

City of Caldwell, Idaho
Sewer System Fees and Policies

RESOLUTION NO. 316-14

WHEREAS, Section 04-05-03 (3) of the City Code authorizes the City Engineer of the City of Caldwell, Idaho to prescribe charges for sewer connections and such charges to be in force after approval of the Mayor and City Council by resolution; and

WHEREAS, Section 04-05-09 (2) of the City Code authorizes the City Engineer to levy a user-fee surcharge on all Users for replacement or extension of the City sanitary sewer system after approval by the City Council; and

WHEREAS, Section 04-05-09 (3)A. of the City Code authorizes the City of Caldwell, Idaho to establish user charges for the operation, maintenance, repair and replacement of the Publicly Owned Treatment Works, based on the volume and content of the effluent discharged by the users, and consistent with the benefit derived by the users;

I. SEWER CONNECTION FEES

NOW THEREFORE BE IT RESOLVED that the charge for connecting to the Publicly Owned Treatment Works shall be determined as follows:

A) Sewer Main Extension Fee: Each residential or industrial/commercial property to be connected to an existing sewer main shall be assessed a "front foot" cost of forty-two dollars and thirty-eight cents (\$42.38) per foot. The "front footage" is the longest street, alley or utility easement frontage having a sewer main without regard to where the service is actually connected. The total property frontage is used in instances where the sewer main is not yet fully extended along the property frontage. For large lots in which only a portion of the lot is being occupied and which could reasonably be split in the future, the City Engineer may reduce the frontage by the developable amount that could be split off. In instances where an unusual lot configuration or frontage as described above imposes a disproportionate burden compared to the impact of possible use, a proportional frontage may, with the approval of both the City Engineer and the Public Works Director, be assigned in a manner consistent with the following provisions: The minimum frontage for purposes of computing this fee is sixty (60) feet, resulting in a minimum Extension Fee of two thousand five hundred forty-two dollars and eighty cents (\$2,542.80) for all properties except as noted below. In instances where the City of Caldwell directs the property owner or developer to install City main lines at owner expense or where lines are provided through a Local Improvement District, the extension fee may be waived in whole or in part as may equitably be determined by the City Engineer. In instances where a property can obtain sewer service without frontage on a sewer main, it shall be

the responsibility of the City Engineer to assign a frontage for purposes of computing this fee of seventy-five percent of the square root of the property area. In instances where the connection is for a private hangar on the Caldwell Industrial Airport at which no fixed base operation or commercial operation shall be stationed, the frontage shall be taken as the width of the hangar front and a fifty (50) foot minimum fee shall apply. Where an existing home seeks to connect to sewer, the City Engineer and Public Works Director may jointly approve applications of the foregoing and may offer relief for mainline extension, except that the minimum frontage for said mainline extension shall still be 60 feet as described above.

B) Interceptor Fee: Each dwelling unit (single family residence, manufactured home, town home, condominium or apartment) to be connected to the Publicly Owned Treatment Works shall be assessed one thousand, one hundred seventy dollars and ninety-three cents (\$1,170.93) per unit at the time of connection for the capital costs of providing oversized mains, and interceptor and trunk lines to convey the wastewater flow generated by each unit. In instances where a developer or property owner has prepaid this fee as a condition of development, and the area to which the prepayment applies is specifically defined, then the interceptor fee for connection subsequent to passage of this act shall be waived.

C) Plant Capacity Fee: Each dwelling unit (single family residence, manufactured home, town home, condominium or apartment) to be connected to the Publicly Owned Treatment Works shall be assessed one thousand, two hundred thirteen dollars and thirty cents (\$1,213.30) per connection for the capital costs of providing treatment capacity to treat the biochemical oxygen demand, total suspended solids, and remove nutrients generated by each unit.

D) Industrial/Commercial Connection Fees: Each commercial or industrial facility to be connected to the publicly owned treatment works shall be assessed main extension, interceptor and plant capacity fees, computed as follows, and based on peak usage at full capacity:

Biochemical Oxygen Demand	\$ 900.90/lb/day
Total Suspended Solids	\$ 900.90/lb/day
Flow	\$ 2,896.43/1000 gpd
Main Line Extension	\$ 84.76/foot
Main Line Extension (shared frontage)	\$ 42.38/foot

The peak usage shall be determined from the usage of the proposed facility at full capacity based on flows obtained from the chart titled WASTEWATER FLOWS FROM VARIOUS ESTABLISHMENTS IN GALLONS PER DAY, pages 101-103, and published in the current edition of the "Technical Guidance Manual For Individual And Subsurface Sewage Disposal Systems" (note

that this document is current as maintained at www.DEQ.idaho.gov and is updated often. Page numbers may not be in agreement as the document is updated and changed over the course of a year) except that peak flows from schools, restaurants, grocery stores, and self-serve laundries shall be calculated in accordance with Exhibit A to this resolution. Waste Strength shall be obtained from the chart in Section II.E of this resolution by averaging the high and low extremes of the applicable Category. For uses not specifically addressed in the aforementioned charts, it shall be the responsibility of the City Engineer to equitably estimate peak usage at full capacity.

