

ORDINANCE NO.: 5126

AN ORDINANCE to amend various sections of Section 46 Article 3 of the Code of Ordinances of the City of La Crosse regarding Sanitary and Storm Sewers.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Paragraph (3) of the definition of *Significant noncompliance* in Section 46-106 is hereby amended to read as follows:

- (3) Failure to provide reports for compliance schedules, self-monitoring data, or categorical standards (baseline monitoring reports, 90-day compliance reports, and periodic reports) within 45 ~~30~~ days from the due date.

SECTION II: Section 46-109(a) is hereby amended to read as follows:

- I. Wastewater discharges, except as authorized by the Board, in mass discharge quantities or concentrations exceeding the following:

Biochemical Oxygen Demand (BOD)	300 <u>350</u> mg/l or 300 lbs/day
Chemical Oxygen Demand (COD)	500 mg/l or 500 lbs/day
Total Suspended Solids (TSS)	300 <u>325</u> mg/l or 300 lbs/day
Fats, Waxes, Oil and Grease (FOG)	100 mg/l
Phosphorous (P)	40 <u>7</u> mg/l
<u>Ammonia NH-3</u>	<u>40</u> mg/l

SECTION III: Section 46-110(a)(3)a is hereby amended to read as follows:

- a. The user is, or will be, subject to Federal categorical discharge standards.
 - 1. If said user meets requirements under NR211.15 (4)5.(d.) 1-4 the control authority may classify and permit user as a Non-Significant Categorical User (NSCIU) and ~~waive the user's requirement to obtain permit.~~

SECTION IV: Section 46-110(c)(2) is hereby amended to read as follow:

- (2) The user shall not discharge after the date of permit expiration unless the user has ~~applied~~ submitted an application for permit reissuance at least 90 days before the permit's expiration date. If the user has done so, ~~it the user~~ may continue to operate in accordance with the terms and conditions contained in the expired permit until the city reissues the permit. The permit may be re-issued by the Board prior to the expiration date whenever feasible. The re-issued permit may contain new or modified conditions, and will be subject to a new permit fee upon each renewal.

SECTION V: The definition of *Normal domestic strength wastewater* in Section 46-146 is hereby amended to read as follows:

Normal domestic strength wastewater means wastewater with concentrations of BOD (biochemical oxygen demand), and SS (suspended solids), Phosphorous and Ammonia, no greater than ~~250~~ 350, ~~325~~, 7 and ~~300~~ 40 milligrams per liter (mg/l) respectively.

SECTION VI: Section 46-149 is hereby amended to read as follows:

Sec. 46-149. - Sewer service charges.

A sewer service charge is hereby imposed upon each lot, parcel of land, building, or premises served by the public sewer and wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sewerage system. All sewer service charges are based on the most current Sewer Rate Study, "Rate Study" adopted by the Common Council.

Such sewer service charge shall be payable as hereinafter provided and in amount determinable as follows:

- (1) *Category A*. Category A is defined as normal or domestic strength wastewater having organic concentrations of biochemical oxygen demand (BOD) no greater than ~~250~~ 350 milligrams per liter (mg/l) and suspended solids no greater than ~~300~~ 325 milligrams per liter (mg/l). The sewer service charge for Category A wastewater will consist of the following:

Quarterly facilities charge established by resolution.

V.C. = C.V. x V.

V.C. = Total volumetric charge.

V. = Total volume of water used during billing period in units of 100 cubic feet (CCF).

C.V. = Volume unit price = Cost per 100 cubic feet, as established by resolution.

- (2) *Category B*. Category B is defined as nondomestic strength wastewater having organic concentrations of Biochemical Oxygen Demand (BOD) greater than ~~250~~ 350 milligrams per liter (mg/l) and/or suspended solids (SS) greater than ~~300~~ 325 milligrams per liter (mg/l), based on average concentrations discharged to the Utility's sewer system during the billing period. The sewer service charge for Category B is as follows:

Quarterly Facilities Charge - Fixed charge, as established by resolution.

Volume Charge: as established by resolution.

S.S.C. = Total sewer service charge

S.S.C. = Category A charge (fixed plus volumetric) plus High Strength Surcharge

High Strength Surcharge = (C.B. x BOD) + (C.S. + SS)

C.B. = BOD Unit Price = Charge per pound, as established by resolution.

C.S. = SS Unit Price =, as established by resolution.

BOD = pounds of BOD discharged during billing period in excess of domestic strength wastewater.

SS = pounds of SS discharged during billing period in excess of domestic strength wastewater.

(3) *Category C.* Category C is tanker truck disposal. Charges are as follows:

- a. Tanker Truck Disposal: Fixed Disposal Charge per Load, as established by resolution.
- b. Volume Charge:
 1. Holding Tank Discharge as established by resolution.
 2. Septic Tank Discharge** as established by resolution.
 3. Grease Trap Disposal** as established by resolution.Assumes waste pumped directly to Digesters

(4) *Deduct meter.*

- a. Where a deduct meter is approved for measuring water not discharged to sanitary sewer, the user shall purchase such meter from the Utility, and shall be responsible for installing the meter in accordance with applicable codes. The Utility will be responsible for subsequent maintenance and replacement of such meters. The user shall be responsible for removal of in-place deduct meter and installation of replacement meters in accordance with applicable codes.
- b. The quarterly fixed charge for deduct meters or segregated meters for meter reading, billing, meter maintenance, and ultimately, meter replacement, shall vary based upon the size of the meter and shall correspond to the quarterly fixed sanitary sewer charged for similarly sized ~~water~~ meters.

(5) *Contract users.* All persons, entities, municipalities, public bodies or others receiving treatment of sanitary sewage pursuant to a contract with the City shall pay charges in accordance with the contract.

(6) *Reassignment of sewer users.* The Sanitary Sewer Utility 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.

SECTION VII: Section 46-151(c) is hereby amended to read as follows:

- (c) The quarterly facilities charge for sewer meter shall ~~be the same as the quarterly facilities charge for a user with flow measured by a similarly sized water meter~~ be per the most recent Sanitary Sewer Rate Study as approved by the Common Council.

SECTION VIII: Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION IX: This ordinance shall take effect and be in force from and after its passage and publication.

_____/s/_____
Timothy Kabat, Mayor

_____/s/_____
Teri Lehrke, City Clerk

Passed: 1/9/2020
Approved: 1/13/2020
Published: 1/18/2020