

**PETERSBURG BOROUGH  
ORDINANCE #2018-07**

**AN ORDINANCE AMENDING CHAPTER 14.08 OF THE MUNICIPAL CODE, ENTITLED  
“SEWER”, TO AMEND THE TITLE TO “SEWER UTILITY”, TO PROVIDE FOR A UTILITY  
DIRECTOR AS HEAD OF THE SEWER UTILITY DEPARTMENT , AND TO ESTABLISH  
FINES FOR VIOLATIONS OF PROVISIONS OF CHAPTER 14.08**

**Whereas**, the borough assembly has directed the borough manager to reduce the number of borough employees through attrition, when possible, to reduce payroll expenses in these lean financial times; and

**Whereas**, current municipal code provides for the public works director to be the head of the sewer utility; and

**Whereas**, with the retirement of the borough’s electric superintendent in 2017, the borough manager has proposed a restructuring plan in which a utility director would be the head of the electric, water and sewer utilities; the public works director would be the head of the public works streets and roads division, motor pool, and the sanitation utility, and the assistant public works director position would be eliminated to reduce payroll expenses; and

**Whereas**, to effectuate the restructuring plan, amendments to a number of Borough Code ordinances will be required, including this Chapter 14.08.

**Therefore, the Petersburg Borough Ordains**, Chapter 14.08, Sewer, is hereby amended to title the chapter “Sewer Utility”, and to provide for a utility director as head of the sewer utility department.

**Section 1. Classification:** This ordinance is of a general and permanent nature and shall be codified in the Petersburg Municipal Code.

**Section 2. Purpose:** The purpose of this ordinance is to amend the title of the chapter to “Sewer Utility”, and to provide for a utility director as head of the sewer utility department.

**Section 3. Substantive Provisions:** Chapter 14.08 of the Petersburg Borough Municipal Code is adopted as amended (ordinance language proposed for deletion is struck through, and ordinance language proposed for addition is in colored text) and shall read as follows:

Chapter 14.08 - SEWER UTILITY

**Sections:**

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#### 14.08.010 - Definitions.

The following words, terms and phrases, when used in this title and in the administrative procedures associated with this title, shall have the meanings ascribed to them except where the context clearly indicates a different meaning:

"Account deposit" means a monetary charge collected from a property owner at the time application for utility service is applied for. An account deposit is collected to help protect the sewer utility against losses incurred by nonpayment for service.

"Administrative procedure" means a written document containing directions on process, approved by the [cityBorough](#) manager, for use by [cityBorough](#) staff to assure the best interests of the general public and [cityBorough](#) are served while treating all individuals equally and fairly while carrying out the provision of this title.

"Application for service" means a form provided by the finance department to all property owners desiring municipal utilities. The form provides information on the type of utility service requested and the property owner's ability to pay for service.

"B.O.D." (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Celsius, expressed in parts per million by weight.



"CityBorough building official" means the CityBorough's community development director, or the director's designee.

"Combined sewer" means a sewer receiving both surface runoff and sewage.

"Commodity charge" means a set charge for use of the public sewer system. The commodity charge is based on the size of water service to a structure and on the amount of water consumed at the structure as measured by a water meter. A commodity charge is a separate and additional charge from a monthly service fee.

"Connect fee" also referred to as a "reconnect fee," means a monetary charge to restore service. The fee is charged when service is restored at the property owner's request to a premisesa premise where the utility account is in good standing or when service is restored to premises where service was previously disconnected for nonpayment of service and the outstanding balance has been paid. The charge must be paid in addition to applicable delinquent account balances and penalties.

"Current account" means a utility account that is not past due.

"Customer" means a property owner of real property served by the municipal sewer or a property owner's tenants, employees, agents, managers and contractors.

"Delinquency notice" means a written form issued by the CityBorough informing a property owner their utility account is delinquentdelinquent, and services are subject to disconnect if not promptly paid in full.

"Delinquent account" means a utility account not paid in full by the end of the following billing cycle.

"Disconnect fee" means a monetary charge to disconnect utility service. The fee is charged when service disconnect is requested by the property owner/customer that is served by a private water system and the CityBorough must install a water valve seal to allow discontinuation of sewer charges.

"Due date" means the last day a utility account can be paid without interest being assessed.

"Garbage" means solid wastes from preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

"Health officer" means the chief of staff at the Petersburg Medical Center.

"Industrial wastes" means the liquid wastes from industrial processes, as distinct from sanitary sewage.

"Lateral line" also referred to as a "service line," means a sewer pipe that extends from residential, commercial or industrial units to a trunk line for the purpose of moving sewer to a treatment facility.

"Monthly service fee" means the minimum monthly flat rate charged for sewer service and is based on the size of water service installed on a premises. The service charge is an additional and separate charge from a commodity charge.

"Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

"New service fee" means a monetary charge for any new service being connected to the sewer system where service has not previously physically existed or when the size of an existing service requires change. The fee covers the costs of administration and inspection, but does not cover the cost of installation of the service.

"Past due account" means an account not paid in full on or before the billing due date and is subject to penalty in the form of added interest.

"Person" means any individual, firm, company, association, society, corporation or group.

"pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"Properly shredded garbage" means waste from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

"Property owner" means the owner of real property served by the municipal sewer system. Property owner may include the property owner's tenants, employees, agents, managers and contractors.

"Public sewer" means a sewer controlled by public authority in which all owners of abutting properties have equal rights.

~~"Public works director" means the director of public works or the director's designee.~~

"Sanitary sewer" means a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

"Service line" also referred to as a "lateral line," means a sewer pipe that extends from residential, commercial or industrial units to a trunk line for the purpose of moving sewer to a treatment facility.

"Service location" means the physical street address where the customer is being served by the sewer utility.

"Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

"Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

"Sewage works" means all facilities for collecting, pumping, treating and disposing of sewage.

"Sewer" means a pipe or conduit for carrying sewage.

"Shall" or "will" is mandatory; "may" is permissive.

"Storm sewer" or "storm drain" means a sewer which carries storm and surface waters but excludes sewage and polluted industrial wastes.

"Suspended solids" means solids that either float on the surface of, or are in suspension in, water, sewage or other liquids, and which are removable by laboratory filtering.

"Transfer fee" means a fee to establish a new account in a property owner's name where an active service exists. The fee is also assessed when a property owner moves from one active service location to another active service location and there is no need for [cityBorough](#) personnel to disconnect or reconnect the water supply. When two locations are involved, only one transfer fee for both sewer services shall be billed to the property owner and the fee billed to the new service. The new service may be subject to a new account deposit.

"Trunk line" means a public sewer main that transports sewage from individual service locations to a treatment facility.

~~"Utility Director" means the head of the sewer utility department, or the director's designee.~~

"Utility extension" means an extension of a sewer trunk line that carries sewage from land areas not previously served by public sewer to a treatment facility. An extension of an individual service line is not considered a utility extension.

"Utility permit" means written authorization obtained from the [cityBorough](#) building official ~~and the Utility Director, as part of the building permitting process,~~ prior to installation of any new municipal utility to ~~an individual premises~~[individual premises](#). A utility permit is not an application for utility service.

"Wastewater" means sewage.

#### 14.08.020 - Unlawful sewage—Disposal methods designated.

- A. ~~No~~[It is unlawful for any](#) person ~~shall~~[to](#) place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the [cityBorough](#), or in any area under the jurisdiction of the [cityBorough](#), any human or animal excretion, garbage or other objectionable waste.
- B. ~~No person shall~~[It is unlawful to](#) discharge into any natural outlet within the [cityBorough](#), or in any area under the jurisdiction of the [cityBorough](#), any sanitary sewage, industrial waste or other polluted water,



except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

- C. Except as provided in this chapter, ~~no person shall~~~~it is unlawful to~~ construct or maintain any privy, septic tank, cesspool or other facility intended or used for the disposal of sewage.

#### 14.08.030 - Private sewage disposal—Permit and inspection required.

- A. Where a public sanitary or combined sewer is not available, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this chapter.
- B. Before commencement of construction of a private sewage disposal system, the owner shall first obtain a ~~utility written permit from the city building official~~. The application for such permit shall be made in writing and supplemented by any plans, specifications and other information as are deemed necessary by the building official.
- C. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the ~~public works director~~Utility Director. An agent of the ~~city~~Borough shall be allowed to inspect the construction, and no underground portions shall be covered until inspected.

#### 14.08.040 - Private sewage disposal—System specifications.

The type, capacities, location and layout of a private sewage disposal system shall comply with all requirements of the Department of Environmental Conservation of the state of Alaska. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet without prior approval of the ~~public works director~~Utility Director. With prior approval of the ~~public works director~~Utility Director, waste materials from septic tanks, outhouses and other facilities may be discharged to the wastewater treatment plant or sewer system and will be subject to a fee based on the discharge quantity. The waste materials must comply with all requirements of Sections 14.08.130 through 14.08.150.

#### 14.08.050 - Private sewage disposal—Owner to operate and maintain.

The property owner shall operate and maintain private sewage disposal facilities in a sanitary manner at all times, at no expense to the ~~city~~Borough.

#### 14.08.060 - Private sewage disposal—Health officer may impose additional requirements.

No statement contained in this title shall be construed to interfere with any additional requirements that may be imposed by the health officer.

