

ORDINANCE AMENDMENT

THE TOWN OF SMITHFIELD HEREBY ORDAINS:

CHAPTER 294: SEWERS

ARTICLE III User Charges

§ 294-17. Computation.

A. Generally. Sewer user charges will be as follows:

- (1) Each single-family dwelling shall be charged at the rate of one unit.
- (2) Each multi-dwelling building shall be charged at the rate of one unit for each dwelling unit and/or apartment unit.
- (3) Rooming houses, tourist homes, hotels and motels, shall be charged an equivalent number of units based on metered water consumption, with a minimum charge of one unit.
- (4) Restaurants, taverns, bars, grills, lodges, fraternal, charitable and religious organizations that maintain facilities for the preparation and serving of food and/or beverages shall be charged an equivalent number of units based on metered water consumption with a minimum charge of one unit.
- (5) Gasoline service stations and automotive sales and/or repair premises shall be charged an equivalent number of units based on metered water consumption, with a minimum charge of one unit.
- (6) So-called car washes or other real premises devoted exclusively to the washing of automotive vehicles by manual, semiautomatic or automatic means shall be charged an equivalent number of units based on metered water consumption, with a minimum charge of one unit.
- (7) Lodges, charitable organizations, corporations or associations organized and conducted principally to enable members to meet for divine worship shall be charged at the rate of one unit, unless otherwise chargeable under Subsection A(4) above.
- (8) Laundromats containing manual, semiautomatic, automatic or coin-operated washers, dryers or extractors shall be charged an equivalent number of units based on metered water consumption, with a minimum charge of one unit.
- (9) Dry-cleaning establishments, whether a portion of facilities devoted to the normal operation of a laundry or laundromat or a premises devoted exclusively to manual, semiautomatic or coin-operated cleaning of wearing apparel in machines not using water as the cleaning agent, shall be charged an equivalent number of units based on metered water consumption, with a minimum charge of one unit.
- (10) Public or private schools, and governmental installations, shall be charged an equivalent number of units based on metered water consumption.
- (11) Commercial establishments, including but not limited to retail stores, wholesale distributors, light manufacturers, industrial plants, business operations, barber and beauty shops, banks, post offices, funeral homes, professional and business offices, lunch bars and other types of business enterprises not otherwise described in this section shall be charged an equivalent number of units based on metered water consumption with a minimum charge of one unit.
- (12) The Town reserves the right to assess charges for use of the sanitary sewer system by contract in the event a customer does not fall within any of the above classifications.

B. Industrial pretreatment program.

- (1) The industrial pretreatment program shall be administered at all times in accordance with the pretreatment standards and requirement established by the United States Environmental Protection Agency and the Rhode Island General Laws.
- (2) Any establishment that is classified as a significant industrial user shall be issued an industrial wastewater discharge permit which will require the user, at a minimum, to perform and submit quarterly self-monitoring reports to the Town showing the pollutant characteristics of their waste stream.

C. Industrial pretreatment program fees. To the above sewer user charges enumerated in Subsection A, above, shall be added an annual industrial pretreatment program fee to be determined as follows:

- (1) Residential users shall be charged at a fixed rate of \$10 per each one unit.
- (2) Commercial users of a nonmanufacturing business classification shall be charged at the rate of \$30 per each one unit.
- (3) Industrial users of a manufacturing business classification shall be charged at the rate of \$106 per each one unit.
- (4) Users requiring a pretreatment permit, as determined by the Authority, shall pay an annual permit fee. The amount of the permit fee shall be determined by the Town Council.
- (5) Commercial and industrial users shall be charged an additional fee for each and every violation of federal, state, and/or local discharge standards of the following pollutant parameters: total arsenic, total cadmium, total chromium, total copper, total lead, total mercury, total nickel, total silver, total zinc, total cyanide, total toxic organics, total organics, pesticides and polychlorinated biphenyls, oil and grease, biochemical oxygen demand (pounds per day limit only), and total suspended solids (pounds per day limit only). This fee shall be imposed upon the occurrence of a violation and be collectible by the Town immediately thereafter based on the following criteria:
 - (a) For each exceedance up to and including two times the allowable parameter discharge limit: \$100.
 - (b) For each exceedance of over two times and up to and including three times the allowable parameter discharge limit: \$200.
 - (c) For each exceedance of over three times the allowable parameter discharge limit: \$300.
 - (d) Parameter violations shall be based upon the analysis results of wastewater monitoring performed on the user's process wastewater discharge following pretreatment, if applicable, and prior to dilution with other sanitary waste streams. The same violation of two different jurisdictional standards for each pollutant parameter shall constitute one violation. Violation charges shall in no way or form restrict or limit federal, state and local agencies from taking additional enforcement actions, including but not limited to fines, penalties and/or termination of sewer service.
- (6) Commercial and industrial users shall be charged a surcharge fee for violations of the biochemical oxygen demand and total suspended solids concentrations limits. The method for calculating the fee shall be in accordance with the Sewer Authority Rules and Regulations. The surcharge rate shall be determined by the Town Council. This fee shall be imposed upon the occurrence of a violation and be collectible by the Town immediately thereafter.
- (7) For the purposes of Subsection C(2) and (3), above, commercial and industrial user classifications shall be determined based upon the Standard Industrial Classification

Manual issued by the United States Executive Office of the President, Office of Management and Budget, 1987, as amended or supplemented.

- (8) An increase in the annual cost to the Town of operating the industrial pretreatment program (IPP) shall effect an increase in the commercial and industrial user charges enumerated in Subsection C(2) and (3), above. The amount of increase shall be prorated to the commercial and industrial users in proportion to their relative user charges.
- (9) Should the program accumulate any monies in excess of the program costs from application of the fees and charges enumerated in Subsection C(1) through (6), above, then these excess monies shall be applied to a reduction in the residential user unit rate charge as determined on an annual basis.

D. Water not reaching sewer. All establishments assessed on the basis of metered water consumption may present evidence indicating that a percentage of the total annual volume of water used does not reach the sewer, in which case an estimate will be made of the proper amount to be deducted.

E. Private water supply. Where establishments other than dwellings have a private water supply, all or part of which is discharged to the sewer, the amount of such supply or the part thereof that is discharged to the Town system shall be metered and charges made on the basis of an equivalent number of units with a minimum charge of one unit.

F. Septic tanks. Wastes from septic tank cleaning will not be accepted into the Town system.

G. Sewage meters. All establishments using water in excess of 20,000 gallons per day shall meter their sewage flow prior to entering the public sewer and shall be charged on the basis of an equivalent number of units.