

Holland Board of Public Works  
Wastewater Rate Book General Terms & Conditions

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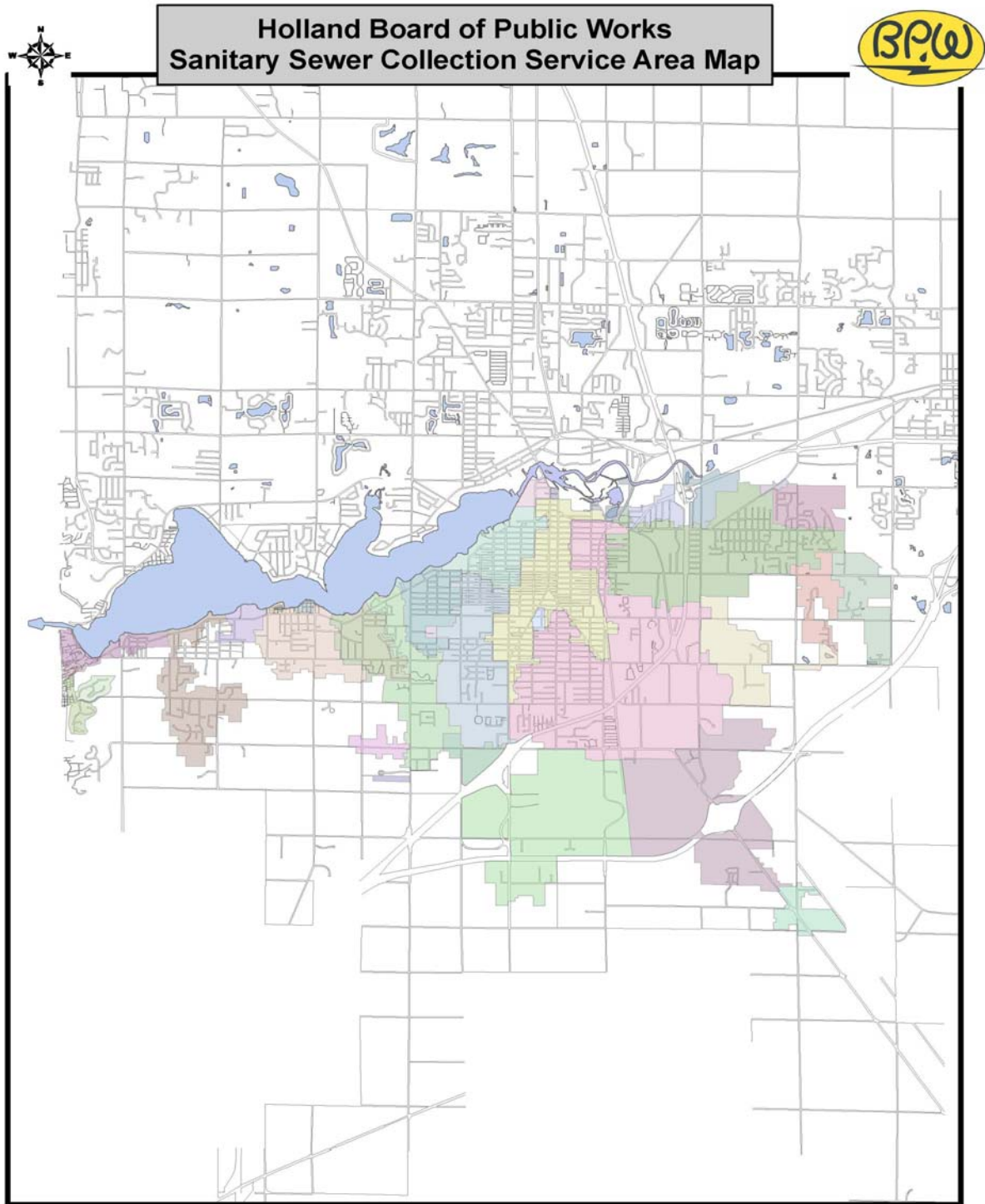
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**1.0 Sanitary Sewer Service Area**



4/7/2011

0 2,500 5,000 10,000 15,000 20,000 Feet

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### **2.0 Definitions**

**BACKWATER VALVE** – A device installed on customer piping that prevents flow from the Sanitary Sewer Main to enter the home.

**BORING** – To pierce the ground with a turning or twisting movement of a tool to make a hole for pipes, cables etc.

**BPW** – When used in these Rules and Regulations, BPW is an abbreviation meaning the Holland Board of Public Works.

**CUSTOMER** – A purchaser of water service supplied by the BPW or a governmental entity that authorizes the BPW to provide water service.

**CUSTOMER PIPING** – A piping system owned or controlled by the Customer that conveys water from the Service Location throughout the Customer's Premises.

**DIRECTOR** – The Utility Services Director of the BPW.

**DWELLING UNIT** – A dwelling unit shall be considered as a single room, suite or groups of rooms or suites which have individual cooking and kitchen sink facilities designed for or used exclusively for residential purposes.

**FACILITIES** – A general term which includes pipes, fittings, valves, fire hydrants, associated structures and the like, used as a part of or in connection with a water installation.

**PERSON** – Any individual, corporation, partnership, company, limited Liability Corporation, organization or governmental entity.

**POTW** – Publicly Owned Treatment Works or the Holland Area Wastewater Treatment Facility.

**PREMISES** – A building and its grounds.

**RATE** – The unit prices as established by the BPW's rate-making body and the quantities to which they apply as specified in the Rate Schedule.

**RATE SCHEDULE** – A filed statement of the water Rate and the terms and conditions governing its application as established by the BPW.

**READINESS TO SERVE** – The monthly service charge that is based on the meter size.

**SANITARY SEWER MAIN** – A pipe owned and maintained by the BPW installed in public right-of-way or easement that conveys sewage from a Customer Sewer Service to the Holland Area Wastewater Treatment Plant

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**SERVICE LOCATION** – The point at which the BPW has agreed to provide sewer service to Customer Piping.

**SERVICE STUBS** – That portion of a Customer Sewer Service that extends from the Sewer Main to a point that will be connected to later, usually behind the curb or beyond the edge of the road.

**SEWER BACKING** – A backup of sewage from the Sewer Main into the premises owned by a customer.

**SEWER COLLECTION SYSTEM** – The system of Sanitary Sewer Mains, pipes, pumps, motors, fittings, tanks, and all equipment and appurtenances thereto, necessary to collect sewage from Customer Piping.

**STORM SEWER** – A pipe that is used for conveying surface drainage or groundwater away from premises.

**SUMP PUMP** – A device that pumps groundwater or rainwater from the foundation level of a premise and pumps it up to a storm water system for disposal.

**TRENCH** – A cut in the ground in which pipes, etc. are installed.

**WYE** – The branch fitting that connects Customer Piping to the Sewer Collection System.

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### **3.0 General Provisions**

It is the desire of the BPW to render prompt, courteous, and satisfying service to its customers. The BPW endeavors to cooperate with customers, contractors, and all others to the fullest extent possible in order to provide uninterrupted sanitary sewer service.

All national and state statutes and regulations that govern the provision of utility services apply and supersede the terms of service contained in this document. All local ordinances and codes of the governmental units within the service territory of the Holland BPW also govern the services provided by the HBPW where applicable.

#### **3.1 Obligations**

The obligations of both parties commence when the HBPW begins to supply service and continues until either party has received from the other any form of communication (i.e. email, telephone call, or written) notice to discontinue service, and thereafter for a reasonable time before making disconnection, not to exceed ten (10) days.

#### **3.2 Rules and Regulations**

A customer that commences service under any of the HBPW rate schedules hereby agrees to abide by all of these Terms & Conditions.

#### **3.3 Rate Revision**

All rates herein are subject to revision at any time upon approval by the HBPW Board of Directors and Holland City Council.

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## **4.0 Service Conditions**

### **4.1 Description of Service**

The BPW collects and treats sanitary sewerage, meeting standards established by the Michigan Department of Environmental Quality (MDEQ), throughout its service area and will endeavor, but does not guarantee, to furnish continuous service and to prevent overflows of sewage into dwellings, buildings or the environment.

The BPW will maintain all of the sanitary sewer collection system within the City of Holland and in portions of the Townships served by the sanitary sewer system. The sanitary sewer collection system consists of all sanitary sewer mains that are available to collect sewerage from more than one sewer customer service line.

The BPW shall not be liable for interruptions in the service including without limitation, variations in the service characteristics, or for any loss or damage of any kind or character occasioned thereby, due to causes or conditions beyond the BPW's reasonable control.

### **4.2 Customer Responsibilities**

1. The Customer shall, at the Customer's own risk and expense, furnish, install and keep in good and safe condition all equipment that may be required for receiving, controlling, applying, and utilizing sewage.

#### **4.2.1 Protection of Customer's Equipment**

The Customer shall be responsible for installing suitable safety switches, alarms, backwater valves, etc., on all drains which depend upon sewer drainage. These facilities are to protect against any possible interruption of flow or backup from the BPW's sewer collection system.

#### **4.2.2 Sewer Service Applications**

New connections to the City Sanitary Sewer main require permits from the local municipal authority.

The owner or their agent shall make application for a permit to connect to the sanitary sewer system. The permit application shall be supplemented with plans, specifications, or other information when considered pertinent. For connections in the Townships, Township residents shall apply for a permit at the respective township office. For connections in the City, the owner/agent shall apply for a permit at the BPW Offices. Each applicant for water service shall be required to provide the following information:

1. The date of application

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2. The address of the premises to be served, the billing address, and the address of the owner of the premises
3. The date on which the applicant will be ready for service
4. The purpose for which the service is to be used
5. The size of service
6. The size and number of meters
7. A copy of the plans showing where the sewer service will connect to the public main
8. Whether the applicant is an owner or tenant of, or an agent for, the owner of the premises. If the applicant is an agent, the BPW may require proof of his/her authority.