The minimum total fees for biochemical oxygen demand, total suspended solids and flow is two thousand three hundred eighty-four dollars and twenty-three cents (\$2,384.23) per connection (the sum of the Residential Plant Capacity and Interceptor Fees). If the owner or developer is directed to construct the main line by the City, the mainline extension fee shall be waived. If the connection is for a private hangar on the Caldwell Industrial Airport (at which no fixed base operation or commercial operation shall be stationed), the minimum total fees for biochemical oxygen demand, total suspended solids and flow is shall be two hundred sixty-four dollars and five cents (\$264.05 = \$45.13 + \$45.13 + \$173.79) based on a peak flow of sixty (60) gallons per day with a Category I waste strength (middle of range at 100mg/l BOD/TSS).

For existing connections proposing to increase levels of discharge, a fee corresponding to the increase of quantities shall be assessed. For existing commercial and industrial users, the existing level of usage is generally the discharge defined by connection fees previously paid. In the absence of a record of connection fees previously paid, the existing level of usage derived from the existing facility at full capacity, or the discharges defined in a "discharge permit" or "user agreement" existing at the promulgation of this act may be utilized.

E) Stub-out Fee: The sewer service connection is considered the property of the sewer user and its construction and maintenance are the sewer user's responsibility. In certain circumstances the City may elect to construct a service stub from the sewer main to the property line. A service stub fee of nine hundred and seventy-seven dollars and eighteen cents (\$977.18) **or** the present worth of the constructed cost, whichever is greater, shall be assessed at the time of user connection. In instances where a user constructs its own service stub or is constructed and paid for in connection with a Local Improvement District, the fee shall be waived.

F) Previous Connections: In instances where an improvement on a property has previously been connected to the sewer system and complied with the connection fee(s) in force at the time of connection, the above fees do not apply. If, however, the connection involves an increase in number of dwelling units or an increase in demand on the system, then the connection is subject to these

fees for the increase only (minimum fees shall not apply in that instance, but a proportionate increase only).

G) **Significant Industrial Users:** Connection and User Fees for Significant Industrial users and/or users with waste strengths above Category V, and/or excessive flow are to be calculated by the City Engineer and Public Works Director (or designated Deputy Public Works Director) in consultation with the Wastewater Superintendent and negotiated with the User to establish equitable charges for said connection and user fees. Such negotiated fees shall be established on a basis that keeps the City whole for the cost of providing the service including depreciation and replacement.

II. **SEWER USER CHARGES**

BE IT FURTHER RESOLVED, the monthly charges for sewer service provided by the Treatment Plant Department to each user connected to the Sanitary Sewer System within the City Limits shall include a Base Rate, Use Fee and a at times determined by the Council, a Surcharge and be based upon the following schedule of rates:

A) **Base Rate:** The Base Rate for all Users, without regard to quantity of sewer use for each and every monthly period that the user's sewer service is in use shall be twenty-three dollars and sixty-nine cents (\$23.69). Base Rate for fractions of a month shall be prorated according to time in service.

B) **Use Fee:**

1. **Residential Sewer with City Water** In addition to the above Base Rate, Residential Sewer Use Fees shall be based upon the monthly average cubic feet of water consumed by the Residential User for the previous months of *December, January and February* at the Waste strengths indicated in Section II.E, and at the Fee Rates defined in Section II.F of this Resolution.

2. **Residential Sewer New Hookup or Without City Water** In addition to the above Base Rate, Sewer Use Fees shall be a flat rate of fifty-two dollars and thirty-one cents (\$52.31) per month, which is the estimated average sewer use billing of residential users. For new hookups, this flat rate shall be in force until the first December, January and February water consumption average is available.

