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Memorandum

To: Ordinance and License Committee, Common Council
From: Brian Running
Re: Amendments to Municipal Code Chapter 29 changing quarterly to monthly billing

The Water Utility recently changed its billing from quarterly to monthly. Sewer service charges are based upon water usage, and sewer and water are billed together. Currently, Chapter 29 makes reference to quarterly billing. The changes shown below, proposed by the Clean Water Plant, will align sewer billing with water billing by changing references from quarterly to monthly billing. This has no impact on the amount of the charges, only the billing period.

In Municipal Code §29.01(a)(120), the definition of “unmetered quarterly flat charge” would be amended as follows:

- (120) **Unmetered ~~Quarterly~~ Monthly Flat Charge.** The volumetric charge for unmetered Users, determined on the basis of ~~30~~10,000 gallons of water usage per ~~quarter~~month, regardless of the actual usage.

Section 29.11(m) would be amended as follows:

- (m) **Failure to Receive Bill, No Penalty Exemption.** Reasonable care will be exercised in the delivery of Sewer bills. Failure to receive a Sewer bill, however, shall not relieve any Person of the responsibility for payment of Sewer charges within the prescribed period nor shall it exempt any Person from any penalty imposed for delinquency in the payment thereof. In cases where the metered water usage is not available, the Unmetered ~~Quarterly~~ Monthly Flat Charge shall apply. Sewer charges and fees may be back-billed up to six years prior to the date the Control Authority became aware of a delinquent payment resulting from bills not received.

Sections 29.12(b) and (c)(2) would be amended as follows:

- (b) **Metered and Unmetered Users.** Users may be metered or unmetered. The Volumetric Charge, defined below, for metered Users shall be determined on the basis of actual water usage. The volumetric charge for unmetered Users shall be determined on the basis of ~~30~~10,000 gallons of water usage per ~~quarter~~month, regardless of the actual usage (Unmetered ~~Quarterly~~ Monthly Flat Charge). Users

shall be metered or unmetered only upon determination by the Water Utility or Department of Public Works.

(c) **Sewer Service Charge Components.** The total Sewer Service Charge to Users shall be composed of the following components:

(1) **Fixed Charge.** A fixed amount, independent of volume of Wastewater, included in each sewer bill to cover administrative costs and the costs of treating Wastewater that is not attributable to individual Users, such as Infiltration of Groundwater. The Fixed Charge is not billed to Unmetered Users.

(2) **Volumetric Charge.** An amount determined by multiplying the volume of water usage during the billing period by the applicable Rate. The Volumetric Charge for Unmetered Users shall be determined by multiplying the applicable Rate by ~~30~~10,000 gallons per ~~quarter~~month, regardless of actual volume.

The Committee is requested to recommend these amendments to the Common Council.

Incidentally, you may have noticed that the section numbering in Chapter 29 doesn't follow the usual convention. Other code chapters use a numeral in parentheses as the first subdivision of a section, for instance, §6.17(3)(b). Chapter 29 uses a small letter as the first subdivision, as in §29.12(c)(2). The reason is that there are so many definitions in §29.01 – there are 132 in all – that we would run out of letters. They are swapped so we have an unlimited number of definitions possible. That format is the one used by the United States Code – e.g., §523(a)(8)(A)(i) – and I wish our entire Municipal Code followed that format. For now, it's only Chapter 29.