

## ORDINANCE NO. 8

### AN ORDINANCE OF THE ALEXANDRIA LAKE AREA SANITARY DISTRICT ESTABLISHING A FEE TO BE USED FOR THE FULL OR PARTIAL PAYMENT OF THE COSTS OF EXPANDING THE DISTRICTS WASTEWATER TREATMENT FACILITY

The Board of the Alexandria Lake Area Sanitary District does ordain:

**Preamble:** The Board has carefully reviewed the Wastewater Feasibility Study prepared by Brown & Caldwell, board consultants, which study determined that an expansion of the Districts wastewater treatment facility is feasible and necessary and that the estimated cost of such expansion is 19.1 million dollars which is estimated to equal \$2,500 per equivalent dwelling unit (E.D.U.) as defined in section 6 below. The Board has also reviewed the comments of a Citizens Advisory Committee which committee has also received the Brown & Caldwell study. In addition, the Board has considered the oral and written comments made at and after a public hearing to consider a wastewater facility expansion held on February 2, 2005. Further, the Boards attorney and bond counsel have assured the Board that it has the power and legal authority to establish a fee to be used to pay for the costs of expanding the Districts wastewater treatment facility.

1 **Wastewater Treatment Expansion Fee.** A Wastewater Treatment Expansion Fee, hereinafter referred to as “WTEF”, in the amount of \$2,500 is hereby created, Except as provided in subparagraph 1.1, this fee shall be charged for all new connections to public sanitary sewer made after the effective date of this ordinance. This includes all new connections to public sanitary sewer located within the boundaries of the Alexandria Lake Area Sanitary District (ALASD), or within local units of government that are not ALASD members but whose wastewater is treated at the ALASD Wastewater Treatment Facility pursuant to a “service contract”. The two units of government presently having service contracts with the ALASD are the City of Nelson and Leaf Valley Township. The WTEF will also apply to any and all connections made within a local government unit that will be served by service contract in the future except that if a service contract provides for a different method of payment, the provisions of the service contract shall apply and this ordinance shall not apply.

- 1.1 Permit issued prior to effective date. If a sanitary sewer connection permit (permit) with no expiration date was issued prior to the effective date of this ordinance (effective date) a sanitary sewer connection made pursuant to such permit shall not require a WTEF even if the connection is made after the effective date.
- 1.2 Expired Permit. If a permit has been issued with an expiration date, and if connection is not made before the permit expires, a WTEF will be required for a new permit, even though the original permit was issued prior to the effective date.
- 1.3 Permits to have expiration dates. All permits issued after the effective date shall allow sewer connection within 6 months of issuance. If a WTEF has been paid, a new permit replacing an expired permit may be issued without the payment of another WTEF.

1.4 Permits issued for a reconnection resulting from demolition, alteration or moving of a building already connected to sewer shall not be required to make payment of a WTEF.

1.5 Permits issued for structure for which building permits have been issued prior to the effective date of this ordinance shall not require payment of a WTEF.

2 **Payment of Fee.** Full payment of the WTEF shall be made to the ALASD prior to the issuance of a sanitary sewer connection permit. Payment of the WTEF may be made at any time prior to permit approval and issuance. Installation of a private service line from the public sanitary sewer to the property line will not require the payment of a WTEF.

2.1 WTEF Refund. If a WTEF has been paid upon the issuance of a permit, and if no connection to sanitary sewer is made pursuant to such permit, a refund of the WTEF may be requested and the WTEF will be refunded in full without interest. If a refund is made, the permit shall be terminated. A WTEF shall be required if a new permit for the same connection is applied .

3 **Change in Status.** If a sewer connection has been made and if a WTEF has been collected, no additional connection charges shall be required unless there is a substantial change in the flow or other major change in the use of the connected premises. If such substantial change is made, the ALASD may levy an additional charge. The ALASD will continuously monitor building permits and metered usage of commercial and industrial customers. If a commercial or industrial usage increases by more than 200 gallons/day (monthly average) over the usage at the time the WTEF was charged the customer will be charged for the additional usage based upon the formula in Paragraph 7.

