

**CROMWELL WATER POLLUTION CONTROL AUTHORITY
41 WEST STREET
CROMWELL CONNECTICUT 06416**

BE IT RESOLVED, that the Cromwell Water Pollution Control Authority effective July 20, 1973, as amended February 9, 2009 has established the following SEWER USE CHARGE SYSTEM:

GENERAL

In accordance with Chapter 103 of the Connecticut General Statutes, including section 7-255, as amended, a use charge shall be levied by the Cromwell Water Pollution Control Authority ("CWPCA") annually on all properties which are connected to the Town of Cromwell Sanitary Sewerage System.

The use charge shall apply to all connected properties, including any property owned by the Town of Cromwell and other tax-exempt property, and shall be representative of the payment of the CWPCA for its costs of operation, repairs, and maintenance of the sewage system, including, but not limited to, the use of the sewage treatment plant.

LIABILITY FOR PAYMENT

The owner of property against which a use charge is levied by the CWPCA shall be liable for the payment thereof.

DUE DATES; DELINQUENT PAYMENTS

A. The due date for the payment of a use charge shall be April 1st, unless otherwise stated. A property which was not issued a Certificate of Occupancy ("C.O.") or which was not utilized for its intended purpose and serviced by a water meter for a complete year prior to April 1st, such property shall pay a use charge consisting of the proration of a full year's payment from the date of the issuance of a C.O. or the date which such property commenced being utilized for its intended purpose and serviced by a water meter through the following March 31st.

B. Any sewer use charge not paid within thirty (30) days of its due date shall be delinquent and shall bear interest from the due date at the rate and in the manner provided by the general statutes for delinquent property taxes, including § 12-146 thereof. Each addition of interest shall be collectible as part of such use charge. Any such unpaid use charge shall constitute a lien upon the real estate against which the charge was levied from the date it became delinquent. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens, including § 12-173 thereof.

PRO-RATA USE CHARGE FOR CERTAIN MONTHS

In the event that a property is issued a C.O. or was utilized for its intended purpose and serviced by a water meter on or before the 15th of a month, the owner shall be liable for the full use charge for that complete month. In the event that a property is issued a C.O. or was utilized for its intended purpose and serviced by a water meter on or after the 16th of a month, the owner shall not be liable for a use charge for that month, but shall become liable for such charge for the next month, and each month thereafter.

BASIS FOR CHARGE

The annual use charge for each residential property shall be determined based upon the discharge represented by an average single-family dwelling unit of 170 gallons of sanitary wastes per day, said family unit being defined as a dwelling unit ("DU"). Total gallonage divided by 62,000 (170 gallons per day times 365 days) shall be an Equivalent Dwelling Unit ("EDU").

A. Residential properties

1. A residential use shall be assigned the appropriate number of EDU(s) in accordance with the attached "Exhibit 1," which is incorporated as if stated herein.
2. Buildings used as a single-family residence, condominiums, and multi-family homes, as identified by the Tax Assessor, shall be assigned a use charge in accordance with Exhibit 1, but shall not be charged based actual consumption.
3. Where there is a combination of residential and non-residential use (mixed use building) each User Type on the property shall be applied to the property in accordance with the Exhibit 1.

B. Non-residential properties

1. The number of EDU(s) for each non-residential User Type in Exhibit 1 existing on the property shall be applied to all non-residential properties by User Type and represents the minimum charge basis for any such property. This minimum charge shall be combined with actual consumption charges, where applicable.
2. Where there is a combination of residential and non-residential use (mixed use building) each User Type on the property shall be applied to the property in accordance with the Exhibit 1.
3. Any existing or proposed User Type or use that does not readily fit into any user type category in Exhibit 1 will be evaluated by the CWPCA, and the CWPCA shall, in its discretion, determine the applicable EDU(s) based on usage and cost impacts.

4. The CWPCA may, in its discretion, adjust the number of EDUs for any User Type or use if it is found that the cost impact of the user type or use exceeds the revenues received.

5. Sewer department personnel shall complete a non-residential occupancy census in January and July of each year to confirm the actual use and occupancy at properties within the Town to allow the CWPCA, in its discretion, to adjust the number of EDU(s), if necessary.