#### 14.08.070 - Service outside ~~municipality~~Service Area 1 or municipal boundaries.

- A. The ~~city council~~Borough Assembly may authorize the construction of sewer trunk lines outside ~~the municipal limits~~Service Area 1 or the municipal boundaries. Applications[SG1] for[SH2] construction must be made in writing to the ~~council~~Assembly by the person or persons interested in receiving service.
- B. Sewer trunk lines constructed outside ~~the city~~Service Area 1 or municipal limits are subject to the provisions of Chapter 14.18[KH3].
- C. Rates and fees charged for sewer service shall be twice the ~~in-city~~Service Area 1 rate.

#### 14.08.080 - When connection to public sewer is required.

- A. In the best interest of the health and welfare of the residents of the ~~city~~Borough, the owner of all houses, buildings or other structures designated or used for human occupancy, employment, recreation or other purpose, situated within the ~~city~~Borough, and abutting on any street, alley or right-of-way in which there is located a sanitary sewer of the ~~city~~Borough, are required, at their expense, to connect all toilet and wastewater facilities directly with the proper sewer in accordance with the

provisions of this chapter within one hundred eighty days after official notice to do so; provided, that such sewer is within one hundred fifty feet of the property line.

- B. Any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned, all residual waste shall be pumped from the tank and the tank shall be filled with suitable material, such as sand.
- C. In the event a property owner fails to connect to the sanitary sewer system after an official notice deadline is reached, the property owner will be assessed the normal applicable monthly ~~sewerwastewater~~ base charges until the connection is complete. The Alaska Department of Environmental Conservation will be notified of the situation.

#### 14.08.090 - Ownership of system and equipment.

- A. Sewer mains, valves, fittings, manholes and other equipment and appurtenances, except individual property owner service lines that bring sewer from a structure to a trunk line, shall be the property of the [cityBorough](#). The [cityBorough](#) will not pay rent or any other charges for sewer facilities, including housings and connections, located on private or public property.
- B. The [cityBorough](#) shall maintain all public sewer appurtenances up to individual property lines and the maintenance shall be performed by authorized employees or agents of the [cityBorough](#).
- C. The location of service lines and all apparatus needed to deliver sewage from a private property to a public sewer shall be at the discretion and approval of the ~~public-works-director~~[Utility Director](#).
- D. Individual property owners shall own, install and maintain service lines from the served structure to the property line. Leaking service lines, frozen lines and all other sewage problems located between the structure and the property line are the sole responsibility of the property owner.
- E. Property owners/customers are responsible for establishing right-of-way boundaries, property lines, obtaining easements and state right-of-way permits, if necessary, for the installation of public sewers and service lines.

#### 14.08.095 - Call before you dig program.

The [cityBorough](#) requires adherence to the written [CityBorough](#) of Petersburg Call Before You Dig Program, as may be amended from time to time in accordance with Alaska Statute Title 42 - Public Utilities and Carriers, for all excavation performed within the [cityBorough](#) limits and on public property or private property if in the vicinity of a public utility.

#### 14.08.100 - Free access by [cityBorough](#) agents for inspection.

Employees or agents of the [cityBorough](#), under the direction of the ~~public-works-director~~[Utility Director](#), shall have free access at all reasonable hours of the day to any and all parts of structures and premises in which sewer is or may be discharged for the purpose of inspecting connections, the conditions of conduits and fixtures and the manner and extent to which the sewer is being or will be used. The [cityBorough](#) does not assume the duty of or the responsibility for inspecting the property owner's plumbing or equipment.

#### 14.08.110 - Vandalizing facilities declared unlawful.

No person shall maliciously, ~~wilfully~~[willfully](#) or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the municipal sewage works. ~~Any person violating this provision shall be subject to immediate arrest.~~

#### 14.08.120 - Public sewers limited to sewage.

- A. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, cooling water or unpolluted industrial process water into any sanitary sewer.
- B. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the ~~public-works-director~~[Utility Director](#).



14.08.130 - Substances prohibited in sewers designated.

Except as provided in this chapter, no person shall discharge or cause to be discharged any of the following discharge waters or wastes to any public sewer:

- A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit;
- B. Any water or waste which may contain more than one hundred parts per million, by weight, of fat, oil or grease;
- C. Any gasoline, benzene, naphtha, fuel oil or other flammable or other explosive liquid, solid or gas;
- D. Any garbage that has not been properly shredded;
- E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;
- F. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
- G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard in the receiving waters of the sewage treatment plant;
- H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;
- I. Any noxious or malodorous gas or substance capable of creating a public nuisance.

14.08.140 - Grease, oil and sand interceptors.

- A. Grease, oil and sand interceptors shall be provided when, in the opinion of the ~~public-works director~~[Utility Director](#), they are necessary for the handling of such wastes.
- B. All interceptors shall be of a type and capacity approved by the ~~public-works director~~[Utility Director](#) and be located so as to be easily cleaned and inspected.
- C. Where installed, all grease, oil and sand interceptors shall be maintained in continuous efficient operation by the owner, at the owner's expense.

14.08.150 - Substances restricted in the public sewer designated—Requirement of preliminary treatment authorized.

