

## SECTION 3

### FEES AND CHARGES

#### 3.1 General

Rules, charges, and fees for services provided by MAWSS are established by order of the Board and are contained in the current MAWSS' Fee Schedule, as modified from time to time by the Board. Copies of the current Fee Schedule may be inspected at MAWSS' office and are available free of charge upon request. They are also available on MAWSS' website. All fees are payable in advance of service. At the discretion of the Board, some one-time fees may be paid in installments.

Schools shall be charged 80% of the charges and fees of residential users.

#### 3.2 Connection Fee; Service Line Component; Capacity Component

The Connection Fee is comprised of a "service line" component and a "capacity" component.

**Service Line Component:** The Service Line Component of the Connection Fee for water and/or sewer service will be based on the platted area of property served (area determined without regard to condition or ability to develop, and will include all property used by the customer or the lot size, whichever is greater). The fee for water service will be as shown on the Fee Schedule. The fee for sewer service will be as shown on the Fee Schedule. Property area will be determined to the nearest hundredth of an acre. The fee will be calculated for parcel sizes not shown.

Each fee includes one 5/8 inch water meter or on six-inch sewer lateral if these services are adjacent (adjacent means 1) no intervening private property, 2) no more than two intervening lanes of public streets, and 3) no more than 50 feet to the property). If they are not adjacent, costs to bring these services to the property line that are above the water meter or sewer lateral extension allowance will be paid by the owner. The water meter or sewer lateral extension allowance for each fee shall be 5% of the fee.

The fees shall be deemed to have been paid for all parcels having service prior to the effective date of this rule.

Except for property to be accepted as a subdivision, with water and/or sewer facilities provided by others, the fee for any parcel having service, and subsequently subdivided into smaller parcels shall be determined by calculating the fee for each of the newly created parcel sizes and crediting the larger parcel or largest equal size parcels with the fee applicable for the beginning parcel size.

**Capacity Component:** The capacity component of the connection fee is charged to new and existing customers who modify, add, or construct facilities which impose additional potential demand on the water and/or wastewater system. This fee is charged to equitably adjust the fiscal burden of water/sewer users. All capacity fees are allocated to the direct and indirect costs of capital improvements made necessary by actual and expected increased demand on the water/sewer system.

A baseline value for the capacity fee is established for the average individual residential dwelling unit, using a 5/8-inch water meter size. The fee for other dwelling units is set as a percentage of this baseline value. The fee for non-dwelling use and single dwelling unit use with greater than 5/8-inch meter size is based on the capacity of the meter as related to the capacity of a 5/8-inch meter.

The capacity fee is in addition to any amount which might be expended by the customer for water/sewer system improvements or other fees required by MAWSS and are not refundable.

MAWSS reserves the right to discontinue service to premises for non-payment of applicable capacity fees. MAWSS reserves the right to charge the capacity fee on the basis of meter size for those users who impose a potential demand greater than can be supported by a 5/8-inch meter. The right to service, as applicable to the capacity fee, is assigned to the premises served and is not transferable.

A separate record shall be maintained for all capacity fee receipts, and the revenues so realized shall be restricted in the application as provided for herein.

Dwelling unit use for each meter will be calculated on the basis of the following Equivalent Residential Connections (ERC):

ERC

Single-Family Dwelling	1.00
2 to 4 Dwelling Units (each unit)	.75
Mobile Home/Multi-Family with more than 4 units (each unit)	.50
Hotel/Motel/Guest House with more than 4 units (each unit)	.25

All other uses, except 5/8-inch irrigation meter use, will be charged a capacity fee based on an ERC meter size, as related to a 5/8-inch meter as follows:

<u>METER SIZE</u>	<u>ERC</u>
5 / 8"	1.0
3 / 4 "	1.5
1"	2.5
1.5"	5.0
2"	8.0
3"	16.0
4"	25.0

This fee, for meters larger than 4-inch in diameter, shall also be related to the 5/8-inch meter capacity, but shall be determined on an individual basis to allow for other possible conditions regarding need for, and/or ability to provide service.

Additional capacity fees may be charged to a customer who modifies or changes the use on the premises served, including the reduction of dwelling units, which may result in a greater equivalent ERC. For capacity fees that are increased, credits will be given for capacity fees

paid for previous use. The equivalent capacity fee credit will also be given for the use of MAWSS' services existing prior to November 4, 1993.

Additional meters may be installed on a single line serving a single lot with an additional charge levied for each meter installed, including additional capacity fees where applicable.

