

ORDINANCE 2005 -62

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO WASTEWATER; AMENDING PIMA COUNTY CODE, TITLE 13, CHAPTER 24, SANITARY SEWER USER FEES; REVISING ORDINANCE DEFINITIONS; AMENDING FEE CALCULATION; AMENDING RATE SCHEDULE; AMENDING RATE SCHEDULE TABLE.

BE IT ORDAINED BY THE PIMA COUNTY BOARD OF SUPERVISORS:

SECTION 1. Amendment. The Pima County Code, Title 13, Chapter 24, Section 030 is hereby amended as follows:

13.24.030 Fee calculation.

A. A monthly fee shall be levied and collected from all users for the service of sanitary sewage collection, treatment, and disposal provided through the wastewater system. User fees are calculated according to the following rate formulas for all customers:

$$\text{Residential Monthly User Fee} = (F \times R) + A$$

$$\text{High Strength Class Monthly User Fee} = F \times (R \times HS) + A$$

Where F = Monthly wastewater flow contribution to the public sanitary sewer equal to:

One hundred percent of the metered monthly water consumption; or

The user class average flow for contributors whose water consumption is not metered; or

One hundred percent of the wastewater flow measured by:

Direct meter reading, or

The difference in direct wastewater flow meter readings, or

A combination of direct wastewater flow meter readings and metered monthly water consumption, or

Other acceptable methods.

Where wastewater flow contribution is based on metered monthly water consumption or user class average flow, this amount shall not exceed the average amount of the months of December, January, and February, computed in the same manner

A = \$5.72*2.71 Flat administrative service fee charge for all users to be reviewed every four years beginning in 2009.

R = \$1.18+09 = User fee basic rate per one hundred cubic feet (ccf) of monthly residential wastewater flow contributions, computed according to the following formula:

$$R = V + (B \times COD) + (C \times SS)$$

~~Where V = A unit flow cost rate (in dollars per ccf) based upon the proposed annual wastewater budget and the total volume of wastewater discharged by all users.~~

~~B = A cost rate to treat a unit quantity of chemical oxygen demand (in dollars per pound of chemical oxygen demand) based upon the proposed annual wastewater budget and the total annual quantity of chemical oxygen demand contributed by all users.~~

~~C = A cost rate to treat a unit quantity of suspended solids (in dollars per pound of suspended solids) based upon the adopted annual wastewater budget and the total annual quantity of suspended solids contributed by all users.~~

~~COD = The rate of chemical oxygen demand per unit of flow (in pounds of chemical oxygen demand per ccf) or the best engineering estimate thereof: Residential = 2.14 lb./ccf.~~

~~SS = The rate of suspended solids per unit of flow (in pounds of suspended solids per ccf) or the best engineering estimate thereof: Residential = 1.52 lb./ccf.~~

HS = High Strength Factor determined and based on the wastewater strength of a given class relative to residential wastewater strength as defined in this chapter.

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~~D. The quantities of chemical oxygen demand and suspended solids used in the user fee basic rate (R) formula may be established by engineering estimation, by short-term sampling and analysis extrapolated to a yearly total, or by extensive sampling and~~

*Staff note: This number is the result of increasing the County Administrator recommendation at the June 7, 2005 Board of Supervisors meeting of \$5.30 by eight (8) percent: \$5.72 = \$5.30 x 1.08

analysis by the user or the County. The Director shall set the standards for sampling and analysis.

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D. Consistent with governing regulations of the United States Environmental Protection Agency, the Director ~~has~~ Director has determined that certain classes of users discharge wastewater ~~that~~ which contains higher concentrations of chemical oxygen demand or suspended solids or both when compared to the composite strength of wastewater discharge from all residential users, and that accordingly impose additional costs on the operation and maintenance of the ~~Based~~ system. ~~on such determination, the chemical oxygen demand and suspended solids concentrations and the rates determined by the rate formula for each of these certain classes of users shall be shown on the attached rate schedule.~~

1.2. A user found to discharge wastewater containing a higher concentration of chemical oxygen demand or suspended solids or both when compared to the composite strength of wastewater discharges from residential users and who is currently not assigned to a user class will be assessed a rate based on the concentrations of chemical oxygen demand and suspended solids as these rates are defined in 13.24.180.

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E. The per unit cost factors V, B and C in the user fee formula shall be established for the wastewater system as necessary according to the following method:

— 1. After preparation of an annual wastewater budget, a finding shall be made apportioning the budgeted amount among the three user fee factors. Budgeted expenditures shall be apportioned to the factor to which they are attributable or primarily related.

— 2. The per unit cost of each factor shall be computed by dividing the amount of the proposed annual wastewater budget apportioned to such factor by the number of units of such factor discharged into the wastewater system in the preceding fiscal year.

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FE. In addition to any user fees established by this chapter, a user who is detected discharging any toxic wastes into the sanitary sewerage system in violation of Chapter 13.36 of the Pima County Code shall be subject to the increased cost of the treatment of the prohibited substance. This provision shall not preclude the Director from imposing the additional penalties provided in Chapter 13.36 of the Pima County Code.

SECTION 2. Amendment. The Pima County Code, Title 13, Chapter 24, Section 040 is hereby amended as follows:

13.24.040 Rate schedule.

____A. The user fee rate for customers identified with each user class shall be as shown in the rate schedule codified at the end of this chapter. Each user fee rate was determined in accordance with Section 13.24.030 and is based on the following:

1. The projected annual wastewater expenditures for the wastewater system for fiscal year ~~2004~~2005-2006 ~~are is~~ \$101,657,862 (including operations and maintenance (\$61,462,127), debt service (\$15,883,915), capitalized purchases (\$2,425,728), and depreciation (\$21,886,092)) ~~66,989,986~~; the portion ~~(including relevant debt service expenses)~~ to be financed with collected user fees is \$64,865,043~~50,075,680~~.

~~2. The portion of the annual wastewater expenditure attributable or primarily related to flow volume is forty five percent, which results in a per unit flow cost for fiscal year 2004-2005 of \$0.6870 per hundred cubic feet of discharge.~~

~~3. The portion of the annual wastewater expenditure attributable or primarily related to the chemical oxygen demand is thirty three percent, which results in a per unit chemical oxygen demand cost for fiscal year 2004-2005 of \$0.1065 per pound.~~

~~4. The portion of the annual wastewater expenditure attributable or primarily related to suspended solids is twenty two percent, which results in a per unit suspended solids cost for fiscal year 2004-2005 of \$0.1164 per pound.~~

____B. A flat ~~service fee~~administrative charge shall be levied upon each sewer account to recover fixed system costs and costs not proportional to flow. This service fee~~administrative charge~~ shall be \$5.722~~.71~~ per month.

____C. The above-referenced rates and charges shall be reflected in sewer user bills beginning 31 days after the effective date of the Ordinance ~~with the first billing cycle after July 1, 2004.~~

SECTION 3. Amendment. The Pima County Code, Title 13, Chapter 24, Section 180 is hereby amended as follows:

13.24.180 Rate schedule--Table.

Monthly bills are computed and charged to wastewater customers by user class as set forth in the table below, and are based on the average wastewater strengths shown:

| User Class | Class Name | High-Strength Factor | User Fee Rate (Dollars per ccf) |
|------------|----------------------------------------|----------------------|---------------------------------|
| -- | Residential/All other Customer Classes | 1.00 | <u>1.181.09</u> |
| 3C | Auto Body and Fender Repair | 2.10 | <u>2.472.29</u> |
| 3K | Mortuary | 1.09 | <u>1.281.19</u> |
| 3N | Laundromat | 1.09 | <u>1.281.19</u> |
| 4E | Pet Clinic | 1.20 | <u>1.411.31</u> |
| 4G | Restaurant with seating and china | 2.03 | <u>2.392.21</u> |
| 4H | Restaurant, fast food | 2.32 | <u>2.732.53</u> |
| 5A | Car Wash, self-service | 1.19 | <u>1.401.30</u> |
| 5C | Bottling Company | 1.68 | <u>1.981.83</u> |
| 5F | Printing; Copying | 1.01 | <u>1.191.10</u> |
| 5G | Electrical Component Manufacturer | 1.14 | <u>1.341.24</u> |
| 5I | Industrial Laundry | 1.06 | <u>1.251.16</u> |
| 5J | Bakery | 3.63 | <u>4.273.96</u> |
| 5K | Miscellaneous Food Processor | 2.33 | <u>2.742.54</u> |
| 5L | Chemical, Pharmaceutical | 1.25 | <u>1.471.36</u> |
| 5M | Meat Packing | 2.38 | <u>2.802.59</u> |
| 5S | Car Wash, full service | 1.23 | <u>1.451.34</u> |

SECTION 4. Severability. If any provision of this ordinance, or the application of any provision thereof is determined by a court of law to be invalid, the invalidity of that provision shall not affect other provisions or the application of this ordinance which can be given effect without the provision determined to be invalid, and to this end the provisions of this ordinance are severable.

SECTION 5. County Officers and Employees. The various County officers and employees are authorized and directed to perform all acts necessary or desirable to give effect to this ordinance.

SECTION 6. Effective Date. This ordinance shall become effective 31 days after its adoption by the Board of Supervisors.

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY.


PIMA COUNTY BOARD OF SUPERVISORS



Chair

Dated: JUN 21 2005

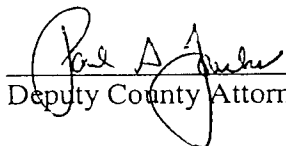
ATTEST:



Clerk of the Board

Dated: JUN 21 2005

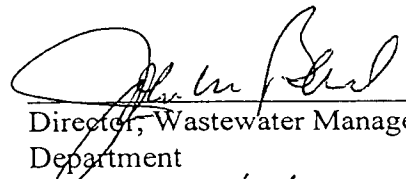
APPROVED AS TO FORM:



Deputy County Attorney

Dated: JUN 08, 2005

APPROVED AS TO CONTENT:



Director, Wastewater Management
Department

Dated: 6/8/05