

ORDINANCE NO. 2018-_____

AN ORDINANCE relating to utility charges, amending Chapter 7.60 YMC to provide updated retail wastewater and strong waste charges, industrial wastewater charges, sampling and service fees, septic and exceptional waste charges, and pretreatment fees.

WHEREAS, the City of Yakima (City) is authorized by Title 35 RCW to acquire, construct, own operate, and provide financing for waterworks and systems of sewerage, and to establish rates, fees, and charges therefore; and

WHEREAS, it is necessary to revise Chapter 7.60 of the Yakima Municipal Code to update the definitions and revise charges and fees for services provided by the City of Yakima; and

WHEREAS, the City Council of the City of Yakima finds that it is in the best interest of the residents and the City to revise the charges and fees and amend the Yakima Municipal Code; now, therefore,

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Section 7.60.020 of the Yakima Municipal Code is hereby amended to read as follows:

7.60.020 Retail wastewater service charge and strong waste surcharge.

A. Wastewater Service Charge. There shall be charged to and collected from all premises within the city served by the city wastewater system a wastewater service charge composed of a monthly ready-to-serve charge and a volume charge based on either the quantity of water supplied to the premises or, if metered, the quantity of wastewater discharged into the wastewater sewer system. In addition, a strong waste surcharge shall be charged to and collected from all premises served by the City wastewater system that discharge wastewater exceeding the domestic strength thresholds set forth in Section 7.60.020(B) below; provided, that in no event shall the total wastewater service charge be less than the minimum charge indicated below:

Minimum charge effective January 1, 2019	Minimum charge effective January 11, 2020	Minimum charge effective January 1, 2021	Minimum charge effective January 1, 2022
\$22.53/month	\$23.20/month	\$23.90/month	\$24.62/month
\$0.7407/day	\$0.7627/day	\$0.7857/day	\$0.8094/day

(1) Wastewater Service Charge—Schedules for Inside-City Customers. The wastewater service charge for premises inside the city shall be calculated and charged according to the following schedules:

(a) Ready-to-Serve Charges. For all customers other than multiple-unit residential customers:

	Charges effective January 11, 2019		Charges effective January 1, 2020		Charges effective January 1, 2021		Charges effective January 1, 2022	
Water Meter Size (Inches)	Monthly Charge	Bimonthly Charge	Monthly Charge	Bimonthly Charge	Monthly Charge	Bimonthly Charge	Monthly Charge	Bimonthly Charge
3/4	\$22.53	\$45.06	\$23.20	\$46.40	\$23.90	\$47.80	\$24.62	\$49.23
1	\$27.59	\$55.19	\$28.41	\$56.82	\$29.27	\$58.54	\$30.15	\$60.30
1-1/2	\$34.53	\$69.06	\$35.57	\$71.14	\$36.64	\$73.28	\$37.74	\$75.48
2	\$53.29	\$106.58	\$54.89	\$109.78	\$56.54	\$113.08	\$58.24	\$116.48
3	\$191.36	\$382.72	\$197.10	\$394.20	\$203.01	\$406.02	\$209.10	\$418.20
4	\$242.57	\$485.14	\$249.85	\$499.70	\$257.35	\$514.70	\$265.07	\$530.14
6	\$362.06	\$724.12	\$372.92	\$745.84	\$384.11	\$768.22	\$395.63	\$791.26
8	\$498.29	\$996.58	\$513.24	\$1,026.48	\$528.63	\$1,057.26	\$544.49	\$1,088.98
10	\$992.74	\$1,985.48	\$1,022.52	\$2,045.04	\$1,053.20	\$2,106.40	\$1,084.80	\$2,169.60

For multiple-unit residential customers, the monthly ready-to-serve charge shall be based on the number of accounts and the number of dwelling units, according to the following table:

Ready-to-serve charges effective January 11, 2019	Ready-to-serve charges effective January 1, 2020	Ready-to-serve charges effective January 1, 2021	Ready-to-serve charges effective January 1, 2022
\$13.53/account + \$9.00/unit	\$13.93/account + \$9.27/unit	\$14.35/account + \$9.55/unit	\$14.78/account + \$9.84/unit

Daily rates shall be calculated by dividing the monthly charge by 30.417.
Bimonthly charges shall be calculated by multiplying the monthly charge by 2.