The applicant is responsible for payment of any charges incurred for connecting to the sanitary sewer system. The applicant shall pay the cost of installation for the Service Connection in accordance with the current schedule of charges approved by the BPW.

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## **5.0 Use of Service**

### **5.1 General**

Service is provided to the Customer for the collection and treatment of sanitary sewage. Service may not be shared with another, sold to another, or transmitted off the Premises without the written permission of the BPW. Clean water not requiring treatment may not be discharged to the sanitary sewer from the Customer.

### **5.2 Access**

The BPW's authorized personnel or agents of the BPW shall have access to the Customer's Premises at all reasonable hours for all purposes necessary to conduct business, including without limitation:

1. Install, inspect, observe, read, repair, maintain, test or remove its meters or MTUs
2. Install, operate and maintain other BPW equipment or Facilities
3. Customer Piping, backwater valves or sump pumps.

### **5.3 Theft**

1. The BPW Utility Theft Investigation Procedure would handle cases of suspected theft and fraud. The Utility Theft Investigation procedure describes who handles suspected cases and how the investigation of theft and fraud is handled.
2. All cases, where there is sufficient evidence as determined by the Utility Theft Investigation procedure warrant further action, will be turned over to the Holland Department of Public Safety and/or the City Attorney.
3. The BPW will attempt to recover all charges that were intentionally avoided or not paid plus all monthly-accrued late fees. In addition, a 6% over prime rate recovery charge will be assessed to charges, fees and penalties. All costs relating to the investigation and remediation of theft of services will be assessed to the account with a minimum charge of the current charge for initiating new services.
4. If the actual amount of service lost to the theft or diversion cannot be determined, the amount applied will first be estimated using previous account history. If neither the actual amount of service nor the estimated amount of service for the particular account can be determined, the account will be assessed the average usage for the class of service prorated to the time the theft or diversion occurred.
5. There is no limitation on the time period for which past charges will be assessed.
6. Other actions, civil or criminal, will be decided by actions of the BPW and/or City Attorney, as appropriate.

**(Following sections are from the City of Holland Ordinance Code, Chapter 29: Sewer Usage and Administration)**

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### **Damage to or tampering with sewage system; prohibited.**

No person shall maliciously, willfully, or negligently break, damage, destroy, deface, or tamper with any structure, appurtenances, or equipment which is part of the POTW.

### **Improper use of sewers; discontinuance of service.**

The BPW is authorized to inspect any existing building service sewer and drain, lateral or collecting sewers that discharge wastewater directly or indirectly to the POTW. If it is found that such lateral or collecting sewers are used or maintained in such a way as to cause discharge of septic wastewater or groundwater or debris which exceeds the design criteria of said sewer or any other substance deemed objectionable, the BPW will give notice of the unsatisfactory condition to the person responsible for such discharge and shall direct that the condition be corrected.

In cases of noncompliance continuing after such directive, the BPW, in its discretion, may discontinue service to persons responsible for such discharge.

### **5.4 Termination of Service**

In the case of utility termination due to building demolition or house moving, the following policy has been established:

1. All services shall be terminated and a water tight cap installed at the property line unless it is possible to remove the service and cap it at the main.
2. City Customers must request a permit for house moving or demolition from the City's Environmental Health Department (EHD). Township Customers must request a permit from their Township of residence.
3. The BPW will schedule the terminations with the service crews based on the customer's or agent's request. The customer may hire a private plumber or contractor to complete the termination; however the work must be inspected and approved by the BPW.
4. The demolition/house moving permit will not be issued until the water termination has been completed.
5. Upon completion of the termination, the applicant will be billed for the service based on the fees established by the BPW.

### **5.5 Disconnects and Resumes**

Because sanitary sewer service can not be disconnected, the BPW does not provide for seasonal disconnections for sewer service that is not connected to a water account. Sewer service will be billed for the minimum charge year round.

### **5.6 Shut-Off Policy**

The BPW cannot individually shut off service to sanitary sewer connections.

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### **5.7 Sewer Backups**

Sewer backups occur when root masses, grease build-up or other foreign objects obstruct the flow of sewage. Backups can also occur when sewage pumping is interrupted due to power failures or mechanical failures. When sewers are blocked or normal pumping fails, sewage may flow into the premises of a customer. Backups can occur in a customer's service lateral or in a public sewer main.

The BPW regularly cleans sanitary sewers to prevent backups in accordance with recommended standards for maintenance of their service laterals. The following policy outlines the BPW response to sewer backups.

1. Since customers experiencing a sewage backup cannot determine whether the backup is caused by an obstruction in the service lateral or in the public main, the customer may call either a plumber or the BPW for assistance. The BPW responds immediately to all sewer backup calls. If a customer calls a plumber for a public main backup problem, the BPW reimburses the customer's ordinary and reasonable expense for a plumber's service call.
2. Public mains are located in the street right-of-ways or public easements. They are available to serve multiple customers and are constructed with manholes, which provide access for BPW inspection and cleaning. Public main backups are determined by observing obstructed flow in the manholes. The BPW removes the obstruction to return the public main to normal operation.
3. Private service laterals connect the building plumbing to the public sewer main. They include all piping from the building, to and including, the "wye" connection into the public main. Backups in private service laterals cannot normally be visually observed. The BPW does not service private laterals. Plumbers are available to provide services to resolve backups in private laterals.
4. The BPW provides cleanup and disinfection of sewage to customers affected by a Public sewer main backup.
  - A. The Customer may hire a cleaning contractor of its choice to provide the cleanup and disinfection services. A list of contractors is available from the BPW or by searching in the phone book or internet under "Water & Fire Damage Restoration".
  - B. The Customer may then submit the cleaning and disinfection bills to the BPW for reimbursement.
  - C. The Customer will need to provide verification from its homeowner's insurance company indicating what expenses will be covered by their policy.

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5. Damages not covered by the customer's insurance are reviewed by the City's insurance claim adjuster for payment authorization. Compensation is not paid if the customer misuses, alters or conducts any other illegal or unauthorized disposal under the Sewer Use Ordinance or other ordinances of the City. Compensation is not paid if the backup is the result of or caused by an activity on the customer's property which interferes with service in the public main or the residence.

The BPW will strictly adhere to Public Act 170 of 1964, as amended by Public Act 222 of 2001 when reviewing claims for sewer backups.

1. Claims must be filed within 45 days after the date of damage or physical injury was discovered. The written notice must contain the Customer's name, address, telephone number, the address of the affected party, the date of discovery of any property damages or physical injury, and a brief description of the claim.
2. The Customer is responsible to prove that all of the following occurred:
  - A. The BPW was the owner or operator of the sewage disposal system that allegedly caused damage or physical injury.
  - B. The alleged damage or physical injury was the result of a sewage disposal system defect. The defect means a construction, design, maintenance, operation or repair defect.
  - C. The BPW did know or was in the exercise of reasonable diligence to have known about the defect.
  - D. The BPW failed to take reasonable steps in a reasonable amount of time to repair, correct, or remedy the alleged defect.
  - E. The alleged defect did indeed cause the property damage or physical injury.
3. The Customer must provide proof of ownership of property and value of damages.

### **5.8 Use of Public Sewers**

(Following sections are from the City of Holland Ordinance Code, Chapter 29: Sewer Usage and Administration. Similar ordinances have also been adopted by the Townships served by the HBPW.)

#### **5.8.1 General**

##### **Unlawful disposal of wastes.**

(a) No person shall dispose of wastes in such a manner, or permit the facilities or fixtures thereof to be in such condition, as shall be dangerous to public health.

(b) It shall be unlawful for any person to place, deposit or permit to be deposited in any manner upon public or private property within the City of

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Holland, or in any area under its jurisdiction, any human or animal excrement, garbage, or any substances that possess the characteristics described in section 29-49 which constitute a nuisance unless specifically permitted by law, or which may constitute a hazard to the public health.

(c) It shall be unlawful for any person to discharge any waste into the POTW through a connection that has not been authorized pursuant to this chapter or directly into a public sewer without authorization.

#### **Discharge into storm drain or natural drain prohibited;exception.**

(a) It shall be unlawful to discharge to any natural outlet within the City of Holland, or in any area under its jurisdiction, any sewage or other polluted waters, except for those facilities described below.

(b) Any industrial waste disposal facility operating with a state-approved National Pollutant Discharge Elimination System (NPDES) permit shall be exempt from the prohibition of this section, and shall be subject to the following:

(1) If a temporary excess of any of the parameters listed in the NPDES permit is anticipated, community services and development shall be informed immediately, and a written report shall follow that contains a description of the excess, the reasons for its occurrence, and a description of the corrective measures being taken and to be instituted. Such reporting is in no way in lieu of other spill reporting requirements that are the responsibility of the NPDES permit holder.

(2) The industry shall allow EH&I access to its property at reasonable times and under reasonable circumstances for the purpose of taking samples of the discharge from the facility. Any industry that discharges into the storm sewer system shall provide sampling manholes or appropriate access that is approved by community services and development.

(c) The enforcing officer of this section is the director of the community services and development department of the city or an authorized deputy, agent or representative.

#### **Connection to public sewer required; exception.**

No person shall maintain any building having a sewage discharge on any premises where the public sewer is located on a street, alley, or right-of-way abutting such premises that lies within any sanitary sewer district unless that building is connected to the public sewer.

(a) Such connection shall be made in accordance with this chapter and applicable specifications provided by the BPW.

(b) Any structure in which sewage originates within the city shall be connected to any available public sewer within eighteen (18) months after publication of a legal notice of availability of a public sewer in a newspaper of general circulation in the city. For purposes of this section, a public sewer shall be considered to be available when it is located in a right-of-way, easement, highway, street, or public way which crosses, adjoins, or abuts upon the property

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in question and passes not more than two hundred (200) feet at the nearest point from the structure in which the sewage originates. For purposes of this section, the phrase "structure in which sewage originates" shall mean a building in which toilet, kitchen, laundry, bathing, or other facilities that generate sewage are used or are available for use for household, commercial, industrial or other purposes. If the structure in which sewage originates has not been connected to an available sanitary sewer within said eighteen-month period, then the city shall require the connection to be made in accordance with Section 12754 of the Michigan Public Health Code, as amended, or any similar successor statutory provision. In so proceeding, the city shall have the rights and remedies provided in Section 12754, as well as all rights and remedies provided by this chapter.