Connection fees for single-family residential customers may be financed for a period not to exceed five (5) years at the interest listed on the Fee Schedule.

### **3.3 Tapping Fee**

A tapping fee is charged for costs incurred by MAWSS in the connection of the customer's premises to MAWSS' water or wastewater system and will vary with the size of meter or pipe installed. Tapping fees generally are charged to customers requesting additional service connections. Tapping fees shall be charged for each change in the size or type of meter, and include an initial service charge, the cost of labor and materials, and use of equipment for the installation of the meter, related fittings and appurtenances, and replacement of pavement, sidewalk, curbs, gutters, sod, and plantings.

Additional meters may be installed on a single line serving a single lot with an additional charge levied for each meter installed including material, labor, equipment, and overhead, together with additional capacity fees when applicable.

Renewals of ¾-inch water service lines are at the customer's request and expense.

Sewer laterals shall be installed and maintained at the owner's expense from his property line to the structure served.

### **3.4 Surcharge**

Sewage exceeding the equivalent of domestic or normal strength sewage is considered "high strength sewage", usually generated by industrial and commercial customers. A surcharge is imposed on those customers generating high strength sewage. This charge is for the recovery of the extraordinary operation and maintenance costs associated with the treatment of such high strength sewage. (See Fee Schedule)

A surcharge is imposed for the following:

1. BOD in excess of 280 parts per million (PPM)
2. Suspended solids in excess of 250 ppm.
3. Oil and grease in excess of 100 ppm.

### **3.5 Meter Test Fee**

Upon written request and advance payment of a Meter Test Fee, as shown in the Fee Schedule, MAWSS shall test a customer's meter to prove its accuracy. The Meter Test Fee will

not be refunded to a customer with a meter that register equal or less than the actual amount of water passing through the meter.

### **3.6 Tampering Charge**

Upon receipt of notification by either an individual or employee of MAWSS that there is reasonable cause to suspect that tampering with MAWSS' property or facilities has occurred at any premises served by MAWSS, MAWSS shall cause an investigation to be made of those premises. If an on-site inspection verifies tampering, MAWSS shall charge an initial Tampering Charge to cover its expenses in conducting said investigation and taking measures to deter further tampering. Any repeat occurrence(s) of tampering with MAWSS' facilities will result in the application of a repeat Tampering Charge and the abandonment at the main of all service(s) to the premises for which restoration of service would include the payment of Connection Charges. The Tampering Charge and the repeat Tampering Charge amount shall be established by order of the Board. If it is reasonably established that the individual who has tampered with MAWSS' facilities is the same person who resided at the site at the time of the tampering, then that individual will be responsible for the tampering charge and all other appropriate charges unless that individual can demonstrate that another party is responsible for the tampering.

### **3.7 Service Charge**

A Service Charge is charged by MAWSS for each instance in which water service is connected, for the collection of a delinquent account or dishonored check, tampering, vandalism, etc. and for subsequent on-site visits resulting from these and other-related causes not in the usual course of scheduled business. In the case of a divorce or where a spouse is deceased, the service charge will be waived unless the service has been cut or discontinued. Service requests provided between the hours of 8:00 A.M. and 4:45 P.M. during business days shall be at the Regular Service Rate and processed the following day unless the customer requests same day service for which a Priority Service Rate will be charged. Service provided at the customer's requests between the hours of 4:45 P.M. and 8:00 A.M., or on weekends and holidays, shall be at the Priority Service Rate.

### **3.8 Delinquent Account Charge**

The Board shall impose a Delinquent Account Charge as provided in Section 4.10.

### **3.9 Return Check Charge**

MAWSS shall impose a Returned Check Charge for each dishonored check that is returned by the bank. Only cash, cashier's check, or money order will be accepted as payment for checks which have been dishonored. The customer's account will be annotated upon receipt of a dishonored check. The issuance of the second dishonored check will preclude the acceptance of another check for a twelve-month period. During this time, only cash, cashier's checks, or money order will be accepted for payment.

### **3.10 Refunds of Overpaid Service**

Overpayment of service on an active account will be refunded only at the request of the customer. Refund checks are issued once a month. Should a customer request payment prior to the scheduled refund date, a processing fee will be deducted from the amount of the refund.

### **3.11 Meter Relocation**

Meters will be relocated by MAWSS at the owner's request or when it is in the best interest of MAWSS. The cost of this relocation when performed at the owner's request will be billed to the owner. It is the owner's responsibility to have a meter connected to their line.

