

Town of Alexandria  
Redwood Sewer District  
User Charge Ordinance

An ordinance establishing user charges within the Redwood Sewer District, ("District") to provide necessary funds to cover operation and maintenance expenses associated with the District's wastewater treatment works.

Whereas, the District has been established within the Town of Alexandria as a duly constituted improvement district formed, constituted and existing in accordance with the laws of the State of New York, encompassing certain property located within the hamlet of Redwood as more particularly described in the formation documents which are incorporated herein by reference, and

Whereas, there have been constructed therein wastewater treatment facilities for the collection, treatment and disposition of waste within the District all as provided in the Town of Alexandria Redwood Sewer District Sewer Use Ordinance adopted by the Town of Alexandria on April 1, 1992, ("Sewer Use Ordinance"), and

Whereas, it is the District's intent to establish proportionate user charges that place the costs of abatement directly on the sources of pollution, conserve potable water, and maintain financial self sufficiency, and

Whereas the District must pay the operation and maintenance expenses associated with the said treatment works and charge the users of said treatment works accordingly.

Now therefore be it ordained by the Town Board, Town of Alexandria that the following be established:

Article I. It is determined and declared to be necessary and conducive to the production of the public health, safety, welfare and convenience of the District to collect charges from all users who contribute wastewater to the District treatment works. The proceeds of such charges so derived will be used for the purpose of operating and maintaining the public wastewater treatment works.

ARTICLE II. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Section 1: "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade, expressed in milligrams per liter (mg/l).

Section 2: "Normal Domestic Wastewater" shall mean wastewater that has a BOD concentration of not more than 200 mg/l and a suspended solids concentration of not more than 200 mg/l.

Section 3: "Operation and Maintenance" shall mean those functions that result in expenditures during the useful life of the treatment works for materials, labor, utilities and other items which are necessary for managing and which such works were designed and constructed. The term "operation and maintenance" includes, but is not limited to replacement as defined in Section 4, and municipal debt service and reduction.

Section 4: "Replacement" shall mean expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

Section 5: "Residential User" shall mean any contributor to the District's treatment works who's lot, parcel, real estate, or building is used for domestic dwelling purposes only, by a single family.

Section 6: "Apartment User" shall mean any contributor to the District's treatment works whose building is used for domestic dwelling purposes only, by more than one family, or unrelated individuals, using separate quarters of the building. Each separate quarters within any such building shall be deemed an Apartment User.

Section 7: "Vacant Parcel" shall mean a parcel of land as recorded in the land records of Jefferson County upon which there are no habitable buildings.

Section 8: "Commercial User" shall mean all retail stores, restaurants, office buildings, laundries, and other private business and service establishments.

Section 9: "Industrial User" shall include any non-governmental, non-residential user of the publicly owned treatment works which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions: Division A - Agriculture, Forestry, and Fishing; Division B - Mining; Division D - Manufacturing; Division E - Transportation, Communications, Electric, Gas and Sanitary; and Division I - Services.

Section 10: "Institutional User" shall include social, charitable, religious, and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.

Section 11: "Governmental User" shall include legislative, judicial, administrative, and regulatory activities of Federal, State, and local governments.

Section 12: "Shall" is mandatory; "May" is permissive.

Section 13: "SS" (Denoting Suspended Solids) shall mean solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by laboratory filtering.

Section 14: "Treatment Works" shall mean any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extensions improvement, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost and land used for the storage of treatment wastewater in land treatment systems before land application); or any other method or system for preventing abating, reducing, storing, treating, separating or disposing of municipal wastes or industrial wastes, including waste in combined storm water and sanitary sewer systems.

Section 15: "Useful Life" shall mean the estimated period during which a treatment works will be operated.

Section 16: "User Charge" shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the wastewater treatment works.

Section 17: "Equivalent Dwelling Unit (EDU) Factor" shall mean a system of User Charge under which a uniform rate is assessed on all users, based on the discharge volume and strength of the Residential User. Reference is made to Appendix A for the EDU Factors designated for the various user classifications.

### Article III.

Section 1: All revenues collected, as a result of the user charges levied, shall be deposited in a separate non-lapsing fund know as the "Operation, Maintenance and Replacement Fund".

Section 2: Fiscal year-end balances in the operation, maintenance, and replacement fund shall be used for no other purposes than those designated. Monies which have been transferred from other sources to meet temporary shortages in the operation, maintenance, and replacement fund shall be returned to their respective accounts

upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rate(s) shall be adjusted such that the transferred monies will be returned to their respective accounts within six (6) months of the fiscal year in which the monies were borrowed.

#### Article IV.

Section 1: Each Residential User, Apartment User, Vacant Parcel, Industrial User, Governmental User, Institutional and Commercial User shall pay for the services provided by the District based upon the EDU Factor for the user type. User charges shall be assessed on a quarterly basis.

Section 2: Each user shall be assessed and shall pay a user charge based upon the EDU designation for the user and the formula presented in Appendix A.

Section 3: Any user discharging any toxic pollutants (as defined in the Sewer Use Ordinance) which cause an increase in the cost of managing the effluent of the sludge from the District's treatment works, or any user discharging any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the treatment works, shall be individually assessed and shall pay for such increased costs. The charge to each such user shall be as determined by the appropriate financial personnel and approved by the Town of Alexandria Town Board.

Section 4: The user charge rates established in this Ordinance apply to all properties within the District.

#### Article V.

Section 1: All users shall be billed quarterly. Billings for any particular quarter shall be made within fifteen (15) days after the end of the quarter. Payments are due within thirty (30) days after the end of the quarter, and any payment not received within thirty (30) days after the end of the quarter shall be delinquent.

Section 2: A late payment penalty of 10 percent (10%) of the user charge billed will be added to each delinquent payment. When any bill is more than ninety (90) days delinquent, sewer service to the premises covered by said bill may be discontinued until such bill is paid at the discretion of the Town Board of the Town of Alexandria.

Section 3: The Town Clerk shall annually file with the Town Board statements showing the unpaid user charges. Such statements shall contain a brief description of the property against which such sewer charges were imposed, the names of the persons or corporations liable to pay for the same and the amount chargeable

to each, including any penalties for delinquent payment. The Supervisor shall transmit such statements to the Board of Supervisors which shall levy such sums against the property liable and shall state the amount of the tax in a separate column in the annual tax roles of such Town under the name of "Sewer Charges". Such tax shall be paid to the Supervisor of such Town. All of the provisions of the existing tax laws of the State of New York and of the County of Jefferson covering the enforcement and collection of unpaid Town taxes or assessments for special improvements in the several Towns of the State of New York and the County of Jefferson not inconsistent herewith shall apply to the collection of such unpaid taxes.

#### Article VI.

All users contributing more than 15,500 gallons per month and who's waste strength is greater than 250 mg BOD/l or 250 mg SS/l shall prepare and file with the Town Board, Town of Alexandria a report that shall include pertinent data relating to the wastewater characteristics, including the methods of sampling and measurement to obtain this data; and this data shall be used to adjust the user charge for that user. The District shall have the right to gain access to the waste stream and take its own samples. Should the District do so and should the results be substantially different as determined by the District from the data submitted by the user, the user charge for that user shall be revised for the next billing period. Such user charge revisions as provided by this article shall be made as determined by appropriate financial personnel and approved by the Town of Alexandria Town Board.

#### Article VII.

Section 1: Any user who feels his user charge is unjust and inequitable may make written application to the Town Board of the Town of Alexandria requesting a review of his user charge. Said written request shall, where necessary, show how his EDU should differ from that assessed.

Section 2: Review of the request shall be made by the Town Board, Town of Alexandria and if substantiated, the user charges for that user shall be recomputed based upon the newly assessed EDU and the new charges shall be applicable to the next billing period.

#### Article VIII.

Section 1: The Town Board, Town of Alexandria will review the user charges at least annually and revise rates as necessary to ensure that adequate revenues are generated to pay the cost of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

Section 2: The District will notify each user at least annually of the rate being charged for operation and maintenance including replacement, of the treatment works.

Article IX.

Adopted by the Town Board of the Town of Alexandria on this 6 day of May, 1992.

Article X. This Ordinance shall take effect ten days after publication of a summary thereof as required by Section 133 of the Town Law and Local Law No. 2 of the Town of Alexandria for the year 1984.

F. Sampie Sutter

ATTEST:

[Signature]  
Town Clerk

Approved this 6 day of May, 1992

ATTEST:

[Signature]  
Town Clerk

Add:

Section 11b: "Church User With No Water" shall include any church building, with no water supply, used for the purpose of religious activities only.

