

First Reading: May 30, 2017
Second Reading: June 6, 2017

ORDINANCE NO. 13186

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,
PART II, CHAPTER 31, RELATIVE TO CHARGES FOR
DISPOSAL OF SEWAGE AND CONNECTION TO
INTERCEPTOR SEWER SYSTEM.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 31, Section 31-20 is hereby amended so as to delete (e) in its entirety and substitute in lieu thereof the following:

Sec. 31-20. Violations, discontinuance of water service.

(e) Water service. Any violation of provisions of Article I which is not concerned or abated following a notice and opportunity for a hearing shall be grounds for the termination of water service and/or plugging the sewer line.

SECTION 2. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 31, Section 31-33 is hereby amended so as to delete same in its entirety and substitute in lieu thereof the following:

Sec. 31-33. Disposal of sewage authorized; charges.

The Mayor or his/her designee may enter into contracts with any municipality, county, incorporated district or person for the treatment and disposal of sewage collected and pumped or

delivered to some part of the sewer system; provided, however, that the charges to be paid for the treatment and disposal of such sewage shall not be less than an amount which is fair and equitable, taking into account the cost to the city of such treatment and disposal and the cost of the sewage disposal system. All revenues received pursuant to such contract shall be deemed to be revenues of the sewer system, and shall be applied and accounted for in the same manner as other revenues derived from the operation of such system.

(Code 1986, § 31-33; Ord. No. 9384, § 2, 5-29-90; Ord. No. 12962, § 4, 6-16-15)

SECTION 3. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Section 31-35 is hereby amended so as to delete same in its entirety and substitute in lieu thereof the following:

Sec. 31-35. Billing procedure.

The sewer service charges shall become effective on water company services rendered at the rates hereinafter imposed and shall be billed as follows:

- i. Tennessee American Water customers will be billed by an entity designated by the City of Chattanooga and bill shall be due and payable by the due date specified on the statement or the next business day following the due date, if the due date falls on a Saturday or Sunday.
- ii. All other customers will be billed by the water company at the same time it bills the owner or occupant for water services charges, and bills shall be due and payable at the same time as are the water service charges. Sewer service charges shall be billed by the water company as a separate designated item on its water bill.

(Code 1986, § 31-35; Ord. No. 9384, § 12, 5-29-90)

SECTION 4. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Section 31-36 and 31-37 are hereby amended so as to delete same in their entirety and substitute in lieu thereof the following:

Sec. 31-36. Schedule.

(a) Enumeration of charges; quantity of water used. Sewer service charges shall be based upon the quantity of water used as shown by water meter readings and shall be the dollar amount derived by applying the total charge in dollars per one thousand (1,000) gallons for the quantities of water shown in the following table:

User Class (gallons)	FY17 Total Charges (\$/1,000 gallons)
First 100,000	\$9.38
Next 650,000	\$6.97
Next 1,250,000	\$5.66
Next 30,000,000	\$4.78
Over 32,000,000	\$4.65

In addition, the total charges derived from the above chart for residential users will be multiplied by ninety (90%) percent to compensate for water use not going to the sewer such as lawn and garden watering. Any residential location where a separate water meter has been installed for the purpose of lawn and garden watering shall not be entitled to have the multiplier applied to any water consumed through the primary water meter. Each residence or apartment unit shall have a maximum monthly sewer service charge for a volume of no more than twelve thousand (12,000) gallons water used; unless the minimum charge due to water meter size exceeds the twelve thousand (12,000) gallon limit, and then the monthly sewer service charge shall be at least the minimum for that particular size water meter.

(b) Regional service charge rates (wheelage and treatment). The regional sewer service charge (wheelage and treatment) shall be collected from regional users of the system including Collegedale, Tennessee; Hamilton County, Tennessee; Walker County, Georgia; Catoosa County, Georgia; Lookout Mountain, Georgia; Dade County, Georgia; Rossville, Georgia; Ringgold, Georgia and Fort Oglethorpe, Georgia, and shall be determined either under the "billable flow" methods based upon the quantity of water used as shown by applicable water company meter readings or the "total flow" method based upon flow meter measured flow according to the applicable contract with the regional user pursuant to subparagraphs (c) and (d).

(c) Billable flow. The amount due from the regional user shall be the dollar amount derived by applying the total charge shown in the table below per one thousand (1,000) gallons of water sold.

	Regional Operation & Maintenance Charge (\$/1,000 gallons)	Regional Debt Charge (\$/1,000 gallons)	Regional Capital Charge	Total Regional Charge (Wheelage and Treatment) (\$/1,000 gallons)
Wheelage and Treatment	\$2.2603	\$0.7918	\$0.3824	\$3.4345

If regional customers are billed directly through the water company, the rate to be charged shall be three dollars and forty-four cents (\$3.44) per one thousand (1,000) gallons.