### **3.12 Out Of County Rates**

Out of county customers are charged 125% of the rates as shown in the rate schedule for Monthly Fees and Charges and Service Connection Fees and Charges.

### **3.13 Easement / Right-Of-Way / Vacation Charge**

Customers requesting an easement or right-of-way vacation shall pay the scheduled fee to cover the cost of researching the necessary documentation to make the vacation ruling. The fee is required when the vacation request is made and is non-refundable. Easement and right-of-way vacation requests should be directed to the Engineering Department of MAWSS.

### **3.14 Plan Review Fee**

The scheduled plan review fee shall be paid by those individuals requesting reviews for commercial subdivisions, residential subdivisions, and commercial developments. The fee shall be provided at the time the plan review is requested. The comments provided by MAWSS as a result of a plan review shall remain valid for a period of two years (730 days) from the date that MAWSS provides the final comments of said review to the requester. Re-submittals of plans for review during this two-year period shall be charged the scheduled fee for plan review re-submittal. The two-year period of validation shall begin at the date that MAWSS provides final comments on the re-submittal review. After the two-year period, the plans must be resubmitted for review if the requester has not commenced with constructing the project disclosed in the plans. Total fees shall be charged for plans that are resubmitted after the two-year period.

### **3.15 Locate Sewer Service Connection (Lateral Location)**

Plumbers are expected to exert reasonable effort in locating sewer laterals. Any accessible lateral that is within 5 feet of the location indicated by the Board's Engineering Department and a depth within 8 feet of the original ground level will be considered at the location indicated. There is no charge for the initial lateral location information provided by the Engineering Department. However, if plumber requests a lateral location by videotaping and/or excavation, the plumber will be billed the scheduled amount for videotaping and/or excavation if the lateral is found at the location indicated by Engineering. The plumber will be given 45 days to pay this

bill. If the bill is not paid in 45 days, the Board's Engineering Department will cease providing said plumber with lateral information until payment is received for all unpaid charges.

### **3.16 Property Owner Sewer Repair Notices**

Defective Private Property Sanitary Sewer Laterals (Private Laterals), which extend from private buildings and facilities to the public sanitary sewer system, and private lateral cleanouts, which provide access to said laterals for maintenance, are major contributors of storm water to the public sanitary sewer system during rain events. Storm water is detrimental to the public sanitary sewer system in the following ways: 1) it causes wet weather sanitary sewer overflows (SSOs); 2) it causes sewer backups into buildings; 3) it decreases system capacity for transporting and treating wastewater; 4) it decreases capacity for connecting new customers; and 5) it requires costly upgrades to wastewater collection and treatment systems. Consequently, property owners are required to maintain their laterals in a state of good repair so that defects do not allow storm water to inflow and infiltrate (I/I) into the public sanitary sewer system. Customers of MAWSS agree to prevent their plumbing from being I/I sources as a condition of continued service by MAWSS.

The Board performs inspections and testing in parts of the sewer collection system where excessive inflow and/or infiltration have been measured. The work is performed to identify whether storm water or groundwater can enter the sanitary sewer system through defects in the Board's sewer mains and laterals or through the sewer services on private property or both. This policy prompts property owners to repair and properly maintain private laterals and clean-outs, as well as remove any other sources of I/I, such as roof downspouts connected to the sanitary sewer system and unauthorized surface drains.

If inspection or testing (via industry accepted measures) indicates that a sewer service on private property is defective, the property owner and tenant (if applicable) will be notified by certified letter. The property owner will be given 180 days to have the private property sewer defects located and repaired by a licensed plumber and to notify MAWSS of the repairs. For verification purposes only, the property owner shall send a copy of the plumber's bill to MAWSS with a statement that the repairs have been made. MAWSS will not pay the plumbing bill. The Board's forces may, at its option, re-test the line to verify that all defects have been repaired.

If the property owner is also the resident and fails to notify MAWSS within 180 days that the repairs have been made, the "Unauthorized Storm-Water/Rainfall, Other Drainage Into Sewage System Charge" shown in the Fee Schedule will be added to the water bill. If the repairs are not made within the 3-month period following the initial charge, the monthly charge will double for a period of 3 months. If the repairs are not made within this final 3-month period, water and/or sewer service will be discontinued at the address in question. The charges discussed herein are considered a part of the water and/or sewer bill. A failure to pay these charges will result in a delinquent account and action will be taken by the Board's forces as discussed in the "Delinquent Account" section, Section 4.10.

