

RESOLUTION 08-16

AMENDMENT TO USER CHARGE ORDINANCE NUMBER 3

WHEREAS, the Alexandria Lake Area Sanitary District's User Charge Ordinance Number 3 establishes the user charges to all customers, and the Board of Directors of the ALASD has determined amendments to this ordinance to be necessary.

NOW THEREFORE, BE IT RESOLVED by the Board of the Alexandria Lake Area Sanitary District that Ordinance Number 3 is amended to read as follows:

Section 1. User Rates

Subdivision 1. The user charge for a single family dwelling shall be \$18.00 per month, which includes in this \$18.00 charge a \$.50 per month billing charge. This charge would also apply to single family dwellings that are rented, partially or in whole, provided it discharges normal domestic strength wastewater and is billed as residential for electricity and water by ALP. Structures constructed or modified to serve as multiple family dwellings are not eligible for the single-family rate and will be billed as a general municipal user.

Subdivision 2. The flow unit charge for the general municipal users shall be \$3.98 per 1,000 gallons in addition to a \$.50 per month billing charge.

Subdivision 3. The user charge for BOD, P, SS, which exceeds the parameters of the general municipal flow (BOD5 = 290 mg/l, SS = 270 mg/l, and TP = 10 mg/l) shall be as follows:

BOD - \$223.11 per 1,000 pounds
P - \$6.43 per pound
SS - \$207.75 per 1,000 pounds

Subdivision 4. The minimum monthly charge for the general municipal user, other than the single-family dwelling unit, shall be based on the sewer service pipe and shall be as follows:

4" - \$18.00
6" - \$54.00
8" - \$115.00
10" - \$185.00
12" - \$297.00

Subdivision 5. General municipal users not on city water and therefore not having a water supply that is metered shall be charged based on the estimated usage. The typical single-family dwelling shall be assigned an M value of 1 and shall pay for the Alexandria Lake Area Sanitary District facility use at the rate of \$18.00 per month as specified in Section I, Subdivision I.

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Using this basic charge the other user charges shall be calculated as follows:

- A. Each unit of the townhouse, condominium, duplex, and apartments shall have a value of 1.
- B. Mobile homes shall have a value of 1.
- C. Other commercial and industrial buildings and structures shall be assigned a value of 1 for each 54,000 gallons of estimated yearly flow.
- D. All general municipal users may be required to install and maintain water meters at no charge to the ALASD. The ALASD reserves the right to require annual tests to insure accurate flow.

The following table is a listing of standards used in assigning the M value for various commercial, public, and institutional facilities:

TYPE OF FACILITY	PARAMETER	M VALUE
Arenas	100 seats	1
Automobile Service Center	2 service bays	1
Barber Shop	Each	1
Bible Camp	5 campers (persons)	1
Boarding House	5 beds	1
Bowling alleys	3 alleys	1
Cabins, Modern (rental units and part of a resort)	Each unit	0.65
Campground with central bath facilities	Each site	0.5
Car Wash	Each	30
Car Wash (self service)	1 Stall	3
Churches	250 seats	1
Club House (Shower Heads)	Each	1
Cocktail Lounge	25 seats	1
General Office Building	2,400 sq.ft. floor space	1
Hospitals	1 Bed	1
Laundromats or laundry rooms	2 machines	3
Motels and Hotels (assume 2 persons per room)	2 rooms	1
Recreation vehicle campground with individual sewer hookups	Each hook up	0.65
Resorts (with housekeeping)	Each Unit	0.65
Restaurant (drive in)	9 parking spaces	1
Restaurant (24 hour service)	12 seats	1
Restaurant (with cocktail lounge)	9 seats	1
Retail stores	3,000 sq.ft. floor space	1
Rooming houses	7 beds	1
Schools (elementary)	20 students	1
Schools (secondary)	15 students	1
Service Station (gas pumping only)	Each	1

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Service Station with service center & carwash center and car wash	Each	8
Swimming pools	27 swimmers	1
Theater	75 seats	1
Theater (drive in)	55 parking spaces	1
Trailer Park or campground with central bathhouse	Each site	0.5
Trailer park or campground with flush toilets and no showers	Each site	0.35
Warehouses	14 employees	1

Section II. Billing and Adjustments

Subdivision 1. All billings shall commence the first billing cycle after connection to sanitary sewer. Billing shall continue until the structure generating wastewater is removed from the property, or when not occupied and water and electrical service has been removed. The removal of the user charge shall not be retroactive, unless the time all of the above conditions have been met can be substantiated to the satisfaction of the Executive Director. In no event shall any rebate, credit, or back charge issued to a customer exceed six years. This section does not apply to resort units as defined in Subdivision 1, Section III of this ordinance.

