

SUMMARY OF FREMONT COUNTY ORDINANCE NO. 2002-04

Fremont County Ordinance No. 2002-04, which was adopted by the Board of Fremont County Commissioners of Fremont County, Idaho, on the 15<sup>th</sup> day of October, 2002, may be summarized for publication as follows:

An ordinance amending that portion of Fremont County ordinance 98-1 as follows:

13.01.120. Amending that section to require developers of sewer systems for industrial, business or commercial uses to submit proposed plans and drawings to the county engineer prior to receiving a permit; requiring the submission of as-built specifications and drawings to the county engineer upon completion of a project; requiring independent inspection and testing of all sewer systems constructed or reconstructed expect for systems connecting a single-family dwelling to a county sewer; and requiring developers of all sewer collection systems to be maintained by Fremont County to be tested and video inspected prior to such collection system lines being hooked into a Fremont County sewer system and accepted by Fremont County.

13.01.170. Amending that portion of subsection c, defining an equivalent user as one contributing four hundred thirty (430) gallons per day of wastewater and defining an average single dwelling as being one with four-and-one-third people;

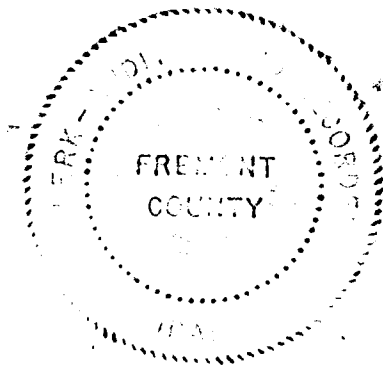
13.01.182 created. Establishes a system development charge to be paid by developers connecting to a county sewer system.

The full text of this ordinance is kept on file at the Fremont County Clerk's Office and may be reviewed or purchased at the Fremont County Clerk's Office, located at 151 W. 1<sup>st</sup> N., St. Anthony, Idaho, during regular business hours.

CLERK'S STATEMENT

I, Abbie Mace, the County Clerk of Fremont County, Idaho hereby state that I have read the foregoing Summary of Fremont County Ordinance No. 2002-04, which summary is true and complete and provides adequate notice to the public.

Dated this 15<sup>th</sup> day of October, 2002.



*Abbie Mace*  
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 ABBIE MACE  
 COUNTY CLERK

ORDINANCE NO. 2002-04

AN ORDINANCE AMENDING THAT PORTION OF FREMONT COUNTY ORDINANCE 98-1 COMPRISING FREMONT COUNTY CODE SECTION 13.01.120 BY AMENDING THAT SECTION TO REQUIRE DEVELOPERS OF SEWER SYSTEMS FOR INDUSTRIAL, BUSINESS OR COMMERCIAL USES TO SUBMIT PROPOSED PLANS AND DRAWINGS TO THE COUNTY ENGINEER PRIOR TO RECEIVING A PERMIT AND REQUIRING THE SUBMISSION OF AS-BUILT SPECIFICATIONS AND DRAWINGS TO THE COUNTY ENGINEER UPON COMPLETION OF A PROJECT AND REQUIRING INDEPENDENT INSPECTION AND TESTING OF ALL SEWER SYSTEMS CONSTRUCTED OR RECONSTRUCTED EXCEPT FOR SYSTEMS CONNECTING A SINGLE-FAMILY DWELLING TO A COUNTY SEWER AND REQUIRING DEVELOPERS OF ALL SEWER COLLECTION SYSTEMS TO BE MAINTAINED BY FREMONT COUNTY TO BE TESTED AND VIDEO INSPECTED PRIOR TO SUCH COLLECTION SYSTEM LINES BEING HOOKED INTO A FREMONT COUNTY SEWER SYSTEM AND ACCEPTED BY FREMONT COUNTY; AMENDING THAT PORTION OF FREMONT COUNTY ORDINANCE 98-1 COMPRISING FREMONT COUNTY CODE SECTION 13.01.170 BY AMENDING THAT PORTION OF SUBSECTION C, DEFINING AN EQUIVALENT USER AS ONE CONTRIBUTING FOUR HUNDRED THIRTY (430) GALLONS PER DAY OF WASTEWATER AND DEFINING AN AVERAGE SINGLE DWELLING AS BEING ONE WITH FOUR-AND-ONE-THIRD PEOPLE; ADDING A NEW SECTION 13.01.182 TO FREMONT COUNTY ORDINANCE 98-1 TO PROVIDE FOR A SYSTEM DEVELOPMENT CHARGE TO BE PAID BY DEVELOPERS CONNECTING TO A COUNTY SEWER SYSTEM TO ASSIGN THE CAPITAL COST OF SEWER SYSTEM CAPACITY EXPANSION TO THE DEVELOPERS CONNECTING TO THE SEWER SYSTEM; AND, ESTABLISHING THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO, THAT FREMONT COUNTY CODE SECTION 13.01.170 BE AMENDED AND A NEW SECTION 13.01.182 BE ADDED, AS SET FORTH BELOW:

13.01.120 Sewer construction, plans, specifications and inspection.

All construction or reconstruction of public, private and side sewers shall be in accordance with the County Standard Drawings and the State of Idaho's Standard Specifications, and subject to inspection by the County.