If the property owner is leasing the property, which needs lateral repairs, and fails to notify MAWSS within 180 days that the repairs have been made, the "Unauthorized Storm-water/Rainfall, Other Drainage Inflow Into Sewage System Charge" shown in the Fee Schedule will be billed to the property owner. If the repairs are not made within the 3-month period following the initial charge, the monthly charge will double and continue to accrue until the lateral is repaired or the tenant vacates the property. If the tenant vacates the property, water

and/or sewer service to the property will be discontinued until accrued penalties are paid and lateral repairs are made by the property owner.

If MAWSS should determine that repairs have not been made to the lateral as indicated by the property owner, then the property owner will be notified that the storm-water/rainfall inflow charge will be billed to the property owner in the next billing cycle and the sequence of fees and potential loss of service will occur as described above.

### **Private Lateral Cleanouts**

If inspection or testing (via industry accepted measures) indicates that a private lateral cleanout is defective, the property owner and/or tenant will be notified by certified letter. The property owner will be given 30 days to have the cleanout repaired and notify MAWSS of the repairs. The Board's forces may re-test the line to verify that all defects have been properly repaired.

If the property owner is also the resident and fails to notify MAWSS within 30 days that the repairs have been made, the "Unauthorized Storm-water/Rainfall, Other Drainage Inflow Into Sewage System Charge" shown in the Fee Schedule will automatically be added to the water bill. If the repairs are not made within a 3-month period following the initial charge, water and/or sewer service will be subject to termination at the address in question. The charges discussed herein are considered a part of the water and/or sewer bill. A failure to pay these charges will result in a delinquent account and action will be taken by the Board's forces as discussed in the "Delinquent Account" section, Section 4.10.

If the property owner is leasing the property which has a private lateral cleanout needing repairs, and fails to notify MAWSS within 30 days that the repairs have been made, the "Unauthorized Storm-water/Rainfall, Other Drainage Inflow Into Sewage System Charge" shown in the Fee Schedule will be billed to the property owner. If the repairs are not made within the 3-month period following the initial charge, the monthly charge will double and continue to accrue until the cleanout is repaired or the tenant vacates the property. If the tenant vacates the property, water and/or sewer service to the property will be discontinued until accrued penalties are paid and cleanout repairs are made by the property owner.

If MAWSS should determine that repairs have not been made to the lateral as indicated by the property owner, then the property owner will be notified that the storm-water/rainfall inflow charge will be billed to the property owner in the next billing cycle and the sequence of fees and potential loss of service will occur as described above.

### **Other Sources of I/I**

Any other private property sources of I/I, such as, but not limited to, roof downspouts and unauthorized surface drains, will be addressed in accordance with either the Private Laterals or Private Lateral Cleanouts provisions above. The approach used will depend on the cost and complexity of removing the I/I source.

### **Leased or Rented Property – Notification of Owner by Tenant**

Where a property is leased, MAWSS will make an effort to contact both the property owner and tenant. There are times when the property owner is difficult to locate; therefore, the tenant shall also be required to contact the property owner and notify him/her of the needed repairs to remove I/I sources from the premises.

### 3.17 Termination of Sewer Service by MAWSS

Property owners who are three months delinquent in paying their sewer bill will have their sewer lateral cut and plugged so that sewer service is no longer available. Once a lateral is cut and plugged, the property owner must pay the scheduled fees for both cutting and reinstalling the service plus the delinquent billing amount before the sewer service can be reconnected. If a lateral is scheduled to be cut and plugged, the property owner may prevent the cutting and plugging by paying the delinquent amount of the bill plus the mobilization fee shown in the Fee Schedule. The property owner must visit MAWSS and pay the delinquent bill prior to the schedule date the crew is to arrive to cut the sewer lateral.

At locations where there are multiple dwellings on one sewer lateral, such as an apartment complex, and the tenants of each unit are required to pay their own water and sewer bill, the manager or owner of the complex will be billed for those tenants who are delinquent in paying their water and sewer bill.

If a sewer service is cut and plugged because a tenant failed to pay his or her bill and said tenant vacates the property leaving the sewer account delinquent, the property owner will be responsible for paying the scheduled fee to reconnect the service.

### 3.18 Basis of Unit Charges – Multiple Units

Customers require water and sewer service capable of responding to a wide variety of demand on use. Though the divergent use pattern of a large number of customers reduces the relative range demand capability needed, a significant portion of the resources of the system remains necessary for stand-by demand.