3. **Non-Residential Without Permit** In addition to the above Base Rate, non-residential sewer Use Fees shall be based upon the cubic feet of water consumed by the non-residential user during each monthly billing period at the waste strengths indicated in Section II.E and at the Fee Rates defined in Section II.F of this Resolution. In the event a non-residential

sewer user's monthly water consumption is not representative of its sewer use, the user may appeal to the City Public Works Director for alteration of the method of computing sewer use and the Public Works Director may request the assistance of the City Engineer in determining the appropriateness of altering the method of computing sewer use. The acceptable alternative methods for computing use in all but the most extreme and unusual circumstances, is for the user to either monitor sewer discharge directly or monitor domestic water piping separately from water piping dedicated to other uses (such as irrigation). The costs for rerouting piping and installing meters shall be borne by the user.

4. **Non-Residential With Permit** In addition to the above Base Rate, the sewer Use Fee for a permitted user may be established by separate resolution of City Council.

C) **Capital Improvements Surcharge:** The Capital Improvements Surcharge is hereby inactivated. In the event the Council finds it necessary to reactivate such a surcharge, it shall be in addition to the above defined Base Rate and Use Fee, the total monthly sewer charge for all users (residential, non-residential and permitted) shall be computed as a percentage of the sum of the Base Rate and Use Fee.

D) **Capital Improvements Fund:** When/if a Capital Improvement surcharge is enacted, funds collected shall be used only for initial construction or replacement of Treatment Plant and Collections System Facilities and related debt service.

E) **Waste Strength:** Waste strength categories are based on the highest concentration of either B.O.D.⁵ or T.S.S. in the waste stream. The concentration ranges for each category are:

Category I	0-200 mg/L
Category II	200-400 mg/L
Category III	400-600 mg/L
Category IV	600-800 mg/L
Category V	800-1000 mg/L

Fees for waste strengths beyond Category V shall be determined by agreement or within a discharge permit issued by the Public Works Director. The waste strength category for each user may be determined by laboratory analysis, or in lieu of periodic sampling and analysis, may be assigned in accordance with the following classification chart (or up to the City Engineers judgement if the use is not explicitly shown on the chart):

SEWER WASTE STRENGTH CLASSIFICATION

CATEGORY I

Car Wash
Dry Cleaners
Laundromats
Animal Clinics
Barber Shops
Beauty Salons
Bars and Taverns
Car Dealers
Cold Storage
Department and Retail
Domestic (Single and Multiple)
Fruit and Produce
Garages
Hotels and Motels
Medical/Dental
Offices
Photo Finishing
Printers
Service Station/Bulk
Private Airplane Hangars (Not Fixed Based Operator, Not Commercial)

CATEGORY II

Airports
Commercial Laundries
Hospitals, Schools, Churches
Mortuaries
Soft Drink Company
Theaters
Take-out Only Pizza
Sandwich Shops

CATEGORY III

Food Markets
Restaurants (including Drive Through)
Full Service Pizza

CATEGORY IV

Bakery, Wholesale
Dairies
Fish and Poultry

F) Use Fee Rates:

1. **Rate Schedule** The schedule of USE FEES for each category of user per 100 cubic feet (CCF) is:

Category I	\$3.58
Category II	\$4.26
Category III	\$5.50

Category IV	\$7.49
Category V	\$9.64

2. **Non-Category Rate:** For users whose waste strength is outside the range of categories defined in this Resolution, the Use Fee shall be computed at the rate of one dollar and fifty cents (\$1.50) per pound of the higher concentration of either B.O.D.⁵ or T.S.S. Permitted dischargers may be charged according to rates established by separate resolution of City Council and the above categories and classifications shall not apply.

BE IT FURTHER RESOLVED, that each non-residential sewer user whose water consumption is not metered (private water supply) may be required by the Public Works Director to install and maintain at the User's expense a water meter capable of measuring the total cubic feet or gallons of water being used from such private water supply. The meter shall meet the approval of the Water Superintendent, be installed within 60 days after receiving written direction from the Public Works Director or City Engineer, and be accessible to the Water Department at all times during normal working hours. In instances where water usage is not representative of sewer usage and such situations as may be deemed appropriate by the Public Works Director, a sewer metering device may be used instead with the same constraints except that the metering device shall be approved by and accessible to the Wastewater Superintendent and his or her staff.

III. SEPTAGE DUMP FEE

BE IT FURTHER RESOLVED that the standard fee for discharge of septage to the Publicly Owned Treatment Works is nine cents (\$0.09) per gallon.

1. **After Hours and Emergency Disposal Charges** – The City of Caldwell receives Septage during hours designated by the Public Works Director and Wastewater Superintendent. Request to dump after hours or on weekends may be granted at the discretion of the Wastewater Superintendent, but an afterhours fee equal to the loaded hourly rate of the highest paid POTW employee call-out pay will apply in addition to the Septage Dump Fee.

IV. NEW CONSTRUCTION

BE IT FURTHER RESOLVED, that in connection with new development, the minimum

sewer main size is a nominal diameter of eight (8") inches. When, in conformance with the needs of the City Sewer System, a larger line is requested of the developer than this nominal diameter, and the larger line is beyond the developer's flow needs, the developer may be reimbursed the added material costs of providing the larger line in place of the nominal eight (8") line or the minimum standard diameter larger than eight inches (8") required to meet the developer's flow needs. If the developer elects to receive reimbursement for over-sizing in conformance with the above formula, the developer is precluded from being reimbursed by other means outlined in City Code. Material costs shall not include contractor mark-up and shall be based on the material supplier's invoice(s). New Construction performed by the City shall be eligible for the same reimbursement mechanisms set forth under City Code available to developers and/or "private persons." When users participate in the cost of a reimbursement agreement provided for under City Code, they may be considered to have participated in the construction of mainline and the mainline extension fee may be waived.

V. SERVICE DISCONNECTION

BE IT FURTHER RESOLVED that when it becomes necessary to disconnect a sewer service to a user or property that is not concurrently connected to the City water service, for non-payment of fees or for violation of rules of discharge, the full costs of disconnection and reconnection shall be chargeable to the user, or property owner if user fails to compensate City, and paid before reconnection can occur. Additionally the Utility board may require the user or property owner to connect to City water or provide a deposit of up to six (6) months user fees as a further condition of reconnection. The same past due account fees and policies adopted for Water are adopted here by this reference for Sewer without altering the adopted requirements for cost of disconnection, reconnection set forth in this section.

VI. OTHER CHARGES

BE IT FURTHER RESOLVED that:

1. **Connection Fees (Outside City Limits)** - Any customer outside the corporate limits of the City requesting sewer service, who is legally able to annex to the City, must do so to connect to the City Sewer System. Any customer outside City corporate limits requesting sewer service, who is not legally able to annex, is required to obtain Council approval, enter into an agreement to voluntarily annex to the City when legally able to do so (Municipal Service Agreement), and pay those fees as at that time constituted to the Planning and Zoning Department

normal for processing an application to annex. Approval for connection is solely at the option of City Council. If approved by the Council, connection fees and rates shall be charged at the same rates as for customers within the incorporated City Limits.

2. **Damage Repair Costs** - Damages to Sewer Department facilities by other utilities, excavators or others will be repaired using City approved contractors, procedures and specifications. All direct and indirect costs incurred by the City to perform, oversee, monitor and/or inspect the repair will be billed to the party causing the damage (This provision shall apply in instances where Locates are not called in or are called in and are appropriately marked by the City).

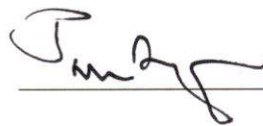
3. **Short Notice Line Location Charges** - The City of Caldwell, as required by law, participates in the Dig Line system. Forty-eight hours notification is required prior to excavation by any party. Line locations without forty-eight hours' notice will be billed at the rate of thirteen dollars and ninety-eight cents (\$13.98) to the requesting party. There will be no charge for line locations during times of individual hazard or public emergency.

VII. **EFFECTIVE DATE**

BE IT FURTHER RESOLVED that sewer connection and septage dump fees and sewer user charges are to be in effect beginning October 1, 2024 and all fees established by earlier resolution are hereby repealed.

PASSED BY THE COUNCIL of the City of Caldwell, this 7th day of October, 2024.

APPROVED BY THE MAYOR of the City of Caldwell, this 7th day of October, 2024.



