

## Chapter 42

### SEWERS

Article I-A Sewer Rental Fee

§42-10(a). Legislative intent.

§42-10(b). Definitions.

§42-10(c). Scope.

§42-10(d). Computation and billing of sewer rental fee.

§42-10(e). Effective date.

Be it enacted by the Board of Trustees of the Village of Brockport as follows:

§42-10(a). Legislative intent.

The Village of Brockport operates and maintains a sanitary sewer collection system for properties located within the Village as well as a limited number of additional properties located outside the Village which utilize the Village sewer system as out of district users.

For the purpose of operating and maintaining the sewage systems of the Village of Brockport, including for the purposes of debt services and to establish a reserve fund for capital improvements and equipment, the Village of Brockport hereby establishes a sewer rental fee for use of the Village wastewater collection facilities or any part or parts thereof.

This article is adopted pursuant to the provisions of Article 14-F of the General Municipal Law of the State of New York, and any and all amendments thereto.

§42-10(b). Definitions.

ANNUAL WATER CONSUMPTION— Shall mean the number of gallons of water billed to a property by the Village of Brockport for the period July 1 to June 30. This number will be used to compute the sewer rental fee for the next succeeding Village Tax year. Accordingly, for the Village Tax year beginning June 1, 2011, the sewer rental fee will be based upon water consumption for the period July 1, 2009 to June 30, 2010.

COLLECTION AND CONVEYANCE SYSTEM—Shall mean the system for the collection, treatment or disposal of municipal sewage, domestic sewage, liquid industrial wastes or other wastes, including all sewer pipes and appurtenances, which are owned or operated or maintained by the Village of Brockport, including sewage pumping stations and sewage treatment and disposal works.

OPERATION AND MAINTENANCE COSTS—Shall mean, but not be limited to, the following annual costs:

1. Salary and wages, including benefits, of personnel operating, maintaining and administering the wastewater collection and conveyance system.
2. Costs of materials and supplies for the wastewater collection and conveyance system.
3. Costs of any indebtedness necessary for the operation and maintenance, as well as repair, improvement and reconstruction, of the wastewater collection and conveyance system.
4. Equipment costs.
5. Insurance costs.
6. Any other incidental costs not hereinabove specified.

SYSTEM USERS—Shall mean any properties that have a sanitary sewer system available to them in the Village of Brockport and are connected or serviced by the collection and conveyance system or any part of parts thereof.

SEWER RENTAL FEE—Shall mean the rent, fee or charge imposed to system users by the Village of Brockport for the operation and maintenance costs hereinabove described.

§42-10(c). Scope.

Sewer rental fees shall constitute charges established and imposed pursuant to this article, and any and all amendments thereto, for the use of the collection and conveyance system operated, owned or maintained by the Village of Brockport, or any part or parts thereof.

§42-10(d). Computation and billing of sewer rental fee.

(1) The sewer rental fee will be assessed on a monthly or quarterly basis and computed solely based upon annual water consumption as herein defined in this article.

(2) The sewer rental fee will be based upon the following formula:

Total annual operation and maintenance costs/Total thousands of gallons of water consumed by system users= Sewer rental fee per thousand gallons

(3) Sewer rental fees for system users shall appear on the regular water bills issued by the Village, which are issued alternatively either on a monthly or quarterly basis.

(4) Every year the Village Board shall review and may revise the sewer rental fee rate as may be deemed necessary. System users shall be notified of rate changes on an annual basis.

(5) All sewer rental fees are due and payable at the same time as the regular water bill. In the event payment is not made by the date designated for payment of the regular water bill, then a penalty of 10% shall be added to the sewer rental fee.

(6) Sewer rental fees and any corresponding penalties which become due and owing as provided in this article may be included as part of the Village tax levy, accounted for and collected pursuant to Article 14 of the Village Law of the State of New York and/or may be collected pursuant to the provisions of Article 14-F of the General Municipal Law of the State of New York.

§42-10(e). Effective date.

This Article is effective immediately beginning with the fiscal year which commences June 1, 2011, and will be included with the regular water bills issued by the Village of Brockport beginning June 1, 2011.