Plan and profile drawings shall be prepared for all new sewer mains (whether public or private) and for all sanitary sewer extensions, reconstructions or renovations; and all such plan and profile drawings must be reviewed and approved by the County Engineer and the Idaho Department of Health and Welfare before any construction work on said sewer lines is started.

Any individual or entity constructing or reconstructing sewer lines to be used for the support of any industrial,

business, or commercial activity shall submit to the County Engineer a set of proposed plans and profile drawings when applying for any permit as specified in Section 13.01.090 of this ordinance. Upon completion of the proposed sewer project for industrial, business, or commercial purposes, the individual or entity constructing or reconstructing the sewer line shall also submit a set of as-built specifications and drawings to the County Engineer. Such plans or specifications shall be submitted at the expense of the submitting individual or entity.

With the exception of a sewer system being constructed or reconstructed for a single family dwelling, all individuals or entities applying for a permit as specified in Section 13.01.090 of this ordinance shall arrange for and pay the cost for an independent inspection and test of any proposed sewer system to insure compliance with submitted plans and drawings. The dates and times for any inspections and tests shall be submitted to the County Engineer.

Any individual or entity constructing any sewer collection system which is to be maintained and operated by the County shall test and video inspect, at the individual's or entity's expense, all lines that have been proposed to be accepted by the County prior to hooking into a County sewer system. Any lines not properly tested and inspected shall not be accepted by the County. The dates and times for any inspections and tests shall be submitted to the County Engineer.

#### 13.01.170 Monthly sewer rates.

A. General. This is a user charge system for a small community which follows model number one in Appendix B of the Federal Register dated 9-27-78. This treatment works is primarily flow dependent and will utilize the equivalent user concept. The equivalent user system has been set up based on flow.

A sewer user charge shall be levied on all users of the sewage collection and treatment facilities to cover the actual or estimated costs of operation, maintenance, replacement and financing of this facility. The user charge system shall distribute these costs to each user or user class in approximate proportion to such users contribution to the total wastewater load of such facilities. By reference, the Fremont County User Charge System (on file in office of the County Clerk) is hereby made a part of this Chapter. A copy of the current User Charge System shall be mailed to each user with the first billing of each new fiscal year.

B. Basis for Rates. The sewer user rates for each user (or user class) shall be based on the user's contribution to the total wastewater loading of the treatment facilities in

comparison to a standard equivalent user as defined below. Each user (or user class) shall be assigned a number of equivalent users to be multiplied by a constant monthly cost factor to determine the basic user monthly rate. Special users contributing sewage of excessive flow and/or strength, for which the tabulated equivalent users below do not apply, shall be individually calculated as provided below. The constant monthly factor shall be set by resolution of the County Commissioners.

C. Equivalent User. One equivalent user shall be defined as contributing ~~three hundred fifty (350)~~ four hundred thirty (430) gallons per day of wastewater containing more than seven-tenths (0.7) pounds of five (5) day BOD and seven-tenths (0.7) pounds of suspended solids. The equivalent user flow has been developed from population and sewer usage records and estimates which indicate an average single dwelling unit has ~~three and one half (3 1/2)~~ four and one third (4 1/3) people, contributing one hundred (100) gallons per day per person. Standard engineering data indicates two-tenths (0.2) pounds of five (5) day BOD and two-tenths (0.2) pounds of suspended solids respectively per person per day. The basic equivalent user shall be subject to revision if pollution, water usage, sewage volume and/or other information indicates flow and/or strength significantly different from that defined herein. Revisions of the basic equivalent user criteria shall normally only be made upon recommendation of a registered professional engineer and as approved and adopted by resolution of the County Commissioners.

D. Equivalent User Schedule. The number of equivalent users to be assigned each user and/or user class shall be in accordance with the following equivalent user schedule.

Assignment of equivalent user shall apply to one year until the next annual user charge review. Users so indicated or not included in this schedule shall be evaluated separately as provided below. The information indicates that if the strength of sewage contributed by any of the following users is in excess in comparison with the allowable limits listed above, then a surcharge shall be levied against such users as provided below. Any of the users in the following schedule may be classified as special users if information on their contribution flow and/or strength indicates as a need to do so. A single user having more than one classification of use shall be the sum of the fees. The minimum monthly sewer user charge shall be one equivalent user. No quantity discount will be allowed.