We also propose to change Appendix A, Section 2 of the User Charge Ordinance to read as follows:

2. Equivalent Dwelling Units (EDU)

Classification	EDU Factor	# of Users	# of EDU's
Residential User	1		
Apartment User	3/4		
Vacant Parcel	0		
Vacant Parcel w/Pump Station	1/2		
Commercial User	1		
Industrial User	*		
Institutional User	1		
Church User w/Water	1/2		
Church User w/No Water	<del>1/2</del>		
Governmental User	1		

Town Justices  
Louis H. Perry, Jr.  
Sherry L. Pennington

♥ OF THE 1000 ISLANDS  
**TOWN OF ALEXANDRIA**  
COUNTY OF JEFFERSON

P.O. BOX 130  
OLD GOOSE BAY ROAD  
ALEXANDRIA BAY, NEW YORK 13607  
(315) 482-9519

Wesley E. Gleason, Jr.  
Supervisor  
---  
Ellen S. Peck  
Town Clerk  
---  
David H. Bain  
Supt. of Highways  
---  
Hazel McMane  
Historian

Councilmen  
Paul A. Hunter  
Douglas G. Williams  
Alcid E. Beaudin  
John D. Stine

REDWOOD SEWER DISTRICT  
USER CHARGE ORDINANCE

AMENDMENTS-ADOPTED SEPTEMBER 2, 1992

SECTION 6: "APARTMENT USER"

Change to read:

Section 6: "Apartment User" shall mean any contributor to the District's treatment works whose building is used by more than one family or unrelated individuals using separate quarters of the building for commercial, dwelling or personal use.

SECTION 7: "VACANT PARCEL"

Change to read:

Section 7a: "Vacant Parcel" shall mean a parcel of land as recorded in the land records of Jefferson County upon which there are only storage buildings or no habitable buildings and no water supply and no pump station.

Section 7b: "Vacant Parcel With Pump Station" shall mean a parcel of land as recorded in the land records of Jefferson County upon which there are only storage buildings or no habitable buildings and no water supply but with pump station.

SECTION 10: "INSTITUTIONAL USER"

Change to read:

Section 10: "Institutional User" shall include social, charitable, and educational activities such as schools, hospitals, nursing homes, penal institutions, and similar institutional users.

CHANGE: Section 11: "Governmental User" to  
Section 12: "Governmental User"  
With all wording remaining the same.

ADD:

SECTION 11a: "Church User with Water" shall include any church building, with a water supply, used for the purpose of religious activities only.



APPENDIX A

Town of Alexandria  
Redwood Sewer District  
User Charge Ordinance

This appendix provides the system to be used in calculating user charge rates and illustrates the calculations to be followed in arriving at the first year's user charges.

1. Expenses:

Total Annual Expenses:

<u>Item</u>	<u>Total Annual Cost</u>
Labor	\$ _____
Utilities	_____
Materials	_____
Outside Services	_____
Debt Service	_____
Miscellaneous Expenses	_____
Equipment Replacement	_____
TOTAL O, M, & R COSTS	\$ _____

2. Equivalent Dwelling Units

<u>Classification</u>	<u>EDU Factor</u>	<u># of Users</u>	<u># of EDU's</u>
Residential User	1	\$380.00	_____
Industrial User	*	_____	_____
Apartment User	3/4	285.00	_____
Institutional User	1	380.00	_____
Commercial User	1-1/2	570.00	_____
Governmental User	1	380.00	_____
Vacant Parcel	1/4	95.00	_____
Total Number of EDU's			_____

\* Not currently applicable

3. ANNUAL EDU COST:

Annual Cost per EDU =  $\frac{\text{Total Annual O, M \& R Costs}}{\text{Total No. of EDU's}}$

SCHEDULE "A"

AMENDMENT TO THE TOWN OF ALEXANDRIA,  
REDWOOD SEWER DISTRICT USER CHARGE ORDINANCE 12/14/94

Article V - Section 2 shall be amended to read:

"Section 2: A late payment penalty of ten percent (10%) of the user charge billed will be added to each delinquent payment. When any bill is more than ninety (90) days delinquent, sewer service to the premises covered by said bill may be discontinued until such bill is paid at the discretion of the Town Board of the Town of Alexandria. In the event that sewer service to any premises is discontinued for delinquent payment, service shall not be resumed for said premises until said delinquency is satisfied and a turn on fee in the amount of \$50.00 is received by the Town Clerk of the Town of Alexandria."