

ORDINANCE NO. O-2019-0094

AN ORDINANCE AMENDING CHAPTER 44 OF THE CODE OF ORDINANCES (2018 EDITION), CITY OF ROUND ROCK TEXAS, BY AMENDING SECTIONS 44-149, 44-150 AND 44-151 REGARDING ENVIRONMENTAL SERVICE FEES; REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR A SAVINGS CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 44, Article VI, Sections 44-149, 44-150 and 44-151 of the Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

ARTICLE VI. - ENVIRONMENTAL SERVICES FEES

Sec. 44-149. Wastewater discharge permit applications and surcharge.

- (a) *Applicability.* This article shall be applicable to all nondomestic dischargers to the Brushy Creek Regional Wastewater System.
- (b) *Definitions.* All words and phrases used in this article shall have the same meaning as the words and phrases defined in section 44-81.
- (c) *Wastewater discharge permit application.* A user is subject to the following application fees:

	Significant Users	Other Users
New Permit	\$100.00 <u>\$250.00</u>	\$25.00
Permit Renewal	\$100.00 <u>\$250.00</u>	\$25.00
Permit Modification	\$100.00 <u>\$250.00</u>	\$25.00

Removal credit. A fixed fee for a removal credit application cannot be given because of the circumstances of each user and constituent the credit is applied for are highly variable. Any user or group of users wishing to apply for a removal credit shall assume responsibility for all costs incurred by the city.

(d) *Surcharge for higher concentrations.* Users shall be assessed a sewer surcharge for nondomestic sewage that contains concentrations of TSS and BOD/COD higher than those defined for domestic sewage herein. The surcharge shall be in addition to any other sewer charges required by other city ordinances. If a user has more than one nondomestic outfall identified in a permit, the surcharge shall be applicable to the daily average total of all nondomestic discharges and not the individual nondomestic discharges.

(1) *When surcharge shall be applied.* A user shall be subject to a surcharge when its nondomestic discharge daily average total:

- a. Exceeds a TSS concentration of 250 mg/l; and/or
- b. Exceeds a BOD concentration of 250 mg/l; or
- c. Exceeds a COD concentration of 450 mg/l.

(2) *Computation of surcharge.* The city shall sample for both TSS and either BOD or COD. Computations of surcharges shall be based on the formulas below and for those concentrations that exceed the levels set forth in subsection (d)(1) of this section, the surcharge shall be applied to that excess. The surcharges for individual TSS and BOD/COD are additive.

BOD surcharge	$S_{\text{BOD}} = V \times 8.34 (A[\text{BOD} - 250])$
TSS surcharge	$S_{\text{TSS}} = V \times 8.34 (B[\text{TSS} - 250])$
COD surcharge	$S_{\text{COD}} = V \times 8.34 (C[\text{COD} - 450])$

where:

S	-	Sum of surcharges in dollars that will appear on the user's monthly bill.
V	-	Monthly average volume of nondomestic discharge in millions of gallons whichever is the least of the following volumes: (1) total monthly water consumption during the billing period, (2) the average water consumption for the billing periods of December, January and February of each fiscal year, or; (3) the total estimated or measured nondomestic discharge as determined by methods specified in the user's permit.
8.34	-	Conversion factor for units of measure in surcharge equations.
A	-	\$0.477 per pound of BOD
B	-	\$0.477 per pound of TSS
C	-	\$0.477 per pound of COD
BOD	-	Biological Oxygen Demand concentration in mg/l. For more than one nondomestic discharge,

		this shall be the flow-weighted concentration.
TSS	-	Total Suspended Solids concentration mg/l. For more than one nondomestic discharge, this shall be the flow-weighted concentration.
COD	-	Chemical Oxygen Demand concentration in mg/l. For more than one nondomestic discharge, this shall be the flow-weighted concentration.
250	-	Normal daily average domestic BOD and TSS concentration in mg/l.
450	-	Normal daily average domestic COD in mg/l.

- (3) *Application of surcharge.* Surcharge will apply directly to the water meter customer assigned to the discharging user.
- (4) *Sampling and analysis.* The city shall sample for TSS, and either BOD or COD. The time of sampling shall be at the sole discretion of the control authority. The control authority may select an independent contractor to conduct the sampling and/or analyses.
- (5) *Sampling/control point.* The user shall provide and the control authority shall designate a sampling/control point for the purpose of sampling. The location and design of the control point shall be approved by the control authority.
- This sampling point shall be free of impediments and easily accessible by city personnel.
- (6) *Period of surcharge.* If analyses for TSS and/or BOD/COD shows that a surcharge is applicable, the surcharge shall be applied to the monthly water bill for a period of six months.
- (7) *Costs of analyses.* When analyses show that a surcharge shall be applied, a fee of \$50.00 shall be added to a user's bill to cover the sampling, handling, and laboratory analyses. When analyses show that a surcharge shall not be applied, then this fee shall not be added to the user's bill.
- (8) *Contested charges.* User must contest any/all charges within 14 days of issuance of surcharge notification.

