

INTRODUCED: March 4, 2022

AN ORDINANCE No. 2022-073

To amend the fees set forth in sections 28-650 (concerning fees for residential wastewater service), 28-651 (concerning fees for commercial wastewater service), 28-652 (concerning fees for disposal of industrial sewage and wastewater), 28-653 (concerning fees for disposal of state and federal sewage and wastewater), and 28-654 (concerning fees for disposal of municipal sewage and wastewater) of the City Code, effective as of the date of rendering bills for Cycle I in July, 2022, to establish revised charges for the wastewater utility’s services.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 11 2022 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That sections 28-650, 28-651, 28-652, 28-653, and 28-654 of the Code of the City of Richmond (2020) be and are hereby **amended** as follows:

Sec. 28-650. Residential wastewater service.

(a) *Application.* This section shall apply to disposal of wastewater discharged into the City's wastewater system from individual residences, owner-occupied duplexes or nonprofit facilities that provide transitional housing for residential use on a regular basis by homeless persons that have a connection to the City's wastewater system.

(b) *Monthly minimum charge.* The monthly minimum charge is the service charge.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 9 2022 REJECTED: _____ STRICKEN: _____

(c) *Monthly service charge and service charges for wastewater meters.* The monthly service charge shall be as set forth below. Each residential wastewater service customer shall pay the service charge determined by the size of the customer's water meter, unless the customer is eligible to receive a discount to the service charge for installing fire suppression equipment. The Director, pursuant to Section 28-26, shall issue rules and regulations to establish the parameters for such a discount. The service charges for wastewater meters shall be estimated in accordance with a procedure approved by the Director of Public Utilities.

(1)	Monthly service charges based on the size of each water meter located on the users' premises, excluding fire line, product water and wastewater meters:	
	<i>Meter size (inches)</i>	
	5/8	[\$18.94] <u>\$19.93</u>
	¾	[\$27.02] <u>\$28.44</u>
	1	[\$43.19] <u>\$45.46</u>
	1½	[\$83.63] <u>\$88.02</u>
	2	[\$132.13] <u>\$139.07</u>
	3	[\$261.50] <u>\$275.23</u>
	4	[\$407.04] <u>\$428.41</u>
	6	[\$811.30] <u>\$853.89</u>
	8	[\$1,296.42] <u>\$1,364.48</u>
	10	[\$1,862.40] <u>\$1,960.18</u>
(2)	Service charges for customers who receive fire line service and general water service through the same meter, based on the size of each such water meter located on the users' premises, excluding product water and wastewater meters:	
	<i>Domestic and fire line meter size (inches)</i>	
	10	[\$811.30] <u>\$853.89</u>
	8	[\$407.04] <u>\$428.41</u>
	6	[\$261.50] <u>\$275.23</u>
	4	[\$132.13] <u>\$139.07</u>
	3	[\$132.13] <u>\$139.07</u>

(d) *Monthly volume charge.* The monthly volume charge for the quantity of water which passes through the meters for residential wastewater service for the months of December through February shall be [~~\$7.587~~] \$7.985 per 100 cubic feet (ccf) of water delivered as recorded on the customer's water meter. The monthly volume charge for the quantity of water which passes through the meters for residential wastewater service for the months of March through November shall be [~~\$7.587~~] \$7.985 per 100 cubic feet (ccf) of water based upon:

(1) The cubic feet of water delivered as recorded on the customer's water meter in such months; or

(2) The average monthly use as billed during the preceding months of December through February;

whichever is lower.

(e) *Special provisions.*

(1) *Private water supply (unmetered service).* Whenever any user obtains all or part of the user's water supply from an unmetered source other than the water distribution system of the City (i.e., a private well), such user will be billed a flat service charge of [~~\$68.22~~] \$71.80 per month.

(2) *Public water supply (metered service).* Whenever any user obtains all or part of the user's water supply from a public water supply that meters the customer, other than the water distribution system of the City, the quantity of wastewater service used by the customer may be determined either from metered water consumption or from a wastewater meter. If the wastewater usage to be billed by the City is based upon a reading of a water meter by another public body, the wastewater customer will be billed on a schedule based upon the availability of water consumption data. However, regardless of the schedule or

frequency of billing, the customer will be responsible to pay the same rates as any other residential wastewater customer. For verification purposes, all water meters serving a customer receiving wastewater service under this section shall be open to inspection by the Director.

