

DIVISION 2. SEWER SERVICE CHARGES

Sec. 25-17. Sewer service charge established.²

(a) Except as otherwise provided herein, the sewer service charge to any real property shall be based upon the consumption of water and the measured or estimated constituents and characteristics of the sewage. However, the minimum sewer service charge to any real property shall be computed on a consumption of not less than 1,273 cubic feet or 9,540 gallons flow per quarter, BOD loading of 1.2510 pounds per 1,000 gallons and SS loading of 1.5429 pounds per 1,000 gallons.

(b) All users shall be classified by a user classification category according to the principal activity conducted on the user's premises. For general industrial and commercial users, the standard industrial classification (SIC), as established by the Standard Industrial Classification Manual: 1972, Executive Office of the President, Office of Management and Budget, Washington, D.C., shall be used.

Any appeal from a classification category shall be taken to the director. The appeal procedure shall be as provided in Section 25-45 of this chapter. A user who is granted a reclassification shall be charged at the rate for the new classification beginning with the quarterly billing during which the appeal was taken.

(c) The user classification categories shall be as follows:

- (1) *Class A*: Major users with one percent or more of water consumption or BOD load or SS load in total service area. Major users (Class A) shall be monitored periodically to establish discharge characteristics, or, at the discretion of the director, may be classified by the use of SIC standards.

¹Charter references—Authority to levy special assessments, Art. V, § 502; Municipal lien docket, Art. V, § 502.

²Charter reference—Authority to levy special assessments, Art. V, § 502.

(2) *Class B: General industrial/commercial.* (Note: All numbers in pounds per 1,000 gallons.)

Subclass 1:			
	BOD: 0.6255	SS: 0.4170	SIC: 32, 36, 38
Subclass 2:			
	BOD: 0.6255	SS: 1.2510	SIC: 33, 37
Subclass 3:			
	BOD: 1.0425	SS: 0.6255	SIC: 34
Subclass 4:			
	BOD: 1.2510	SS: 1.4595	SIC: 39
Subclass 5:			
	BOD: 1.2510	SS: 1.5429	SIC: 21, 24, 25, 40,* 41,* 42, 43, 44,* 45,* 47, 48, 70, 72,* 73, 75,* 76, 78, 79, 82, 83, 84,* 86, 89
Subclass 6:			
	BOD: 1.2510	SS: 2.2935	SIC: 49, 58
Subclass 7:			
	BOD: 1.8765	SS: 1.0425	SIC: 35, 80
Subclass 8:			
	BOD: 2.2935	SS: 1.4595	SIC: 40,* 41,* 44,* 45,* 75*
Subclass 9:			
	BOD: 2.5020	SS: 3.7530	SIC: 27, 31
Subclass 10:			
	BOD: 2.9190	SS: 0.8340	SIC: 22, 23
Subclass 11:			
	BOD: 3.1275	SS: 2.2935	SIC: 26
Subclass 12:			
	BOD: 3.7530	SS: 0.8340	SIC: 29
Subclass 13:			
	BOD: 4.3785	SS: 2.7105	SIC: 30
Subclass 14:			
	BOD: 4.5870	SS: 7.5060	SIC: 28, 72*
Subclass 15:			
	BOD: 6.6720	SS: 2.9190	SIC: 20, 84

*Only selected activities within SIC code.

Additional SIC codes and load values may be added by the city manager as required.

(3) *Class C: Residential.*

BOD: 1.2510

SS: 1.5429

(4) *Class D: Apartments.*

BOD: 1.2510

SS: 1.5429

(d) The sewer service charges shall be computed in accordance with the following formula:

$$C = Q \times [q + BOD \times b + SS \times s]$$

where:

C = Total user charge in dollars

Q = Volume of water consumed in thousand of gallons

BOD = Pounds of BOD, as defined in Section 25-1, discharged per 1,000 gallons

SS = Pounds of suspended solids, as defined in Section 25-1, discharged per 1,000 gallons

q = Unit charge in dollars per 1,000 gallons

b = Unit charge in dollars per pound of BOD

s = Unit charge in dollars per pound of suspended solids

(e) The following unit charges shall be effective February 1, 2010:

\$ 5.51266/1000 gallons flow rate (g)

\$.31176/pounds BOD (b)

\$.44166/pounds SS (s)

(f) Upon notification by appropriate officials that New Castle County has finally determined that the county is adjusting unit sewer charges in cost per 1,000 gallons flow rate, unit charges for cost per pound of biochemical oxygen demand (BOD), and/or unit charges for cost per pound of suspended solids (SS), the finance director shall have the authority to make such adjustments in such sewer service charges to city sewer customers effective upon the date on which the county charges become effective.