(c) Such connection shall be used in accordance with the provisions of this chapter.

(d) It is unlawful to construct, replace, repair, renovate, extend, or expand any septic tank system or other sewage disposal system for any house, building, property, or other purpose on any premises where the public sewer is located on a street, alley, or right-of-way abutting such premises that lies within any sanitary sewer district.

(e) Any industrial waste disposal facility operating with a state-approved National Pollutant Discharge Elimination System (NPDES) permit shall be exempt from the prohibition of this section.

(f) The enforcing officer of this section is the director of the community services and development or an authorized deputy, agent or representative.

#### **Determination of unsanitary conditions; notice.**

Whenever the council of the City of Holland, acting as a board of health, determines that any waste conveyance or system is dangerous to the public health, the council may order improvements to abate the danger and specify the time within such improvements shall be made.

(a) Waste conveyances and systems include, but are not limited to: sanitary plumbing, toilet, or other fixture or facility for sanitary use or for the disposal of waste, including any connection thereof to a public sewer.

(b) The abatement order shall be conducted in accordance with the provisions of section 15.17 of the Charter of the City of Holland, and shall include a statement of the opinion of board of health regarding what aspects of the waste conveyance or system are unsanitary and dangerous to the public health.

#### **5.8.2 General Pretreatment Standards**

**(Following sections are from the City of Holland Ordinance Code, Chapter 29: Sewer Usage and Administration. Similar ordinances have also been adopted by the Townships served by the HBPW.)**

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### **Purpose of pretreatment requirements**

- (a) The purposes of article V are:
- (1) To establish uniform requirements for direct and indirect contributors into the wastewater collection and treatment system and to enable the POTW to comply with applicable state and federal laws and the general pretreatment regulations (40 CFR, Part 403);
  - (2) To prevent the introduction of pollutants into the POTW which will:
    - a. Interfere with the operation of the system;
    - b. Cause the POTW to violate its NPDES discharge permit;
    - c. Contaminate the sludge;
    - d. Pass through the system, inadequately treated, into receiving waters or the atmosphere;
    - e. Pose a health threat to sewer workers; or
    - f. Be otherwise incompatible with the system.
  - (3) To improve the opportunity to recycle and reclaim wastewaters and sludges from the system; and
  - (4) To provide for equitable distribution of the cost of the municipal wastewater system.
- (b) Future conditions imposed on the control authority by jurisdictional government agencies may require subsequent amendments of this chapter or rules and regulations adopted hereunder by the control authority. Where federal or state promulgated categorical pretreatment standards require limits more stringent than those specified in this chapter, the state and federal limits shall have precedence and take effect with respect to the applicable user on the latter of:
- (1) Their promulgation date, or
  - (2) The date specified for compliance with such standards.

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

### **General discharge prohibitions**

- (a) *Generally.*
- (1) It shall be unlawful to discharge any wastewater to the POTW except in accordance with the provisions of this chapter.
  - (2) No user shall contribute or cause to be contributed, directly or indirectly to the POTW, any pollutant or wastewater which will pass through or cause interference with the operation or performance of the POTW.
  - (3) No person shall discharge or cause to be discharged to any public sewer any stormwater, surfacewater, groundwater, roof runoff, subsurface drainage, cooling water, unpolluted air conditioning water or unpolluted industrial process water. No footing drain, roof downspout, areaway drain or other source of surfacewater or groundwater shall be connected to a public sewer. All footing drainwater shall be discharged to storm sewers or dry wells. Stormwater and all other unpolluted drainage shall be discharged to sewers specifically designated as storm sewers, or to a natural outlet approved by the DEQ. The discharge of cooling water or unpolluted industrial process water shall only be permitted when authorized and approved by the DEQ.

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(b) *Prohibited.* No user shall contribute the following substances to the POTW:

(1) Any substances which by reason of their nature or quantity may create a fire or explosion hazard or be injurious to the POTW or to the operation of the POTW, including but not limited to, wastestreams with a closed cup flashpoint of less than one hundred forty (140) degrees Fahrenheit or sixty (60) degrees centigrade using the test methods specified in 40 CFR 261.21.

(2) Any solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the POTW such as, but not limited to: grease, garbage with particles greater than one-half ( 1/2) inch in any dimension, or any material which can be disposed of as trash.

(3) Any wastewater having a pH less than six (6.0) or greater than eleven (11.0) or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the POTW.

(4) Any substance which may cause a public nuisance, cause hazard to life or prevent entry into the sewers for maintenance and repair.

(5) Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW exceeds forty (40) degrees centigrade (one hundred four (104) degrees Fahrenheit).

(6) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass-through.

(7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(8) Any trucked or hauled pollutants, except at discharge points and as otherwise designated by the control authority.

(9) Any pollutant, including oxygen-demanding pollutants released in a discharge at a flow rate and or concentration (including any slug discharge), which may cause interference to the POTW.

(10) Any of the following toxic pollutants (a) those pollutants listed on the current critical materials register prepared pursuant to Section 66 of the Water Resources Commission Act (MCL 323.1 et seq.) by the Michigan Water Resources Commission or its successors, and (b) those pollutants identified by the BPW as a "toxic pollutant" by amendment to this chapter. If a pollutant is specifically allowed by the BPW, section 29-49(b)(14) or categorical pretreatment standards, then the above paragraph does not apply.

(11) Any toxic substances in amounts exceeding standards promulgated by the administrator of the United States Environmental Protection Agency pursuant to Section 307(a) of the Federal Water Pollution Act of 1972, as amended.

(12) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the control authority in compliance with applicable state or federal regulations.

(13) Any discoloration other than the color of normal strength domestic waste including, but not limited to dyes, inks and vegetable tanning solutions which singularly or in conjunction with other waste constituents is deleterious to treatment and/or sludge disposal practices or a hazard to the POTW and its employees.

(14) Any wastewater having effluent characteristics in excess of:

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### TABLE INSET:

TABLE 1	
PROHIBITED POLLUTANTS	
	Daily Maximum Allowable Concentration mg/l
Organics	
Acetone	640
Benzene	0.32
Methyl Ethyl Ketone	640
Chloroethane	3.6
Chloromethane	2.3
Chloroform	1.2
Dibromochloromethane	0.18
1,4-Dichlorobenzene	0.38
1,1-Dichloroethane	16
1,1-Dichloroethylene	1.4
cis-1,2-Dichloroethylene	2.9
trans-1,2-Dichloroethylene	2.9
Diethyl Ether	12
Ethyl Benzene	0.87
Lindane	0.00076
4-Methyl-2-Pentanone	0.2
Methylene Chloride	1.3
Styrene	0.64
Tetrachloroethylene	0.68
Toluene	3.5
1,1,1-Trichloroethane	2
Trichloroethylene	0.68
1,2,4-Trimethylbenzene	0.74

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Xylenes, Total	1.5
Phenols, Total	2.5
Metals	
Arsenic	0.098
Cadmium	0.093
Chromium	3.7
Copper	1.1
Cyanide, Amenable	0.22
Lead	0.66
Lithium	2.6
Mercury	See 29-49(b)(15)
Molybdenum	0.27
Nickel	1.5
Selenium	0.18
Silver	0.25
Zinc	4.6
Compatibles	
Chlorides	2300
Grease and Oil (NonPolar Fraction)	70

(15) There shall be no detectable amounts of mercury discharged into the POTW. The local discharge limitation for mercury is established at the method detection limit (MDL) in accordance with the following:

Mercury sampling procedures, preservation and handling, and analytical protocol for compliance monitoring shall be in accordance with EPA Method 245.1. The MDL, developed in accordance with the procedure specified in 40 CFR 136 shall not exceed 0.2 ug/L for mercury, unless higher levels are appropriate due to matrix interference.

The evaluation of potential matrix interference(s) shall include, at a minimum, the following:

- a. A demonstration that the laboratory conducting the analysis is capable of achieving the MDL of 0.2 ug/L in reagent water;
  - b. A demonstration that the MDL of 0.2 ug/L cannot be achieved in the effluent;
- and
- c. A demonstration that an attempt has been made to resolve the matrix interference(s).

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In cases where true matrix interference(s) can be demonstrated, a discharge-specific MDL will be developed in accordance with the procedure in 40 CFR 136. Discharge-specific MDLs will be incorporated into the wastewater discharge permit of the nondomestic user.

### *Mercury Reduction Plans*

To ensure that the maximum allowable mercury loading to the POTW is not exceeded, the control authority may require any nondomestic user with a reasonable potential to discharge mercury to develop, submit for approval and implement a mercury reduction plan (MRP). The MRP may be required by permit if the nondomestic user has not violated the local limit for mercury, but the control authority has determined that a reasonable potential for such a violation may exist. MRPs may be required in notices of violations, orders or other enforcement actions when the nondomestic user has violated the mercury local limit. At a minimum, an approvable MRP shall contain the following:

a) A written commitment by the nondomestic user to reduce all nondomestic discharges of mercury to levels below the MDL within a time frame approved by the control authority;

b) Within sixty (60) days of notification by the control authority that a MRP is required, The nondomestic user shall supply an initial identification of all potential sources of mercury which could be discharged to the POTW;

c) Specific strategies for mercury reduction with reasonable time frames for implementation, capable of ensuring that mercury discharges will be below the specified MDL within a time frame approved by the control authority;

d) A program for sampling and analysis of the nondomestic discharge for mercury in accordance with [EPA Method] 245.1 methods;

e) A demonstration of specific, measurable and/or otherwise quantifiable mercury reductions consistent with the goal of reducing mercury discharges below the specified MDL. Where such reductions cannot be demonstrated through normal effluent monitoring (e.g., mercury discharges are already near MDL), the demonstration should incorporate the following:

1) Internal process monitoring, documenting the results of mercury reduction strategies at sampling locations within the facility (e.g., a program of regular monitoring of sink traps where mercury containing reagents had previously been disposed, but have since been substituted by nonmercury containing compounds).