4 **Failure to Pay Fee.** Upon failure to pay the WTEF as herein required the ALASD will immediately invoice the owner of the property for the full WTEF. Payment shall be due within 30 days of the invoice date. If payment is not received the ALASD may certify the WTEF to the Douglas County Auditor for collection with real estate taxes in accordance with Minnesota Statutes 444.05, Subdivision 3. Prior to certification to the County Auditor, ALASD shall send a certified letter to the property owner notifying the owner of the intention of ALASD to make such certification. The letter shall inform the property owner of the right to a hearing and the opportunity to provide written and oral comment to the ALASD board prior to certification.

5 **Appeal.** Property owners believing that a WTEF should not be charged, or that the amount of the WTEF is incorrect shall have the opportunity to a hearing before the ALASD board. Prior to the hearing the property owner must place the request in writing with a detailed explanation of why the WTEF should not be charged or is the incorrect amount.

6 **Single-Family Dwelling.** The WTEF shall be \$2,500 on a single-family dwelling based upon an estimated design flow of 200 gallons/day. An equivalent dwelling unit (E.D.U.) is equal to the number one (1), \$2,500 and a design flow of 200 gallons/day. One (1) gallon/day of design flow is equal to \$12.50.

7 **Industrial Users.** Industrial connections shall be those that have a discharge that exceeds a monthly average of 25,000 gallons/day or discharge a categorical pollutant. Expansion of flow or loading from an industry above the monthly maximum limits established in the Significant Industrial User (SIU) Agreement will not be permitted until full payment to the ALASD of the WTEF for the increased capacity. The WTEF shall be \$12.50 for each one (1) gallon/day of expansion flow above the monthly maximum limit. Upon payment of the WTEF the SIU Agreement shall be amended to reflect the expanded capacity.

8 **Commercial Users.** Any connection to the public sanitary sewer that is not a single-family dwelling, or industrial facility shall be considered a commercial account. The WTEF for commercial connections shall be based upon the E.D.U. System, and determined **by attached Appendix A and** as follows:

<b><u>Facility</u></b>	<b><u>EDU</u></b>	<b><u>WTEF</u></b>
Apartments	0.8	\$2,000 (each unit)
Duplexes	0.8	\$2,000 (each unit)
Town homes	1.0	\$2,500 (each unit)
Condominiums	1.0	\$2,500 (each unit)

<b><u>Facility</u></b>	<b><u>Parameter</u></b>	<b><u>“E.D.U.”</u></b>
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	0.65
Campground with central bath facilities	Each site	0.50
Car Wash	Each	30
Car Wash (self-service)	1 stall	3
Churches	250 seats	1
Club House shower head	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	1
Motels and Hotels	2 rooms	1
Nursing Home	3 beds	1
Recreation Vehicle campground with individual		
Sewer hookups	Each hook-up	0.5
Resorts(with housekeeping)	Each unit	0.5

<u>Facility</u>	<u>Parameter</u>	<u>“E.D.U.”</u>
Restaurant (drive-in)	9 parking spaces	1
Restaurant (24 hr. 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)	each	1
Service Station (with service center)	Each	1
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
Warehouse	14 employees	1

10 **Fee Assignment.** All WTEF fees collected shall be placed in the ALASD Debt Service Fund. These revenues may only be used to pay for capital debt retirement and related fees. Upon the retirement of all capital debt any WTEF fees thereafter collected shall be placed in any construction, maintenance or plant expansion fund or funds then existing or thereafter created.

11 **Local Government Units.** This ordinance will have no impact on the right of local government units to levy special assessment, connection charges, or SAC charges on locally owned public sanitary sewer.

12 **Effective Date.** This ordinance shall be effective upon its passage and publication.

**APPROVED** first reading on the 9<sup>th</sup> day of February 2005 by the following vote:

Yes: Nelson, Nolting, Eldevik, Johnson, Hammargren, Thalman, Waldorf & Clasen

No: None

**ADOPTED** by the Board of the Alexandria Lake Area Sanitary District this 9th day of March 2005 by the following vote:

Yes: Nolting, Eldevik, Jensen, Clasen, Flesner, Nelson, Hammargren, Waldorf, Telander  
No:

\_\_\_\_\_  
Paul Nelson, Chairman

\_\_\_\_\_  
Don Nolting, Secretary

**AMENDED** by the Board of the Alexandria Lake Area Sanitary District this 11<sup>th</sup> day of May 2005 by the following vote:

Yes: Nolting, Eldevik, Jensen, Clasen, Flesner, Nelson, Hammargren, Waldorf, Telander  
No:

\_\_\_\_\_  
Paul Nelson, Chairman

\_\_\_\_\_  
Don Nolting, Secretary

**AMENDED** by the Board of the Alexandria Lake Area Sanitary District this 11<sup>th</sup> day of January 2006 by the following vote:

Yes:  
No:

\_\_\_\_\_  
Paul Nelson, Chairman

\_\_\_\_\_  
Don Nolting, Secretary

## Ordinance No.8

## Appendix A: Criteria for Commercial Properties

<u>FACILITY</u>	<u>PARAMETER</u>	<u>EDU</u>
Animal Clinic (humane societies, animal research, boarding, etc.)		
Animal holding areas	17 fixture units	1
Animal runs (kennels)	34 fixture units	1
Archery (6 feet/lane)	6 lanes	1
Arenas (bleachers 18 inches/person)	110 seats	1
Auditoriums(7 square feet/person)	110 seats	1
Automobile Service		
Fast service (less than 4 hours/car)	2 service bays	1
Major service (more than 4 hours/car)	14 employees	1
Car dealership (charges for office, retail, etc. are separate at 2 service bays 1 established rates)		
Fast service (number of service bays x 30%)	2 service bays	1
Major service (Number of service bays x 70% x 1 employee/bay)	14 employees	1
Ballroom (exclude dance floor)		
Facility without liquor service	825 square feet	1
Facility with liquor service	590 square feet	1
Bank (exclude bank vault)	2400 square feet	1
Banquet Room (15 square feet/person)		
Food catered	2,060 square feet	1
Food catered with dishwashing	1,180 square feet	1
Food catered with liquor	1,028 square feet	1
Food catered with dishwashing and liquor	750 square feet	1
Food preparation and dishwashing	825 square feet	1
Food preparation with dishwashing and liquor	590 square feet	1
Barber	4 chairs	1
Batting Cages(6 feet/lane)	6 lanes	1
Beauty Salon	4 cutting stations	1
Bingo Hall (used only for bingo)	110 seats	1
Boarding House (dorm rooms)	5 beds	1
Body Shop (major service more than 4 hours/car, no vehicle washing)	14 employees	1
Bowling Alleys (does not include bar or dining area)	3 alleys	1
Camps (number of gallons x occupant or site)		
Childrens camps (central toilet and bath; overnight, primitive cabins; number of occupants x 50 gallons/occupant)	200 gallons	1
Day camps (no meals served; number of occupants x 10 gallons/occupant)	200 gallons	1
Labor/construction camps (number of occupants x 50 gallons/occupant)	200 gallons	1

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Appendix A: Criteria for Commercial Properties

<u>FACILITY</u>	<u>PARAMETER</u>	<u>EDU</u>
Resorts (housekeeping cabins; number of occupants x 60 gallons/occupant)	200 gallons	1
Travel trailer parks		
With water and sewer hookup (number sites x 100 gallons/site)	200 gallons	1
With central toilet and showers (number of sites x 75 gallons/site)	200 gallons	1
Sanitary dump (sites without hookup; number of sites x 10 gallons/site)	200 gallons	1
Car Wash Contact ALASD for Determination		
Catering Contact ALASD for Determination		
Churches(for sanctuary, nave, chancel; 7 square feet/person seating area; remainder use other criteria; sacristy and ambulatory at no charge)	275 seats	1
Cocktail lounge (no food service)	23 seats	1
Coffee Shop (no food service)	23 seats	1
Correction Facility (prison)	2.5 inmates	1
Court Rooms	1,650 square feet	1
Dorm Rooms		
(on and off campus; charge for classrooms is additional)	5 students	1
Daycare		
Number of children for which facility is licensed	14 children	1
Child/adult play area (not licensed)	490 sq.ft.	1
Dry Cleaners (retail)	3,000 sq ft	1
Elder Housing (at 100% of current SAC rate; see formula below to determine the number of residents)		
No washer/dryer in each unit	3 residents	1
Washer/dryer in each unit	2.5 residents	1
Three bedroom unit with washer/dryer (separate from formula below)		
Calculate the number of residents as follows:		
Number of efficiency units x 1.0 residents/unit		
+ Number of one-bedroom units x 1.5 residents/unit)		
+ Number of two-bedroom units x 2.0 residents/unit)		
+ Number of three-bedroom units x 3.0 residents/unit)		
Total number of residents for SAC calculation		
Exercise Area/Gym (juice bars at no charge; sauna and whirlpool included)	700 sq ft	1
No showers	2,060 sq ft	1
Fire Station (charges for office, meeting rooms, etc., are separate, at established rates)		

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<u>FACILITY</u>	<u>PARAMETER</u>	<u>EDU</u>
Washing (hose tower, truck)	200 gallons	1
Full time, overnight people (75 gallons/person)	200 gallons	1
Volunteer (occasional overnight stays)	14 volunteers	1
Funeral Home (charge for viewing areas only: i.e., chapel)	770 sq ft	1
Apartment	1 apartment	.8
Game Room (billiards, video and pinball games)		
With bar	590 sq ft	1
Without bar	2,060 sq ft	1
Golf Course (if facility has showers, use Locker Room criteria for those areas)		
18 hole		3
9 hole (par 3)		2
Miniature		3
Country club (private)		
Dining room (used only on evenings and weekends)	15 seats	1
Bar and grill (with bar and grill separate)		
Bar only	23 seats	1
Grill	15 seats	1
Golf Dome or Driving Range	6 driving stations	1
Greenhouse		
Area not open to the public	15,000 sq ft	1
Area open to the public	5,000 sq ft	1
General retail area	3,000 sq ft	1
Group Home		
Secondary treatment (residents leave during the day)	5 beds	1
Primary treatment (residents stay all day)	3 beds	1
Guest Rooms (in an apartment or condominium complex; charge as apartment)		
Washer/dryer		1
No washer/dryer 80% of current rate		.8
No kitchen 50% of current rate		.5
Handball and Racquetball Courts	1 court	2
Hospitals(licensed beds or baby cribs)	1 bed	1
Outpatient clinic	17 fixture units	1
Sterilizers (4 hours x gallons per minute x 60 minutes)	200 gallons	1
X-ray film processors (9 hours continuous operation; 4 hours intermittent operation; operation time (hours) x gallons per minute x 60 minutes)	200 gallons	1
Dental clinic vacuum device (9 hours x gallons per minute x 60 minutes)	200 gallons	1

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Appendix A: Criteria for Commercial Properties

<u>FACILITY</u>	<u>PARAMETER</u>	<u>EDU</u>
Ice Arena		
Showers (see Locker Rooms)		
Team Rooms (plumbing fixture units)	17 fixture units	1
Bleachers 110 seats	1	
Ice resurfacers (if discharge goes to the sanitary sewer)		4
Laundromat (required water volume for cycle time x 8 cycles/day)	200 gallons	1
Library (subtract book storage areas, file areas; charge for common plumbing fixture units in public areas)	17 fixture units	1
Meeting rooms, board rooms, reception, book checkout offices	2,400 sq ft	1
Loading Dock	7,000 sq ft	1
Locker Rooms(if showers 20 gallons/locker)	14 lockers	1
Medical Clinic (see Hospitals, Outpatient Clinic)		
Meeting Rooms (conference rooms)	1,650 sq ft	1
Mini-storage (storage area no charge)		
Living area		1
Public restroom	17 fixture units	1
Mobile Home		1
Motels and Hotels (assume 2 persons/room; no charge for pools, saunas, whirlpools, game rooms, or exercise rooms used exclusively by guests)	2 rooms	1
Breakfast only (complimentary)	45 seats	1
Cocktail hour (complimentary)	55 seats	1
Kitchenettes (number of kitchenettes x 10 gallons/day)	200 gallons	1
Museum	2,400 sq ft	1
Nursing Home	3 beds	1
Office		
General office (deduct mechanical rooms, elevator shafts, stairwells, restroom and storage areas)	2,400 sq ft	1
Dental and Doctors offices, see Hospital, Outpatient Clinic		
Police Station (charge as Office)		
Cells (overnight jail)	3 people	1
Cells (holding area with no overnight stays)	14 people	1
Recording/Film Studios	7,000 sq ft	1
Restaurant		
Drive-in	9 parking	1
Fast food (with disposable plates, drink cups, and table utensils)	22 seats	1
Take-out (no seating)	3,000 sq ft	1
Full service (with washable plates, drink cups, and table utensils)	8 seats	1
Retail Stores (deduct mechanical rooms, elevator shafts, stairwells, escalators, restrooms and unfinished storage areas)	3,000 sq ft	1

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<u>FACILITY</u>	<u>PARAMETER</u>	<u>EDU</u>
Roller Rink (skating area only)	825 sq ft	1
Rooming Houses (no food service)	7 beds	1
RV Dumping Station (not in association with camp grounds)		1
Schools		
Elementary schools (15 gallons/student; 30 square feet/student)	18 students	1
Colleges/technical/vocational (30 square feet/student)	18 students	1
Lecture halls (15 square feet/student)	18 students	1
Labs (50 square feet/student)	18 students	1
Dorm rooms (on and off campus students)	5 students	1
Nursery schools (number of children for which facility is licensed)	14 students	1
House of worship nurseries (used during worship service only; 30 square feet/child)	55 children	1
Nursery (health clubs, bowling alleys, etc.)	2,400 sq ft	1
Secondary schools (30 square feet/student, at 20 gallons/student)	14 students	1
Labs (50 square feet/student)	14 students	1
Weekly worship schools (i.e., not daily parochial schools; 30 square feet/student)	55 students	1
Service Station		
Gas pumping		1
Convenience center	3000 sq ft	1
Service bays	2 bays	1
Car wash (see Car Wash)		
Shooting Ranges (rifle and handgun ranges, @ 6 feet per lane)	6 lanes	1
Swimming Pools (public, swimming pool area only; no charge for private residential, townhouse, apartments, condominiums, hotels, or motels)	900 sq ft	1
Tanning Rooms	3000 sq ft	1
Tennis Courts (public; shower facilities available)	1 court	2
Theatre	64 seats	1
Drive-in (parking spaces)	55 spaces	1
Vehicle Garage		
Employees stationed in garage	14 employees	1

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<u>FACILITY</u>	<u>PARAMETER</u>	<u>EDU</u>
Vehicle drivers (per day)	28 drivers	1
Vehicle washing (number of vehicles per day x gallons per minute x minutes/vehicle)	200 gallons	1
Warehouses		
Assembly areas	7,000 sq ft	1
Office/warehouse		
Minimum 30% office	2,400 sq ft	1
Maximum 70% warehouse	7,000 sq ft	1
Whirlpools, therapy (at doctors office or clinic; number of gallons to fill tank x 8 fills/day)	200 gallons	1
Yard Storage Buildings (i.e., lumber storage; customer pickup; no permanent employees)	15,000 sq ft	1
Plumbing Waste Fixture Units		
Type of Fixture Fixture Unit Value (f.u.)		
Note: 17 Fixture Units (f.u.) = 1		
Drinking Fountain		1
Floor Drain		
2" waste (only if hose bib included)		2
3" waste (only if hose bib included)		3
4" waste (only if hose bib included)		4
Trench drain: per 6-foot section		2
Sinks		1
Lab in exam room, bathroom		1
Kitchen and others		2
Surgeon		3
Janitor		4
Water closet		6