

**Boone County Regional Sewer District**  
**User Rate Regulations**  
**Revised April 21, 2015**

**3.1 Title** - This regulation including appendixes and tables shall be known, referred to and cited as the User Rate Regulation.

**3.2 Scope and Purpose** - This regulation establishes a user charge system for the Boone County Regional Sewer District, County of Boone, State of Missouri, to provide funds needed to pay for all expenses associated with the District ' s wastewater treatment works.

**3.3 Authority** - This regulation is enacted under the authority vested in the Boone County Regional Sewer District by sections 204.320 and 204.330, Revised Statutes of Missouri.

**3.4 General Provisions** - It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of the District to collect charges from all users who contribute wastewater to the District's wastewater treatment works. The proceeds of such charges so derived will be used for the purpose of operating, maintaining, and retiring the debt for such public wastewater treatment works. The liability for payment of any user charges, connection fees, or other charges levied by the sewer district shall be against the owner or owners of real property which is connected to District sanitary sewers made available for collection and treatment of waste water generated on the property and such property is subject to a statutory lien for payment as provided in section 204.455, RSMo. The District may permit the establishment of customer accounts by tenants, lessees and other persons who occupy or use property which is connected to District sanitary sewers with the express or implied consent of the property owner(s), but the establishment of such accounts shall not relieve the property owner(s) from financial responsibility for payment of all such user charges, connection fees, or other charges levied by the sewer district, nor otherwise affect the discharge rights to assert a lien against the property served under section 204.455, RSMo.

**3.4.1 Charges and Fees** - The District shall adopt user charges and fees which may include: fees for monitoring, inspections and surveillance procedures; fees for permit applications; extra strength wastewater charges; or other fees as the Board may deem necessary to carry out the requirements contained herein. Extra strength wastewater charges shall be billed under separate invoice as a separate item which shall show the amount of the surcharge and shall be payable to the District within thirty (30) days of receipt of invoice.

**3.4.2 Classification of Users** - All users of the wastewater treatment works are hereby classified in the following manner:

**3.4.2.1 Residential/Commercial** - Any premises served, upon which is located a structure housing one or more families or a commercial building which contributes normal domestic wastewater.

**3.4.2.2 Industrial** - All users of the system other than those above classified especially those who contribute industrial and/or extra strength wastewater.

**3.5 Establish Operations & Maintenance (O & M) and Replacement Account** - A separate O & M and Replacement Account shall be established for the following purposes:

**3.5.1 Generation of Adequate Revenues** - The user charge structure shall generate adequate annual revenues to pay the costs of annual operation and maintenance including replacement and cost associated with debt retirement of bonded capital associated with financing the wastewater treatment works which the District may by regulation designate to be paid by the user charge structure. That portion of the total user charge which is designated for operation and maintenance including replacement of the wastewater treatment works shall be established by this regulation.

**3.5.2 Operation, Maintenance, and Replacement Fund** - That portion of the total user charge collected which is designated for the operation and maintenance including replacement purposes as established in section 3.6 of this regulation, shall be deposited in a separate non-lapsing fund known as the Operation, Maintenance, and Replacement Fund and will be kept in two primary accounts as follows:

**3.5.2.1 The Operation and Maintenance Account** - An account designated for the specific purpose of defraying operation and maintenance costs (excluding replacement) of the wastewater treatment works. Deposits in the Operation and Maintenance Account shall be made annually from the operation and maintenance revenue.

**3.5.2.2 The Replacement Account** - An account designated for the purpose of ensuring replacement needs over the useful life of the wastewater treatment works. Deposits in the Replacement Account shall be made annually from the replacement revenue.

**3.5.3 Fiscal Year-End Balances** - Fiscal year-end balances in the Operation and Maintenance Account and the Replacement Account shall be carried over to the same accounts in each subsequent fiscal year, and shall be used for no other purposes than those designated for these accounts. Monies that have been transferred from other sources to meet temporary shortages in the Operation, Maintenance, and Replacement Fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance, and replacement. The user charge rate (s) shall be adjusted such that the transferred monies will be returned to their respective accounts within the fiscal year following the fiscal year in which the monies were borrowed.

**3.6 Sanitary Sewer Service Rate Structure** - There is hereby levied on each wastewater treatment works user having any sanitary sewer connection with the wastewater treatment works of the District or otherwise discharging sewage, extra strength wastewater, or other liquids, either directly or indirectly into the District's wastewater treatment works, a sanitary sewer service charge. The sanitary sewer service charge has two components: a base service fee and a volume charge.