2) Internal and/or effluent sampling utilizing clean and/or ultra-clean sampling and analytical methods as referenced by USEPA federal register. Note that the results of such monitoring will not be used for compliance purposes unless performed in accordance with EPA Method 245.1 and collected at the appropriate compliance measurement location.

3) Loading calculations wherein the nondomestic user calculates the total mass of mercury reduced from the sanitary sewer discharge through reagent substitutions, changes in disposal practices and/or other approved MRP strategies implemented.

f) A semiannual report on the status of the mercury reduction efforts. At a minimum, these reports shall:

1) Identify compliance or noncompliance with specific reduction commitments in the MRP;

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- 2) Summarize the analytical, mass-based or other quantifiable demonstrations of mercury reductions performed to date;
- 3) Provide all applicable analytical data;
- 4) Provide an evaluation of the effectiveness of actions taken to date;
- 5) Provide updates to the initial list of mercury containing compounds discharged to the sanitary sewer; and
- 6) Propose for approval new strategies and/or modifications to the current MRP to continue and improve mercury reduction efforts.
- g) Any other conditions that the control authority deems necessary to ensure that mercury reduction efforts are effective in achieving the goals of this section.

Failure to submit an approvable MRP within thirty (30) days of the required due date shall constitute significant noncompliance in accordance with this section, and will result in publication as a significant violator, in addition to other possible enforcement action.

A MRP may be evaluated for adequacy at any time by the control authority. If such an evaluation determines that the mercury reduction plan is inadequate, or the nondomestic user has not complied with its approved MRP, the nondomestic user will be notified. Failure to comply with the MRP requirement constitutes noncompliance. The control authority will follow its enforcement response plan (ERP) to ensure that corrective actions are taken.

A nondomestic user may request a release from MRP requirements if (i) all samples of the discharge for a period of one (1) year are less than the specified MDL; (ii) the nondomestic user has complied with the minimum monitoring frequency of quarterly sampling events; and (iii) the control authority deems that MRP commitments have been fulfilled sufficiently to ensure continued compliance with the mercury limitation. The control authority shall notify the nondomestic user of any release from MRP requirements in writing.

If the MRP requirement is waived by the control authority, the nondomestic user remains subject to the local limitation for mercury in accordance with the requirements of this section.

Rediscovery of mercury in the nondomestic user discharge subjects said user to the submission of a new MRP, or escalation of enforcement in accordance with the ERP.

(16) Any wastewater containing more of the substances referenced in Table 2, unless permitted by special discharge allocation under section 29-50.

In addition to the limits in Table 2, any discharge that, in the judgment of the control authority, would contribute a significant amount of these substances, regardless of mg/l concentration, shall be prohibited except by special discharge allocation.

TABLE INSET:

TABLE 2			
COMPATIBLE POLLUTANTS			
	Daily Maximum		Daily Maximum Pounds

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	mg/l		per Day
Biochemical Oxygen Demand (BOD)	1,000*	and	40*
Chemical Oxygen Demand (COD)	See Note 1	and	See Note 1
Total Suspended Solids (TSS)	1,400*	and	100*
Total Phosphorus (TP)	40*	and	1*
Chlorides	2,300*	and	100*
Grease and Oil (Polar Fraction)	150*	and	5*
* or as approved by the Michigan DEQ in accordance with the control authority's approved procedures, with any change in such approved amounts being effective upon publication by the control authority in a daily newspaper of general circulation in the Holland area.			
1. COD daily maximum mg/l and pounds will be calculated using the influent COD/BOD ratio times the BOD daily maximum mg/l and pounds.			

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

### Pretreatment requirements

(a) Industrial users shall provide necessary wastewater treatment as required to comply with the most stringent requirement of this chapter, or federal pretreatment standards as established by 40 CFR Chapter N, Subpart I, or state standards or wastewater discharge permit conditions, and shall achieve compliance with all National Categorical Pretreatment Standards within the time limitations as specified by the federal pretreatment regulations, and with any other pretreatment standards by applicable deadlines.

(b) Any facilities required to pretreat wastewater shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the control authority for review, and shall be approved by the control authority before construction of the facility. The review and approval of plans and operating procedures does not relieve the industrial user from complying with the provisions of this chapter and wastewater discharge permit conditions. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and approved by the control authority prior to the industrial user's initiation of the changes.

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

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### **Dilution prohibition**

No user shall increase the use of process water, or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with concentration limitations as established herein or any pretreatment standard or requirement.

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

### **Spill prevention and slug control plans**

(a) Nondomestic users shall provide protection from accidental discharge of materials which may interfere with the POTW by developing spill prevention plans. Facilities necessary to implement these plans shall be provided and maintained at the owner's or user's expense. Spill prevention plans, including the facilities and the operating procedures shall be approved by the control authority before construction of the facility.

(b) Nondomestic users that store hazardous substances shall not contribute to the POTW after the effective date of this chapter unless a spill prevention plan has been approved by the control authority. Approval of such plans shall not relieve the user from complying with all other laws and regulations governing the use, storage, and transportation of hazardous substances.

(1) The control authority shall evaluate all new SIUs for the need for a slug control plan within a year of the industrial user being designated as a SIU. Each significant industrial user shall be evaluated at least once every two (2) years, and other nondomestic users as necessary, to determine whether such user needs a plan to control slug discharges. If the control authority decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

- a. Description of discharge practices, including nonroutine batch discharges;
- b. Description of stored chemicals;
- c. Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under section 29-49, with procedures for follow-up written notification within five (5) days;
- d. If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of industrial site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response.

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

### **Indemnification for additional sewer maintenance expenses**

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No person shall discharge or cause to be discharged to a sanitary sewer, either directly or indirectly, any nondomestic waste that creates a stoppage, plugging, breakage, reduction in sewer capacity or any other damage or loss to any public sewer, the POTW or the control authority. The person causing such discharge shall indemnify the BPW or control authority for any additional sewer maintenance expenses, or any other resulting costs or expenses, including attorney fees, caused by such a discharge.

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

### Accidental discharges

Every user of the POTW shall provide, when deemed necessary by the control authority, protection from accidental discharge into the sewage system of nondomestic wastes or liquid materials not meeting the requirements of section 29-49 or other nondomestic wastes.

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

### 5.8.3 Wastewater Discharge Permits

**(Following sections are from the City of Holland Ordinance Code, Chapter 29: Sewer Usage and Administration. Similar ordinances have also been adopted by the Townships served by the HBPW.)**

#### Wastewater discharge permits

(a) *When a wastewater discharge permit is required.* The control authority may, in its discretion, require that an existing potential nondomestic user procure and maintain in effect a wastewater discharge permit, issued by the control authority, as a condition precedent to making any discharge to the POTW. The control authority may require an existing or potential user to obtain a wastewater discharge permit whenever it shall reasonably determine that the user is an SIU or MIU as defined in section 29-3 of this chapter.

(b) *Permit application.* Users required to obtain a wastewater discharge permit shall complete and file with the control authority, an application in the form prescribed by the control authority, and accompanied by a fee as required in section 29-11. Proposed new nondomestic users shall apply for a wastewater discharge permit at least ninety (90) days prior to connecting to or contributing to the POTW. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

(1) Name, address, and location, (if different from the address) and name of owners and operator;

(2) Standard industrial classification (SIC) code of both the industry as a whole and any process for which categorical pretreatment standards have been promulgated.

(3) Wastewater constituents and characteristics including but not limited to those mentioned in section 29-49 of this chapter as determined by a reliable analytical

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laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304(g) of the Act and contained in 40 CFR, Part 136, as amended;

- (4) Time and duration of discharge;
- (5) Daily maximum, daily average, and monthly average wastewater flow rates, including daily, monthly and seasonal variations if any;
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation and a current water use schematic;
- (7) Description of activities, facilities and industrial processes on the premises including all materials which are or could be discharged;
- (8) The nature and concentration of any pollutants in the discharge which are limited by any city, state, or federal pretreatment requirements and a statement signed by an authorized representative of the user regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards;
- (9) If additional pretreatment and/or O&M will be required to meet the pretreatment standards; the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:
  - a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.).
  - b. No increment referred to in paragraph (a) shall exceed nine (9) months.
  - c. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the control authority including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the control authority.
- (10) Each product and/or byproduct produced by type, amount, process or processes and rate of production;
- (11) Type and amount of raw materials processed (average and maximum per day);
- (12) Number and type of employees, and hours of operation of facility and proposed or actual hours of operation of pretreatment system;
- (13) List of any environmental control permits held by or for the facility;
- (14) Any other information as may be deemed by the control authority to be necessary to evaluate the wastewater discharge permit application.

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The control authority will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the control authority may issue a wastewater discharge permit subject to terms and conditions provided herein.

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

### Permit contents

Wastewater discharge permits shall contain, as appropriate, the following:

- (a) Statement of duration (not greater than five (5) years) including issuance and expiration dates;
- (b) Effluent limitations based on the more stringent of categorical pretreatment standards, local limits as established by this chapter, state and local law or the combined waste stream formula as outlined in 40 CFR 403.6(e);
- (c) General and specific discharge prohibitions as established by section 29-49 of this chapter;
- (d) Requirements to pay fees for the wastewater to be discharged to the POTW;
- (e) Limitations on the average and maximum rate and time of discharge or requirements for flow regulation and equalization, including the maximum monthly flow which shall be permitted by a user;
- (f) Requirements for installation and maintenance of inspection and sampling facilities;
- (g) Requirements and specifications for monitoring programs including sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
- (h) Compliance schedules;
- (i) Requirements for submission of technical reports, discharge reports or certification statements. These include any reporting requirements contained in a National Categorical Pretreatment Standard or pretreatment requirement;
- (j) Requirements for collecting/retaining and providing access to facility records relating to the user's discharge and for providing entry for sampling and inspection;
- (k) Requirements for notification of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater treatment system;
- (l) Requirements for notification of spills, potential problems to the POTW including slug loadings, upsets or violations;
- (m) Requirements for installation, operation and maintenance of pollution control equipment;
- (n) Requirements to develop and implement spill and slug control plans;
- (o) Other conditions as deemed appropriate by the control authority to ensure compliance with this chapter, state and federal pretreatment standards and requirements including a requirement that the user shall deliver to the control authority a copy of the permit which is acknowledged, agreed to and executed by an authorized representative of the user in order for the permit to be effective;

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- (p) Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements;
- (q) Statement of nontransferability;
- (r) Conditions for modification or revocation of permit.

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

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## **6.0 Metering**

### **6.1 General**

Water meters are required for residential users who are connected to the public water supply system in accordance with the City of Holland Water Use Ordinance.

Meter costs are charged for initial installations to recover the first time expense of the meter. Meters replaced due to normal wear and age are not charge to the customer.

### **6.2 Flow Meters**

Nonresidential users have the option, at the customer's expense, to install an approved flowmeter on their sanitary sewer service. The customer must use a type of flowmeter approved by the BPW and must install and maintain it according to manufacturer's specifications to insure the proper registering of all water being discharged to the sanitary sewer. The customer shall be responsible for all maintenance and calibration of the flowmeter device at the customer's expense. The wastewater service bill will then be calculated based upon the reading of the sewage flowmeter. The installation of the flowmeter shall be inspected by the BPW prior to use to ensure proper installation and accurate measurement. The customer must submit maintenance records of the flowmeter on an annual basis as evidence of proper maintenance. If records are not submitted on an annual basis, the customer shall be billed for sewer charges based on water meter measurement until such evidence of regular maintenance is submitted.

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

### **6.3 Well Supply Meters**

1. Users who choose to use meters on well supplies shall be responsible for all maintenance and installation costs for the meter. A failure to perform within thirty (30) days' notice any maintenance required for the meter to function accurately shall automatically cause the user's account to convert to the flat rate system, which will become effective in the month during which the user was notified of the need for meter maintenance. The location shall be readily accessible and well-ventilated. Such space shall be kept free from all obstructions, fixtures, etc. within a distance of three (3) feet from the meter. A clear overhead space of at least six feet (6') shall be provided. For overall space requirements of the meter connection, check with the BPW. The location must be approved by authorized BPW personnel. The customer must provide a proper location for the MTU on the outside of the building as well as access to run wiring from the meter to the MTU and must maintain easy accessibility to the MTU for purposes of reading it.

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2. The customer shall install valves at the inlet and outlet sides of the meter setting and shall maintain them in good repair. For services 2" in diameter and smaller, the valves must be ball valves. For larger services the valves must be of the resilient wedge type.
  
3. The customer shall install and maintain a meter-setting on all customer service connections. A single meter shall be provided for each connection entering a building, however, under the following conditions, manifolding of meters is allowed:

Where, because of the number of tenants, it is the desire of the building owner to meter each tenant's water separately a meter manifold may be permitted by the BPW, PROVIDED:

  - A. A metering room is made available by the owner for housing the water meters. Said room shall have access via common space (i.e. not through a private apartment or unit). The metering room and a key for the door shall be provided by the customer at his/her expense.
  - B. The Customer and/or owner installs a valve on the inlet and outlet side of each meter-setting.
  - C. The Customer and/or owner installs a valve at the point where the primary feed line enters each apartment or office.
  
4. That each meter serves only one office or apartment unit with no interconnecting piping allowed between units.

#### **6.4 Maintenance of Meter, Meter Connections and MTUs**

The BPW shall, maintain all standard meters and remotes. The Customer however, shall be held liable for protecting the meter from damage including, but not limited to damage by freezing or hot water and for protecting the MTU from damage including, but not limited to damage by exterior paint or stain, and also from acts of negligence or willful damage by the owner or his/her tenants. Any meter or MTU so damaged shall be repaired by the BPW, and the cost thereof shall be billed to the Customer. The Customer will also be responsible for a service call charge in addition to the meter replacement charge.

No person shall tamper with any meter or MTU or remove or break any seal placed on a meter.

#### **6.5 Meter Calibration**

1. A customer who believes that the meter may not be measuring water consumed accurately may request a test be performed to determine the meter's accuracy. The BPW will test the accuracy of the meter at its own expense. If the meter is found to be inaccurate by more than 2% high or low, BPW will adjust the customer's bill according to the current billing policy at the time of the test. If the

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- meter is found to be accurate within 2%, then the Customer will be charged for the meter testing and a service call.
2. Prior to installation, each meter and MTU purchased by the BPW from its vendors, is tested by the manufacturer and meets all tolerance requirements of the BPW.

#### **6.6 Upsizing/Downsizing Meters**

Customers wishing to increase or decrease the size of their meter may make request to the BPW for the new meter size. BPW will review the request and will review demand data provided from the Customer. The BPW reserves the right to size the meter according to Customer water demand. A fee is charged for this service.

Upsizing a meters require additional payment for Trunkage, provided a larger meter was not at this address in the past ten (10) years. A credit will be given for the size of the previous meter removed when applying the Trunkage charges or new meter fees.

#### **6.7 Deduct Meters**

Bills for nonresidential users connected to the public water supply shall be based on actual metered flow. At a user's option and cost, and with the approval of the BPW, additional metering may be installed to meter water not discharged to the POTW, i.e., sprinkling, cooling water, etc.

Deduct meters may be installed after making application with the BPW. The deduct meter must be installed by the BPW and shall meet with all regular meter standards and specifications of the BPW. Deduct meters will measure water and deduct that amount from what passes through the primary meter from a customer's sewer bill. Any plumbing found downstream of a deduct meter that supplies water to the sanitary sewer system will result in immediate termination and result in a BPW Utility Theft Investigation. Deduct meters shall not be used to measure water for irrigation. In these cases, a separate supply meter for irrigation is required.

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## **7.0 Application of Rates**

### **7.1 Charges**

The BPW shall from time to time establish charges for the use of and connection to the City sanitary sewer system. All users are required to pay the applicable current rates for connection to the system and for sewer use.

**(Following sections are from the City of Holland Ordinance Code, Chapter 29: Sewer Usage and Administration)**

#### **Rates**

The city council of the city shall establish rates for the use of, and the connection to, the public sewer. All users of the POTW shall be required to pay their proportionate use of the POTW in terms of volumetric and pollutant loadings. User charges shall be levied to defray the operation, maintenance, replacement, and debt retirement costs of the POTW.

(a) Water meters are required for residential users who are connected to the public water supply system in accordance with the City of Holland Water Use Ordinance. Bills for wastewater service for residential users connected to the public water supply system shall be calculated as follows:

(1) Base period. The actual usage shall be billed for the bills that are due between November 22 and April 22.

(2) Other months. An average monthly usage will be computed from the base period usage. Either the average monthly usage or the actual usage, whichever is lower, will be applied to the bills that are due between April 23 and November 21.

(b) Bills for nonresidential users connected to the public water supply shall be based on actual metered flow. At a user's option and cost, and with the approval of the BPW, additional metering may be installed to meter water not discharged to the POTW, i.e., sprinkling, cooling water, etc.

(c) Nonresidential users have the option, at the customer's expense, to install an approved flowmeter on their sanitary sewer service. The customer must use a type of flowmeter approved by the BPW and must install and maintain it according to manufacturer's specifications to insure the proper registering of all water being discharged to the sanitary sewer. The customer shall be responsible for all maintenance and calibration of the flowmeter device at the customer's expense. The wastewater service bill will then be calculated based upon the reading of the sewage flowmeter. The installation of the flowmeter shall be inspected by the BPW prior to use to ensure proper installation and accurate measurement. The customer must submit maintenance records of the flowmeter on an annual basis as evidence of proper maintenance. If records are not submitted on an annual basis, the customer shall be billed for sewer charges based on water meter measurement until such evidence of regular maintenance is submitted.

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(d) Residential users who do not have access to a public water supply will be given the option of:

- (1) Paying a flat rate as established by the city council of the city, or
- (2) Using a meter to measure water use through the well supply and paying actual usage.

Users who choose to use meters on well supplies shall be responsible for all maintenance and installation costs for the meter. A failure to perform within thirty (30) days' notice any maintenance required for the meter to function accurately shall automatically cause the user's account to convert to the flat rate system, which will become effective in the month during which the user was notified of the need for meter maintenance.

(e) Nonresidential users who do not have access to a public water supply may not choose the flat rate option. Nonresidential users must install metering devices (as approved by the BPW) to measure the quantity of wastewater discharged to the sewage system.

(f) Each user who discharges compatible wastewater pollutants in strengths that exceed maximum allowable concentrations as defined in section 29-51 shall pay appropriate surcharges for the treatment of those excess waste strengths. Such surcharge rates shall be established by the city council of the city.

(g) Nondomestic users exceeding levels established in section 29-50 must obtain special discharge allocations for certain pollutants in accordance with article V [section 29-47 et seq.]; such users shall pay a rate for that allocation that includes a calculation for reserved physical plant capacity.

(h) All industrial users having monitored discharges shall pay a monthly charge for the operation of the POTW pretreatment program pursuant to section 29-11 as shall be established by city council of the city.

(i) The city shall reserve the right to adjust user charges based upon an audit review of costs. Such an audit review shall be conducted annually by the city.

#### **Adoption of fees and charges.**

The city may adopt charges and fees by resolution which may include:

(a) Fees for reimbursement of costs of setting up and operating the industrial pretreatment program;

(b) Fees for monitoring, inspection and surveillance procedures including the cost of reviewing monitoring reports submitted by the IU;

(c) Fees for reviewing accidental discharge procedures and construction;

(d) Fees for permit applications including the cost of processing such applications;

(e) Fees for filing appeals;

(f) Fees for consistent removal;

(g) Other fees as the city may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this chapter and are separate from all other fees chargeable by the city.

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### **7.2 User Responsibility for Charges**

Any persons, association, or corporation who takes possession of premises where water supply has been shut off by the BPW and discharges sanitary sewer waste without proper application for sanitary sewer service shall be responsible for all charges for sewer service. The amount of such charges shall be determined by the BPW either by meter reading or on the basis of calculated consumption for the time sewer was used.

### **7.3 Customer Classifications**

When a new customer applies for service with the BPW, they shall be classified accordingly:

1. Residential – This classification is reserved for one and two family residential structures. It can also be used for multiple family structures where each dwelling unit is individually metered. Residential structures must accommodate a place to sleep, eat and have a bathroom.
2. Commercial – This classification is used for businesses not involved with the direct manufacture of durable goods. It is also used for multiple family structures with three (3) or more units. All accounts for metering irrigation shall be designated as commercial. Non-profit businesses, municipal government accounts and educational institutions shall be commercial.
3. Industrial – This classification is used for businesses directly involved with the manufacture of durable goods. Industrial customers may not have a base period.

These customer classifications shall also apply to existing customers.

### **7.4 Readiness to Serve Charges**

All active accounts will be billed the readiness to serve charge based on meters size. Service must be completely disconnected to eliminate the readiness to serve charge. Disconnect/Reconnect fees may apply. Readiness to serve charges are not pro-rated.

### **7.5 Surcharges**

#### **Surcharges**

All nondomestic users of the POTW shall pay a surcharge for the discharge of sewage or waste containing more of the pollutant as referenced in Table 4, with the exception that a surcharge can be made for either BOD5 or COD, whichever is the greater dollar cost, but not for both.

TABLE INSET:

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TABLE 4	
Pollutant	Surcharge Above
BOD 5	250 mg/l
COD	500 mg/l
Total Suspended Solids	250 mg/l
Phosphorus	5 mg/l
Grease and Oil (Polar Fraction)	50 mg/l*
<p>* Surcharges for grease and oil (polar fraction) will be applied only if a user has received a special discharge allocation for grease and oil (polar fraction). Any users discharging above 50 mg/l may be required to submit grease trap maintenance records.</p>	

Surcharge rates shall be established periodically by the control authority. To determine the amount of the surcharge for any particular user, the control authority shall collect samples at a predetermined frequency and apply the surcharge rate to the analytical results of such samples. In the alternative, with the prior approval of the control authority, the user may utilize an independent company to take such samples, at the user's expense, under conditions and standards determined to be acceptable by the control authority. The surcharge shall be calculated and billed at a frequency determined by the control authority. Any surcharge billing not paid when due shall be a violation of this chapter.

(Ord. No. 1323, 12-5-01; Ord. No. 1516, 9-3-08)

### **7.6 Connection Fees, Assessments, and Trunkage Fees**

**(Following sections are from the City of Holland Ordinance Code, Chapter 29: Sewer Usage and Administration. Townships assessments and trunkage fees are not the same. Consult pertinent Township for information.)**

#### **Charges for sewers.**

The following charges and fees shall apply to all connections to the sanitary sewer system of the City of Holland:

(a) Lateral fee. If a lateral fee has not been paid or assessed against the premises to be served, a lateral fee, in an amount to be established and adjusted from time to time by a resolution of the city council, for the installation and use of a sewer lateral line from the sewer line to the property line, shall be payable by each premises connecting to the system provided that no lateral fee shall be payable where the sewer lateral to be utilized was constructed as a part of the development or project in which private parties or the city on behalf of or at the expense of private parties have constructed the sewer lateral. The terms of the

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payment of the sewer lateral fee shall be established and adjusted from time to time by a resolution of the city council. This resolution shall specify whether the lateral fee is payable in cash in full at the time application to connect is made or in installments. If the lateral fee is payable in installments, such resolution shall specify the number of installments, the amount of each installment, the date on which each installment is due and payable, the interest rate, if any, on the unpaid balance of the lateral fee, when interest begins, and the date on which interest on the unpaid balance is due and payable. If paid in installments, the unpaid balance of the lateral fee and all interest thereon shall constitute a lien on the premises served.

(b) Special assessment. The special assessment procedure as prescribed in chapter 15 of the City Charter for the construction of sanitary sewer improvements and assessment for sanitary sewer will be followed. A special assessment for sanitary sewer may be authorized by the city; may be accepted upon petition of the property owners; or may be initiated by such other method as specified by City Charter or authorized by law. Following a public hearing and adoption of a resolution of necessity, the project may be authorized by the city council to proceed. The special assessment placed on the premises shall include the frontage fee and the lateral fee. Notwithstanding the foregoing, the amount of the special assessment shall not exceed the cost of the public improvement as specified by section 15.9 of the Holland City Charter. The special assessment shall be payable in full or in equal installments as authorized and specified in chapter 15 of the City Charter. To the extent that an assessment for sanitary sewer does not exceed the cost of the public improvement as required by chapter 15 of the Charter of the City of Holland, the sanitary sewer special assessment shall be established annually by resolution of the board of directors of the Holland Board of Public Works and approved by the city council. The resolution shall specify whether the frontage charge is payable in cash in full at the time application to connect is made or installments. If the frontage charge is payable in installments, such resolution shall specify the number of installments, the amount of each installment, the date on which each installment is due and payable, the interest rate, if any, on the unpaid balance of the frontage charge, when interest begins, and the date on which interest on the unpaid balance is due and payable. If paid in installments, the unpaid balance of the frontage charge and all interest and penalties thereon shall constitute a lien on the premises served.

(c) Trunkage charge. :

(1) [Provisions regarding charge.] All premises which have not been included in a special assessment district which included a trunkage charge as a part of the assessment shall pay a trunkage charge. Those premises which have previously paid a trunkage charge as a part of a special assessment on a cash or installment basis as provided in this article but later are expanded and the use of the premises is altered so as to increase the amount and intensity of sewer use, shall pay an additional trunkage charge for such increase in sewer use. Those premises which were assessed for trunkage as an unimproved parcel but which are later improved or expanded, resulting in an increase in sewer use, shall pay a

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trunkage charge for such improvements. The trunkage unit rate shall be calculated based on general system extension costs, which may include, but are not limited to, such items as oversizing, extra depth, nonassessable frontage, lift station, force mains, pump stations, and other costs not included in the special assessment and frontage calculation. The trunkage unit rate shall be established and adjusted from time to time by a resolution adopted by the Holland Board of Public Works and approved by the city council. The trunkage fee shall be based upon a residential equivalent unit ("REU factor") and applied against the meter size for the proposed or expanded use of the premises. An REU factor will be established for a single-family residential unit. All other types of uses will be calculated based on a schedule of unit factors based upon meter size and using the basic REU rate as the base cost. After initial adoption of the REU rates and factors, the REU rates will be adjusted annually based on the construction cost index as published by the Engineering News Record or such other nationally recognized publication recording costs and inflationary adjustments to cost. The trunkage unit rate shall be the rate in effect on the date the meter is installed to connect to the sewer system. If the premises are already connected to the sewer system, the trunkage unit rate shall be the rate at the time the meter change is made for the expansion or alteration of use.

(2) Private development . Sewer trunkage fees will be the only fee required to be paid for building connections made within the proposed private development. The private party must pay in full all existing assessments and any other charges or assessments prior to sanitary sewer system extensions or connections. Costs incurred by the developer which are normally included in the trunkage fee calculation may be credited against the calculated fees in accordance with the resolution adopted by the Holland Board of Public Works and approved by the city council.

(3) Single connections . For premises which have not been specially assessed or were not a part of a private development for which assessments, trunkage, and lateral fees have been charged, the cost of connection to sanitary sewer will be determined based upon the rate formula established in the resolution adopted by the Holland Board of Public Works and approved by the city council. Any premises which were previously charged under the alternate assessment procedure of the city shall be charged consistent with the terms and conditions of this article. Any previously charged and levied alternate assessments including any ordinances or resolutions thereto are hereby rescinded, revoked, and vacated and, in lieu thereof, all premises will be charged and assessed in accordance with this article. The city council may choose to permit installment payments of an assessment under those conditions as specified in the resolution adopted by the Holland Board of Public Works and approved by the city council. The owner of the premises to be served shall sign an agreement with the city stating the amount owed, the interest rate and other payment terms, and that the unpaid charges and all interest and penalties thereon shall constitute a lien on the premises served. If any installment of a lateral fee, frontage charge, trunkage charge, or any interest or penalty thereon is not paid in a timely manner, the city shall have the right to discontinue utility

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service to the premises and also, if the premises are connected to a sanitary sewer supply, the right to turn off the sanitary sewer to the premises. Sewer service shall not be restored to the premises until all amounts then due and payable are paid in full.

(4) Installment payment of trunkage. The city council may choose to permit installment payments of trunkage charges under those conditions as specified in a resolution adopted by the Holland Board of Public Works and approved by the city council. This resolution shall specify whether the trunkage charge may be payable in cash in full when the obligation is incurred, or in installments. The resolution shall specify the number of installments, the amount of each installment, the date on which each installment is due and payable, the interest rate, if any, on the unpaid balance of the trunkage charge, when interest begins, the date on which interest on the unpaid balance is due and payable, and the amount of any administrative fee to be charged by the city for the installment payment agreement. If paid in installments, the unpaid balance of the trunkage charge and all interest and penalties thereon shall constitute a lien on the premises served in accordance with the Charter of the City of Holland and the applicable provisions of state law.

(5) Agreement. At the time of each application to connect to the sanitary sewer system of the city, and also at the time any additional trunkage charges become payable as provided in subsection (c)(1) of this section, if any portion of the trunkage charge will be paid over time, as a condition precedent to connection and/or use of the sanitary sewer system, the owner of the premises to be served shall sign an agreement with the city stating the amount owed, the interest rate, and other payment terms, and that the unpaid charges and all interest and penalties thereon shall constitute a lien on the premises served. If any installment of any trunkage charge or any interest or penalties thereon is not paid in a timely manner, the city shall have the right to discontinue sewer service to the premises, and also, if the premises are connected to a public water supply, the right to turn off the water service to the premises. Sewer service and/or water service shall not be restored to the premises until all amounts then due and payable are payable in full.

(6) Tax bill collection. If any lateral fee, frontage charge, or trunkage charge, or any interest or penalties thereon is delinquent for three (3) months or more, then on or before November 1 of each year, it shall be certified to the city treasurer, who shall enter the lien on the next tax roll against the premises to which sewer service has been provided, and the charges shall then be collected and the lien shall be enforced in the same manner as provided for the collection of taxes assessed upon the roll and the enforcement of the lien for taxes.

(7) Lien for payment of charges. If an installment of a trunkage charge is not paid, with all interest, on or before its due date, then such delinquent installment shall be treated and have the same status as a delinquent installment of a special assessment pursuant to Public Act No. 188 of 1954 (MCL 41.721 et seq.), as amended, or any similar statute, and such delinquent installment shall be collected by the city in the same manner as provided in Public Act 188 or similar successor statute for delinquent installment payments of special

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assessments in addition to any other remedy provided for in the Ordinance Code of the City of Holland or in an agreement executed by the owner of the premises served and the city.

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## **8.0 Responsibility for Payment of Bills**

### **8.1 Receipt of Payment**

1. Full and partial payments will be applied in the following manner:
  - A. To the oldest outstanding arrears.
  - B. The electric account.
  - C. The water account.
  - D. The wastewater account.
  - E. The refuse account.

### **8.2 Late Charges**

1. A late payment charge of two percent (2) of the amount in arrears will be assessed when the next month's bill is issued.
2. The late payment charge will not apply to any penalty portion of the customer's bill.
3. A penalty will NOT be assessed the first time a customer is late in a twelve-month period.
4. Customers may request a late charge waiver under extenuating circumstances.

### **8.3 Estimated Consumption**

Readings may be estimated when conditions warrant. Until reconciled by an actual reading, bills rendered on estimated consumption have the same force and effect as bills rendered on actual meter readings.

Any consumption that cannot be registered accurately shall be estimated based on prior consumption or operating characteristics of the building and equipment.

### **8.4 Billing Errors**

Errors in billing can occur for a variety of reasons. In some cases the error can be clearly identified and quantified, while in other cases the error can only be estimated. This policy establishes the rules for handling errors in bills. This policy does not apply to theft or unauthorized use of service or estimated bills.

Specifically:

1. Errors in billing can be caused by any of the following:
  - A. An incorrect meter read whether by person or electronically.
  - B. An incorrect meter constant.
  - C. Installation of the incorrect metering equipment.
  - D. An incorrect calculation of the applicable rate.

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- E. A meter switched by the utility or a utility representative.
- F. An incorrect application of the rate schedule.
- G. A meter error (failure to measure or accurately record all usage).
- H. Another similar act or omission by the utility in determining the amount of a customer's bill.

An undercharge or overcharge that is caused by a non-registering meter, an estimated meter read or a customer read is not considered a billing error.

2. If an error in billing occurs and results in overcharging a customer, the HPBW shall refund or credit the overcharge based on the actual time the overcharge occurred within the thirty six (36) month period immediately preceding the discovery of the error.
3. If an error in billing occurs and results in undercharging a customer, the HBPW may bill the customer for up to the twelve (12) month period immediately preceding the discovery of the error. A customer may request a repayment plan up to the number of months used to calculate the undercharge amount.

### **8.5 Account Security Deposits**

(The following section is a resolution adopted by the City of Holland on March 6<sup>th</sup>, 1996).

#### Resolution

WHEREAS, the City of Holland is a Michigan Home Rule City, and is permitted by the Michigan home rule Cities Act [MSA 5.20979(3); MCLA 117.4(f)] to establish, produce, and sell utility services;

WHEREAS, Section 12.4 of the Charter of the City of Holland charges the Board of Public Works with the duty of managing and administering the electric and water utilities;

WHEREAS, Section 12.17 of the Charter of the City of Holland designates to the Board of Public Works, with the approval of Council, the function of establishing the electric and water rates and charges for all public utility services under its control;

WHEREAS, Sections 9-30 and 37-33 of the Ordinance Code of the City of Holland provide for the protection of the owner of a premises who leases such premises to a tenant who is responsible under the lease for the payment of the charges for electric or water services provided by the City to the premises such that the Board of Public Works shall render no further electric or water services to the premises until it receives from the tenant, or an individual or entity action on behalf of the tenant, a cash deposit or surety bond, as established by resolution adopted by the City Council, or when required, it receives record of a previously established good credit history of not less than twelve (12) consecutive months as security for the payment of the electric or water charges;

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NOW, THEREFORE, the Council of the City of Holland resolves as follows:

1. If a deposit or surety bond is required as a condition of obtaining a new residential service, or when it is required for providing or continuing residential service due to a prior outstanding account that is not in dispute, then the amount shall be equal to two (2) times the utility system average monthly bill for residential service as determined annually by the Board of Public Works.
2. If a deposit or surety bond is required as a condition of obtaining a new commercial or industrial service, or when it is required for providing or continuing commercial or industrial service due to a prior outstanding account that is not in dispute, then the amount shall be equal to two (2) times the average or estimated monthly bill for the commercial or industrial customer's service.
3. The amount of the deposit or surety bond that is required as a condition of providing, restoring, or continuing residential service due to shutoff for nonpayment shall be determined as follows:
  - A. If the customer has been disconnected once within the last three years, then the deposit or surety bond shall be two (2) times the utility system average monthly bill for residential service.
  - B. If the customer has been disconnected twice within the last three years, then the deposit or surety bond shall be three (3) times the utility system average monthly bill for residential service.
  - C. If the customer has been disconnected three times or more within the last three years, then the deposit or surety bond shall be four (4) times the utility system average monthly bill for residential service.
4. The amount of the deposit or surety bond that is required as a condition of providing, restoring, or continuing commercial or industrial service due to shutoff for nonpayment shall be determined as follows:
  - A. If the customer has been disconnected once within the last three years, then the deposit or surety bond shall be two (2) times the average or estimated monthly billing for the commercial or industrial customer's service.
  - B. If the customer has been disconnected once within the last three years, then the deposit or surety bond shall be three (3) times the average or estimated monthly billing for the commercial or industrial customer's service.
  - C. If the customer has been disconnected once within the last three years, then the deposit or surety bond shall be four (4) times the average or estimated monthly billing for the commercial or industrial customer's service.
5. The amount of the deposit or surety bond that is required as a condition of providing, restoring, or continuing residential service due to unauthorized use, diversion, or interference shall be three (3) times the average monthly bill for the

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- premises or five (5) times the utility system average monthly bill for residential service, whichever is greater.
2. The amount of the deposit or surety bond that is required as a condition of providing, restoring, or continuing commercial or industrial service due to unauthorized use, diversion, or interference shall be three (3) times the average or estimated monthly billing for the commercial or industrial customer's service.
  3. The Board of Public Works may also require payment of the delinquent account and approved charges as a condition of providing, restoring, or continuing service if the prior account is in the customer's or applicant's name, is delinquent and owed to the Board of Public Works, and accrued within the last six (6) years.

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## **9.0 Sewer System Extensions**

### **9.1 General**

#### **9.1.1 Request for Sewer Collection System Extension**

New sanitary sewer projects may originate from a number of sources.

1. Residents may petition for an extension to City Council through the City Manager.
  - A. The BPW is directed to construct these main extensions.
  - B. The costs are recouped through special assessments and trunkage fees to the benefiting property owners.
2. Developers may extend mains.
  - A. The project is done by the developer under BPW inspections.
  - B. The entire cost is paid by the developer.
3. The BPW may extend mains to improve the system.
  - A. The BPW constructs (usually with consulting engineer and contractor).
  - B. The BPW pays the costs, and creates an assessment record indicating the costs to benefiting properties. Trunkage, frontage, and /or stub fees must be paid in full at the time of connection.

#### **9.1.2 Review & Approval Process**

Plans and Specifications will most likely be received from a consulting engineer. The review and approval process should include:

1. Response letter to engineer with comments, changes, etc.
2. Basic Design Requirements
  - A. Manhole spacing should not exceed 500 feet. Manholes must be installed at all changes in horizontal alignment and major drop connections. Manholes shall not be deeper than thirty-five (35) feet. Manholes are also required at changes in pipe diameter. Vehicular access to manholes is required.
  - B. Sanitary sewer mains shall be no smaller than eight inches (8") in diameter. Ultimate design shall not exceed 80% of the pipe volume.
  - C. Sanitary Sewer Main utility easement shall be 30' wide and centered over the as-constructed location of the sewer main. Sewer mains over fifteen feet (15') in depth may require a wider easement for future maintenance.

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- D. Sanitary Sewer Collection mains shall be designed in accordance with the latest version of “Recommended Standards for Wastewater Facilities” by the Great Lakes – Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers ([Ten States Standards](#)).
  - E. Design shall meet with all current [BPW standards and specifications](#).
3. After BPW review, the Engineer will submit corrected copies of each sanitary sewer main extension.
- A. Three copies of plans for each sanitary sewer extension shall be submitted to the MDEQ by the BPW for a construction permit.
  - B. Electronic and field copies for BPW use.
4. After all permits are issued, the project may be constructed.
- A. If the Engineer is hired by the BPW for project coordination and inspection, the BPW may rely on the engineer's inspector.
  - B. If the Engineer is hired by a developer, the BPW Inspector must become heavily involved with the inspection.
  - C. Proper construction and accurate as-built measurements must be received.
5. After the project has been built and adequately tested, the following payment and documents must be received prior to placing the main into use.
- A. Payment of all outstanding assessments (only if applicable).
  - B. Submission of as-built drawings.
  - C. Submission of easements (only if applicable).
  - D. Submission of dedication documents or Bill of Sale (only in case of a developer improved development which is not a plat).
  - E. Submission of a project cost breakdown (only from a developer).
6. In order to properly record and account for the extension, the following records must be updated:
- A. As-built filed and indexed.
  - B. GIS system updated.
  - C. Assessment district completed and turned over to the Assessor's Office (usually does not apply to developer improved projects).
  - D. For the annual report a list for each fiscal year.
7. A file with project information should be filed for each project with BPW Central Records.
8. A written form of utility acceptance should be sent to the MDEQ.