C. Meter reading

Water meter read data, including irrigation consumption, shall be adjusted when a CWPCA approved deduct meter has been installed and is read annually during the census in January, by sewer department personnel. Deduct meter reads determine flow not conveyed to the sewer system versus flow conveyed to the sewer system.

DETERMINATION OF THE USE CHARGE

A. Determination of number of Equivalent Dwelling Units applicable

1. For each property, the appropriate number of EDU(s) shall be assigned in accordance with the above provisions and Exhibit 1.

2. With respect to each unit of a non-residential building, a minimum of 1 EDU per unit shall be applied.

3. The number of EDU(s) for User Types that the CWPCA determines, in its discretion, are not identified in Exhibit 1, shall be determined by the CWPCA's estimate of sewer discharge divided by 62,000.

4. The applicable number of EDU's shall be rounded to the nearest tenth prior to the use of such in determining the use charge as provided below.

B. Determination of "base rate per EDU"

The base rate to be charged by the CWPCA per EDU shall be established annually by the CWPCA using the projected operations and maintenance budget, divided by the anticipated number of EDUs anticipated to use the system during the year. The base rate per EDU derived from this calculation shall be rounded to the nearest cent.

C. Calculation of "use charge"

1. The use charge for each property shall be determined by multiplying the number of EDUs applicable to a property by the base rate per EDU.

D. Addition of actual consumption charges for Non-residential properties

The use charge calculated in the preceding section shall be the minimum use charge with respect to any non-residential property. The total use charge for such property shall be determined by combining the use charge determined above with the actual consumption by such property.

“EXHIBIT 1”
TABLE OF EQUIVALENT DWELLING UNITS BY USER TYPE

Key to Abbreviations:

GPD = Gallons Per Day

GPY = Gallons Per Year

DU = Dwelling Unit

EDU = Equivalent Dwelling Unit (based on 62,000 GPY consumption)

RESIDENTIAL

- 1 EDU -- a single family home*
 each unit of a multi- family home
 each unit of an apartment house
 each residential unit of a mixed use building

NON-RESIDENTIAL

A minimum EDU(s) charge shall apply plus consumption charges where water meter read data is available on all non-residential user types.

- 1/3 EDU -- each bed of a dormitory or boarding house
- 1/2 EDU -- each room of a hotel, motel or assisted living unit
- 2/3 EDU -- each classroom - school or college
 each bed and nurse’s station of a nursing or rest home
 each room of a rooming or boarding house
- 1 EDU -- each non-residential building or unit; unless otherwise noted in “Exhibit 1”
 each business unit
 each doctor or dentist in a practice
 each floor of an administrative building
 each floor of a police station
 each veterinarian in a practice
 a cleaner w/ no on-site processing or washing
 a fire station
 a hall or place of public assembly – w/o bar license
 a luncheonette or dairy bar with no seating (counter or window service)
 a public pool
 a residential community pool and/or clubhouse
 a retail or wholesale business under 20,000 sq ft
 a rectory or parish building

- 1 EDU -- Continued
a supermarket w/ no deli or meat processing
a warehouse
- 1 2/3 EDU -- an animal grooming business
a beauty saloon or spa – w/ 4 or less full-time equivalent employees
a drug store
a gas station, service garage or auto dealership
a hairdresser/barber shop w/ 4 or less full-time equivalent employees
a restaurant – w/ less than 40 person capacity
- 2 EDU -- a funeral parlor or mortuary
a child daycare
a place of worship
a community center
a factory or light industry
a kennel
- 3 1/2 EDU -- a beauty saloon or spa – w/ 5 or more full-time equivalent employees
a carwash
a department store or home improvement center over 20,000 sq ft
a hairdresser/barber shop w/ 5 or more full-time equivalent employees
a retail or wholesale business over 20,000 sq ft
a fitness center – no pool or skate rink
a hall or place of public assembly – w/ bar license
a lodge hall - with bar license
a restaurant, bar, or night club – w/ more than 40 person capacity
a cafeteria
a supermarket w/ deli & meat processing
- 7 EDU -- a cleaner or laundry mat – w/ on site processing or washing
a fitness center - w/ pool and/or skate rink