Sec. 44-150. Special scheduling fees for household hazardous waste.

(a) *Definitions.*

The term "household hazardous waste" or "HHW" means leftover residential household products that contain corrosive, toxic, ignitable or reactive ingredients. Products such as paints, cleaners, oils, batteries and pesticides that contain potentially hazardous ingredients require special care when disposed.

The term "resident" means a person or individual living within the corporate boundaries of the City of Round Rock, Texas.

- (b) *Applicability.* The fees described herein shall not be levied for any routinely-scheduled collection events for city residents. However, at any other times that a city resident requests special scheduling to dispose of an HHW product, such resident shall be charged the fees described herein.

(c) *Fees for collection of household hazardous waste on special scheduling basis.* A special scheduling fee of ~~\$4~~20.00 is for residential household hazardous waste and residential quantities only. Residential quantity is defined as 25 gallons of materials or less. Commercial/business waste is not accepted. Determination of acceptable materials is at the sole discretion of the city. Unlabeled and/or unidentified wastes will not be accepted.

(d) *Fees for collection of household hazardous waste from non-residents.* The participation fee for non-residents in a household hazardous waste collection event is \$40.00 per household. Non-residents from municipal utility districts participating in the city's Household Hazardous Waste Program may present a valid program voucher in lieu of the above fee.

~~(de)~~ *Payment of fee.* Due at time of scheduled appointment.

Sec. 44-151. Analytical fees, sampling fees, and instrument inspection fees.

(a) *Applicability.* The fees described herein do not apply to any sampling event or analytical work initiated by the city for the purposes of its own routine testing and monitoring.

(b) *Payment of fees.* Fees for analytical, sampling, or instrument inspection work requested by a water or wastewater customer of the city shall be billed to the customer on the monthly utility bill. Fees for such work requested by persons or entities that are not water or wastewater customers of the city must be paid in advance at the environmental services laboratory. Requests for analytical, sampling, or instrument inspection work must be accompanied by the appropriate paperwork and evidence of payment, if applicable.

(c) *Analytical fees.*

(1) *Analytical fees for water/wastewater.* Fees for analytical tests are as follows:

Biochemical Oxygen Demand (BOD)	\$15 20.00 per sample
Total Suspended Solids (TSS)	\$15 20.00 per sample
Carbonaceous-Chemical-Biochemical Oxygen Demand (C BOD)	\$15 20.00 per sample
Hardness	\$5 10.00 per sample
Alkalinity	\$5 10.00 per sample
Turbidity	\$5 10.00 per sample
Chlorine	\$5 10.00 per sample
pH	\$5 10.00 per sample
Fluoride	\$15.00 per sample
Ammonia	\$15.00 per sample

Total Dissolved Solids (TDS)	\$ 1520 .00 per sample
Percent Solids	\$15.00 per sample

(2) *Water bacteriological fees.*

24 hour Present/Absence Test for Total Coliform / Fecal Coliform <u>E. Coli</u>	\$ 1520 .00 per sample
18 hour Presence/Absence Test for Total Coliform / Fecal Coliform <u>E. Coli</u>	\$ 205 .00 per sample
24 hour Enumeration Test For Total Coliform / Fecal Coliform <u>E. Coli</u>	\$ 205 .00 per sample
18 hour Enumeration Test for Total Coliform / Fecal Coliform <u>E. Coli</u>	\$ 2530 .00 per sample
Heterotrophic Plate Count (HPC)	\$15.00 per sample
Chlorine Neutralization Test	\$1.00 per sample
<u>After Hours Presence/Absence Test for Total Coliform/E. Coli</u> <u>(24 hour or 18 hour)</u>	<u>\$50.00</u>
<u>After Hours Enumeration Test for Total Coliform/E. Coli</u> <u>(24 hour or 18 hour)</u>	<u>\$50.00</u>

~~Bacteriological samples that are approved to be analyzed outside normal working hours will incur a 2.0-x fee.~~

The above-stated fees ~~cover~~ include reporting ~~requirements~~ to the appropriate state agencies ~~for municipalities when required.~~

II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and **APPROVED** on first reading this the _____ day of _____, 2019.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2019.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk