

CHAPTER 31

FEEES

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[Adopted 2-20-1992 as L.L. #1-1992]**

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[HISTORY: Adopted by the Common Council of the City of Dunkirk:
Added as follows:

Art. 6 on 5-7-1993 as L.L. #4-1992;
Art. 3 on 6-18-1992 as L.L. #6-1992;
Art. 4 on 3-18-1993 as L.L. #3-1993;
Art. 5 § 31-25 on 7-2-1996 as L.L. #11-1996;
Art. 7 on 7-7-1998 as L.L. #2-1998
Art. 8 on 9-21-2004 as L.L. #5-2004
Amendments noted where applicable.]

GENERAL REFERENCES

Sewer use -	See Ch. 63.
Waterworks -	See Ch. 77.
Dogs -	See Ch. 25.
Electrical installations -	See Ch. 28.
Parks -	See Ch. 49.
Zoning -	See Ch. 79.

ARTICLE I
Recreation Services Fee Schedule
[Adopted 2-20-1992 as L.L. #1-1992]

§ 31-1. Intent.

The intent of this Article is to present fee schedules for recreation services rendered by and use of recreation facilities owned by the City of Dunkirk.

§ 31-2. Fee Schedule. [Amended 01-20-2015 as L.L. #1-2015; Amended 10-4-2005 as L.L. # 2-2005; Amended 5-21-1992 by L.L. #4-1992; Amended 4-29-1992 as L.L. #2-1992, and by L.L. #8 (Intro No. 12) 1993]

Effective February 1, 2015, the following fees are hereby established.

<u>Type</u>	<u>Fee</u>
<u>Facility Rentals</u>	
City softball fields:	
Single game	\$ 50.00
Single day	\$ 50.00
[Amended 01-20-2015 as L.L. #1-2015]	
Tournament (multiple days) (per event day)	\$ 50.00
[Amended 01-20-2015 as L.L. #1-2015]	
 Picnic table, per day	 \$ 2.50
[Added 5-21-1992 by L.L. #4-1992]	
(Rental of tables is limited to Churches, Clubs and Schools)	
 Bandstand, per 8x8 section, per day	 \$ 5.00
[Added 5-21-1992 by L.L. #4-1992]	
<u>Youth Program [Amended 01-20-2015 as L.L. #1-2015]</u>	
Sports clinics/activities (per person, per session)	
City resident	\$ 3.00
Non-City resident	\$ 4.00
<u>Adult Program [Amended 01-20-2015 as L.L. #1-2015]</u>	
League fees (per team)	
Basketball	\$150.00
Flag Football	\$150.00
Softball (slo- and fast-pitch)	\$150.00
Floor Hockey	\$150.00
Game Protest Fee	\$ 50.00
Player Ejection Fee (per player, per incident)	\$ 30.00

Open Play (per person, per session)	
Dodgeball, Soccer, Hockey, Basketball, etc.	\$ 4.00

Recreation Center: [Amended 01-20-2015 as L.L. #1-2015]

Roller-Skating Program (per person, per session)	\$ 1.00
Walking (per person, per session)	\$ 1.00
Playday (per person, per session)	\$ 1.00

Group/Birthday Rentals

City resident (one hour)	\$ 30.00
Non-City resident (one hour)	\$ 40.00

Youth Team Rentals (one hours)	\$ 15.00
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Summer Camp Program

[Added 4-29-1992 as L.L. #3-1992; Amended by L.L. #8 (Intro No. 12) 1993; Amended 01-20-2015 as L.L. #1-2015]

City Residents

First child (per session)	\$ 40.00
Each additional child (per session)	\$ 30.00
Junior counselor (per session)	\$ 15.00

Non- City Residents

First child (per session)	\$ 50.00
Each additional child (per session)	\$ 40.00

Rental of Pavilions at Point Gratiot [Amended 03-01-11 as L.L. #4-2011]

Effective April 4, 2011, the following fees are hereby established:

Large Pavilion

Entire Pavilion (Capacity 216)	
City Residents	\$ 75.00
Non-Dunkirk City Residents	\$ 150.00

Lower Pavilion

Entire Pavilion (Capacity 96)	
City Residents	\$ 50.00
Non-Dunkirk City Residents	\$ 100.00

Koch's Pavilion

Entire Pavilion (Capacity 96)	
City Residents	\$ 50.00
Non-Dunkirk City Residents	\$ 100.00

NOTE: There will be no fee charged to groups of handicapped individuals or to groups of Senior Citizens who reserve the pavilions

§ 31-3. Severability.