## EQUIVALENT USER SCHEDULE (1.0 Minimum)

<u>Classification</u>	<u>Equivalent Users</u>
Assembly Hall or Lodge (no café)	1.00
Bar or Tavern (for each seat)	.06
Barber or Beauty Shops (per chair)	.20
Bowling Alley (per lane)	.50
Café, up to 50 seats	2.00
for each additional 25 seats	1.00
Café, Drive-In, less than 20 inside seats	2.00
for each additional 20 inside	1.00
Car Washes, per stall	2.00
Churches (single congregation)	2.00
Multiple congregations for each additional	1.00
Garage or Maintenance Shop	1.00
Hospital or Medical Clinics (with no beds)	3.00
(for each additional bed)	.50
Hotels, Motels, or Rooming Houses per unit	.50
(additional per unit with kitchens)	.20
Institutions with permanent or temporary residents	1.00
Rest Homes, etc. (Plus per residents)	.30
Laundromat, up to 10 washers	2.00
each additional washer	.20
Office, up to 20 employees	1.00
for each additional employee	.03
Schools, no cafeteria, per student	.03
with cafeteria, per student	.05
Service Station	2.00
Singles Dwelling Unit (residence, apartment <del>of</del> <u>or</u> trailer)	1.00
Store <del>of</del> <u>or</u> Business, up to 20 employees	1.00
each additional employee	.03
Super Market, Grocery	2.00
with butcher shop additional	1.00
Warehouses, potato, etc. per 10,000 gallons/month	1.00
Open class per 10,000 gallons/month	1.00
Public Campground with trailer spaces or campsites	
having access to water and sewer facilities	
per trailer space or campsite	0.10

E. Surcharge for Excessive Strength. When any user contributes wastewater having an average BOD and/or suspended solids loading in excess of the designated allowable limits hereinafter designated, a surcharge shall be levied against such user. Said surcharge shall be based on the average degree of excess loading and applied as a percentage of the basic user

charge as provided in the above schedule, or otherwise for special users. The BOD and suspended solids loading shall be determined from estimates or tests made by County officials or its engineer. The user's monthly surcharge shall be computed by use of the following equation:

$$US = \frac{[(b/B - 1) + (s/S) - 1]}{2} \times (UMC), \text{ where}$$

- "US" represents the user's monthly surcharge to be added to the basic user's monthly charge,
- "UMC" represents the basic user's monthly charge (for treatment only) computed as provided for above,
- "b" represents the average BOD loading above which is a user's wastewater contribution expressed in parts per million,
- "B" represents the allowable limits of BOD loading above which a user's surcharge shall be levied,
- "s" represents the average suspended solids loading of the user's wastewater contribution, expressed in parts per million,
- "S" represents the allowable limits of suspended solids loading above which a user's surcharge shall be levied, hereby designated as being two hundred (200) parts per million, and
- "b/b" or "s/S" shall not be less than 1.0.

A copy of the list of users surcharges, the characteristics of their sewage, and the surcharge for each shall be kept on file at all times in the office of the County Clerk.

F. Surcharge for Excessive Flow. If, in addition to excessive strength, a user is determined to add flow to the lagoon in excess of ten thousand (10,000) gallons per month, the above formula shall be multiplied by a factor of total flow divided by ten thousand (10,000) gallons per month. In order to determine the flow of this special user, the County may monitor sewage and water flow in order to determine total flow. The value of UMC used in the formula above will be the same value as assigned single dwelling units.

A copy of the list of special users, the characteristics of their sewage, and the special user's monthly charge shall be

kept on file at all times in the office of the County Clerk. There shall be no discounts permitted for quantity flows.

G. Review and Revision of Rates. The sewer user charges shall, as a minimum, be reviewed biannually and updated by resolution of the Commissioners to reflect actual costs of operation, maintenance, replacement, and financing of the sewage collection and treatment facilities. Any revisions of the user charges shall be based on actual operation, maintenance, replacement and financing expenses, and/or on significant changes in the total number of equivalent users, the total daily flow, the total daily BOD and/or the total daily suspended solids. The County may install flow-measuring devices and/or collect wastewater samples at any time in any user's service line to determine actual usage as a basis for revision of the user's charge. Revisions due only to changes in expenses and user class shall be made by the County. Revisions involving user's flow, BOD and/or suspended solids shall normally only be made upon the recommendation of a registered professional engineer. All changes in user charges applicable to this Chapter shall be computed by the methods outlined herein.

H. User Request for Rate Change. Any sewer user who feels his user charge is unjust and inequitable as applied to his premises within the spirit and intent of the foregoing provisions may make written application to the County Commissioners requesting a review of his user charge. Said written request shall, where necessary, show the actual or estimated average flow and strength of his wastewater in comparison with the values upon which the charge is based, including how the measurements or estimates were made. Any flow measurements and/or testing of wastewater shall be approved in detail. The County Commissioners shall determine if it is substantiated or not, including recommended further study of the matter for the County and/or user by registered professional engineer.