The admission into the public sewers of any waters or wastes:

- A. Having a five-day biochemical oxygen demand greater than three hundred parts per million by weight;
- B. Containing more than three hundred fifty parts per million by weight of suspended solids;
- C. Containing any quantity of substances having the characteristics described in Section 14.08.130(E); or
- D. Having an average daily flow greater than two percent of the average daily sewage flow of the [cityBorough](#); shall be subject to the review and approval of the ~~public-works director~~[Utility Director](#). Where necessary in the opinion of the ~~public-works director~~[Utility Director](#), the owner shall provide, at the owner's expense, such preliminary treatment as may be necessary. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the ~~public-works director~~[Utility Director](#).

14.08.160 - Preliminary treatment facilities—Maintenance by owner.

Where preliminary treatment facilities are provided for any waters or waste, they shall be maintained continuously in satisfactory and effective operation, by the owner, at the owner's expense.

14.08.170 - Control points for testing industrial waste.

- A. All measurements, tests and analyses of the characteristics of waters and wastes referred to in Section 14.08.150 shall be determined by standard methods. In the event that no controlled manhole has been required, the nearest downstream manhole in the public sewer will be used for the tests.
- B. When required by the ~~public-works-director~~Utility Director, the owner of any property served by a sewer connection carrying industrial waste shall install at the owner's expense a control manhole. The control manhole shall be maintained by the owner and accessible at all times.

14.08.180 - Provisions not to preclude special arrangements.

Nothing in this chapter shall prevent the ~~cityBorough~~ from making special agreements or arrangements with industrial users for acceptance and treatment of industrial waste of unusual strength or characteristic.

14.08.190 - Service to low elevations.

Where pumping is required to serve a premises at too low an elevation to be served by gravity, the ~~cityBorough~~ may, at its option, require the property owner to provide a suitable pump as a condition of service. The installation shall be subject to approval by the ~~public-works-director~~Utility Director and shall be installed and maintained at the expense of the property owner.

14.08.200 - Building sewer connection—Permit and inspection required.

- A. No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance without first obtaining a written permit from the ~~Utility Director~~city building-official.
- B. An applicant for a sewer connection permit shall notify the ~~sewer public-works~~ department when the sewer is ready for inspection. The connection shall be made under the supervision of the ~~public-works-director~~Utility Director or the director's representative.

14.08.210 - Building sewer connections—Specifications.

- A. A separate sewer connection shall be provided for every building, except where one building stands at the rear of another on an interior lot.
- B. Old sewers may be used in connection with new buildings only when they are found, on examination and test, to meet all requirements of this chapter.
- C. The sewer connection pipe shall be ductile iron pipe, PVC or other suitable material approved by the ~~public-works-director~~Utility Director. Joints shall be tight and waterproof. Special protection may be required by the ~~public-works-director~~Utility Director where the sewer is exposed to damage by tree roots.
- D. The size and slope of the sewer connection shall be subject to the approval of the ~~public-works-director~~Utility Director, but in no event shall the diameter be less than four inches and the slope less than one percent.
- E. The sewer connection shall be laid at uniform grade and in straight alignment, insofar as possible, and not closer than three feet from any bearing wall which might be weakened. Changes in direction shall be made only with properly curved pipe and/or fittings.
- F. All excavations for sewer connections shall be open trench, unless approved by the ~~public-works-director~~Utility Director, and no backfill shall be placed until the work has been inspected.
- G. The sewer connection shall be made at a designated connection point to the system. This may be an existing service lateral, a "Y" branch or a tee into the trunk line. If the designated connection point is



not used, the owner shall, at the owner's expense, install the correct fitting or piping as determined by the ~~public-works-director~~Utility Director to facilitate the connection.

- H. All excavations for sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the [cityBorough](#).

14.08.220 - Installation costs for a new service.

- A. The property owner/customer is responsible for the costs of installation of a new lateral line from the trunk line to the structure.
- B. Installation of a new lateral line from the structure to the property line may be performed by the property owner/customer, or customer's private contractor or by the [cityBorough](#)'s public works department. Only public works department personnel or a licensed contractor qualified to install sanitary sewer collection systems shall perform the installation of the lateral line from the trunk line to the property line.
- C. All installations shall be made according to the Uniform Plumbing Code as adopted by the [cityBorough](#) in Section 17.02.005 of this code and the property owner/customer shall obtain a [utility](#) permit ~~from the city-building-official~~ prior to installation.
- D. If the [cityBorough](#) is to install the new service, the property owner/customer shall be required to deposit with the [cityBorough](#) an amount, estimated by the ~~public-works-director~~Utility Director, to cover the costs for installation from the trunk line to the structure, plus a new service fee. The deposit must be made before any connection permit will be issued. Any additional costs over the estimated amount shall be billed to the property owner/customer and any excess from the estimated amount shall be returned to the property owner or customer.
- E. If the property owner/customer contracts a private contractor to install a new service, the installation shall be inspected by the [cityBorough](#) prior to connection and a new service connection fee paid in full prior to application for service.
- F. Upon completion of the installation, inspection and approval by the [cityBorough](#) ~~public-works-director~~Utility Director, the property owner shall make an application for service.