The costs of these resources are recovered through a water rate structure that declines with increased use. By having a higher water rate for the first water used each month the cost of stand-by capability is spread among all units of customer use. The accounts with units are charged the greater of the prorated costs of the average individual consumption times the number of units or the consumption costs, whichever is greater. The consumption calculation will check for minimum consumption.

For the greatest number of MAWSS' customers the number of units receiving service is one, and there is no reason to give any attention to the unit charges. However, for customers listed in the following table the unit charge policy is significant.

	<u>Type of Customer</u>	<u>Explanation</u>	<u>Units</u>
1	Single family residence	---	1.0
2	Each rental unit in a multi-family complex	Occupied or Vacant	1.0
3	Each 4 rooms (or part thereof) of hotel or motel rooms or suites	Occupied or Vacant	1.0

	<u>Type of Customer</u>	<u>Explanation</u>	<u>Units</u>
4	Number of trailer space outlets in a park with a master meter	Occupied or Vacant	1.0
5	Number of businesses having separate restrooms in an office complex or building	Occupied or Vacant	1.0
6	Each 8 rooms (or part thereof) in an office or industrial complex or building having common restrooms	Occupied or Vacant	1.0
7	Each part of any shopping center used by separate tenants whether under on roof or more roofs	Occupied or Vacant	1.0

Fire line charges will be divided among active businesses that have water accounts in publicly owned buildings served by a fire line common to those businesses.

### **3.19 Fire Hydrant Meter Rental Charges**

Customers desiring the use of water from a hydrant may obtain permission by completing required forms and paying established fees. If the meter is lost or stolen, the customer will be required to pay for the cost of a replacement meter and the cost of fittings.

### **3.20 Go Back / Turn On Charge**

When a customer requests MAWSS come out to turn their meter on, the customer must be present to authorize service. If the customer is not present, thereby requiring MAWSS to make a return trip, a service charge will be incurred.

### **3.21 Meter Reread Fee**

Each time a customer requests that their water meter be reread and the initial reading is found to be correct, a "meter reread fee" as listed in the Fee Schedule will be charged to the customer's account. If the reread indicates that the initial reading was incorrect, the customer will not be charged a fee.

### **3.22 Account Holding Charge**

This service charge applies to all customer accounts which discontinue service, have money due them, and which leave no traceable forwarding address. MAWSS will make every reasonable attempt to locate the customer within a five-year period. A holding charge as shown by the Fee Schedule will be applied to the account at the end of five years. After this time, any balance remaining will be transferred to the State as unclaimed property.

### **3.23 Third Party Damage to Sanitary Sewer Pressure Services**

Low pressure sewer systems have been subject to third party breaks resulting in Sanitary Sewer Overflows. Some of these breaks have occurred as a direct result of home building activity. The homebuilder is required to protect the pressure service at all times and is responsible for breaks due to home building activities, including site work. A break may result in an illegal discharge of sanitary sewer which may damage the environment and may result in a fine charged to MAWSS by the EPA.

When a pressure service line is damaged by home building related activities, the following shall apply:

- 1) All costs incurred by MAWSS for repair and cleanup after damage occurs shall be billed to the homebuilder, including any penalties/fines imposed by EPA. This shall apply to the first occurrence of breakage by a homebuilder.
- 2) The second time a homebuilder is responsible for damage to a pressure service line, he shall pay the costs described in 1) plus an additional penalty of \$250.
- 3) The third time a homebuilder is responsible for damage to a pressure service line, he shall pay the costs described in 1) plus an additional penalty of \$500.
- 4) The fourth and any subsequent time a homebuilder is responsible for damage to a pressure service line, he shall pay the costs described in 1) plus an additional penalty of \$1000.
- 5) If the homebuilder has established a MAWSS service account for a home under construction, the water and sewer bill will remain in the homebuilder's name until any and all charges made in accordance with this policy are paid. Where MAWSS does not provide water service, sanitary sewer service will not be permitted until all charges are paid.
- 6) The homebuilder will not be issued any other meters until all charges made in accordance with this policy are paid.

### **3.24 Third Party Sanitary Sewer Overflow Costs**

When an SSO from MAWSS wastewater facilities is the result of a negligent act by a third party and the third party can be identified, the cost of MAWSS' response to the SSO and any regulatory penalties associated therewith shall be invoiced to the third party. Refer to Policy 3.23 for SSOs related to sewer pressure services.