Mayor

ATTEST:



City Clerk



Exhibit A

Gallons Per Day Categories

<u>Use</u>	<u>Gallons Per Day</u>	
Restaurants		
Full Service (per square foot of customer service area)	1.29	
Fast Food (per square foot of customer service area)	1.08	
Take-out Pizza Only (per square foot of customer service area)	0.84	
Sandwich Shop (per square foot of customer service area)	0.82	
Schools		
Base/Elementary (per classroom)	445	
Middle/High School (per classroom add to "Base" GPD)	140	
With a cafeteria (per classroom add to "Base" GPD)	84	
With showers (per classroom add to "Base" GPD)	140	
Grocery stores (per square foot)	0.09	
<u>Sub Uses*</u>		
Bakery (per square foot)	0.84	
Deli (per square foot)	0.84	
Butcher (per square foot)	0.84	
Self-service laundries		
First 10 washing machines	2800	Each
additional washing machine	175	

All other uses shall be computed on an individual basis where peak daily water usage shall be determined from the usage of the proposed facility at full capacity based on flows obtained from the chart titled WASTEWATER FLOWS FROM VARIOUS ESTABLISHMENTS IN GALLONS PER DAY, pages 101-103, and published in the "Technical Guidance Manual For Individual And Subsurface Sewage Disposal Systems".

*The sub uses may be used to calculate those categories for standalone uses.

MEMORANDUM

To: Mayor Wagoner and Members of Council
From: Robb MacDonald, PE, Public Works Director
Ashley Newbry, PE, Deputy Public Works Director
Bruce Mills, PE, Deputy Public Works Director
Hallie Hart, PE, City Engineer
Re: Sewer, Water, Street Light, Mapping, Building, Sanitation, and Engineering Fees
Date: October 7, 2024

The proposed Fiscal Year 2025 budget includes cost increases in the Sewer, Water, Streetlight, and Sanitation funds as well as the Engineering, Mapping, and Building Departments. **These fees are effective retroactively starting October 1st, 2024.** Irrigation fees will be adjusted soon with a January effective date, consistent with Idaho Code. A brief explanation of each fee change follows:

1. **Sewer Use and Connection Fees** - The proposed resolution modifies the present fee structure and includes an effective 4.9% increase in user fees and connection fees. The monthly cost to the average residential user (the average water use per household in Caldwell is assumed to be 800 cubic feet/month) will increase from \$49.86 to \$52.33 per month. Septic receiving fees are not proposed for an increase this year. In fiscal year 2025, it is anticipated that an objective rate study analysis will be conducted by a third-party consultant to recommend fee rates for the 2026 fiscal year.
2. **Water Use and Connection Fees** - This resolution makes and formalizes Public Works Policies related to Water Fees. While fee elements of the resolution become effective October 1st, any policy modifications are effective immediately upon passage. The monthly cost to the average residential user (the average water use per household in Caldwell is assumed to be 800 cubic feet/month) will increase from \$19.53 to \$26.20 per month. Connection fees for new water users are increased significantly based on the findings of the recently completed Water Facilities Plan, which demonstrates the existing connection fees to be much lower than appropriate for Caldwell's system (under Idaho Supreme Court Case Law – NIBCA vs. Hayden) where connection fees are intended to purchase a proportionate share of the system. The needed increase is substantial, and staff proposes that it be pursued over the course of several years. To begin that process, an **increase of 50%** was adopted in FY2024 and is planned to be repeated for the following 2 years, FY2025 and 2026. Note some variety in the percent increases proposed as a result of nearest dollar adjustments.
3. **Street Lighting Charges** - The proposed resolution maintains the present fee structure and enacts a 3.2% fee increase of for FY 2025. The monthly billing for the typical residence will increase from \$3.31 to \$3.41.
4. **Building Safety Fees** – Building Safety has not had any fee increases for about 10 years. Because of this deferred action, many fee increases have been recommended to support the needs of a growing community and be closer in line with the fees of the neighboring cities.
5. **Sanitation Fees** – Pursuant to the contract adopted by City Council on April 16th, 2024, the collection fees have been established and are set to match the change in the Consumer Price Index (the CPI) for All Urban Consumers (Garbage/Trash Collection Services) U.S. City Average, as published by the United States Department of Labor, Bureau of Statistics. CPI adjustments shall be applied every April for the duration of the Contract.

6. **Engineering Fees** – The Right-of-way Permit policy has been changed to charge for the closure of alleys, parking stalls, and block closures for events. There is also a new violation fee added for offenders with 3 offenses. In addition, a new fee has been added for plan reviews that are on their 5th or more reviews. A pass-thru fee has been added for intersection design safety review when specialized analysis is required. Inspection fees for streetlights and final walk through has been added along with charging for additional final walk throughs in excess of 3 inspections.
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Those fees that are new or exceed 5% of the fee previously collected are subject to the notice and hearing procedures outlined in Idaho Code, Section 63-1311A. Hearings will be held on the date of consideration by the Council and have been noticed in accordance with Idaho Code.

The attached resolutions would modify the fee schedules as proposed with an October 1, 2024 effective date.