(b) Volume Charge. For all customers inside the city, the volume charge shall be determined by number of hundred cubic feet (ccf) of water consumed or, if metered, the number of ccf of sewage discharged, multiplied by the following rates:

Volume charge effective January 11, 2019	Volume charge effective January 1, 2020	Volume charge effective January 1, 2021	Volume charge effective January 1, 2022
\$3.29	\$3.39	\$3.49	\$3.59

(c) Minimum Charge. In no event shall the total wastewater service charge be less than the ready-to-serve charge for a 3/4" meter, except that customers beginning or ending wastewater service shall have the ready-to-serve charge pro-rated to their number of days of service during the billing period.

(2) Wastewater Service Charge for Outside-City Customers. Minimum, ready-to-serve, and volume charges to premises located outside the City shall be 1.50 times the inside-City rates set forth in Section 7.60.020 (A)(1).

B. Strong Waste Surcharge. For customers discharging wastewater which contains more than three hundred parts per million (ppm) of biochemical oxygen demand (BOD) and/or total suspended solids and (TSS) and/or one hundred parts per million of fats, oils, greases (FOG), there shall be a surcharge, in addition to the ready-to-serve charge and the volume charge, which shall be calculated utilizing the national average values of BOD and TSS concentrations typical to each classification under the Standard Industrial Code or by actual concentrations verified by the city. If the customer chooses, at its expense, to install a sampling station, the strong waste charge shall be calculated based upon actual concentrations. Any testing done by the city may be charged at the rates set forth in YMC [7.60.105](#). The following formula shall be utilized to calculate the strong waste surcharge:

Monthly surcharge for BOD or TSS or FOG = (unit cost per pound of BOD or TSS or FOG) times (8.34, which is the weight of one gallon of water) times (customer's monthly volume in one hundred cubic feet divided by one thousand three hundred thirty-seven) times (customer's concentration of BOD or TSS or FOG in parts per million according to [the national average values] or [verified concentrations], minus the domestic strength threshold in parts per million, but not less than zero). The separate monthly surcharges for BOD, TSS, and FOG shall be summed together to create the strong waste surcharge.

In the foregoing formula, the applicable values are as follows:

Unit Cost per Pound					
	Domestic Strength Threshold	Effective January 11, 2019	Effective January 1, 2020	Effective January 1, 2021	Effective January 1, 2022
BOD	300 ppm	\$0.6148	\$0.6296	\$0.6424	\$0.6552
TSS	300 ppm	\$0.5700	\$0.5837	\$0.5956	\$0.6075
FOG	100 ppm	\$0.3948	\$0.4061	\$0.4178	\$0.4292

Hypothetical example: In a given month, a customer discharges 50 ccf of wastewater measured with BOD of 400 ppm, TSS of 350 ppm, and FOG of 80 ppm. This customer is not charged a FOG surcharge because the customer's measured FOG is below the domestic threshold. Assume a unit cost per pound of \$0.5680 for BOD and \$0.5266 for TSS. The strong waste surcharge for the given month is calculated as follows:

BOD surcharge: \$0.5680/pound x 8.34 x (50 ccf ÷ 1,337) x (400 ppm - 300 ppm) = \$17.72

TSS surcharge: \$0.5266/pound x 8.34 x (50 ccf ÷ 1,337) x (350 ppm - 300 ppm) = \$8.21

Total strong waste surcharge: \$17.72 + \$8.21 = \$25.93

Section 2. Section 7.60.025 of the Yakima Municipal Code is hereby amended to read as follows:

7.60.025 Charges to industrial wastewater customers.

A. In lieu of the regular rates set forth in Section 7.60.020, industrial wastewater customers shall be charged the industrial wastewater charge, wastewater service charge and strong waste surcharge set forth in the following Section 7.60.025(B), except that the total charged to a given industrial wastewater customer in a given year pursuant to the Section 7.60.025(B) shall not exceed the amount that would have been charged to that same industrial wastewater customer under the regular rates set forth in Section 7.60.020.

