



**Louisville & Jefferson County Metropolitan Sewer District  
Oldham County Final Schedule of Rates, Rentals & Charges  
Effective: January 1, 2022**

On July 1, 2020, Louisville & Jefferson County Metropolitan Sewer District acquired the wastewater system of Oldham County Environmental Authority (OCEA) pursuant to the terms of an Interlocal Cooperation Agreement entered into on November 18, 2019. Article XI of the Interlocal Cooperation Agreement establishes OCEA Service Area Rates Rentals and Charges. These rates are applicable to wastewater customers in the former OCEA service area, including wastewater customers located in the Glen Oaks, Moser Farms and The Woods of Glen Oaks subdivisions.

**1.0 WASTEWATER SERVICE CHARGES**

**1.1 Commercial and Industrial Charges:**

<u>Meter Size</u> Inches	<u>Monthly Billing</u> \$/Bill	<u>Daily Proration</u> \$/Bill
5/8	90.19	2.96515
3/4	90.19	2.96515
1	117.90	3.87616
1 1/2	193.66	6.36690
2	238.66	7.84635
3	307.48	10.10893
4	370.57	12.18312

**1.2 Residential Charges for Glen Oaks, Moser Farms and The Woods of Glen Oaks subdivisions:**

**1.2.1 Wastewater Service Charge:**

<u>Monthly Billing</u> \$/Bill	<u>Daily Proration</u> \$/Bill	<u>Bi-Monthly Billing</u> \$/Bill	<u>Daily Proration</u> \$/Bill
\$25.26	\$0.83047	\$50.52	\$0.83047

**1.2.2 Consent Decree Surcharge**

Residential for Glen Oaks, Moser Farms and The Woods of Glen Oaks subdivisions shall be \$13.76 per month or \$27.52 bi-monthly.

**1.3 Residential Charges for all other former OCEA customers:**

<u>Monthly Billing</u>	<u>Daily Proration</u>
\$/Bill	\$/Bill
\$47.92	\$1.57545

**2.0 WASTEWATER VOLUME CHARGES**

The Wastewater Volume Charge is based on either water used as measured by a meter(s) or wastewater discharged to the public sewer that is directly measured by either a private effluent flow meter(s) or calculated using a combination of addition meters and subtraction meters that have been certified by the MSD Finance Division for billing purposes. Wastewater Volume Charges may be modified from time to time by contractual agreement with individual customers. Wastewater Volume Charges are calculated based on the following rates:

**2.1 Regular Volume Rate**

- 2.1.1 Commercial - \$7.80 per 1,000 gallons of volume billed
- 2.1.2 Industrial - \$7.80 per 1,000 gallons of volume billed
- 2.1.3 Residential for Glen Oaks, Moser Farms and The Woods of Glen Oaks subdivisions \$6.90 per 1,000 gallons of volume billed
- 2.1.4 Residential for former OCEA customers - \$7.80 per 1,000 gallons of volume billed

**3.0 PENALTY CHARGES**

**3.1 Delinquent Bill Penalty**

Whenever any sewer rates, rentals, or charges for services remains unpaid for a period of thirty days (30) days after the same becomes due and payable, the property, the owner thereof, and the user of the service shall be deemed delinquent until such time as all service rates, rentals and charges are fully paid and shall be subject to cut off of sewer connection and service, and the discontinuation of water service.

Pursuant to KRS 76.090, it is unlawful for any delinquent to use water from any public water service or system and discharge same into an MSD sewer.

A delinquent bill penalty of five percent (5%) of the outstanding wastewater charges shall be added to all wastewater service bills not paid by their due dates in accordance with the penalty policy in use by MSD's billing and collection agent, the Louisville Water Company, or as otherwise determined by MSD.

**4.0 UNUSUAL DISCHARGE FEE**

- 4.1 Any business, firm or individual introducing into MSD's sewer system a substance detrimental to MSD's sewers, wastewater treatment facilities, pumping facilities or wastewater treatment processes, or which results in abnormal costs for MSD, shall be charged and shall pay the actual total costs incurred as determined by MSD.

