

13.16.011 Industrial sewer service charge for Eckert Cold Storage.

A. Effective ~~March 1, 2024~~April 1, 2025, the industrial sewer system service charge for Eckert shall be as provided in subsections B. through D. of this section.

B. The variable charge is the sum of: (1) the actual electricity costs for the Moffat Boulevard pump station, the pond pump station and the pond aerator system; (2) the actual wastewater laboratory testing costs for the industrial sewer system; and (3) fifty percent of rental costs associated with treatment option investigation in year one. Variable charges are payable each month, are based on actual usage, and shall be billed monthly based on the previous month's actual costs.

C. The fixed charge is an annual charge that is based on estimated operations, maintenance and replacement costs. The annual fixed charge for ~~2024 is one hundred eighty-nine thousand eight hundred nineteen dollars~~2025 is one hundred ninety-six thousand four hundred and eighty-two dollars (\$196,482.00). The annual fixed charge is payable in six equal installments on the first business day of each month, beginning in June and ending in November of each year.

D. In the event Eckert's flows exceed the storage capacity of the industrial pond system or if the monthly flow exceeds the NPDES permit limits driven by BOD and TDS, the city will make all reasonable efforts to accommodate the excess flow. The city may allow Eckert's to discharge the excess flow to the domestic sanitary sewer system subject to approval from the director of public works. All industrial wastewater discharged to the domestic sanitary sewer will incur charges at the sanitary sewer per Municipal Code Section [13.16.010](#) Monthly rates.

E. In any calendar year in which Eckert does not discharge industrial wastewater to the industrial sewer system or the modified industrial sewer system due to acts of God, acts of a government, fires, floods, epidemics, quarantine restrictions, strikes, earthquakes, explosion or any similar catastrophic event or occurrences beyond the control of Eckert, the city shall determine the fixed charge per the following formula:

$$\begin{array}{r} \text{Fixed Charge in} \\ \text{Calendar Year of} \\ \text{Catastrophe} \end{array} = \text{Fixed Charge} \times \frac{\text{Actual days discharged in calendar year of} \\ \text{catastrophe}}{\text{Average total days discharged in the} \\ \text{immediately preceding three consecutive} \\ \text{calendar years}}$$

(Ord.1439 § 2, 2009; Ord. 1469 § 1, 2010; Ord. 1534 § 2, 2013; Ord. O2017-10 § 1; Ord. O2020-04 § 1; Ord. O2022-01 § 1; Ord. O2023-02 § 1; Ord. O2024-03, 2/20/2024; Ord. O2025-XX, X/XX/2025)