

ARTICLE 930
Surface or Ground Water Surcharge

930.01 SURFACE OR GROUND WATER SURCHARGE

(a) Whenever the utility has discovered that a customer's roof drain, down spout, storm sewer or similar facilities conducting surface water have been connected to the utility's sewer system, and such customer has failed to take appropriate action, within thirty (30) days of a demand by the utility in accordance with the Rules of the Public Service Commission, to eliminate such connection, a surcharge will be imposed upon the customer calculated on the basis of the following formula:

$$S = A \times R \times 0.0006233 \times C$$

S = The surcharge in dollars.

A = The area under roof and/or the area of any other water collection surface connected to the sanitary sewer, in square feet.

R = The measured monthly rainfall as determined by the National Weather Service.

.0006233 = A conversion factor to change inches of rain x square feet of surface to thousands of gallons of water.

C = The customer usage charge for the area in which the customer is located (\$8.32 per 1,000 gallons).

The utility shall not impose the surcharge unless and until the customer has been notified by certified mail, return receipt requested, or by hand delivery, that it has been established by smoke testing, dye testing or on-site inspection that rain or surface water is being introduced into the sanitary sewer system at the customer's location, and that the customer has not acted within thirty (30) days from receipt of such notice to divert the water from the sanitary sewer system.

Said surcharge shall be calculated and imposed for each month that said condition continues to exist. Failure to pay the surcharge and/or correct the situation shall give rise to the possible termination of water in accordance with the Rules of the Public Service Commission of West Virginia.

(b) Minimum Charge, There is hereby imposed a mandatory minimum surcharge of five dollars (\$5.00) for any customer who is found to have violated the provisions of paragraph (a) of this Ordinance.

(c) Effective Date. The rate increase will not take effect sooner than forty-five (45) days after final passage and adoption (Ord. 2016-3, Passed May 17, 2016)