14.08.230 - Extension policies.

All sewer system extensions shall be governed by Chapter 14.18 of this [title](#)[KH4].

14.08.240 - Notices.

- A. Notices from the [cityBorough](#) to the property owner/customer will normally be given in writing and either mailed or delivered to the property owner/customer's last known address. Where conditions warrant and in emergencies, the [cityBorough](#) may notify either by telephone, [email](#) or [deliverymessenger](#).
- B. Notices from property owners/customers to the [cityBorough](#) may be given by the property owner/customer or authorized representative, orally or in writing, at the office of the [cityBorough](#), or to an agent of the [cityBorough](#) authorized to receive notices or complaints.

14.08.250 - Application for utility service and associated fees.

- A. All property owners/customers desiring sewer service shall complete an application for utility service form provided by the finance department of the [cityBorough](#), giving all information necessary to establish a utility account. The application for service form may include inquiries regarding the property owner's credit and ability to pay for services and such other information as the [cityBorough](#) may reasonably require.
- B. In signing the application, the customer agrees to abide by the provisions of this chapter.
- C. Types of Service Applications.

1. Application for existing service/location also receives municipal water/water service off: Where municipal sewer and water utility service already exists, but the water service is turned off, and there are no outstanding municipal utility charges, the property owner shall submit with the application the reconnect fee for water services and applicable account deposit.
  2. Application for existing service/location also receives municipal water/water service on: Where municipal sewer and water utility service already exists, and the water service is on, the property owner shall submit with the application the transfer fee for water services and applicable account deposit.
  3. Application for existing service/no municipal water service received: Where municipal sewer exists without benefit of municipal water, in addition to the applicable account deposit, the property owner shall be billed the actual cost to the [cityBorough](#) to activate the sewer lateral. The cost shall be billed to the property owner on the first utility bill.
  4. Application for new service or change in service size: At the time a property owner files an application for service where no service previously existed or if the property owner is filing for a change in service size, the property owner shall submit with the application a new service fee and applicable account deposit. The new service fee for structures in areas where the [cityBorough](#) has installed new sewer system extensions shall be waived for a period of six months. The six-month waiver period shall commence at the date of substantial completion of the installation as determined by the [cityBorough](#).
- D. The property owner shall be required to be on the premises when the sewer service is activated.

14.08.260 - Account deposits.

- A. Account deposits may be required from all customers who have not received any Petersburg municipal utility services for a period of nine months or more prior to application and from customers who are known to have been delinquent on prior Petersburg municipal utilities.
1. Account deposits for new customers shall be equal to one month's service fee for the size of service required, if applicable.
  2. Account deposits for customers who have been delinquent, but not disconnected from any Petersburg municipal service or account, shall be equal to two months service fee for the size of service required.
  3. Account deposits for customers who have been delinquent and disconnected from any Petersburg municipal service or account for nonpayment shall be four times one month's service fee for the size of service required.
  4. Account deposits may be waived [by the Borough finance director](#) for customers who have demonstrated timely payment for the most recent twelve-month period on all municipal utilities received, regardless if the municipal utility services were provided by the [cityBorough](#) of Petersburg.
- B. Account deposits are not to be considered payment on account until after twelve consecutive months of nondelinquent payment on all municipal utilities. After twelve consecutive months of nondelinquent payment, the deposit shall be applied to the next utility bill.
- C. If a service is turned off for nonpayment, the deposit shall be applied to the unpaid balance due. Water service will not be restored to the customer at the same or different premises until all outstanding utility bills due the [cityBorough](#) have been paid, a new account deposit made and a connect fee paid.
- D. Administrative procedures, approved by the [cityBorough](#) manager, may be implemented to accommodate special circumstances or hardships.
- E. Account deposit rates shall be reviewed annually by the water utility and finance departments and a recommendation made to the [cityBorough](#) manager for the increase or decrease of deposit rates as needed for the sound financial management of the water utility. The [cityBorough](#) manager shall review the findings and present the recommendation to the [city councilBorough Assembly](#).



14.08.270 - Billing.

- A. Property owners will be billed for sewer service based on the amount of water that passes through a premises' water meter. Accounts shall be billed for both a monthly service fee and a commodity charge.
- B. Where a water meter does not exist the property owner will be billed according to the monthly service fee for a three-quarter inch service unless it is apparent to the [cityBorough](#) that a larger amount of water is being used on the premises.
- C. Meters shall be read and bills shall be rendered monthly. Opening or final bills, or bills that for any other reason cover a period containing ten percent more days or ten percent less days than in the normal billing period, shall be prorated.
- D. The [cityBorough](#) will keep an accurate account of all readings of meters as prima facie evidence of the use of sewer service by a property owner.