**3.6.1 Base Service Fee and New Account Charges**- The base service fee is that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of district-wide ongoing overhead and operational expenses including, but

not limited to, billing, collections, administration and debt service. This charge will be divided equally among all the users of the District's wastewater treatment works. (See Appendix B for current rates.) The base service fee shall be charged for each existing residential unit or commercial unit connected to District lines in multi-unit structures or complexes regardless of the number of water or electrical meters serving such units. The base service fee shall be charged for sewer service availability from and after each and every such unit is connected to District collection lines regardless of quantity of water usage so long as public or private potable water service or source is available to the property; payment for the base service fee and any additional sewer service fees shall be the responsibility of the account holder and/or property owner if the property is unoccupied unless the sewer service connection to the property has been or was permanently disconnected during one or more monthly billing cycles. If a sewer service account is closed due to disconnection of the sewer service connection, then renewal of an existing account or establishment of a new account shall be subject to connection charges as set forth in Section 2.9.3.2 of the Boone County Regional Sewer District's Sanitary Sewer Use Regulations. (Revised 12/21/2001, 3/19/2002 & 4/17/2004)

**3.6.2 Volume Charge** - The volume charge is that portion of the total wastewater service charge that is levied in a proportional and adequate manner for the cost of operation, maintenance, and replacement of the wastewater treatment works. This charge shall be based upon the quantity of water used in or on the premises as measured by a water or sanitary sewer meter approved by the District. If actual sanitary sewer service cannot reasonably be determined from the water or sewage so metered, whether due to defect, tampering or causes unknown, the District may elect to use the average charge of all other residential/commercial users of the District, or the average annual water usage at the billed account location, or the average usage used by the same resident (whose sewer account balance is current) at a reasonably recent previous address also served by the District, or an average of select months during the calendar year which the District deems most accurately reflects the actual monthly average of water usage within the inhabitable structure to be billed. Residential and commercial units that are unoccupied and water meter readings show no water usage on the premises will not be subject to a volume charge. See Appendix A for current volume charge. (Revised 4/21/15)

**3.6.3 Extra Strength Wastewater Charge** - Additional charges for extra strength sewage, toxic pollutants, and wastewater monitoring will be levied where applicable. See Appendix A for current extra strength wastewater (BOD and TSS) charges.

**3.6.4 Pressurized System Charge** - An additional monthly fee will be charged to those users on pressurized systems such as, Septic Tank Effluent Pump (STEP), Small Diameter Variable Grade (SDVG) or Grinder Pump Systems if the District owns and has easement to the pumps associated with that system. The additional charge covers the additional services required to operate and maintain pressurized systems such as repairing and replacing effluent pumps and pumping out septic tanks. See Appendix B: Rate Schedules. (Revised 9/16/08)

**3.7 Determination of Water Usage** - The volume of water used to calculate the monthly volume charge shall be determined as follows:

**3.7.1 Residential and Commercial** - For residential/commercial users, monthly user charges will be based on average monthly water usage during the months of January, February,

and March. (Water usage for these months includes little use for such activities as lawn watering, car washing, and other seasonal consumptive uses.) Water usage figures will be reviewed annually. In circumstances in which the District has reasonable grounds to believe that average water usage in January, February and March does not reflect average annual water use in the inhabitable structure to be billed, the District may elect to use the average charge of all other residential/commercial users of the District, or the average annual water usage at the billed account location, or an average of select months during the calendar year which the District deems most accurately reflects the actual monthly average of water usage within the inhabitable structure to be billed. (Revised 4/19/07; 9/16/08)

**3.7.1.1 Exemptions** - In circumstances where water usage in January, February and March would not reflect a legitimate average usage, (i.e., golf courses, recreational facilities, schools, properties that are vacant for part of the year) an annual average shall be used for the water usage portion of the billing. (Revised 9/16/08)

**3.7.1.2 New Users** - Since a new residential/commercial user has not established a January, February, and March average, their monthly bill shall be the average charge of all other residential/commercial users of the District. After three full months of billing for water service, the new user may request a review of water usage in writing. The District will adjust the monthly billing according to the user's actual usage. If the user is using less than the average charge, the District will issue a credit or debit for up to six months of sewer billings. (Revised 8/17/04; 9/16/08)

**3.7.1.3 Water Meter Failure** - Where a meter fails to register, the Customer's meter reading shall be estimated from the record of meter readings for a reasonable prior period or the District may elect to use the average charge of all other residential/commercial users of the District until such time that the meter is restored. Once the meter is restored and upon establishing a three month average, the billing may be adjusted based upon the actual usage and a credit or debit of up to three months may be applied. (Revised 9/16/08)

**3.7.1.4 High Water Meter Readings** - Customers who use in excess of 30,000 gallons of water per month, may install additional meters at the expense of the Customer or other interested party in such a manner as to determine the quantity of water actually entering the sanitary sewer system. This quantity of water will then be used to determine the volume charge portion of the sanitary sewer service charge.