Total flow. The amount due from the regional user shall be the dollar amount derived by applying the total charge shown in the table below applied to the quantity of water measured by a flow meter installed and maintained at or near the point of connection between the system of the regional user and the Chattanooga system. In the event of any malfunction of said meters, flow shall be estimated, interpolated and/or projected in the most equitable manner possible. Such estimates, along with available readings for periods where there was no malfunction, shall be the basis for billing.

	Regional Operation & Maintenance Charge (\$/1,000 gallons)	Regional Debt Charge (\$/1,000 gallons)	Regional Capital Charge	Total Regional Charge (Wheelage and Treatment) (\$/1,000 gallons)
Wheelage and Treatment	\$1.2119	\$0.4095	\$0.1900	\$1.8114

(d) Sewer service charges that remain unpaid after the due date on the statement shall be subject to a ten (10%) percent late fee.

(e) In the event of a disconnection and/or reconnection of a user's water due to unpaid sewer charges, the user will reimburse the City of Chattanooga for any cost incurred by the City related to the disconnection and/or reconnection of water service.

(Code 1986, § 31-36; Ord. No. 9187, §§ 1—3, 7-5-89; Ord. No. 9384, §§ 3-5, 5-29-90; Ord. No. 9631, §§ 1—3, 10-22-91; Ord. No. 9761, §§ 1—3, 7-28-92; Ord. No. 9963, §§ 1—3, 10-19-93;

Ord. No. 10094, §§ 1—3, 8-30-94; Ord. No. 10285, §§ 1—3, 9-12-95; Ord. No. 10495, §§ 1—3, 11-12-96; Ord. No. 10632, §§ 1—3, 10-28-97; Ord. No. 10769, §§ 1—3, 10-6-98; Ord. No. 10935, §§ 1—3, 11-16-99; Ord. No. 11070, §§ 1—3, 9-19-00; Ord. No. 11221, §§ 1—3, 12-18-01; Ord. No. 11344, §§ 1, 3, 5, 11-05-02; Ord. No. 11473, § 2, 10-21-03; Ord. No. 11581, §§ 17-18, 07-06-04; Ord. No. 12023, §§ 5-8, 10-2-07; Ord. No. 12166, §§ 4, 5, 6, 9-23-08; Ord. No. 12327, §§ 4, 5, 6, 11-24-09; Ord. No. 12410, §§ 19—21, 7-6-10; Ord. No. 12523, §§ 21—23, 6-28-11; Ord. No. 12664, § 1, 11-20-12; Ord. No. 12835, §§ 20—22, 6-24-14; Ord. No. 12953, §§ 20—22, 6-16-15)

Sec. 31-37. Minimum service charges.

Minimum sewer service charges based upon water meter connection size shall be as follows:

Monthly Minimum Sewer Service Charges

FY17

Meter Size(inches)	Minimum Charge per Month
5/8	19.27
3/4	68.76
1	120.14
1-1/2	268.88
2	476.08
3	1,115.98
4	2,062.34
6	4,912.17
8	8,688.75

The minimum sewer service charge for residential users with various meter size shall be multiplied by ninety (90%) percent to compensate for water use not going to the sewer such as lawn and garden watering. Any residential location where a separate water meter has been installed for the purpose of lawn and garden watering shall not be entitled to have the multiplier applied to any water consumed through the primary water meter.

(Code 1986, § 31-37; Ord. No. 9187, § 4, 7-5-89; Ord. No. 9384, § 6, 5-29-90; Ord. No. 9631, § 4,

10-22-91; Ord. No. 9761, § 4, 7-28-92; Ord. No. 9963, § 4, 10-19-93; Ord. No. 10094, § 4, 8-30-94; Ord. No. 10935, § 4, 11-16-99; Ord. No. 11344, § 2, 11-05-02; Ord. No. 12023, § 9, 10-2-07; Ord. No. 12166, § 7, 9-23-08; Ord. No. 12327, § 7, 11-24-09; Ord. No. 12410, § 22, 7-6-10; Ord. No. 12523, § 24, 6-28-11; Ord. No. 12716, § 1, 4-2-13; Ord. No. 12835, § 23, 6-24-14; Ord. No. 12962, §§ 4, 23, 6-16-15)

SECTION 5. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Section 31-43 is hereby amended so as to delete same in its entirety and substitute in lieu thereof the following:

Sec. 31-43. Miscellaneous fees.

(a) **Applicability.** There shall be and is hereby levied miscellaneous fees to be collected by the director for various purposes relating to this *chapter* as set forth in this section.

(b) **Fees for garbage grinders.** Any user of a garbage grinder, except users in a premise used exclusively for an individual residence, shall be charged at a rate of two hundred eighty-eight dollars (\$288.00) per month. The superintendent shall bill users on a quarterly basis and the bills shall be due and payable within fifteen (15) days following the last day of the billing period.

