following year's operation and maintenance costs.

5. Replacement Fund: Annual income from the Sewer Service Charge which include funds required for "Replacement" shall be separately accounted for and shall not be utilized for any purposes other than replacement.
 6. Special Rates: The rates set forth above for sewage service shall be for all types of service for collection of normal sewage. The Commission may at any time hereafter set special rates for large commercial service or industrial users.
 7. Notification: Users shall be notified annually of the portion of user charges attributable to wastewater treatment services.
- B.
1. Industrial and Commercial Charges for Other Than Normal Sewage: Charges for sewage other than Normal Sewage shall be based on flow, BOD, suspended solids, and such other constituents which affect the cost of collection, conveyance and treatment. Charges shall be made in accordance with rates established and published by the Commission as set forth in B.2.
 2. All persons discharging wastes into the public sewers shall be subject to a surcharge, in addition to any other service charge, if their sewage has a concentration greater than "normal" concentrations (see Definition.) The volume of Flow used for computing waste surcharges shall be the metered water consumption, subject to adjustments as otherwise herein provided, or the actual volume of waste as determined by a waste metering and monitoring installation.

The amount of surcharge shall reflect the cost incurred by the District in removing BOD, suspended solids, and other constituents.

Rates of Surcharge. The rates of surcharge for each of the aforementioned constituents shall be at the rate as included in the "Sewer Use Ordinance" of the Walworth County Metropolitan Sewerage District multiplied by 101 percent.

In addition to the above surcharges, the District's costs of sampling and analyzing commercial and industrial wastes shall be charged to the applicable industry as provided in Section 7.I.

Where industrial wastes are of such a strength or magnitude or are delivered over such a period of time that the above surcharges do not reflect the cost of treatment to the District, the District reserves the right to establish a special charge for handling the waste. The depreciation portion of the charge shall be based on the design capacity required for the particular waste. In no event shall the charges be less than those charges determined

by applying the above surcharge.

- C. Industrial Waste Pretreatment: In the event the District provides or requires pretreatment of industrial wastes, the entire cost of such pretreatment shall be charged to the person or entity producing the industrial wastes. The costs shall include but are not limited to capital expenditures, operation and maintenance expenses, labor, chemicals, heat and power.
- D. Contract Basis: Nothing in this Ordinance shall prohibit the District from providing sewage services to persons outside the corporate limits of the District under mutually agreeable conditions.
- E.
 1. Remedies For Failure to Pay User Charges: Each sewer user charge levied by, or pursuant to this Ordinance, is hereby made a lien upon the corresponding lot, land, or premises served by a connection to the sanitary sewer system of the District and if the same is not paid within the period allotted for such payment, said charge shall constitute a lien on the property served and be inserted in the Town tax roll as provided in 66.0821 of the Wisconsin Statutes in the same manner as water rates are taxed and collected under the provisions of Section 66.0809 or 62.69(2)(f) of the Wisconsin Statutes as same has been, and from time to time may be amended or recreated, so far as applicable.
 2. The delinquent sewer user charges, including interest on any delinquencies, taxed or levied pursuant to this Ordinance shall be collected by the Town Treasurer at the time and place indicated on the annual real estate tax bill.
- F. Designation of-Depository: The funds received from said sewage service charges shall be deposited at regular intervals in the depository elected by the Commission. Said funds shall be available for payment of the cost and expense of the management, maintenance, depreciation and repair of the sewage works and to provide funds for the retirement of debt as it matures and interest thereon.
- G. Annual Audit: An audit of the Utility's financial standing shall be made annually on a calendar year basis. This audit will be used to review the adequacy of the then existing rates and said rates shall be adjusted if necessary to provide sufficient revenues to adequately finance the Utility's operation in accordance with the intent of the rate structure.

The annual audit and review shall also be used to insure that each recipient of sewage service (or class) is charged in proportion to the cost of providing said recipient (or user class) with sewage service.
- H. Standby Charge Imposed: There is hereby imposed a standby charge against each lot or parcel of land abutting on any street, alley, or right-of-way in which there is now located a public sanitary sewer of the District. The standby charge shall be in accordance with the schedules established and published by the District. The imposition of the standby charge shall not relieve the owner of such property from the obligation to make proper connection to the public sewers as otherwise provided

in this ordinance and shall be in addition to any penalty which may be imposed for failure to make timely connection.

adopted 10/20/2010