**3.7.1.5 No Water Meter** - Users in a residential or business unit that does not have a water meter will be charged the average charge. The user may install and maintain wastewater meter(s) or separate water meter(s) at the user's expense and in a manner acceptable to the District. (Revised 8/17/04)

**3.7.1.6 Multiple Units on One Water Meter** – When a water meter measures water used by more than one unit, the owner of the property shall be responsible for the sewer bill effective August 1, 2009. Billing shall be figured as follows:

**3.7.1.6.1 Base Service Fee for Multiple Units on One Water Meter** – The base service fee shall be charged for each existing residential unit or commercial unit connected to District lines in multi-unit structures or complexes regardless of the number of water or electrical meters serving such units. The base service fee shall be charged for sewer

service availability from and after each and every such unit is connected to District collection lines regardless of quantity of water usage so long as public or private potable water service or source is available to the property as further described in Section 3.6.1. (Revised 9/16/08)

**3.7.1.6.2 Water Usage for Multiple Units on One Water Meter** – Since the water usage in January, February and March may not reflect a legitimate average usage, an annual average shall be used for the water usage portion of the billing. (Revised 9/16/08)

**3.7.1.7 Water Usage Adjustments** – The District, upon the request of the user, may review a user’s water usage and make adjustments under the following circumstances:

**3.7.1.7.1– Inflated Usage Due to Faulty Plumbing or Unusual Circumstances** - If a user’s January, February or March usage is inflated due to faulty plumbing or unusual circumstances the District may elect to use the average charge of all other residential/commercial users of the District, or the average annual water usage at the billed account location, or an average of select months during the calendar year which the District deems most accurately reflects the actual monthly average of water usage within the inhabitable structure to be billed. The District upon request by the user may give a one-time adjustment of the current billing. The District will review the user’s current actual water usage after the user has received three full months of water bills and adjust the bill accordingly. (Revised 9/16/08)

**3.7.1.7.2 - Water Usage Review** - The District may review a user’s water usage and adjust the billing accordingly upon request by the user or if deemed necessary by the District anytime throughout the year. The actual usage reported by the water provider will be applied to the user’s billing immediately. No credit or debit adjustment will be given if water usage is found to be more or less than the data recorded in January, February and March unless there was an error in the meter readings reported by the water provider or in the recording of the readings by the District. In the case of a reporting or recording error, a credit or debit will be given back to the billing where the error occurred in the current water usage update. (Revised 8/17/04)

**3.7.2 Industrial Users** - For industrial users, user charges shall be based on water used during the current month. If an industrial user has a consumptive use of water, or in some other manner uses water which is not returned to the wastewater collection system, the user charge for that user may be based on wastewater meter(s) or separate water meter(s) installed and maintained at the user’s expense, and in a manner acceptable to the District.

**3.7.3 Usage Changes** - No substantial additions to the water-using equipment or appliances connected to the sanitary sewer system of the District shall be made except upon written notice to, and with the written consent of, the District.

**3.8 Review of Sanitary Service Rate Structure** - The District shall review the user charge structure annually and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance including replacement and that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.

**3.9 Annual Notification of Rate Structure** - All users of the system shall be notified at least annually of the rate schedule in effect and that part of user charges attributable to wastewater treatment services.

**3.10 Variances** - The Board may grant a variance from the strict application of the regulations adopted in this chapter upon application if it finds after public hearing and upon competent and substantial evidence that the applicant meets the criteria for grant of a variance required by these regulations. No variance from any requirement contained within chapter three of these regulations shall be granted unless the Board finds: (a) the applicant will incur unreasonable and unnecessary hardship if a variance is not granted and the variance is not sought primarily to avoid financial expense in complying with the requirements of these regulations (b) grant of a variance will not endanger the health, safety or welfare of the public, and (c) grant of a variance will not hinder, thwart or circumvent the general intent or any specific purpose of these regulations. All applications for variances shall be filed with the General Manager of the District and after review thereof the General Manager shall make a recommendation to the Board to grant or deny the application and state the reasons for his recommendation. The applicant may appeal any decision of the Board as provided by law.  
(Revised 4-21-09)

**3.11 Effective Date** - This Regulation shall be in full force and effect from the 15th day of September 1998.

## APPENDIX A

Please call BCRSD – 573.443.2774 for current Volume Charge.

APPENDIX B

Call BCRSD at 573.443.2774 for current rate schedules.