- 4.2** Any business, firm, or individual proposing to discharge any substance that is not consistent with typical wastewater discharge in composition or flow rate to the sanitary or combined sewer system shall prepare and submit an application for such discharge. MSD will review, comment, modify, and approve or disapprove the application. MSD may charge an application review fee. MSD may also charge fees for accepting or handling the discharge including inspection, sampling, testing, and monitoring fees. Accidental discharges shall be reported to MSD at the earliest opportunity. MSD may charge field response, review, inspection, investigation, sampling, testing, monitoring, quality charges, sewer rates, and other applicable fees. MSD may pursue enforcement actions including penalties, fines, and remedial measures for failure to follow proper discharge procedures.

## **5.0 CONNECTION FEES**

- 5.1** A property service connection is the physical connection from MSD's public sewer to the property to be served or the easement line.
- 5.2** The Connection Fee shall be equal to the actual construction cost plus a \$250.00 administrative fee.
- 5.2.1 The cost of connection must be paid prior to the installation of the connection.

## **6.0 CAPACITY CHARGES**

Capacity fees are charged by sewer utilities to assure that customers that connect to their system pay the customer's share of sewers and treatment plants required to convey and treat their wastewater. Capacity fees defray the cost of expansions made to serve new customers and have new customers share the cost of repair or replacement of other system components needed to serve them.

### **Capacity Fee Calculation:**

#### **6.1 Single-family Units:**

These are buildings usually occupied by just one household or family and consist of just one dwelling unit that does not share an inside wall with any other house or dwelling. The fee is \$3,520/home.

#### **6.2 Multi-Family Units:**

These are separate living units usually occupied by just one household or family and that share one or more inside walls with other similar units. These includes apartments and condominiums, whether they exist in structures as small as a duplex or large enough to contain dozens of units. They do not include a hotel, motel, nursing home, dormitory and other similar residential dwelling. The fee for three or more bedrooms is \$3,520/unit. The fee for two bedrooms \$2,640/unit. The fee for one bedroom \$1,720/unit.

#### **6.3 Other Structures:**

These are dwellings or structures that are not a single family detached home or a multi-family unit. A capacity fee for these dwellings and structures is based the estimated average daily volume of wastewater that will be generated at the structure and discharged to the former OCEA system. For these structures a capacity fee is due before initial construction and prior to any modification or expansion reasonably expected to increase by 10% or more the average daily volume of wastewater generated at the structure. Additional capacity fees are calculated by multiplying the anticipated volume increase by

the capacity fee in effect at the time modification approval is requested. The fee shall be \$8.80/gallon estimated average daily volume of wastewater to be generated.

## **7.0 WASTEWATER FACILITY REVIEW & INSPECTION FEES**

The MSD Board may establish fees for the review and approval of plans and designs of wastewater facilities and for the inspection of the construction of wastewater facilities and the review, approval and programming of telemetry for wastewater facilities, all in accordance with KRS Section 76.085.

## **8.0 EMERGENCY WASTEWATER RATE ASSISTANCE PROGRAM**

### **8.1 Definitions**

For purposes of this Section only, the words or phrases below shall have the following meanings:

- 8.1.1 **Household** means an individual or group of individuals who are living together in the principal residence sharing common living arrangements
- 8.1.2 **Gross Household income** means all earned and unearned income, including lump sum payments received by a household during the calendar month preceding the month of application.
- 8.1.3 **Low-income residential customer** means a direct residential customer of MSD having a gross total household income at or below one hundred fifty percent (150%) of the official poverty income guidelines updated annually in the Federal Register by the U.S. Department of Health and Human Services under authority of 42 U.S.C. 9902(2), or who is eligible for the Low Income Home Energy Assistance Program state plan prepared by the Kentucky Cabinet for Health and Family Services, Department for Community Based Services at the time of application.
- 8.1.4 **Principal residence** means the place where the customer is living voluntarily and not on a temporary basis; the place the customer considers home; the place to which, when absent, the customer intends to return; and is identifiable from another residence, commercial establishment or institution.

### **8.2 Wastewater Discount**

All eligible low-income residential customers may receive a ten percent (10%) discount on the wastewater charges on their sewer bill beginning August 1, 2020. The discount, known as the Emergency Wastewater Rate Assistance Program discount, shall apply to wastewater service charges, wastewater volume charges and Consent Decree surcharges.

### **8.3 Eligibility Criteria**

The Emergency Wastewater Rate Assistance Program ("EWRAP" / "Program") discount shall be available to low-income residential customers who:

- 8.3.1 Apply for and are approved for the discount. Customers shall provide required information upon forms and in the manner required by Program rules to certify their eligibility.
- 8.3.2 Are receiving water by separate metered water service for a property or dwelling used solely for residential purposes owned or leased by the customer as his or her principal residence.

- 8.3.3 Are named customers with MSD and are responsible for paying the sewer bill received from the Louisville Water Company for the customer's principal residence.
- 8.3.4 Verify and certify gross household income and ownership or leasehold of their principal residence in the manner required by the Program.
- 8.3.5 Have total gross household income, when computed annually, including the income of all occupants, and regardless of age, that does not exceed 150% of the official poverty income guidelines referenced in section 17.1.3 computed annually.
- 8.3.6 Are not receiving and have not been approved to receive MSD's Senior Citizen's Discount as of the date of application for the Program.
- 8.3.7 Satisfy all other terms and conditions established by the Program for eligibility.

**8.4 Exclusions**

MSD customers, age 65 years of age or older, receiving or who have been approved to receive MSD's Senior Citizen's Discount as of August 1, 2021, shall not be eligible for the Emergency Wastewater Rate Assistance Program. MSD customers receiving MSD's Senior Citizen's Discount are disqualified from receiving the Emergency Wastewater Rate Assistance Program discount.

**8.5 LIHEAP Customer Qualification**

MSD Customers approved for the Low Income Home Energy Assistance Program (LIHEAP) state plan prepared by the Kentucky Cabinet for Health and Family Services, Department for Community Based Services at the time of application for the Emergency Wastewater Rate Assistance Program discount, shall automatically qualify for the wastewater charge discount. If a customer's LIHEAP approval is terminated or ends, however, and for any reason, the customer's automatic eligibility for the Emergency Wastewater Rate Assistance Program Discount shall also terminate or end and the customer must apply for the discount and meet the eligibility requirements set forth in Section 17.3 to qualify.

**8.6 Effective Date of EWRAP Discount**

Except as set forth in Section 17.8, the emergency wastewater rate assistance discount shall commence on the next subsequent billing date following approval of the customer's application and shall continue until July 31, 2022, conditioned upon the customer's continued eligibility.

**8.7 Program Administration**

The Executive Director or his designee may prescribe such policies, regulations and procedures, consistent with the provisions of this Section, as deemed necessary and appropriate to administer and enforce the Emergency Wastewater Rate Assistance Program.

**8.8 Program Modification / Termination**

The Emergency Wastewater Rate Assistance Program shall continue through July 31, 2022 unless earlier terminated at the discretion of MSD, and may be modified by MSD at any time.

## **9.0 SENIOR CITIZENS DISCOUNT**

Senior Citizens are eligible for a 30% discount off wastewater service charges, wastewater volume charges and the Consent Decree Surcharge. This discount will be made available to customers of MSD that are 65 years or older, have a gross household income of \$35,000 or less, and are the primary titleholder or leaseholder on the property subject to the bill. An application will be sent to those customers that request one and the discount shall begin on the billing period following the date that the application is approved by MSD. In order to qualify for this discount, proof of age such as a birth certificate or driver's license must be provided. In addition, proof of income such as a Federal Income Tax Form 1040 must be provided and proof of residency such as a warranty deed or lease agreement must be provided. Customers that qualify for this discount may be asked to complete a renewal application on an annual basis or as otherwise determined by MSD.

## **10.0 ADJUSTMENT OF CHARGES AND APPEALS**

Any owner who considers that wastewater charges applied to the owner's parcel are inaccurate or otherwise disagrees with the determination may apply to MSD's Financial Director for a rate review, stating in writing the grounds for the adjustment. The Financial Director will review the case and report findings to the Executive Director. The Executive Director shall consider the complaint and staff recommendations and determine whether an adjustment is necessary to provide for reasonable and equitable application of the charge(s).

Appeal of decisions made by the Executive Director may be brought before the MSD Board in writing with notice and substance of the appeal sent to the Board's secretary within fifteen (15) days after the owner receives the Executive Director's decision. Upon reviewing the documentation, the Board shall render a final decision.

In the event of a billing error, MSD may back bill the customer for a period of two years from the date the error was discovered and MSD will grant refunds for overbillings for a period of two years from the date it was notified of the overbilling.

## **11.0 SEVERABILITY**

If any section, clause or provision of this amendment be declared by the courts to be invalid, the same shall not affect the validity of the amendment as a whole or any part thereof, other than the part so declared to be invalid.