14.08.280 - Billing multiple-unit premises.

- A. Structures or premises having multiple units with only one water meter will have each unit billed at the appropriate monthly service fee. The commodity charge will be billed to the structure or premises owner or manager for water consumed. The owner shall be liable for payment of the commodity charge. The owner or owner's designated manager or agent may subsequently apportion the charge between or among tenants or occupants, but shall not charge more than billed by the [cityBorough](#).
- B. Hotels, motels and bed and breakfasts will be billed for one unit at the appropriate rate, plus a use fee for all gallons of water consumed.

14.08.290 - Billing newly constructed premises.

For new construction, the sewer charge shall begin when the service connection has been inspected and approved or when the [cityBorough](#) building official has determined the building is substantially complete, whichever is the earlier date.

14.08.300 - Billing service charges for unconstructed parcels.

Any parcel of property not constructed on, but located on a collector line requesting a service hookup or change in service entry at a later date, shall be charged reimbursement of time and equipment rental as established at the time of request of service.

14.08.310 - [CityBorough](#) may combine with other utility bills.

- A. The [cityBorough](#) reserves the right to combine the sewer utility billing with the monthly billing for other municipal utility services. The charges for the separate services shall be specifically identified on the utility bill.
- B. A property owner's sewer service or other municipal utility service may be discontinued if any part of a municipal utility bill is not paid when due.

14.08.320 - [SewerWastewater](#) collection rates.

- A. The [sewerwastewater](#) utility rate shall apply to the owner of all houses, buildings or other structures designed or used for human occupancy, employment, recreation or other purpose provided that the [public](#) sewer is within one hundred fifty feet of the property line. The rate for the [sewerwastewater](#) utility shall be a minimum based on a unit fee predicated on the size of the water service, plus a water commodity charge as follows. In the event water service is not connected, the monthly minimum for five-eighths inch service shall apply unless it is apparent to the [cityBorough](#) that a larger amount of water is being used on the premises.

**[SewerWastewater](#) Utility**

**Monthly Service Charge Rate Schedule**

		8/1/2012	7/1/2013 4.5% inc.	7/1/2014 4.5% inc.	7/1/2015 4.5% inc.	7/1/2016 4.5% inc.	7/1/2017 4.5% inc.	7/1/2018 4.5% inc.
Service Description	Size of Water Meter	Service Charge \$/mth	Service Charge \$/mth	Service Charge \$/mth	Service Charge \$/mth	Service Charge \$/mth	Service Charge \$/mth	Service Charge \$/mth
Residential	5/8 "	31.02	32.42	33.88	35.40	36.99	38.66	40.40
1" Sewer	1"	69.50	72.63	75.90	79.31	82.88	86.61	90.51
1½" Sewer	1½"	167.26	174.78	182.65	190.87	199.46	208.43	217.81
2" Sewer	2"	334.52	349.58	365.31	381.75	398.93	416.88	435.64
3" Sewer	3"	644.39	673.39	703.69	735.36	768.45	803.03	839.16
6" Sewer	6"	1,682.96	1,758.70	1,837.84	1,920.54	2,006.97	2,097.28	2,191.66
Industrial Sewer		405.92	424.18	443.27	463.22	484.07	505.85	528.61
Sewer 3/Base Conspt	5/8 "	93.06	97.25	101.63	106.20	110.98	115.97	121.19
DBL Base+Conspt/Res	5/8 "	62.04	64.83	67.75	70.80	73.99	77.32	80.80
Sewer Conspt-Res	5/8 "	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sewer Base	5/8 "	31.02	32.42	33.88	35.40	36.99	38.66	40.40
Sewer Conspt-Com		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sewer-Condos		279.19	291.76	304.88	318.60	332.94	347.92	363.58
Sewer 3xBase+Conspt		93.06	97.25	101.63	106.20	110.98	115.97	121.19
AK State Housing	5/8 "	186.13	194.50	203.26	212.40	221.96	231.95	242.39
Commercial Swr Base		69.50	72.63	75.90	79.31	82.88	86.61	90.51
Half Chg Senior Cit	5/8 "	15.52	16.21	16.94	17.71	18.50	19.34	20.21

**SewerWastewater Utility**  
**Commodity Charge Rate Schedule**

		8/01/2012	7/1/2013 4.5% inc.	7/1/2014 4.5% inc.	7/1/2015 4.5% inc.	7/1/2016 4.5% inc.	7/1/2017 4.5% inc.	7/1/2018 4.5% inc.
Service Description	Size of Water Meter	\$/Kgal	\$/Kgal	\$/Kgal	\$/Kgal	\$/Kgal	\$/Kgal	\$/Kgal
All service levels	All	0.78	0.82	0.86	0.90	0.94	0.98	1.02



The commodity charge is billed from the rate schedule as presented in this chapter, for each unit. A unit shall be each separate residence, house, trailer, apartment, commercial or industrial premises, public restroom or any structure designed or used for dwelling or business purposes.

