ORDINANCE NO. 772 - A

AN ORDINANCE AMENDING ORDINANCE NO. 645 TO REDEFINE THE METHOD FOR DETERMINING THE SURCHARGE FOR EXCESSIVE STRENGTH; AND PROVIDING FOR THE EFFECTIVE DATE OF SAID ORDINANCE.

Section I. The sub-paragraph entitled " Surcharge for Excessive Strength", under Section III entitled "Domestic and Commercial Rates (Inside City)" of Ordinance No. 645 duly adopted by the Rexburg City Council on February 17, 1982, is hereby amended to read as follows:

"When any user contributes wastewater having an average Biochemical Oxygen Demand (BOD) and/or Total Suspended Solids (TSS) loading in excess of the maximum allowable "normal" limits as such are hereinafter designated by resolution of the City Council, a "Surcharge For Excessive Strength" shall be levied against such user. Said surcharge shall be based on the actual quantities of Flow, Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) that are discharged into the wastewater system. The BOD and TSS loadings shall be determined from estimates or tests made by city officials or its designated agents.

The user's "Surcharge For Excessive Strength" shall be computed as follows:

The quantities of BOD and/or TSS that are in excess of the "normal" limits of BOD and/or TSS (as such are established by Resolution of the City Council) multiplied by the "Surcharge Rates for Excessive Strength" (as such are established by Resolution of the City Council) multiplied by the "number of days" that each test sample of wastewater represents = the user's Surcharge for Excessive Strength for that time period.

[For example, assuming a wastewater flow of 10,000 gal/day having 800 mg/liter of BOD, the "Excessive Strength" quantity of BOD would be: 10,000 gal/day X (800mg/liter - 200mg/liter (i.e., the assumed "normal" quantity of BOD discharged)) X 30 days (number of days represented by the test sample) X (8.34 lbs./gal divided by 1,000,000 gal.) = 1501 lbs. of BOD. The "Surcharge for Excessive Strength" for BOD would be 1501 lbs. of BOD X $0.40/lb. (the assumed rate per pound for "excessive strength" BOD) = $600.40.]

The charge for excessive "Total Suspended Solids" (TSS) would be calculated in a like manner. The charge for the quantity of "Flow" would be based upon the volume of waste water discharged from the user's premises multiplied by the normal rate in "cents per 1000 gal." as such is established by the City Council. The charge per pound for the "excessive strength" quantity of BOD or TSS shall be set by resolution of the City Council. The surcharge for Excessive Strength shall be in addition to the normal charge for all wastewater loadings below the "normal" loadings of BOD or TSS as such are established by resolution of the City Council.

A copy of the list of users surcharged, the characteristics of their sewage, and the surcharge for each shall be kept on file at all times in the office of the City Clerk."

Section II. All other Sections of Ordinance No. 645 shall remain in full force and effect amended only by the foregoing change.

Section III. This Ordinance shall take effect immediately upon its passage approval and publication.

PASSED by the Council and APPROVED by the Mayor this 7th day of June, 1995.

Nile L. Boyle

Nile L. Boyle, Mayor

ATTEST:

Rose Bagley

City Clerk

STATE OF IDAHO)
:ss
County of Madison)

I, Rose Bagley, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the foregoing is a full, true and correct copy of an ordinance entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 645 TO REDEFINE THE METHOD FOR DETERMINING THE SURCHARGE FOR EXCESSIVE STRENGTH; AND PROVIDING FOR THE EFFECTIVE DATE OF SAID ORDINANCE.

passed by the City Council of said City and approved by the Mayor on the 7th day of June, 1995.

Rose Bagley

City Clerk

(SEAL)