(g) The purpose of this subsection is to provide a one-time rebate in the amount of \$255,247.00 to all of the city's sewer customers which was rebated to the City of Newark by New Castle County. To accomplish this, the following rebate schedule will be followed:

(1) The city will credit the below-named sewer customers sewer bills during the second quarter of 1985 as follows:

1. Chrysler Corporation.....	\$106,422.00
2. N.V.F.....	19,435.00
3. Curtis Division	18,549.00

4. E.I. duPont Louviers	4,146.00
	<u>\$148,552.00</u>

(2) Except for those sewer customers receiving a rebate in Section 25-17(f)(1), for the billing months April, May and June of 1985, the following charges will be substituted in lieu of the charges in Section 25-17(e) of this chapter.

\$0.9945/1,000 gallons flow rate

\$0.1114/pounds BOD

\$0.1439/pounds SS

(Code 1959, Ch. 18, § 22; Ord. No. 70-4, 1-14-70; Ord. No. 72-11, 2-14-72; Ord. No. 75-16, § 1, 4-21-75; Ord. No. 76-31, Amend. No. 4, 6-28-76; Ord. No. 76-55, Amend. No. 1, 12-13-76; Ord. No. 78-25, Amend. No. 1, 7-10-78; Ord. No. 79-40, Amend. Nos. 1, 2, 11-27-78; Ord. No. 79-6, Amend. Nos. 1, 2, 1-8-79; Ord. No. 80-4, Amend. No. 1, 1-14-80; Ord. No. 81-36, Amend. No. 1, 9-28-81; Ord. No. 82-25, Amend. No. 1, 7-26-82; Ord. No. 83-16, Amend. No. 1, 7-25-83; Ord. No. 85-13, Amend. No. 1, 3-11-85; Ord. No. 86-37, Amend. Nos. 1, 2, 8-11-86; Ord. No. 87-25, Amend. No. 1, 7-27-87; Ord. No. 88-18, Amend. No. 1, 7-25-88; Ord. No. 89-14, Amend. No. 1, 5-22-89; Ord. No. 90-17, 5-29-90; Ord. No. 91-18, 5-13-91; Ord. No. 92-11, 5-26-92; Ord. No. 93-12, 6-28-93; Ord. No. 94-8, 6-27-94; Ord. No. 95-12, 6-26-95; Ord. No. 96-6, 6-24-96; Ord. No. 97-15, Amend. No. 1, 6-9-97; Ord. No. 98-16, 6-22-98; Ord. No. 99-20, 6-28-99; Ord. No. 00-21, Amend. No. 1, 6-26-00; Ord. No. 01-10, Amend. No. 1, 6-25-01; Ord. No. 02-13, Amend. No. 1, 6-24-02; Ord. No. 03-12, Amend. No. 1, 6-23-03; Ord. No. 04-14, Amend. No. 1, 6-28-04; Ord. No. 05-28, Amend. No. 1, 9-26-05; Ord. No. 06-13, Amend. No. 1, 6-12-06; Ord. No. 09-20, Amend. No. 1, 6-8-09; Ord. No. 09-29, Amend. Nos. 1, 2, 11-23-09)

Sec. 25-18. Measurement of water for consumption charges.

- (a) The charges provided for in Section 25-17 shall be based on quantities of water or sewage metered.
- (b) *Water supplied from wells for residential uses.* When the water supply is delivered from nonmetered wells for residential use, the minimum flow and loadings shall be used to compute the quarterly charge. The director may require the installation of a meter if he believes that more than the minimum consumption is used in any quarter.

(Code 1959, Ch. 18, § 23; Ord. No. 70-4, 1-14-70; Ord. No. 72-11, 2-14-72; Ord. No. 75-16, § 1, 4-21-75; Ord. No. 76-31, Amend. No. 4, 6-28-76)

Cross reference—Water generally, Ch. 30.

Sec. 25-18.1. Reserved.

Editor's note—Ord. No. 78-40, Amend. No. 3, enacted Nov. 27, 1978, repealed § 25-18.1. Formerly, said section pertained to sewer service charges applicable to citizens of the age of 65 years or older and/or who are disabled, and was derived from Ord. No. 76-37, Amend. No. 1, adopted July 26, 1976.