

CHAPTER XIV
SEWER SERVICES

Article 1 Sewer Usage Rates and Charges

ARTICLE 1

SEWER USAGE RATES AND CHARGES

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14-1-1 Sewer Charges

Sanitary sewer charges shall be a flat rate and shall be payable monthly. **All sanitary sewer charges not paid shall become a lien on the premises upon which the Town furnishes sanitary sewer services, and the Town shall be entitled to foreclose said lien in the manner provided by the statutes of the State of Colorado now in effect or as hereafter amended.** The record title owner or the property owner where sanitary sewer service is provided shall be liable for the payment of all charges therefore, notwithstanding any contract, lease-hold or other agreement subsisting the owner and the person in actual possession. Each separate residential building shall be regarded as a separate sanitary sewer user and shall be so charged. Commercial sanitary sewer user shall be evaluated based upon the type and quantity of sewage which is introduced by the user into the sanitary sewer system and shall be so charged.

14-1-2 Default of Payment

a. Termination of Service

All sewer charges shall be payable at the office of the Clerk, **and if not paid within ten (10) days after bill is due, they shall become delinquent, and the sewer may be shut off after ten (10) days** written notice to do so; said notice to be either personally delivered by Town personnel or mailed by the Town Clerk to the delinquent user or property owner by regular mail. Whenever sewer service shall have been shut off for non-payment of sewer charges, the sewer service shall not be turned on again until all applicable sewer charges have been paid current, together with twenty dollars **(\$20.00)** additional fee for the expense of shutting off and turning on the sewer service.

SEWER USAGE RATES AND CHARGES

14-1-3 Reduction of Charges

The Clerk shall upon billing for sanitary sewer services for a specific property upon receiving a written notification from the sanitary sewer service user that they are terminating their sanitary sewer service, after which the dormant rate of \$18.00 per month shall then become the required fee until sanitary sewer service is again requested for such property.

14-1-4 Rates for Service

A. Sewer rates for permanent residences including single-family homes, duplexes, apartments, condominiums, mobile homes, mobile home parks, trailer courts, as well as churches, non-profit civic organizations and non-profit lodges, except those with liquor licenses, are as follows:

1. Inside the Town limits \$25.00 per month
2. Outside the Town limits \$31.25 per month
3. The above rates shall be per dwelling unit for residences.

B. Sewer rates for commercial sanitary sewer users, or any sewer users not otherwise provided for in subsection **A** above, shall be calculated as follows:

1. Inside the Town limits - \$25.00 per month plus a monthly surcharge for discharging waste water with biological oxygen demand, suspended solids and/or other acceptable wastes (BOD) greater than those of the average residential user based on publication of the Colorado Department of Health titled Individual Sewage Disposal Systems Guideline, or the best available engineering data, computed in accordance with the following formula:
 - a. $\text{Surcharge} = \text{Volume in million gallons per day (MGD)} \times \text{BOD in milligrams per liter (mg/l)} \times 8.34 \text{ lbs.} \times \$.75$
(see attached Exhibit "A" for a summary of the above formula calculation)
 - b. The average residential user biochemical oxygen demand (BOD) shall be determined to be 2.085 lbs. per 1,000 gallons which equals 250 milligrams per liter.

SEWER USAGE RATES AND CHARGES

In the event the monthly domestic water usage by the customer exceeds 6,000 gallons per month, an additional sewer rate of \$1.75 per 1,000 gallons, or any portion thereof, of domestic water used per month over the first 6,000 gallons, shall be charged and due. (Does not apply to residential users).

2. Outside the Town limits - \$31.25 per month plus a monthly surcharge for discharging waste water with biochemical oxygen demand or concentration of suspended solids (BOD) greater than those of the average residential user based on the publication of the Colorado Department of Health titled Individual Sewage Disposal Systems Guidelines, or the best available engineering data, computed in accordance with the following formula:

a. Surcharge = Volume in million gallons per day (MGD) x BOD in milligrams per liter (mg/l) x 8.34 lbs. x \$.95

(see attached Exhibit "A" for a summary of the above Formula calculation)

b. The average residential user biochemical oxygen demand (BOD) shall be determined to be 2.085 lbs. per 1,000 gallons which equals 250 milligrams per liter.

In the event the monthly domestic water usage by the customer exceeds 6,000 gallons per month, an additional sewer rate of \$2.20 per 1,000 gallons, or any portion thereof, of domestic water used per month over the first 6,000 gallons, shall be charged and due. (Does not apply to residential users).

c. Each customer's biochemical oxygen demand (BOD) shall be assigned, pursuant to Town regulations, by the Town based upon available data from the Colorado Department of Health titled Individual Sewage Disposal Systems Guidelines or the best available engineering data, except when data based upon sampling done in accordance with a sampling regime approved by the Town, in which event such data shall be utilized.

SEWER USAGE RATES AND CHARGES

14-1-6 I. Sewer Tap Fees; Within Town

A. Tap Fee: The application for a permit for sewer service connection or any connection to the sewer system shall be accompanied by payment of a tap fee as set forth below:

- i. One-living unit - \$4,100.00
- ii. Multiple-living unit - \$4,100.00 plus \$2,050.00 for each additional living unit in excess of one.
- iii. **Commercial** – Commercial tap fees shall be in direct proportion to the relative size to the water tap serving the same use.

<u>Water Tap Size</u>	<u>Sewer Tap Charge</u>
3/4 inch	\$4,100 – 1EQ tap + installation/materials cost
1 inch	\$7,298 – 1.78 EQ taps plus “ “
1.5 inch	\$19,680 – 4.0 EQ taps plus “ “
2.0 inch	\$29,110 – 7.1 EQ taps plus “ “
3 inch	\$65,600 – 16 EQ taps plus “ “
4 inch	\$116,440 – 28.4 EQ taps + “ “

- iv. Sewer taps must be brought into service within one (1) year or the tap will be cancelled and all funds paid for said tap will be forfeited to the Town of Hotchkiss.
- v. Sewer taps shall be delineated to be appurtenant to a specific piece of property and shall be non-transferrable.
- vi. **Dedication:** Upon expiration of three (3) years following any sewer main, title to the line and appurtenances thereto, if any, shall pass to the Town and in addition, the applicant hereby agrees to execute and deliver to the Town any documents necessary for easements for said line, and the Town shall thereafter maintain such line and appurtenances thereto, if any, and shall replace the same as required.

SEWER USAGE RATES AND CHARGES

14-1-6 II. Sewer Tap Fees; Without Town

A. Tap Fee: The application for a permit for sewer service connection or any connection to the sewer system shall be accompanied by payment of a tap fee as set forth below:

- i. One-living unit - \$5,100.00
- ii. Multiple-living unit - \$5,100.00 plus \$2,550.00 for each additional living unit in excess of one.
- iii. Commercial tap - \$5,100.00 plus the cost of installation and materials, as required by the Town.
- iv. Sewer taps must be brought into service within one (1) year or the tap will be cancelled and all funds paid for said tap will be forfeited to the Town of Hotchkiss.
- v. Sewer taps shall be delineated to be appurtenant to a specific piece of property and shall be non-transferrable.
- vi. **Dedication:** Upon expiration of three (3) years following any sewer main, title to the line and appurtenances thereto, if any, shall pass to the Town and in addition, the applicant hereby agrees to execute and deliver to the Town any documents necessary for easements for said line, and the Town shall thereafter maintain such line and appurtenances thereto, if any, and shall replace the same as required.

III. Commercial – No commercial taps shall be sold outside of the corporate limits of the Town unless such property is in the **process of being annexed and the annexation completed**. No existing out-of-town sewer taps may be converted to commercial purposes. Any pre-existing taps that are currently used for commercial purposes shall be upgraded to the proper amount of EQ taps (using the in-town formula but out-of-town base EQ pricing) upon the change of ownership, sale or transfer of real property which includes transfer by deed, contract for deed or a contract for purchase by periodic payments, order of court, lease or rental of the property, or any portion thereof, for a time period of ten (10) years or more, conveyance of a possessory interest; or the execution of a contract and/or assignment or other form or indicia of transfer of any ownership interest in any entity owning such real property (where actual ownership of the property does not otherwise change).

SEWER USAGE RATES AND CHARGES

14-1-6 II. Sewer Tap Fees; Without Town

Unit – The term “unit” shall mean any single family abode, a single apartment, a trailer house, or any separate living quarters occupied by one or more persons as transient or permanent living accommodations. Any other commercial structure or use shall be determined by the following schedule based on the relative size of the water service line to such use or structure:

<u>Water Tap Size</u>	<u>Sewer Tap Charge</u>
3/4 inch	\$5,100 – 1EQ tap + installation/materials cost
1 inch	\$9,078 – 1.78 EQ taps plus “ “
1.5 inch	\$20,400 – 4.0 EQ taps plus “ “
2.0 inch	\$36,210 – 7.1 EQ taps plus “ “
3 inch	\$81,600 – 16 EQ taps plus “ “
4 inch	\$144,840 – 28.4 EQ taps + “ “