Subdivision 2. Metered customers that experience a break in the private water service line may receive a credit for unused water if the Executive Director can substantiate the water line break and resultant repair. The credit shall be based upon the highest monthly usage in the 12 months preceding the break.

Section III - Resort Rates

Subdivision 1. Definitions: "Resort" is defined as a commercial enterprise whose income is solely derived from the rental of housing units and associated goods and equipment including boats motors, supplies and recreational equipment. The units and associated equipment must be available for rent to the general public during the minimum period from May 15 to September 1 of each year at reasonable rates as compared to other enterprises of the same character in Douglas County, Minnesota. In any year that the enterprise has no income, it will not be considered a resort. Any units owned by individuals, corporations, cooperatives, associations or other multiple owner groups that units do not meet the definition of resort in this section shall not be considered resorts and ill be billed in accordance with Subdivision 1 of Section 1.

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Subdivision 2. Upon annual written notice and the signing of a contractual agreement, as drafted by the ALASD attorney, user rates will be reduced during the off season to the minimum charge outlined in Section 1, Subdivision 4. In addition to this minimum charge they shall also be charged for each unit of occupancy in excess of the minimum charge in accordance with the appropriate M value in Section 1, Subdivision 5.

Subdivision 3. Failure to comply with the written agreement shall result in the resort's disqualification for a period of one year from the rate allowed in Section II, Subdivision 1 of this ordinance.

Section IV - Meters

Subdivision 1. If a substantial portion of water utilized by a general municipal user is not discharged into the sewer system, the volume of such water shall be deducted in computing the sewer use charge, provided a separate meter is installed to measure such volume. The user desiring to install such separate meter shall make application to the ALASD, full payment for the meter, and engage, at their own expense, a plumber to affect the necessary piping changes and install the couplings so the meter can be set. The user may also make direct payment to the distributor for the necessary meter provided it is approved by ALASD.

Section V. - Delinquent Accounts

Subdivision 1. Delinquent sewer charges incurred by the tenant are the responsibility of the property owner.

Subdivision 2. Each user charge levied pursuant to this ordinance shall be a lien against the property, and all such charges due on September 30 of each year, delinquent more than six times the monthly billing, and having been properly mailed to the owner of the premises, shall be certified by the Executive Director to the County Auditor, shall specify the amount thereof, the description of the premises, the name of the owner thereof, and the amount so certified shall be spread upon the tax rolls against such premises in the same manner as other taxes, and collected by the County Treasurer and paid to the Alexandria Lake Area Sanitary District along with other taxes.

Subdivision 3. Delinquent accounts not certifiable to the county auditor shall be forwarded to a collection agency along with ALP's delinquent accounts.

Section VI. - Validity and Effective Date

Subdivision 1. Any person violating any provisions of this ordinance shall become liable to the ALASD for any expense, loss or damage occasioned by the ALASD by reason of such violation.

Subdivision 2. If any portion of this ordinance is ruled invalid by any court of competent jurisdiction, or by reason of any existing or subsequently enacted legislation, the remaining portions or provisions of this ordinance shall continue to have full force and effect.

Subdivision 3. The effective date of this amendment to the ordinance shall be the first ALP billing cycle in year 2009.

Approved for First Reading this 8th day of October 2008 by the following vote:

Yes: Jensen, Flesner, Nelson, Nolting, Eldevik, Johnson, Telander, Thalman, Clasen and Waldorf.

No: None

Approved for Final Reading this 12th day of November 2008 by the following vote:

Yes: Flesner, Nelson, Nolting, Johnson, Telander, Thalman, Clasen and Waldorf.

No: None

Paul Nelson, Chairman

Don Nolting, Secretary