B. Fees for sewer services and administration shall be as follows:

Connect/Reconnect Fee. If water valve seals have been used to disconnect a private water system and facilitate the disconnection of sewer service, a thirty-dollar fee shall be assessed when service is reconnected. When [cityBorough](#) water service is being connected or reconnected, the connect fee for the water utility shall be billed but no connection fee for sewer shall apply.

Disconnect Fee. In the event [cityBorough](#) water service is disconnected to a unit, ~~sewerwastewater~~ service charges may be discontinued. If a unit is not served by [cityBorough](#) water service, disconnection of the unit's water supply and installation of a [cityBorough](#) valve seal on an accessible water control valve will meet the requirements for discontinuation of sewer charges. The [cityBorough](#) shall bill the property owner the actual cost to discontinue the service. If [cityBorough](#) seals are tampered with or broken before being removed by the [cityBorough](#) in preparation to reconnect services, the property owner will be backbilled for all waived charges during the disconnection period.

New service fee:	
Four- or six-inch sewer line	One hundred fifty dollars
Eight-inch and larger sewer line	Two hundred fifty dollars
New service line installation:	Actual cost
Private sewage disposal:	Four dollars per one hundred gallons of liquid waste delivered to the wastewater treatment plant
	Fifty dollars per fifty-five gallon volume of waste containing at least ten percent solids by weight
	Vactor service will be billed at actual costs for equipment and labor

- C. Nonresident Rates and Fees. Charges for all sewer services and fees for users outside [Service Area 1](#) or the municipal limits shall be twice the [in-cityService Area 1](#) rate.
- D. Sewer rates and fees shall be reviewed annually by the sewer utility and finance departments and a recommendation made to the [cityBorough](#) manager for the increase or decrease of rates as needed for the sound financial management of the sewer utility. The [cityBorough](#) manager shall review the findings and present the recommendation to the [city-councilBorough Assembly](#).
- E. ~~Penalty-i~~Interest ~~shall accrue on~~ past due accounts: Maximum ~~rate~~ allowable by state law.

14.08.330 - Adjustment of rates when water intake exceeds discharge.

The rates set out in this chapter will not apply to industrial or other customers who can demonstrate that a substantial percentage of their water intake is not discharged into the [cityBorough](#) sewer system, as determined by the utility director or the director's designee. Unit rates will be charged for the specific facilities on these customers' premises which actually discharge into the [cityBorough](#) sewer system, plus an agreed upon estimated water consumption use fee. Proving water consumption when agreement cannot be reached will be the burden of the consumer.

14.08.340 - Rate discount for low-income senior citizens.

The monthly service charge and commodity charge for the size of service received, shall be reduced fifty percent in instances where a senior citizen has signed an affidavit at the [cityBorough](#) finance office attesting they are the head of the household, are sixty-five years of age, and all combined income for the household did not exceed twenty thousand dollars during the previous year.

14.08.345 - Refunds and rebates.

- A. Prior to taking action for any refund or rebate of unanticipated revenues, the ~~city council~~[Borough Assembly](#) will seek a recommendation from the ~~Utility and Finance Directors~~[advisory board](#) with oversight responsibilities for these funds. The ~~recommendation~~[referral of the un-anticipated funds to the appropriate boards may be initiated](#) sought by the [cityBorough](#) manager and/or mayor in order to minimize the delay in any potential refund or rebate to the affected users. If ~~recommendations are not able to be timely received for any reason~~[a board is unable to meet for a lack of quorum to address this issue at a regularly scheduled meeting](#), the refund or rebate may be taken up by the ~~city council~~[Borough Assembly](#) by resolution without a recommendation ~~from a board~~.
- B. After the consideration of a recommendation ~~by a board or~~ the determination of ~~a boards'~~ [an](#) inability to ~~timely receive a recommendation~~[act](#), the ~~city council~~[Borough Assembly](#), by resolution, may refund or rebate any user fees or charges collected for service in any manner deemed appropriate and on an equal basis to the affected users. Refunds or rebates shall only be made when the utility receives unanticipated revenues from funding sources outside the utility's rate structure. Re-funds or rebates may be used to postpone or lessen a planned rate increase only to the extent of the amount of the refund or rebate.

14.08.350 - Disputed bills.

Disputed bills shall be remedied by administrative procedure approved by the [cityBorough](#) manager.

14.08.360 - Delinquent accounts—Service disconnect.