B. Industrial Wastewater Charge, Wastewater Service Charges and Strong Waste Surcharge for Industrial Wastewater Customers.

(1) Industrial Wastewater Charge. Industrial wastewater customers shall be charged the following amounts per hundred cubic feet (ccf) of flow discharged into the industrial wastewater sewer line.

Effective Date	Industrial Wastewater Rate
January 11, 2019	\$7.84 per ccf
January 1, 2020	\$7.92 per ccf
January 1, 2021	\$8.00 per ccf
January 1, 2022	\$8.08 per ccf

(2) Wastewater Service Charges for Industrial Wastewater Customers. Industrial wastewater customers shall be charged 60% of the regular ready-to-serve and volume charges set forth in Section 7.60.020.

(3) Strong Waste Surcharges for Industrial Wastewater Customers. Industrial wastewater customers shall be charged the regular strong waste surcharges set forth in Section 7.60.020(B), provided that the BOD surcharge for an industrial wastewater customer shall be calculated based on the adjusted BOD concentration, which means the measured BOD concentration multiplied by the BOD adjustment percentage.

C. If a given property discharges into both the industrial wastewater line and the regular sewer system, the regular rates set forth in 7.60.020 apply to the effluent discharged into the regular sewer system. If a given property discharges wastewater to the industrial wastewater line that is harmful to the UASB treatment process or wastewater that is not amenable to the UASB treatment process as determined by the Wastewater Division manager, thereby requiring that the wastewater bypass the UASB treatment process, the regular rates set forth in 7.60.020 apply to the wastewater.

Section 3. Section 7.60.035 of the Yakima Municipal Code is hereby amended to read as follows:

7.60.035 Septage and exceptional wastewater disposal charges.

A. Septage Wastewater Disposal Charge. For septage wastewater disposed pursuant to Chapter [7.63](#), the following charge shall apply:

Charges Effective January 11, 2019	Charges Effective January 1, 2020	Charges Effective January 1, 2021	Charges Effective January 1, 2022
\$0.4593	\$0.4731	\$0.4872	\$0.5019

B. Exceptional Wastewater Disposal Charge. For exceptional wastewater disposed pursuant to Chapter [7.63](#), the charge shall be calculated by reference to the following formula:

Exceptional Wastewater Charge = (Treatment Costs) + (Receiving Costs) + (Testing Costs)

(1) Treatment Costs. Treatment costs shall be determined by reference to the following formula:

Treatment Costs = $[(U_{\text{BOD/TSS}}) \times (W_w) \times (V/1,337) \times (C_{\text{BOD/TSS}})] + [(U_v) \times (V)]$ where:

V = Volume discharged (in one hundred cubic feet);

$C_{\text{BOD/TSS}}$ = Concentration of BOD or TSS (in parts per million); and the remaining values are as follows:

Abbreviation	Meaning	Value Effective January 11, 2019	Value Effective January 1, 2020	Value Effective January 1, 2021	Value Effective January 1, 2022
$U_{\text{BOD/TSS}}$	Unit cost per pound of BOD or TSS	\$0.5465 (BOD) \$0.5430 (TSS)	\$0.5629 (BOD) \$0.5593 (TSS)	\$0.5798 (BOD) \$0.5761 (TSS)	\$0.5972 (BOD) \$0.5934 (TSS)
W_w	Weight of one gallon of water	8.34 pounds	8.34 pounds	8.34 pounds	8.34 pounds
U_v	Unit cost per one hundred cubic feet of volume	\$0.4279	\$0.4407	\$0.4539	\$0.4675

(2) Receiving Costs. Receiving costs shall be calculated by the wastewater manager and based on actual or estimated staff time, materials, and related costs incurred in connection with receiving the particular waste at issue.

(3) Testing Cost. The costs of any testing are set forth in YMC [7.60.105](#). The wastewater manager shall have final authority over what tests shall be required for any discharge.

C. The amount of the disposal fee, at the rate specified in subsection A or B of this section, shall be based upon the actual quantity measured and discharged. Measurement shall be through methods and instruments as determined by the city.

