

Introduced by: Mr. Smiley, Mr. Cartier  
Date of introduction: May 28, 2013

**ORDINANCE NO. 13-023**

**AS AMENDED BY AMENDMENT NUMBER 2  
CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2013  
FOR FISCAL YEAR 2014**

**WHEREAS**, in accordance with *New Castle County Code* Chapter 38 ("Utilities"), Article 2 ("Sewers and Sewage Disposal"), Division 38.02.500 ("Sewer service charges"), Section 38.02.503 ("Schedule Generally"), County Council must adopt applicable unit charges for sewer service.

**NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY ORDAINS:**

Section 1. County Council adopts the following sewer unit charges for Fiscal Year 2014:

The following unit charges shall be effective other than for certain contract users:

\$4.494999/1000 gals. flow rate (q)  
\$0.372154/lb. BOD (b)  
\$0.505389/lb. SS (s)

The rates for certain contract users shall be as follows:

\$3.056010/1000 gals. flow rate (q)  
\$0.372154/lb. BOD (b)  
\$0.505389/lb. SS (s)

All contract users shall be charged on the basis of their respective agreements.

Section 2. This ordinance shall become effective immediately upon its adoption by County Council and approval by the County Executive, or as otherwise provided by 9 *Del. C.* § 1156.

Section 3. The effective date for the provisions in this ordinance shall be July 1, 2013.

Adopted by County Council of  
New Castle County on: 5/28/13

  
President of County Council  
of New Castle County

Approved on:

\_\_\_\_\_  
County Executive  
New Castle County

*This ordinance was returned unsigned by the County Executive and went into law as provided by State Code on June 15, 2013. Betsy Gardner, Clerk of Council*

**SYNOPSIS:** This ordinance establishes sewer service charges effective July 1, 2013, for fiscal year 2014.

**FISCAL NOTE:** This ordinance proposes the adoption of the fiscal 2014 sewer user rates which, in conjunction with other related sources of revenue, are estimated to yield sufficient revenue to balance the fiscal 2014 sewer fund budget.

This ordinance reflects Amendment No. 2 to Ordinance 13-023, which resulted in an increase in sewer unit charges by 3.9%.

If adopted, this ordinance would establish a fiscal 2014 composite (flow \$4.494999 + (BOD \$.372154 X 1.2510 (flow factor) = \$.4655646) + (SS \$ .505389 X 1.5429 (flow factor) = \$.7797647)) residential flow rate of \$5.74033 per 1,000 billable gallons. This composite rate represents a 3.9% increase from the FY2013 composite rate.

The rates contained in this ordinance would, if adopted, be applied to all user classes as follows:

<b>User Classification</b>	<b>Number of Users</b>	<b>Gross Billing</b>
Major (Industrial)	22	\$ 8,878,396
Commercial	3,533	11,418,111
Residential	116,361	29,893,927
Apartment	224	7,575,981
Contract	5	4,669,732
<b>Gross Bill</b>	<b><u>120,145</u></b>	<b>\$ 62,436,147</b>
<b>Allowance for Delinquent Accounts:</b>		<b><u>(2,068,279)</u></b>
		<b><u>\$ 60,367,868</u></b>

*Michael S. Coyle*

ES  
Introduced by: Mr. Smiley, Mr. Cartier  
Date of amendment: May 28, 2013

**AMENDMENT NO. 2  
TO  
ORDINANCE NO. 13-023**

**CALCULATION OF SEWER SERVICE CHARGES EFFECTIVE JULY 1, 2013  
FOR FISCAL YEAR 2014**

**WHEREAS**, it is the responsibility of New Castle County Council to ensure the solvency and fiscal health of the County sewer system; and

**WHEREAS**, New Castle County Council also must consider the potential ramifications of relying on sewer reserve funds to supplement sewer projects; and

**WHEREAS**, the use of reserve funds only should be used in cases of emergency, or dire economic crisis.

**NOW, THEREFORE, THE COUNTY OF NEW CASTLE HEREBY AMENDS ORDINANCE NO. 13-023 AS FOLLOWS:**

Section 1. Section 1 of Ordinance No. 13-023 is hereby amended by increasing the unit charges for sewer fees by 3.9% as set forth below:

\$.168725/1000 gals. flow rate	(q)
\$.013969/lb. BOD	(b)
\$.018971/lb. SS	(s)

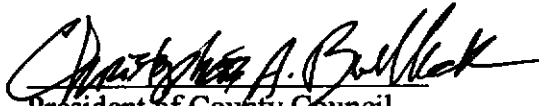
The rates for certain contract users shall be increased by 3.9% as follows:

\$.114711/1000 gals. flow rate	(q)
\$.013969/lb. BOD	(b)
\$.018971/lb. SS	(s)

All contract users shall be charged on the basis of their respective agreements.

Section 2. This amendment will become effective immediately upon its adoption by New Castle County Council.

Adopted by County Council of  
New Castle County on: 5/28/13

  
President of County Council  
of New Castle County

**SYNOPSIS:** This amendment increases sewer service charges set forth in Ordinance 13-023 by 3.9% effective July 1, 2013, for fiscal year 2014.

**FISCAL NOTE:** This amended ordinance proposes the adoption of the fiscal 2014 sewer user rates which, in conjunction with other related sources of revenue, are estimated to yield sufficient revenue to balance the fiscal 2014 sewer fund budget.

If adopted, this amended ordinance would establish a fiscal 2014 composite (flow \$4.494999 + (BOD \$ .372154 X 1.2510 (flow factor) = \$.4655646) + (SS \$ .505389 X 1.5429 (flow factor) = \$.7797647)) residential flow rate of \$5.74033 per 1,000 billable gallons. This composite rate represents a 3.9% increase from the FY2013 composite rate.

The rates contained in this ordinance would, if adopted, be applied to all user classes as follows:

<b>User Classification</b>	<b>Number of Users</b>	<b>Gross Billing</b>
Major (Industrial)	22	\$ 8,878,396
Commercial	3,533	11,418,111
Residential	116,361	29,893,927
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Allowance for Delinquent Accounts:		(2,068,279)
		<u>\$ 60,367,868</u>

*Adm. Case  
by EMM*