

 7.4
Gen. Ord. No. 11 - 12 - 13. By Alderperson Bohren. May 21, 2012.

AN ORDINANCE amending various sections of Article VI, Sewer, of Chapter 122, Utilities, of the Municipal Code.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. The definition of "BOD" contained in Section 122-226 "Definitions" is hereby amended to read as follows:

"BOD (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter in five days at 20 degrees Celsius, expressed as milligrams per liter (mg/l). Quantitative determination of BOD shall be made in accordance with Chapters NR 218 and NR 219, Wisconsin Administrative Code."

Section 2. The definition of "Compatible pollutants" contained in Section 122-226 "Definitions" is hereby amended to read as follows:

"Compatible pollutants means biochemical oxygen demand, suspended solids, phosphorus, pH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned wastewater treatment facility receiving the pollutants, if such works were designed to treat such additional pollutants, and, in fact, such works do remove such pollutants to a substantial degree."

Section 3. The definition of "Major contributing industry" contained in Section 122-226 "Definitions" is hereby amended to read as follows:

"Major contributing industry means an industry that:

- (1) Has a process flow of 25,000 gallons (3,342 cubic feet) or more per average workday;
- (2) Has a process flow greater than five percent of the flow carried by the wastewater collection and treatment facilities receiving the waste;
- (3) Has a material in its discharge included on a list of toxic pollutants issued under W.S.A., § 147.07(1); or
- (4) Has a significant impact, either singularly or in combination with other contributing industries, on the

Pat
approve

wastewater treatment facility or the quality of its effluent."

Section 4. Subsection 122-302(c) of the Sheboygan Municipal Code entitled "Analysis of samples" is hereby amended to read as follows:

"(c) *Analysis of samples.* Samples shall be analyzed for BOD, total suspended solids, total phosphorus, and all potential contaminants. Results from all analyses shall be submitted to the wastewater treatment plant superintendent."

Section 5. Subsection 122-306(a) of the Sheboygan Municipal Code entitled "Standards for determinations" is hereby amended to read as follows:

"(a) *Standards for determinations.* All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article and article VII of this chapter shall be determined in accordance with Chapter NR 219, Wisconsin Administrative Code. Sampling methods, location, time, duration and frequencies are to be determined on an individual basis subject to approval by the city approving authority."

Section 6. Subsection 122-340(e) of the Sheboygan Municipal Code entitled "Disposal of materials at sewage treatment plant" is hereby amended to read as follows:

"(e) *Disposal of materials at sewage treatment plant.* Prior to the disposal of nondomestic wastes to the wastewater collection and treatment facilities by any person holding a permit for disposal of hauled wastewater, such industrial waste shall be tested as determined by the wastewater treatment plant superintendent."

Section 7. Section 122-403 of the Sheboygan Municipal Code entitled "Categories of users; amounts; reassignment--City of Sheboygan" is hereby amended to read as follows:

"Sec. 122-403. Categories of users; amounts; reassignment--City of Sheboygan.

(a) *Category A.* Category A users of the city wastewater treatment system shall be subject to the following:

(1) *Definition:* The term "category A" is defined as normal domestic strength wastewater, that is,

wastewater having concentrations of biochemical oxygen demand (BOD) no greater than 138 mg/l, suspended solids no greater than 183 mg/l, and total phosphorus no greater than 4.4 mg/l.

- (2) Amount: The sewer service charge for category A wastewater is as follows:

- a. Fixed charge, \$24.27 per quarter.
- b. Volume charge, \$1.5558 total charge per 100 cubic feet.

- (b) *Category B.* Category B users of the city wastewater treatment system shall be subject to the following:

- (1) Definition: The term "category B" is defined as wastewater having concentrations of biochemical oxygen demand greater than 138 mg/l, suspended solids greater than 183 mg/l, and phosphorous greater than 4.4 mg/l. Users whose wastewater exceeds the concentrations for any one of these parameters shall be in category B.

- (2) Amount. The sewer service charge for category B wastewater is as follows:

- a. Fixed Charge - \$24.27 per quarter.
- b. If billing is on a monthly basis, \$8.0900 per month.
- c. Volume Charge, \$1.5558 per 100 cubic feet.
- d. Surcharge, total (per pound):
 1. \$0.2158 per pound of BOD.
 2. \$0.1502 per pound of suspended solids.
 3. \$4.1880 per pound of phosphorus.

- (3) *Computation.* The category B sewer service charges for volume, BOD, suspended solids and phosphorus shall be computed in accordance with the following formula:

$$C = F + (V \times C^V) + .00624V[(B - B^R \times C^B) + (S - S^R \times C^S) + (P - P^R \times C^P)]$$

Where:

Table 1

C	=	Charge to sewer user for collection and treatment of wastewater
F	=	Fixed charge per billing period
B	=	Concentration of BOD in mg/l in the wastewater
B ^R	=	Concentration of BOD in mg/l as defined for Category A users
S	=	Concentration of suspended solids in mg/l in the wastewater
S ^R	=	Concentration of suspended solids in mg/l as defined for Category A users
P	=	Concentration of phosphorus in mg/l in the wastewater
P ^R	=	Concentration of phosphorus in mg/l as defined for Category A users
V	=	Wastewater volume (per 100 cubic feet for Category B users; per 1000 gallons for Category C users)
C ^V	=	Cost per volume of wastewater (per 100 cubic feet for Category B users; per 1000 gallons for Category C users)
C ^B	=	Cost per pound of BOD
C ^S	=	Cost per pound of suspended solids
C ^P	=	Cost per pound of phosphorus
.00624	=	Conversion factor

- (c) *Reassignment of users.* The city approving authority will reassign sewer users into appropriate sewer service charge categories if wastewater sampling programs and other related information indicate a change of categories is necessary
- (d) *Sampling requirement.* Sampling frequency for category B users to determine concentrations of BOD, suspended solids, total phosphorus and pH shall be determined by the wastewater discharge loading by the industry. Results of all analyses shall be submitted to the wastewater treatment plant superintendent. Sampling shall be conducted as follows:
- (1) Samples collected shall be flow-proportional 24-hour composite samples.
 - (2) Sampling periods shall be two consecutive days during normal operation.
 - (3) Flow-weighted average may be used if data is presented.

- (4) Samples shall be analyzed for BOD, suspended solids, and total phosphorus.
- (5) Sampling frequency shall be quarterly or more frequently as determined by the superintendent of the wastewater treatment plant. The quarterly sampling periods shall be during the months of January through March, April through June, July through September, and October through December.
- (6) All data shall be submitted to the superintendent of the wastewater treatment plant."

Section 8. Section 122-404 of the Sheboygan Municipal Code entitled "Categories of users; amounts; reassignment for other municipalities" is hereby amended to read as follows:

"Sec. 122-404. Categories of users; amounts; reassignment for other municipalities.

Other municipal users shall be charged pursuant to the guidelines established under this section.

Table 2

	Village of Kohler	City of Sheboygan Falls	Town of Sheboygan Sanitary District No. 2	Town of Wilson Sanitary District	
				No. 1	No. 2
Fixed Charge	None	None	None	None	None
Volume Charge:					
Volume	\$0.2383	\$0.2383	\$0.2383	\$0.2383	\$0.2383
Debt retirement	<u>0.1554</u>	<u>0.1554</u>	<u>0.1554</u>	<u>0.1554</u>	<u>0.1554</u>
Total volume charge, per 1,000 gallons:	0.3937	0.3937	0.3937	0.3937	0.3937
Surcharges:					
BOD	0.2158	0.2158	0.2158	0.2158	0.2158
Suspended Solids	0.1502	0.1502	0.1502	0.1502	0.1502
Phosphorus	4.1880	4.1880	4.1880	4.1880	4.1880 "

Section 9. Section 122-405 of the Sheboygan Municipal Code entitled "Charges for disposal of septic tank sludge, holding tank sewerage, or hauled wastewater" is hereby amended to read as follows:

"Sec. 122-405. Charges for disposal of septic tank sludge, holding tank sewerage, or hauled wastewater.

Category C. Category C users are persons with a permit for disposing of hauled wastewater into the wastewater collection and treatment facilities and shall be subject to the following charges and requirements:

- (1) Septic tank sludge, \$44.00 per 1,000 gallons.
- (2) Holding tank sewage, \$5.00 per 1,000 gallons.
- (3) "Other" hauled wastewater:
 - a. Hauled wastewater shall be sampled and characterized on the basis of suspended solids, BOD, total phosphorous, and pH. Frequency of sampling shall be based on experience and under the direction of the superintendent of the wastewater treatment plant.
 - b. *Amount:* The sewer service charge for "Other" hauled wastewater is as follows:
 1. Volume Charge, \$0.3937 per 1000 gallons.
 2. Surcharge, total (per pound):
 1. \$0.2158 per pound of BOD
 2. \$0.1502 per pound of suspended solids
 3. \$4.1880 per pound of phosphorus
 - c. *Computation.* The "Other" hauled wastewater service charges for volume, BOD, suspended solids, and phosphorus shall be computed in accordance with the following formula and sections 1 and 2 of this subsection or in accordance with section 3 of this subsection.

$$C = (V \times C^V) + (B \times C^B) + (S \times C^S) + (P \times C^P)$$

See Table 1 Section 122-403(b)(3) for definitions.

1. "Other" hauled wastewater analysis data shall be applied to the formula set forth above.
2. The discharge fee per 1,000 gallons shall be determined on the result of subsection (3)c.1 of this section, multiplied by 1.25.
3. Charges for high strength waste will be determined by the superintendent of the wastewater treatment plant based on the frequency of the hauled wastewater and the needs of the wastewater treatment plant."

Section 10. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.

Pat
Approve

James A. Bohrer

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the 4th day of June, 2012.

Dated June 6 2012. *Ronan Richards*, City Clerk

Approved June 6 2012. *Terry Van Alphen*, Mayor

Proceedings Published June 13, 2012.

Ordinances Published June 13, 2012.

Certified June 11, 2012 to - Atty.; Ord. Book; Muni Code; Dir. City Dev.; DPW; Eng.; Water Ut.; Plumbing Insp.