(3) *Cost adjustment clause.* The charge specified in the monthly charge may be subject to an adjustment in the rate per 100 cubic feet for increases or decreases in the cost associated with electric energy and chemicals.

(4) *No facilities physically connected to wastewater system.* The minimum monthly charge as hereinbefore set forth shall be paid by all users who have obtained a wastewater connection but have not made a physical connection to the City's wastewater system.

(5) *Residential wastewater service charges for meters having a capacity greater than five-eighths inch; special provision.* The monthly service charge for each residential wastewater customer, with service established on or before the adoption of the ordinance from which this subsection is derived and having a water meter capacity greater than five-eighths inch, shall be equal to the monthly service charge for a five-eighths inch meter size as set forth in this section. The monthly service charge for each residential wastewater customer, with service established after the adoption of the ordinance from which this subsection is derived and having a water meter capacity greater than five-eighths inch, shall be based upon the meter capacity as set forth in this section.

Sec. 28-651. Charges for disposal of sewage and wastewater—Commercial service.

(a) *Application.* This section shall apply to the disposal of wastewater discharged into the City's wastewater system from places of business, such as hotels, restaurants, office buildings,

commercial businesses or other places of commerce or multifamily residences and that have a connection to the City's wastewater system; provided, however, that this schedule shall not apply to contracts heretofore or hereafter entered into between the City and a county.

(b) *Monthly minimum charge.* The monthly minimum charge is the service charge below, determined by the size of a customer's water meter.

(c) *Monthly service charge.* The monthly service charge is as shown below, and dependent on the existence, or lack thereof, of fire line service.

(1) *Determination of service charge for customers who receive fire line service through a separate meter or who do not receive fire line service.* The service charge will be based on the size of each water meter located on users' premises, excluding fire line, product water and wastewater meters, as follows:

<i>Meter Size (inches)</i>	
5/8	[\$18.94] <u>\$19.93</u>
3/4	[\$27.02] <u>\$28.44</u>
1	[\$43.19] <u>\$45.46</u>
1½	[\$83.63] <u>\$88.02</u>
2	[\$132.13] <u>\$139.07</u>
3	[\$261.50] <u>\$275.23</u>
4	[\$407.04] <u>\$428.41</u>
6	[\$811.30] <u>\$853.89</u>
8	[\$1,296.42] <u>\$1,364.48</u>
10	[\$1,862.40] <u>\$1,960.18</u>

(2) *Determination of service charge for customers who receive fire line service and general water service through the same meter.* The service charge will be based on the size of each such water meter located on users' premises, excluding product water and wastewater meters, as follows:

<i>Domestic and Fire Line Meter Size (inches)</i>	
10	[\$811.30] <u>\$853.89</u>
8	[\$407.04] <u>\$428.41</u>
6	[\$261.50] <u>\$275.23</u>
4	[\$132.13] <u>\$139.07</u>
3	[\$132.13] <u>\$139.07</u>

(3) *Service charges for wastewater meters.* The service charge for wastewater meters shall be estimated in accordance with a procedure approved by the Director of Public Utilities.

(d) *Monthly volume charge.* Monthly quantity charge shall be ~~[\$7.587]~~ \$7.985 per 100 cubic feet of water delivered as recorded on water meters or wastewater meters.

(e) *Special provisions.*

(1) *Private water supply.* Whenever any user obtains all or part of the user's water supply from sources other than the water distribution system of the City, the quantities of wastewater may be determined either from the total metered water consumption, both City and private supplies, or from the metered quantities of wastewater discharged to the wastewater system. All meters on private water supplies and all wastewater meters shall be provided and maintained to produce an accurate record of the true quantities of water and wastewater discharged to the wastewater system. All costs of meter installation, calibration and maintenance shall be borne by the user at the user's own expense. The type of meters shall be acceptable to the Director of Public Utilities, and the meters shall be accessible at all times for inspection by the Director.

