

Commissioner Gjerdevig introduced the following resolution and moved its adoption:

RESOLUTION SETTING SEWER SERVICE  
SURCHARGE RATE FOR NON-RESIDENTIAL USERS

WHEREAS, The City of West Fargo, pursuant to Title IX of the Revised Ordinances of 1990 of the City of West Fargo, has established that the surcharge rate for sewer services for non-residential users shall be in such amounts as shall be established by resolution of the Board of City Commissioners.

WHEREAS, the City desires to set the fees pursuant to Title IX.

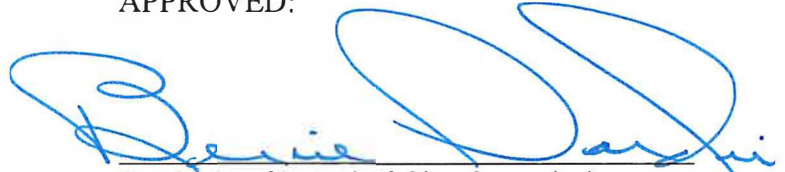
NOW THEREFORE, be it resolved as follows:

The surcharges associated with the Industrial Pretreatment Surcharge Program set forth in Exhibit A to this resolution are hereby adopted and incorporated by reference into the City of West Fargo waste water system charges.

Said surcharge shall remain the same unless amended by the City by resolution of the City Commission.

Dated: August 16, 2021.

APPROVED:

  
\_\_\_\_\_  
President of Board of City Commissioners

ATTEST:

  
\_\_\_\_\_  
City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Olson. On roll call vote the following commissioners voted aye: Gjerdevig, Olson, and Dardis. The following commissioners voted nay: simmons. The following commissioners were absent and not voting: George. The majority having voted aye, the motion carried and the resolution was duly adopted.

EXHIBIT A

**Industrial Pretreatment Surcharge Program**

- A. There shall be collected from any permitted user within the city an additional charge over and above the base sewer rates provided for commercial users based upon the extent to which the sewage or waste discharged has a biochemical oxygen demand (BOD) concentration greater than two hundred seventy-five (275)mg/l, total suspended solids (TSS) greater than two hundred seventy-five (275)mg/l or other pollutants in such concentration as to require special attention to treatment as determined by resolution of city commissioners.
- B. Any sums so charged in addition to the base sewage charges shall be termed “surcharge” as shall be determined as hereinafter described.
  - 1. Sampling and testing of the permittees’ wastewater shall be conducted at periodic intervals as specified in the industrial water permit or agreed upon by the and permittee for the purpose of computation of the monthly surcharge and penalty fee, if any.
  - 2. The surcharge to the permitted user shall be based upon the following:
    - a.  $BS = [(BOD-275mg/L) (8.34 \times 10^{-6})] (VW) \div 1000 (\$45)$
    - b.  $TS = [(TSS-275mg/L) (8.34 \times 10^{-6})] (VW) \div 1000 (\$50)$
    - c.  $PS = [\$45(CP-ALmg/L) (8.34 \times 10^{-6})] (VW)$

Variable	Definition
BS	Biochemical Oxygen Demand in mg/L
TS	Total Suspended Solids in mg/L
PS	Pollutant Surcharge in mg/L
VW	Monthly Water Reading in Gallons
CP	Concentration of Pollutant
AL	Allowable Limit of Pollutant

\*\*\* Pollutant(s) include but are not limited to Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, Cyanide, Total Toxic Organics (TTO), Arsenic, BTEX, Benzene.

- 3. Wastewater surcharges shall be in addition to monthly utility billing.
  - a. If the surcharge amount for any pollutant becomes less than zero (0) it shall not be used to offset or reduce the surcharge amount to be collected for other pollutants listed (a. through c.).
  - b. For permitted industrial users the surcharge will be based on quarterly averages.
- C. Any person discharging any waste which by its nature or toxicity causes damage to the treatment works or increases the cost of managing the effluent, sludge or other products of treatment shall pay the cost of cleanup, restoration of such damage, and any increased treatment costs.