

**AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF
USER CHARGES AND INDUSTRIAL WASTE FROM USERS
OF THE PUBLIC SEWAGE WORKS**

WHEREAS, the Mayor and Board of Aldermen of the City of Saltillo, Mississippi do hereby establish An Ordinance to Provide for the Collection of User Charges and Industrial Waste from Users of the Public Sewage Works pursuant to Miss. Code Ann. § 21-27-7 (1972), as amended.

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF
SALTILO, MISSISSIPPI, AS FOLLOWS:**

ARTICLE 1 USER CHARGE

- 1.1 User charge shall be the charge levied on all users including, but not limited to, person, firms, corporations or governmental entities that discharge, cause or permit the discharge of sewage into the public sewage works.
- 1.2 The user charge shall reflect the costs of operation and maintenance (including replacement) of the public sewage works.
- 1.3 Each user shall pay its proportionate share of operation and maintenance (including replacement) costs based on volume of flow.
- 1.4 The Superintendent of the sewage works shall review not less often than every two (2) years the sewage contributions of users, the total costs of operation and maintenance (including replacement) of the sewage works, and the user charge system. The Superintendent shall revise the user charge, if necessary, to accomplish the following:
 - 1.4.1 Maintain the proportionate distribution of operation and maintenance costs among users as provided herein.
 - 1.4.2 Generate sufficient revenue to pay the total operation and maintenance costs necessary to the sewage works.
- 1.5 All flow to the sewage works not directly attributable to users (i.e. infiltration/inflow) shall be distributed among all users of the sewage works based upon the volume of flow of the users.
- 1.6 Each user shall be notified, at least annually, in conjunction with a regular bill, of the rate and that portion of the user charge which is attributable to operation and maintenance of the sewage works.

ARTICLE 2 SEWER RATE SCHEDULE

The following sewer rate schedule shall apply to each user of the sewage works.

ARTICLE 3 INDUSTRIAL WASTE SURCHARGE

- 3.1 In the event that a user discharges industrial wastes to the sewage works having an average Biochemical Oxygen Demand (BOD) content in excess of 180 mg/1, and/or an average Suspended Solids (SS) content in excess of 180 mg/1, and/or an average Total Kjeldahl Nitrogen (TKN) content in excess of 40 mg/1, and/or an average grease content in excess of 80 mg/1, said industrial user shall pay a surcharge based upon the excess strength of their discharges.
- 3.2 Industrial user shall be defined as any nongovernmental, nonresidential user of the public sewage

works which discharges more than the equivalent of 25,000 gallons per day (GPD) of sewage and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:

- Division A - Agriculture, Forestry, and Fishing
- Division B - Mining
- Division D - Manufacturing
- Division E - Transportation, Communication, Electric, Gas & Sanitary Services
- Division I - Services

- 3.3 Any nongovernmental user of the sewage works shall also be considered an industrial user if such user discharges to the sewage works sewage which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the sewage works.
- 3.4 The costs of treatment for each pound of BOD, SS, TKN and grease removed by the sewage works shall be reviewed at the end of each fiscal year and appropriate surcharge rates applied to the sewage billing. These rates shall be in effect until the next annual rate review.

ARTICLE 4 METHOD OF BILLING SURCHARGE

- 4.1 The industrial waste surcharge shall be based on the following formula, with the total applied to the monthly bill of affected users:

$$A (E-180) + B (F-180) + C (G-40) + D(H-80) \frac{8.34 * I * J}{1000} = \text{SURCHARGE PAYMENT (\$/MO)}$$

WHERE:

- A. Surcharge Rate for BOD, \$3.00 / Pound
 - B. Surcharge Rate for SS, \$1.50 / Pound
 - C. Surcharge Rate for TKN, \$1.00 / Pound
 - D. Surcharge Rate for Grease \$2.00 / Pound
 - E. Industrial User's BOD Concentration, in mg/l
 - F. Industrial User's SS Concentration, in mg/l
 - G. Industrial User's TKN Concentration, in mg/l
 - H. Industrial User's Grease Concentration, in mg/l
 - I. Industrial User's Flow to Sewage Works, in 1000 gallons/day
 - J. Number of Days in Month
- 4.2 No reduction in sewage service charges, fees, or taxes shall be permitted because of the fact that certain industrial wastes discharged to the sewage works contain less than 180 mg/l of BOD, 180 mg/l of SS, 40 mg/l of TKN or less than 80 mg/l of grease.

ARTICLE 5 NOTIFICATION

Each user will be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services.

ARTICLE 6 AMENDMENTS

This Ordinance shall be amended, as necessary, to comply with Federal Regulations.

ARTICLE 7
SEVERABILITY, CONFLICT, EFFECTIVE DATE, AND PUBLICATION & RECORDING

(A) Severability. Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by any court of competent jurisdiction, this act shall not affect the validity of any other section, clause, paragraph, provision, or part of this ordinance. All provisions of this ordinance shall be considered separate provisions, and completely severable from all other portions.

(B) Conflict. In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the City of Saltillo, Mississippi, existing on the effective date of the ordinance, the provisions of this ordinance shall take precedence.

(C) Effective Date. This Ordinance shall become effective upon publication and after one (1) month from the date of passage.

(D) Publication & Recording. The City Clerk is instructed to publish this ordinance one time in the Northeast Mississippi Daily Journal and to obtain proof of publication thereof and record this ordinance in the ordinance book.

ARTICLE 8 ADOPTION AND CERTIFICATION

UPON MOTION of Alderman Cliff Nichols duly seconded by Alderman Mitch Brazeal, the aforesaid ordinance was put to a vote with Aldermen voting as follows:

ALDERMEN VOTING "YEA":

Alderman Mitchell Brazeal
Alderman Bill Cherry
Alderman Terry Glidewell
Alderman Beverly Bedford
Alderman Cliff Nichols

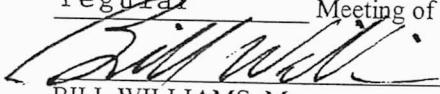
ALDERMEN VOTING "NAY":

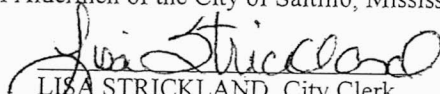
None

ALDERMEN ABSENT OR NOT
VOTING:

None

ORDAINED AND ADOPTED this the 5th day of August, 2008, at the regular Meeting of the Mayor and Board of Aldermen of the City of Saltillo, Mississippi.


BILL WILLIAMS, Mayor
City of Saltillo, Mississippi


LISA STRICKLAND, City Clerk
City of Saltillo, Mississippi

(SEAL)

NOTE: This ordinance was approved and adopted by the Mayor and Board of Aldermen at their regular Meeting on August 5, 2008 and appears in Minute Book 1 at pages 161 & 162.