(2) *Strong wastewater charge.* In addition to the foregoing charges, the monthly charges shall apply for the treatment of strong wastewater discharged into the City's wastewater system as follows:

a.	Suspended solids in excess of 275 milligrams per liter when the concentrations of suspended solids exceed 275 milligrams per liter, per pound	[\$0.43] <u>\$0.45</u>
b.	BOD of those concentrations of BOD in excess of 250 milligrams per liter, when the concentrations of BOD exceed 250 milligrams per liter, per pound; provided, however, for places of business classified in either Industry 312120 or Industry 312130 pursuant to the North American Industry Classification System (NAICS), the mass used for calculating the charge shall be computed by subtracting SBOD from BOD and using the difference	[\$0.41] <u>\$0.43</u>
c.	Total nitrogen in excess of 30 milligrams per liter, when the concentrations of total nitrogen exceed 30 milligrams per liter, per pound	[\$1.73] <u>\$1.82</u>
d.	Total phosphorous in excess of 12 milligrams per liter, when the concentrations of total phosphorous exceed 12 milligrams per liter, per pound	[\$2.44] <u>\$2.57</u>

(3) *Cost adjustment clause.* The charge specified in the monthly volume charge may be subject to an adjustment in the rate per 100 cubic feet for increases or decreases in the cost associated with electric energy and chemicals.

Sec. 28-652. Charges for disposal of sewage and wastewater—Industrial service.

(a) *Application.* This section shall apply to the disposal of wastewater discharged into the City's wastewater system from places that are primarily manufacturers or processors of materials, and that have a connection to the City's wastewater system; provided, however, that this schedule shall not apply to contracts heretofore or hereafter entered into between the City and a county.

(b) *Monthly minimum charge.* The monthly minimum charge is the service charge below, determined by the size of a customer's water meter.

(c) *Monthly service charge.* The monthly service charge is as shown below by meter size, and dependent on the existence, or lack thereof, of fire line service.

(1) *Determination of service charge for customers who receive fire line service through a separate meter or who do not receive fire line service.* The service charge will be based on the size of each water meter located on users' premises, excluding fire line, product water and wastewater meters, as follows:

<i>Meter Size (inches)</i>	
5/8	[\$18.94] <u>\$19.93</u>
3/4	[\$27.02] <u>\$28.44</u>
1	[\$43.19] <u>\$45.46</u>
1½	[\$83.63] <u>\$88.02</u>
2	[\$132.13] <u>\$139.07</u>
3	[\$261.50] <u>\$275.23</u>
4	[\$407.04] <u>\$428.41</u>
6	[\$811.30] <u>\$853.89</u>
8	[\$1,296.42] <u>\$1,364.48</u>
10	[\$1,862.40] <u>\$1,960.18</u>
12	[\$2,859.76] <u>\$3,009.90</u>

(2) *Determination of service charge for customers who receive fire line service and general water service through the same meter.* The service charge will be based on the

size of each such water meter located on users' premises, excluding product water and wastewater meters, as follows:

<i>Domestic and Fire Line Meter Size (inches)</i>	
10	[\$811.30] <u>\$853.89</u>
8	[\$407.04] <u>\$428.41</u>
6	[\$261.50] <u>\$275.23</u>
4	[\$132.13] <u>\$139.07</u>
3	[\$132.13] <u>\$139.07</u>

(3) *Service charges for wastewater meters.* The service charge for wastewater meters shall be estimated in accordance with a procedure approved by the Director of Public Utilities.

(d) *Monthly volume charge.* The monthly volume charge shall be ~~[\$7.587]~~ \$7.985 per 100 cubic feet of water delivered as recorded on water meters or wastewater meters.

(e) Special provisions.

(1) *Private water supply.* Whenever any user obtains all or part of the user's water supply from sources other than the water distribution system of the City, the quantities of wastewater may be determined either from the total metered water consumption, both City and private supplies, or from the metered quantities of wastewater discharged to the wastewater system. All meters on private water supplies and all wastewater meters shall be provided and maintained to produce an accurate record of the true quantities of water and wastewater discharged to the wastewater system. All costs of meter installation,

calibration and maintenance shall be borne by the user at the user's own expense. The type of meters shall be acceptable to the Director of Public Utilities, and the meters shall be accessible at all times for inspection by the Director.

(2) *Strong wastewater charge.* In addition to the foregoing charges, the monthly charges shall apply for the treatment of strong wastewater discharged into the City's wastewater system as follows:

a.	Suspended solids in excess of 275 milligrams per liter when the concentrations of suspended solids exceed 275 milligrams per liter, per pound	[\$0.43] \$0.45
b.	BOD of those concentrations of BOD in excess of 250 milligrams per liter, when the concentrations of BOD exceed 250 milligrams per liter, per pound	[\$0.41] \$0.43
c.	Total nitrogen in excess of 30 milligrams per liter, when the concentrations of total nitrogen exceed 30 milligrams per liter, per pound	[\$1.73] \$1.82
d.	Total phosphorous in excess of 12 milligrams per liter, when the concentrations of total phosphorous exceed 12 milligrams per liter, per pound	[\$2.44] \$2.57

(3) *Cost adjustment clause.* The charge specified in the monthly volume charge may be subject to an adjustment in the rate per 100 cubic feet for increases or decreases in the cost associated with electric energy and chemicals.

Sec. 28-653. Charges for disposal of sewage and wastewater—State and Federal service.

(a) *Application.* This section shall apply to the disposal of wastewater discharged into the City's wastewater system from State or Federal agencies and departments or authorities, and that have a connection to the City's wastewater system; provided, however, that this schedule shall not apply to contracts heretofore or hereafter entered into between the City and any adjoining county.

(b) *Monthly minimum charge.* The monthly minimum charge is the service charge below, determined by the size of a customer's water meter.

(c) *Monthly service charge.* The monthly service charge is as shown below by meter size, and dependent on the existence, or lack thereof, of fire line service.

(1) *Determination of service charge for customers who receive fire line service through a separate meter or who do not receive fire line service.* The service charge will be based on the size of each water meter located on users' premises, excluding fire line, product water and wastewater meters, as follows:

<i>Meter Size (inches)</i>	
$\frac{5}{8}$	[\$18.94] <u>\$19.93</u>
$\frac{3}{4}$	[\$27.02] <u>\$28.44</u>
1	[\$43.19] <u>\$45.46</u>
1½	[\$83.63] <u>\$88.02</u>
2	[\$132.13] <u>\$139.07</u>
3	[\$261.50] <u>\$275.23</u>
4	[\$407.04] <u>\$428.41</u>
6	[\$811.30] <u>\$853.89</u>
8	[\$1,296.42] <u>\$1,364.48</u>
10	[\$1,862.40] <u>\$1,960.18</u>
12	[\$2,859.76] <u>\$3,009.90</u>

(2) *Determination of service charge for customers who receive fire line service and general water service through the same meter.* The service charge will be based on the size of each such water meter located on users' premises, excluding product water and wastewater meters, as follows:

<i>Domestic and Fire Line Meter Size (inches)</i>	
10	[\$811.30] <u>\$853.89</u>
8	[\$407.04] <u>\$428.41</u>
6	[\$261.50] <u>\$275.23</u>
4	[\$132.13] <u>\$139.07</u>
3	[\$132.13] <u>\$139.07</u>

(3) *Service charges for wastewater meters.* The service charge for wastewater meters shall be estimated in accordance with a procedure approved by the Director of Public Utilities.

(d) *Monthly volume charge.* The monthly volume charge shall be [~~\$7.587~~] \$7.985 per 100 cubic feet of water delivered as recorded on water meters or wastewater meters.

(e) *Special provisions.*

(1) *Private water supply.* Whenever any user obtains all or part of the user's water supply from sources other than the water distribution system of the City, the quantities of wastewater may be determined either from the total metered water consumption, both City and private supplies, or from the metered quantities of wastewater discharged to the wastewater system. All meters on private water supplies and all wastewater meters shall

be provided and maintained to produce an accurate record of the true quantities of water and wastewater discharged to the wastewater system. All costs of meter installation, calibration and maintenance shall be borne by the user at the user's own expense. The type of meters shall be acceptable to the Director of Public Utilities, and the meters shall be accessible at all times for inspection by the Director.

(2) *Strong wastewater charge.* In addition to the foregoing charges, the monthly charges shall apply for the treatment of strong wastewater discharged into the City's wastewater system as follows:

a.	Suspended solids in excess of 275 milligrams per liter when the concentrations of suspended solids exceed 275 milligrams per liter, per pound	[\$0.43] <u>\$0.45</u>
b.	BOD of those concentrations of BOD in excess of 250 milligrams per liter, when the concentrations of BOD exceed 250 milligrams per liter, per pound	[\$0.41] <u>\$0.43</u>
c.	Total nitrogen in excess of 30 milligrams per liter, when the concentrations of total nitrogen exceed 30 milligrams per liter, per pound	[\$1.73] <u>\$1.82</u>
d.	Total phosphorous in excess of 12 milligrams per liter, when the concentrations of total phosphorous exceed 12 milligrams per liter, per pound	[\$2.44] <u>\$2.57</u>

(3) *Cost adjustment clause.* The charge specified in the monthly quantity charge may be subject to an adjustment in the rate per 100 cubic feet for increases or decreases in the cost associated with electric energy and chemicals.

Sec. 28-654. Charges for disposal of sewage and wastewater—Municipal service.

(a) *Application.* This section shall apply to the disposal of wastewater discharged into the City's wastewater system from governments that are not Federal or State agencies or departments or authorities, and that have a connection to the City's wastewater system; provided, however, that this schedule shall not apply to contracts heretofore or hereinafter entered into between the City and a county.

(b) *Monthly minimum charge.* The monthly minimum charge is the service charge below, determined by the size of a customer's water meter.

(c) *Monthly service charge.* The monthly service charge is as shown below by meter size, and dependent on the existence, or lack thereof, of fire line service.

(1) *Determination of service charge for customers who receive fire line service through a separate meter or who do not receive fire line service.* The service charge will be based on the size of each water meter located on users' premises, excluding fire line, product water and wastewater meters, as follows:

<i>Meter Size (inches)</i>	
$\frac{5}{8}$	[\$18.94] <u>\$19.93</u>
$\frac{3}{4}$	[\$27.02] <u>\$28.44</u>
1	[\$43.19] <u>\$45.46</u>
1½	[\$83.63] <u>\$88.02</u>
2	[\$132.13] <u>\$139.07</u>
3	[\$261.50] <u>\$275.23</u>
4	[\$407.04] <u>\$428.41</u>
6	[\$811.30] <u>\$853.89</u>
8	[\$1,296.42] <u>\$1,364.48</u>
10	[\$1,862.40] <u>\$1,960.18</u>
12	[\$2,859.76] <u>\$3,009.90</u>

(2) *Determination of service charge for customers who receive fire line service and general water service through the same meter.* The service charge will be based on the size of each such water meter located on users' premises, excluding product water and wastewater meters, as follows:

<i>Domestic and Fire Line Meter Size (inches)</i>	
10	[\$811.30] <u>\$853.89</u>
8	[\$407.04] <u>\$428.41</u>
6	[\$261.50] <u>\$275.23</u>
4	[\$132.13] <u>\$139.07</u>
3	[\$132.13] <u>\$139.07</u>

(3) *Service charges for wastewater meters.* The service charge for wastewater meters shall be estimated in accordance with a procedure approved by the Director of Public Utilities.

(d) *Monthly volume charge.* The monthly volume charge shall be ~~[\$7.587]~~ \$7.985 per 100 cubic feet of water delivered as recorded on water meters or wastewater meters.

(e) *Special provisions.*

(1) *Private water supply.* Whenever any user obtains all or part of the user's water supply from sources other than the water distribution system of the City, the quantities of wastewater may be determined either from the total metered water consumption, both City and private supplies, or from the metered quantities of wastewater discharged to the

wastewater system. All meters on private water supplies and all wastewater meters shall be provided and maintained to produce an accurate record of the true quantities of water and wastewater discharged to the wastewater system. All costs of meter installation, calibration and maintenance shall be borne by the user at the user's own expense. The type of meters shall be acceptable to the Director of Public Utilities, and the meters shall be accessible at all times for inspection by the Director.

(2) *Strong wastewater charge.* In addition to the foregoing charges, the monthly charges shall apply for the treatment of strong wastewater discharged into the City's wastewater system as follows:

a.	Suspended solids in excess of 275 milligrams per liter when the concentrations of suspended solids exceed 275 milligrams per liter, per pound	[\$0.43] \$0.45
b.	BOD of those concentrations of BOD in excess of 250 milligrams per liter, when the concentrations of BOD exceed 250 milligrams per liter, per pound	[\$0.41] \$0.43
c.	Total nitrogen in excess of 30 milligrams per liter, when the concentrations of total nitrogen exceed 30 milligrams per liter, per pound	[\$1.73] \$1.82
d.	Total phosphorous in excess of 12 milligrams per liter, when the concentrations of total phosphorous exceed 12 milligrams per liter, per pound	[\$2.44] \$2.57

(3) *Cost adjustment clause.* The charge specified in the monthly volume charge may be subject to an adjustment in the rate per 100 cubic feet for increases or decreases in the cost associated with electric energy and chemicals.

§ 2. This ordinance shall be in force and effect for all bills rendered for Cycle I in July, 2022, and any and all bills rendered subsequent thereto.

**A TRUE COPY:
TESTE:**
Carolin D. Reed
City Clerk