Section 4. Section 7.60.105 of the Yakima Municipal code is hereby amended to read as follows:

7.60.105 Rates, charges and fees for pretreatment program.

A. It is the purpose of this section to provide for the payment of rates, charges and fees for certain discharges to the wastewater system, to compensate the city for the cost of administration of the pretreatment program established in Chapter [7.65](#). Connection charges for dischargers subject to Chapter [7.65](#) are as set forth in Chapter [7.68](#) of this code.

B. Rates, Charges and Fees to Be Published. The wastewater manager shall maintain a schedule of current rates, charges and fees, shall post such schedule conspicuously, and shall make copies available to interested persons. Upon request, the wastewater manager shall prepare an estimate of annual fees for a significant industrial user.

C. Significant Industrial Users (SIUs). Commencing on the effective date of the ordinance codified in this section, SIU permit fee amounts shall be set at ninety percent of that amount identified in the industrial facility categories of WAC 173-224-040. The permit fee shall cover the costs of administering the SIU wastewater discharge permit program including inspections, technical assistance, education, and compliance administration. Costs associated with any sampling and testing shall be in addition to the permit fee. This annual fee is based on the state's fiscal year (July 1st—June 30th).

D. Monthly Base Fee for Minor Industrial Users (MIUs). Commencing on the effective date of the ordinance codified in this section and until amended pursuant to subsection F of this section, minor industrial users (as defined in Chapter [7.65](#)) shall pay a monthly base fee for pretreatment service, as shown in the following table.

	Charge Effective January 11, 2019	Charge Effective January 1, 2020	Charge Effective January 1, 2021	Charge Effective January 1, 2022
MIU base fee	\$150.24	\$156.76	\$163.53	\$170.56

The daily rate for MIUs shall be the monthly rate divided by 30.417.

Significant industrial users shall not be subject to the base fee for minor industrial users.

E. Charges and Fees for Related Services. Commencing on the effective date of the ordinance codified in this section and until amended pursuant to subsection F of this section, significant industrial users shall pay the sampling and laboratory testing charges and fees provided below for those specific services described or listed below. All customers shall also be subject to the sampling, laboratory testing, and flat rate charges and fees provided below, in addition to any base rate provided for in subsection D of this section, but only for those services requested by the customer or provided as part of a required compliance inspection.

(1) Sampling Charge. The sampling charge includes sampler set-up, pick-up, and statistical analysis, as well as billing program charges from the customer service manager. The sampling fee is based on the length of the sampling period, pursuant to the following schedule:

Sampling Period	Charge Effective January 11, 2019	Charge Effective January 1, 2020	Charge Effective January 1, 2021	Charge Effective January 1, 2022
First day	\$250.47	\$257.98	\$265.72	\$273.69
Each subsequent day in the same sampling period	\$102.92	\$106.01	\$109.19	\$112.46

(2) Laboratory Testing Fees. A laboratory testing fee is assessed for each type of test conducted on each sample. Fees are assessed pursuant to the following schedule:

Test	Charge Effective January 11, 2019	Charge Effective January 1, 2020	Charge Effective January 1, 2021	Charge Effective January 1, 2022
BOD— Biochemical Oxygen Demand	\$54.29	\$55.92	\$57.60	\$59.33
TSS—Total Suspended Solids	\$54.29	\$55.92	\$57.60	\$59.33
pH	\$27.14	\$27.95	\$28.79	\$29.66
BOD Soluble	\$81.43	\$83.87	\$86.39	\$88.98
COD	\$54.29	\$55.92	\$57.60	\$59.33
COD Soluble	\$81.43	\$83.87	\$86.39	\$88.98
TDS	\$54.29	\$55.92	\$57.60	\$59.33
Alkalinity (Carbonate)	\$27.14	\$27.95	\$28.79	\$29.66
Ammonia (Ion Selective Probe)	\$27.14	\$27.95	\$28.79	\$29.66
Chlorine Residual (Colorimetric)	\$27.14	\$27.95	\$28.79	\$29.66
Dissolved Oxygen (Azide)	\$27.14	\$27.95	\$28.79	\$29.66
Dissolved Oxygen (Membrane)	\$27.14	\$27.95	\$28.79	\$29.66
Fecal Coliform	\$81.43	\$83.87	\$86.39	\$88.98
FOG—Fats, Oils and Grease	\$108.58	\$111.84	\$115.20	\$118.65