- A. Accounts owed the [cityBorough](#) under this title shall be considered past due if not paid in full on or before the due date and delinquent if not paid by the end of the following billing cycle. Utilities may be disconnected if any part of any delinquent municipal utility bill is not paid.
- B. Past due accounts are subject to ~~the accrual~~[penalty in the form](#) of interest ~~onte~~ the unpaid balance at the maximum legal rate allowed by state law from the due date until paid.
- C. Delinquent accounts are subject to disconnect of service in addition to the ~~accrual of~~ interest ~~penalty~~.
- D. The [cityBorough](#) shall make reasonable efforts to notify property owners of delinquent accounts prior to disconnect. However, failure of the property owner to receive notice does not waive any ~~interest~~, fee, penalty or disconnection.
- E. A service turned off for delinquency shall not be restored until payment in full, including ~~penalty~~ interest and reconnect fee, is received by the [cityBorough](#); or written arrangements acceptable to the [cityBorough](#) to bring the account current have been made.
- F. When necessary, water service disconnection shall be the method of discontinuing sewer service. If a service is turned off for nonpayment, the account deposit shall be applied to the unpaid balance due. Sewer and water service will not be restored to the property owner at the same or different premises until all outstanding utility bills due the [cityBorough](#) have been paid and another account deposit made.
- G. The noticing and administration of delinquent accounts shall be by administrative procedure approved by the [cityBorough](#) manager.
- H. In cases of extreme hardship or special circumstances, the [cityBorough](#) manager shall have the discretion of renewing service to, or making payment arrangements with, a customer who has been disconnected from municipal utilities for nonpayment.



- I. If a landlord, or utility employee informs the utility administration of a vacancy or change in residency of a service location that is past due on their utility bill and the customer of record has not arranged for disconnect of services, the utility may be disconnected from the customer in order to limit amounts owed to the [cityBorough](#) by the customer. The landlord or new tenant shall transfer utilities into their name, and pay all applicable fees and deposits, in order to continue receiving services. This shall not apply to temporary caretaking of a residence while the utility customer is on vacation.

14.08.370 - Service turnoff at property owner's request—Reconnect fee.

- A. Notice. Each property owner about to vacate any premises supplied with municipal sewer service shall give the [cityBorough](#) at least one-day written notice specifying the day service is to be discontinued. If one-day written notice is not given, the property owner will be responsible for all sewer service charges accrued by the premises until the [cityBorough](#) receives notice.
- B. Disconnect Fee and Billing. At the time service is discontinued at the request of the property owner, the water meter will be read and a bill rendered that includes the appropriate disconnect fee. The final bill is payable immediately. The bill shall include the prorated share of the monthly service fee for the size of service.
- C. Reconnection of an existing service may be subject to the applicable reconnect fee.

14.08.380 - Administrative authority.

The [cityBorough](#) manager is authorized to establish and implement procedures for the daily administration and collection of revenues of the sewer utility and to address unusual circumstances that may arise.

14.08.390 - ~~V~~Penalties for violations.

- A. A person who violates a provision of this chapter (except for failing to pay fees for services when due) shall be guilty of a violation as expressed in section 1.16.010 of the borough code, and subject to a fine as provided in section 1.16.030 of the borough code. The person is also liable for all costs and expenses incurred by the borough in the cleanup and remedy of any violation, and administrative costs and attorney fees incurred by the borough as a result of the violation.
- ~~BA. The rate of Penalty in the form of added~~ interest for past due and delinquent accounts shall be the maximum legal rate allowed by state law from the date due until paid.
- ~~B. Violations of this chapter, other than past due and delinquent accounts, shall be a misdemeanor punishable by a fine not to exceed one thousand dollars and imprisonment for not more than thirty days.~~

**Section 4. Fine Amounts:** The following fine amounts are adopted for violations of Chapter 14.08 of the Borough Code, and shall be administratively incorporated into section 1.16.030 of the Borough Code:

<b><u>Section(s)</u></b>	<b><u>Description of Violation</u></b>	<b><u>Fine Amount</u></b>
14.08.020A	Unlawful deposit of sewage or waste	\$500
14.08.020B	Unlawful discharge of untreated sewage	\$500
14.08.020C	Unlawful construction/maintenance of sewage facility	\$500
14.08.110	Malicious, willful or negligent damage to municipal sewage facilities	\$500

14.08.120	Unlawful discharge of storm or other waters into sanitary sewer	\$500
14.08.130(A)-(I)	Prohibited discharge of liquids/substances into public sewer	\$500
14.08.200	Unauthorized uncovering/connection/ disturbance of public sewer or appurtenances	\$500

A future modification in a fine amount set out in this section shall be by amendment to section 1.16.030.

**Section 5. Severability:** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

**Section 6. Effective Date:** This Ordinance shall become effective immediately upon final passage.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mark Jensen, Mayor

ATTEST:

\_\_\_\_\_  
Debra K. Thompson, Borough Clerk

Adopted:  
Noticed:  
Effective: