

RESOLUTION NO.

10-20

Series of 2010

TITLE: A RESOLUTION SETTING SEWER RATES PURSUANT TO SECTION 13-59 OF THE HUDSON MUNICIPAL CODE

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUDSON, COLORADO, AS FOLLOWS:

Section 1. Effective July 1, 2010, the Town hereby sets its sewer rates as follows:

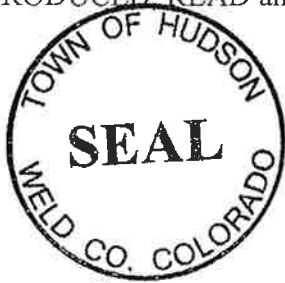
- (a) For all classes of residential sewer taps: A flat rate of \$22.85 per month; and
- (b) For commercial and industrial sewer taps:
 - (1) A base rate of \$22.85 per month for up to ten thousand (10,000) gallons of water usage; and
 - (2) \$2.285 per month per each one thousand (1,000) gallons of water usage thereafter; and
 - (3) A surcharge at the following rates to be paid monthly by commercial and industrial customers that produce waste water with biochemical oxygen demand (BOD) and total suspended solids (TSS) in excess of the following base concentrations, customer waste water concentrations to be determined by the Town:
 - a. BOD in concentrations exceeding 250 mg/l (milligrams per liter): \$.30 per pound of excess.
 - b. TSS in concentrations exceeding 250 mg/l: \$.20 per pound of excess.
 - (4) Concentrations of BOD and TSS in commercial and industrial waste water shall be determined by sampling by the Town of waste water from businesses according to sampling protocols established by the Town. In the event that sampling data is unavailable for individual businesses, the Town may use the Utility Service Reports submitted for such businesses as approved by the Town to determine BOD and TSS concentrations. If no Utility Service Report is available, and sampling cannot be performed due to the configuration of the plumbing in individual businesses, the Town may use the table "*Commercial User Strength Characteristics*" as published by the State of California Water Resources Control Board, March 1998 Edition.
 - (5) Water usage for commercial and industrial billing purposes shall be adjusted annually on July 1 of each year and shall be determined on the basis of the

average monthly water usage shown on the previous January, February and March water bills, and not on the actual water used during the billing month. For new customers where the previous January, February and March water bill information and waste water sampling information is not available, or for existing sewer users when different sewer use patterns or extenuating circumstances require the use of different information, the Town Administrator may use data from the Utility Service Plan and consult with the Town Engineer in order to determine the basis for water usage and waste water concentration determinations.

- (6) Appeals. Commercial and Industrial wastewater utility customers may appeal the Town Administrator's determination of waste water demand or BOD and TSS concentrations, or the use of different information for new users or determinations based on extenuating circumstances to the Board of Trustees. Such an appeal must be in the form of a report, prepared by and signed by a qualified licensed professional engineer, indicating the basis for any claimed alternative demand or concentration levels, and must be received within thirty (30) days of the Town Administrator's final determination. A public hearing shall be scheduled on any such appeal within thirty (30) days of the receipt of the appeal. The determination of the Board of Trustees at the public hearing shall be final, and subject to review by the Weld County District Court pursuant to C.R.C.P. 106(a)(4).

Section 2. The sewer rates established in the previous sections of this Resolution, as adjusted annually, shall be automatically adjusted on the first day of July of each year by a percentage equal to the annual percentage change in the previous year's United States Bureau of Labor Statistics Consumer Price Index (CPI) for Denver-Boulder-Greeley.


INTRODUCED, READ and PASSED this 16th day of June, 2010.



TOWN OF HUDSON, COLORADO


Neal Pontius, Mayor

ATTEST:


Linnette Barker, Town Clerk