(c) **Monitoring Requested by User.** The director shall charge and collect from any user requesting the collection of effluent samples and the analysis of same a sum of money sufficient to pay for the personnel, equipment, and materials needed to collect and analyze same. He shall publish no less frequently than yearly a schedule of such fees, and shall charge all persons uniformly according to said schedule of charges. No such monitoring requested by user shall be performed unless the user shall agree in advance to payment of charges according to said schedule. The director shall bill for such monitoring reports within one (1) week following the completion thereof, said bills to be payable within thirty (30) days following the date of the bill. The director shall not perform for a user routine self-monitoring required under the provisions of an industrial discharge permit.

(d) **Permit Fee.** All significant industrial users as defined in article III of this *chapter* shall be charged an annual permit fee of five hundred dollars (\$500.00) per year. The director shall bill significant industrial users annually and the bills shall be due and payable within thirty (30) days.

(e) Truck discharge operation fee. The director shall charge and collect the sum of one hundred dollars (\$100.00) per truck per year for a truck discharge operation permit as authorized pursuant to division 6 of this article. The holders of such permits shall also be charged a fee set forth in paragraphs (d) and (e) of this section. Such additional fees shall be collected by the director at the time of the discharge or, in his discretion, he may enter into an agreement with the holder of such a permit to bill and collect the fees on a monthly basis.

(f) Fees for septic tank discharge. All persons discharging concentrated, domestic septic tank sewage waste from a truck under the provisions of Article III of this Chapter shall be charged at the rate of one hundred ten dollars (\$110.00) per one thousand (1,000) gallons of such waste. The minimum charge for septic tank discharges shall be one half ($\frac{1}{2}$) of the rate for one thousand (1,000) gallons of the rate in effect at the time of such discharge. All persons discharging grease trap or grease interceptor waste or loads where septic tank waste has been mixed or blended with grease trap or grease interceptor waste shall be charged at the rate two and one half ($2\frac{1}{2}$) times the rate for septic tank wastes.

(g) Fees holding tank wastes. All persons discharging any holding tank waste authorized pursuant to division 6 of this article shall be charged at the rate of nine dollars and thirty-eight cents (\$9.38) per one thousand (1,000) gallons of such discharge, plus any surcharge rate authorized by Article III of this *chapter* for concentrations of pollutants in excess of normal wastewater without regard to the definition of the industrial user or other limitations set forth in such section. The superintendent may also require a chemical analysis of such waste and charge therefore.

(h) Late fees of ten (10) percent shall be applied to all amounts billed but not received by the due date indicated on the invoice.

(i) Collection Fees. The City may turn over delinquent sewer service accounts for collection. In addition to all unpaid sewer service charges and fees, users shall be responsible for all costs and fees that result from collection activities.

(j) The City may disconnect water service due to any unpaid charges or fees.

(Ord. No. 9384, § 11, 5-29-90; Ord. No. 9631, §§ 6, 8, 10-22-91; Ord. No. 9761, §§ 6, 7, 7-28-92; Ord. No. 9963, §§ 6, 7, 10-19-93; Ord. No. 10094, §§ 6, 8, 8-30-94; Ord. No. 10632, §§ 5, 6, 10-28-97; Ord. No. 10769, §§ 5, 6, 10-6-98; Ord. No. 10935, §§ 6, 7, 11-16-99; Ord. No. 11070, §§ 5, 6, 9-19-00; Ord. No. 11221, §§ 5, 6, 12-18-01; Ord. No. 11344, §§ 6, 8, 11-05-02; Ord. 12023, § 12, 10-2-07; Ord. No. 12166, § 9, 9-23-08; Ord. No. 12327, § 9, 11-24-09; Ord. No. 12410, § 24, 7-6-10; Ord. No. 12523, § 26, 6-28-11; Ord. No. 12835, § 25, 6-24-14; Ord. No.

12962, § 4, 25, 6-16-15)


SECTION 5. BE IT FURTHER ORDAINED, That Chattanooga City Code, Part II, Chapter 31, Section 31-291 is hereby amended so as to delete same in its entirety and substitute in lieu thereof the following:

Sec. 31-291. Connection to interceptor sewer system; agreements authorized.


The Mayor or his/her designee is authorized to execute on behalf of the City an agreement with any member of the Chattanooga Area Regional Council of Governments for such member to connect to the City's interceptor sewer system provided the aforementioned provisions are contained in such agreement.

SECTION 6. BE IT FURTHER ORDAINED That this Ordinance shall become effective within two (2) weeks from and after its passage.

Passed on second and final reading: June 6, 2017



CHAIRPERSON
APPROVED: DISAPPROVED:



MAYOR

SH/VLM/mem/5-30-17