Test	Charge Effective January 11, 2019	Charge Effective January 1, 2020	Charge Effective January 1, 2021	Charge Effective January 1, 2022
MPN	\$542.89	\$559.18	\$575.95	\$593.23
Nitrate	\$54.29	\$55.92	\$57.60	\$59.33
Nitrite	\$54.29	\$55.92	\$57.60	\$59.33
Organic/Volatile Acids	\$27.14	\$27.95	\$28.79	\$29.66
Total Volatile Solids	\$54.29	\$55.92	\$57.60	\$59.33
BNA (b) Semivolatiles	Outside Market Costs (a)	Outside Market Costs (a)	Outside Market Costs (a)	Outside Market Costs (a)
TPH (b)	Outside Market Costs(a)	Outside Market Costs(a)	Outside Market Costs(a)	Outside Market Costs(a)
Metals	\$414.18	\$426.61	\$439.41	\$452.59
Metals Graphite Furnace	\$579.86	\$597.25	\$615.17	\$633.63
Pesticides/PCBs	Outside Market Costs (a)	Outside Market Costs (a)	Outside Market Costs (a)	Outside Market Costs (a)
BTEX (b)	Outside Market Costs(a)	Outside Market Costs(a)	Outside Market Costs(a)	Outside Market Costs(a)

Notes:

(a) This testing is conducted by an outside laboratory. The actual fee will be based on the actual cost of the test performed, plus any related costs and taxes incurred.

(b) Glossary:

BNA: Base Neutral Acids (Semivolatile Organic Compounds).

BTEX: Benzene, Toluene, Ethylbenzene, and Xylene (Highly Volatile Hydrocarbons).

TPH: Total Petroleum Hydrocarbons (includes oils, gasoline, diesel, and other fuels).

(3) Other related service fees are assessed on each of certain transactions or services, pursuant to the following schedule:

Transaction or Service		Charge Effective January 11, 2019	Charge Effective January 1, 2020	Charge Effective January 1, 2021	Charge Effective January 1, 2022
Discharge authorization (a)	LS	\$567.00	\$584.01	\$601.53	\$619.58
Compliance inspection	HR	\$149.50	\$153.99	\$158.61	\$163.37
Dye testing	HR	\$149.50	\$153.99	\$158.61	\$163.37
Smoke testing	HR	\$149.50	\$153.99	\$158.61	\$163.37
TVing (location)	HR	\$214.86	\$221.31	\$227.95	\$234.79
TV new construction (we do)	LF	\$2.28	\$2.35	\$2.42	\$2.49
TV new construction (they do)	LF	\$1.49	\$1.53	\$1.58	\$1.63

Notes:

(a) Includes only the first 50,000 gallons of flow. See Chapter [7.65](#).

F. Amendment of Base Rates, Charges and Fees.

(1) The base rate or rates (“rates” for purposes of this subsection) set forth in subsection D of this section may be amended from time to time by ordinance of the city council. Any such amendment shall be based upon changes in the city’s cost

of providing wastewater pretreatment service as reflected in the city's annual budget.

(2) The charges and fees set forth in subsection E of this section may be amended from time to time by ordinance of the city council upon recommendation of the wastewater manager. Such amendments shall be based on changes in the costs of providing sampling, laboratory and miscellaneous wastewater pretreatment services. In determining whether there has been a change in the costs of providing service, the city council may consider the city's expenses associated with obtaining services from private laboratories and other third persons, and the city's own administrative and other costs.

G. Money to Be Credited to Wastewater Operating Fund. All moneys collected pursuant to this section shall be paid into and credited to the wastewater operating fund as provided in Chapter [3.101](#).

Section 5. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional, unlawful or invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 6. Effective Date. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 4th day of December, 2018.

ATTEST:

Kathy Coffey, Mayor

Sonya Claar Tee, City Clerk

Publication Date:_____Effective Date:_____