#### 13.01.182 System Development Charge

In addition to any sewer capitalization fees required by Section 13.01.181, all developers as defined by this section seeking to connect to a County sewer system shall be assessed a System Development Charge (SDC) prior to connecting to a County sewer system. The SDC shall be based upon the costs the County will incur by providing sewer services to a new development and assigns the capital cost of sewer system capacity expansion to the developers connecting to the sewer system. The SDC shall be established and determined upon the recommendation of a registered Idaho professional engineer.

A. The SDC shall be computed and assessed by the following equation:

SDC = LS + P + T + D + E&P, where

"SDC" represents the developer's System Development Charge to be assessed for connecting to a County sewer system,

"LS" represents the Lift Stations calculation derived by the formula  $LS = EDU \times \$150.00 \times$  Lift Stations, where "EDU" represents the number of Equivalent Dwelling Units generated by the new development, "\$150.00" represents the cost for upgrading each affected lift station, and "Lift Stations" represents the number of lift stations that sewage generated by the new development must pass through to be treated,

"P" represents the Pipe calculation derived by the formula  $P = EDU \times \$0.10 \times$  Length of Pipe Used, where "EDU" represents the number of Equivalent Dwelling Units generated by the new development, "\$0.10" represents the cost for upgrade per foot of pipe affected by the development, and "Length of Pipe Used" represents the number of feet of pipe affected by the development,

"T" represents the Treatment calculation derived by the formula  $T = EDU \times \$1,350.00$ , where "EDU" represents the number of Equivalent Dwelling Units in the new development, and "\$1,350.00" represents the cost of treatment system per EDU,

"D" represents the Disposal calculation derived by the formula  $D = EDU \times \$1,280$ , where "EDU" represents the number of Equivalent Dwelling Units in the new development, and "\$1,280.00" represents the cost of disposal system per EDU,

"E&P" represents the Engineering and Permitting Cost derived by the formula  $E\&P = (LS + P + T + D) \times 0.2$ , where "LS" represents Lift Stations calculation,



"P" represents Pipe calculation, "T" represents Treatment calculation, "D" represents Disposal calculation and "0.2" represents 20% of construction cost.

B. Definitions. The definitions of the following terms shall apply to this section when determining a SDC.

Developer. A developer is any entity that proposes to add one or more Equivalent Dwelling Units to a sewer system for the purpose of a sale; any entity that divides an existing lot or lots which result in an increase of Equivalent Dwelling Units; any entity that plats more than one lot within a sewer boundary; any entity which removes any existing Equivalent Dwelling Units and replaces them with structures possessing greater wastewater generation capacity; or any entity which increases the number of Equivalent Dwelling Units within a sewer system.

Equivalent Dwelling Unit. An equivalent dwelling unit or EDU is defined as the generation of 430 gallons per day of domestic sewage.

Lift Station. A lift station is defined as a Duplex pumping station or grinder pump.

Pipe. Pipe is defined as either gravity or pressure pipe and lines. Gravity lines include manholes and the labor necessary to lay the pipe to grade. Pressure lines include air relief valves, pig launch and recovery ports, and pressure testing.

C. From time to time the County may require developers to construct sewage facilities on their property that provide sewer service or services beyond what normally would be required by the County for construction of the development. In the event such requirements are placed upon a developer, the developer shall be reimbursed by the County for the additional facilities required by the County and constructed by the developer. Whenever possible, reimbursement shall first be made by a reduction in the developer's SDC equivalent to the additional expenses incurred by the developer.

D. All SDC monies shall be paid by the developer to the Fremont County Treasurer. Any developer seeking a class I building permit as established by the Fremont County Development Code or Island Park City Development Code, must pay the SDC prior

to the issuance of a building permit. Any developer seeking a permit to develop a subdivision as established by the Fremont County Development Code or Island Park City Development Code, must pay the SDC prior to receiving approval of the development's final plat. Any developer seeking a permit to develop a commercial business or industrial use as established by the Fremont County Development Code or Island Park City Development Code, must pay the SDC prior to the issuance of a building permit.

E. From time to time the County Commission may review the SDC and by resolution or subsequent ordinance establish a new SDC. The method of calculating said SDC shall be specified in said resolution or ordinance. At no time shall the County establish such a fee solely as a source of general revenue for the County.

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

PASSED THIS 15<sup>th</sup> DAY OF October, 2002.

BOARD OF COUNTY COMMISSIONERS  
FREMONT COUNTY, IDAHO

Glenn D Davis  
GLENN DAVIS, CHAIRMAN



Published: \_\_\_\_\_

