

ORDINANCE NO. 157

AN ORDINANCE ESTABLISHING THE PROCEDURE FOR DETERMINING EQUITABLE SEWER SERVICE CHARGES TO BE LEVIED ON ALL USERS WHICH DISCHARGE WASTEWATER TO THE WASTEWATER SYSTEM OPERATED BY THE CITY OF CROOKS AND PROVIDING CERTAIN PROHIBITIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF CROOKS.

SECTION 1. PURPOSE

The purpose of this ordinance shall be to generate sufficient revenue to pay all costs for the operation and maintenance of the complete wastewater system. The costs shall be distributed to all users of the system in proportion to each user's contribution to the total loading of the treatment works. Factors such as strength (BOD and TSS), volume, and delivery flow rate characteristics shall be considered and included as the basis for the user's contribution to ensure a proportional distribution of operation and maintenance costs to each user (or user class).

SECTION 2. DETERMINE THE TOTAL ANNUAL COST OF OPERATION AND MAINTENANCE.

The City of Crooks, or its City Engineer, shall determine the total annual costs of operation and maintenance of the wastewater system which are necessary to maintain the capacity and performance, during the service life of the treatment works, for which such works were designed and constructed. The total annual cost of operation and maintenance shall include, but need not be limited to, labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests, and a reasonable contingency fund.

SECTION 3. PAYMENT OF THE USER'S WASTEWATER SERVICE CHARGE AND PENALTIES.

The City shall submit a monthly statement to the user for the user's monthly wastewater service charge and usage to be included with the monthly water utility billing. The City shall add a penalty of 11.5 percent per month if payment is not received by the City by the first of the month. Should any user fail to pay the user wastewater service charge and penalty within 15 days of the due date, the City may stop the wastewater service to the property by disconnecting water service.

SECTION 4. PROPER DESIGN AND CONSTRUCTION OF NEW SEWERS AND CONNECTIONS.

The size, slope, alignment, materials of construction of all sanitary sewers and sewer connections, and the methods to be used in excavating, placing of the pipe,

jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City of Crooks and the State of South Dakota. In the absence of code provision or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

(Ordinance No. 146, An Ordinance Providing Design Standards for the City of Crooks, contains additional requirements covering the proper design and construction of the City's sanitary sewer, building sewer, and connections.)

SECTION 5. VALIDITY

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION 6. ORDINANCE IN FORCE

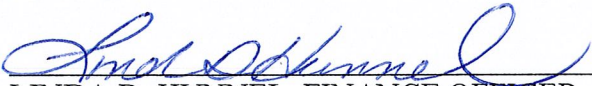
This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

STATE OF SOUTH DAKOTA
COUNTY OF MINNEHAHA
CITY OF CROOKS

I, Linda D. Hunnel, the duly appointed, qualified and acting Finance Officer of the City of Crooks, hereby certify that the within and foregoing ordinance is a true and correct copy of the original ordinance enacted by the City of Crooks with the First Reading on the 8th Day of September 2008, the Second Reading and final passage on the 14th Day of October 2008, and publication on the 23rd Day of October 2008.


KELLY G. FINKE, MAYOR

ATTEST:


LINDA D. HUNNEL, FINANCE OFFICER

(City Seal)