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### **9.1.3 Ownership**

The BPW shall provide, own, maintain and specify all of its sewer collection facilities including location, except as otherwise expressly provided by agreement between the BPW and a municipal entity. No ownership rights to BPW Facilities shall pass to any owner(s), developer(s), or Customer(s) by reason of any contribution required hereunder.

### **9.1.4 Availability of Sanitary Sewer System Extension**

The Board shall in its sole discretion determine whether or not any particular Sanitary Sewer System extension shall be made, regardless of its intended use, and establish any special conditions or requirements that may apply, including but not limited to entering into an agreement with a developer, property owner(s) or governmental entity. Sanitary Sewer System extensions are generally available throughout the sanitary sewer service area. Sanitary Sewer System extensions may also be available outside the sewer service area to serve individual Customers. Sanitary Sewer System extensions outside the service area shall be installed at the Board's discretion, and only with the approval of the local governing entity.

Water Distribution System extensions shall be carefully examined if it will lead to a non-looped water main over 1,000 feet in length.

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### **10.0 Services**

(Following sections are from the City of Holland Ordinance Code, Chapter 29: Sewer Usage and Administration)

#### **10.1 General**

##### **Community and neighborhood services.**

No connections shall be made to any sanitary sewer until a connection permit has been secured from community and neighborhood services.

##### **For opening public sewers.**

No person, other than authorized municipal employees, shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining written permission from the BPW.

##### **Costs.**

All costs and expenses incidental to the installation, connection, and maintenance of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation or maintenance of the building sewer and connection with the public sewer systems.

##### **Reconstruction of sanitary sewer; new service; lien.**

(a) In the event the city determines that the sanitary sewer connection of the property owner is defective, violates the provisions of this chapter, is subject to infiltration, or is functionally inoperable or incompatible with the newly installed public sewer, the property owner shall be responsible to install a new building sewer to the public sewer. All costs incurred for the new sanitary sewer connection shall be paid by the property owner.

(b) The city shall be permitted to construct a new building sewer and enter on private property for such installation if a property owner fails to construct a new building sewer pursuant to subsection (a) hereof. The city shall recover from the property owner a fee determined by the board of public works for installing such service or device. If such reimbursement is not paid within sixty (60) days after demand has been made by the city, the amount demanded shall be deemed to be a lien on the property for sewer service furnished.

##### **Separate sewers required; exception.**

(a) Except as provided in subsection (b), a separate and independent building sewer shall be provided for every building.

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(b) An existing joint sewer shall be permitted to continue if all of the following conditions are met:

(1) The shared section of the joint building sewer providing service to two (2) or more buildings is determined by community and neighborhood services to be of adequate size to serve all of the buildings which are connected to it;

(2) The joint building sewer laterals are determined by community and neighborhood services not to have any defects or be subject to infiltration;

(3) The joint building sewer was in existence at the time this ordinance was adopted;

In the event a joint building sewer is permitted pursuant to this subsection (b), the joint sewer shall be replaced and separated at such time; (i) as a public sewer repair or replacement project is commenced in the right-of-way, or otherwise, making available a lateral to service the property; or (ii) the joint building sewer requires a replacement of more than five (5) feet of the joint sewer line and a lateral to service the property is available in the right-of-way.

#### **Use of old building sewers.**

Old building sewers may be used in connection with new buildings only when they are found to be acceptable for use. Such determination shall be at the discretion of community and neighborhood services after examination of the old sewer.

#### **Design and construction requirements.**

The size, slope, alignment, materials of construction of a building sewer; the methods to be used in excavating, placing of the pipe, joining, testing and back-filling the trench; and the connection of the building sewer into the public sewer shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City of Holland. In the absence of code provisions or in application thereof, the materials and procedures set forth in appropriate specifications of the ASTM, and WEF MOP No. 9 and any amendments thereto shall apply.

#### **Requirements for lift devices.**

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

#### **Interceptor devices; when required; requirements.**

Interceptor devices shall be provided when they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients. Notwithstanding the foregoing, interceptors shall not be required for living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the BPW and shall be located so as to be readily accessible for cleaning and inspection. All interceptor devices shall be constructed of

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impervious materials capable of withstanding abrupt and extreme changes in temperature. Such interceptor devices shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight. All interceptor devices from which such wastes emanate shall be maintained in continuously efficient operation at all times by the owner of the building or premises or his authorized representative, at their expense.

### **Discharge of waters not containing sewage prohibited; corrective action; lien for services.**

(a) No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted process water to the sanitary sewer system.

(b) If a connection to the sanitary sewer is found to exist, the property owner shall be responsible for separating the connection and shall perform all corrective repairs to comply with the provisions of this section.

(c) If the property owner fails to separate the connection from the sanitary sewer system, the city shall be permitted [to] enter onto private property in order to separate the connection and make any necessary installation or construction. The city shall recover from the property owner a fee (as determined by the BPW) for separating such service or device. If such fee is not paid within sixty (60) days after the demand has been made by the city, that amount shall constitute a lien on the property and shall be subject to foreclosure and enforcement in accordance with the statutes of this state.

### **Compliance with building and plumbing code.**

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city or the procedures set forth in appropriate specification of ASTM, and the WEF Manual of Practice No. 9 and any amendments thereto. All such connections shall be made gastight and watertight.

### **Inspection required; notification.**

An applicant for a building sewer permit shall notify community and neighborhood services when the building sewer is ready for inspection. The enforcing officer for this section is the director of community and neighborhood services, or an authorized deputy, agent, or representative.

### **Request for variance.**

Any person adversely affected or aggrieved by the provisions of section 29-37, 29-38, or 29-39 may appeal to the housing board of appeals for variance from those provision and requirements.

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(a) In the event a petition to review is not filed within thirty (30) days of being notified of the need to comply with a provision or requirement, the failure to file such a variance request shall be deemed a waiver of any and all administrative appeal rights.

(b) In its petition, the appealing party shall state the basis for its appeal, the reasons in support of its request, and any alternative relief which the aggrieved party seeks. The petition filed by the appealing party shall include a staff report from the BPW reviewing the appealing party's appeal with a recommendation to the housing board of appeals .

(c) The housing board of appeals shall:

(1) Deny the appeal;

(2) Grant the appeal;

(3) Grant the appeal with additional conditions.

(d) The enforcing body's decision shall be made within thirty (30) days of receiving the appeal request.

(e) The decision of the enforcing body shall be the final administrative action for purposes of judicial review.

### ***10.2 Temporary Groundwater Discharge to the Sanitary Sewer***

Groundwater cleanup requirements make it necessary to discharge water to the sanitary sewer. These temporary discharges will be controlled by this procedure.

1. Permit will be issued by Pollution Control Division. Permit will identify location of discharge, anticipated duration of discharge, name and billing address of company responsible for usage charges and meter setting fees. Discharge will be limited to a maximum of 35 gallons per minute per meter.
2. Permit and meter horn must be obtained from the Water/Wastewater Scheduler at the BPW Service Center. Contractor will schedule (24 hours notice required) a meeting on site with BPW. BPW will identify location of meter setting taking into consideration the needs for the MTU.
3. Contractor installs meter horn assembly and schedules the meter installation with the BPW. Meter setting will be for a one-inch meter and the Contractor or responsible party will pay the necessary fee for a one-inch meter setting. Protection of the meter will be the responsibility of the Customer.

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## **11.0 Schedule of Fee & Charges**

The following sections are links the Holland Board of Public Works' current rates pages. Current rates have been approved by the HBPW Board and Holland City Council. The rates can also be found on the HBPW's website at [www.hollandbpw.com](http://www.hollandbpw.com).

### **11.1 Residential Water Rate**

The link below takes you to the Residential "Service Rates" page on the HBPW website. Please click on the "Wastewater Rate" link.

[http://www.hollandbpw.com/residential/Pages/Service\\_Rates.aspx](http://www.hollandbpw.com/residential/Pages/Service_Rates.aspx)

### **11.2 Residential Water & Sanitary Sewer Charges & Assessments**

The link below takes you to the Residential "Service Rates" page on the HBPW website. Please click on the "Water & Sanitary Sewer Charges & Assessments" link.

[http://www.hollandbpw.com/residential/Pages/Service\\_Rates.aspx](http://www.hollandbpw.com/residential/Pages/Service_Rates.aspx)

### **11.3 Business Water Rate**

The link below takes you to the Business "Service Rates" page on the HBPW website. Please click on the "Wastewater and Surcharge Rates" link.

[http://www.hollandbpw.com/business/Pages/Service\\_Rates.aspx](http://www.hollandbpw.com/business/Pages/Service_Rates.aspx)

### **11.4 Business Water & Sanitary Sewer Charges & Assessments**

The link below takes you to the Business "Service Rates" page on the HBPW website. Please click on the "Water & Sanitary Sewer Charges & Assessments" link.

[http://www.hollandbpw.com/business/Pages/Service\\_Rates.aspx](http://www.hollandbpw.com/business/Pages/Service_Rates.aspx)

### **11.5 Fee Schedule**

The link below will open the current Fee Schedule for Services.

[http://www.hollandbpw.com/SiteCollectionDocuments/Rates/Fee\\_Schedule.pdf](http://www.hollandbpw.com/SiteCollectionDocuments/Rates/Fee_Schedule.pdf)