If any provision of this Article or the application thereof to any person or circumstance shall be held invalid, the remainder of such Article or the application of such provision to any other person or circumstance shall not be affected thereby.

§ 31-4. Repealer.

All prior resolutions, motions and local laws concerning the issue of recreation service fees and recreation facility fees are hereby repealed to the extent that they are inconsistent with this legislation.

ARTICLE II**Sewer Rate Schedule
[Adopted 2-5-1991 as L.L. #1-1991]****§ 31-5. Intent.**

Pursuant to Public Law 92-500 (The Federal Water Pollution Control Act and Amendments thereof) and pursuant to the authority of the Sewer Rent Law of the State of New York (General Municipal Law, Sec. 450-454) and any and all amendments thereto, there is hereby established and imposed sewer rents as a means of proportioning operating and maintenance costs required to operate and maintain the sewerage system of the City of Dunkirk among the contributors who benefit by its use, and a means of proportioning debt retirement costs required to design and construct the sewerage system of the City of Dunkirk among the contributors who benefit by its use.

§ 31-6. Definitions. [Amended 1-5-1999 as L.L. #1 (Intro No. 6) 1998; Amended 6-24-1997 as L.L. #8 (Intro No.9) 1997; Amended 11-19-1996 as L.L. #19 (Intro No. 20) 1996; Amended 10-28-1996 as L.L. #18 (Intro No. 16) 1996; Amended 10-20-1992 as L.L. #11 (Intro No. 14) 1992; Amended 2-5-1991 as L.L. #1-1991]

As used in this article, the following terms shall mean and include:

SEWER RENTS - A scale of quarterly or monthly charges established and imposed by the City of Dunkirk for the use of the sewerage system or any part or parts thereof;

SEWERAGE SYSTEM - All sewer pipes and other appurtenances which are used or useful in whole or in part in connection with the collection, treatment or disposal of sewage, industrial wastes and other wastes which are owned, operated or maintained by the City of Dunkirk, including sewage pumping stations and the sewage treatment plant;

PARTS - As used in relation to the term system, all lateral sewers or all branch sewers or all interceptor sewers or all trunk sewers in any sewage treatment and disposal works with necessary appurtenances including sewage pumping stations;

WASTEWATER - The water carrying human or animal wastes from residences, building, industrial establishments or other places together with such ground water infiltration and surface water as may be present together with any liquid, gaseous, solid or other waste substance or combination thereby resulting from any process of industry,

manufacturing, trade or business or from the development or recovery of any natural resources;

INDUSTRIAL USER (IU) - Shall be defined as set forth in the City of Dunkirk Sewer Use Ordinance, Section 26, and shall mean a source of Indirect Discharge which does not constitute a “discharge of pollutants” under the regulations issued pursuant to Section 402 2 of the Act. (33 U.S.C. 1342). The IU category will include all commercial and industrial users of the City’s WWTP.

- (1) **IU (in)** – shall mean those users which are classified under the IU category as defined above and who are located within the City of Dunkirk.
- (2) **IU (out)** – shall mean those users which are classified under the IU category as defined above and who are located outside the City of Dunkirk but require the City’s WWTP services for treatment of their effluent wastewater.

SIGNIFICANT INDUSTRIAL USERS (SIU) - Shall be defined as set forth in the City of Dunkirk Sewer Use Ordinance, Section 51, and shall mean an Industrial user of the City’s wastewater disposal system who (i) has a flow or load (BOD, TSS) greater than 5% of that carried by the treatment plant receiving the waste; or (ii) manufacturing industries using, on an annual basis, more than 10,000 pounds or 1,000 gallons of raw material containing priority pollutants/substances of concern, and discharging a measurable amount of these pollutants to the sewer system from the process using these pollutants; or (iii) is subject to promulgated categorical pretreatment standards, or (iv) is found by the Director of Public Works, NYSDEC or USEPA to have a significant impact either singly or in combination with other contributing industries, on the wastewater treatment system, the quality of sludge, the system’s effluent quality or air emissions generated by the system.

- (1) **SIU (in)** – shall mean those users which are classified under the SIU category as defined above and who are located within the City of Dunkirk
- (2) **SIU (out)** – shall mean those users which are classified under the SIU category as defined above and who are located outside the City of Dunkirk but require the City WWTP services for treatment of their effluent wastewater.

WHOLLY EXEMPT PROPERTY - Property which is exempt from taxation and exempt from any special ad valorem levies and special assessments pursuant to Article 4 of the Real Property Law.

MONITORED SYSTEM - A system of measuring a user's contribution to the sewerage system at a point where the wastewater exits premises served by the sewerage system and enters the sewerage system of the City of Dunkirk.

ATTRIBUTED FLOW - A property's contribution to the sewerage system based upon the number of residents, occupants or employees of the premises serviced by the sewerage system; or in the instance of a commercial or industrial premises pursuant to an approved formula, determining said flow rate according to generally accepted engineering principles which has been tendered by the user and accepted by the City.

CFR - The Code of Federal Regulations.

§ 31-7. Charges for treatment. [Amended 10-29-1992 by L.L. #12-1993]

All wastewater discharged to the City of Dunkirk (City) WWTP for treatment shall be charged for on the basis of four major components:

- Volume – in US Gallons
- Biochemical Oxygen Demand (BOD₅) - in pounds
- Nitrate-Nitrogen (NO₃-N) – in pounds
- Total Suspended Solids (TSS) in pounds

The pollutant concentration of any wastewater shall usually be determined from representative samples discharged to the public sewers, taken by the Chief Operator or the Chief Operator's representatives, at sampling stations as described herein, at any period, or time, or at such duration and in such manner as the Chief Operator may elect, or at any place or manner mutually agreed upon between the person and the Chief Operator. The intent of any sampling procedure is to establish the pollutant concentration in the wastewater discharged during an average or typical working day. This concentration may be derived, according to the best judgment of the Chief Operator, by combining repeated sub-samplings during one day, by combination of a series of such days or by combination of a number of a multiple of series of such days.

The analyses of samples taken shall be performed in the laboratory of the Sewage Treatment Works and the surcharge and/or acceptability of the wastes shall be as determined from said analyses.

Each Significant Industrial User (SIU) will be monitored at random to determine the concentrations of the above pollutants, and the SIU will be billed on the basis of that monitored and analysis as performed by the City. Each Industrial User (IU), exempt or residential user, will be billed on the basis of water consumption only.

The rates set forth in Section 13, Schedules A to H, reflect the standard charges to users located either inside or outside the City of Dunkirk for treating the referenced pollutants discharged to the WWTP.

Sewer rents for IUs, exempt and residential users, shall be based upon the metered consumption of water on premises connected with and served by the sewerage system of the City of Dunkirk or such part or parts thereof. In those instances where it is determined to be impracticable or impossible to meter water consumption, contribution to the sewerage system or such part or parts thereof shall be by monitored system as measured by a meter approved by the Director of Public Works and installed at the expense of the property owner at a point where the sewage or industrial waste exits the premises served and enters the sewerage system of the City of Dunkirk.

Additionally, in those instances where it is determined to be impracticable or impossible to meter water consumption or to determine contribution to the sewage system by a sewage outfall meter, the Chief Operator may use the amount of water supplied to the premises as shown upon the water meter or may make measurements from the manhole in the public sewer to which the premises discharges its wastes or by any combination of the foregoing or by any other equitable method to determine the amounts of chargeable pollutants. Alternately, a contributor to the sewage system may propose a formula to determine said flow rate based on and according to generally accepted engineering principles which the City shall consider as a means by which that contributor's rate of flow might be determined.

Should the City determine that said proposed flow rate formula is equitable to both the City as well as to the contributor, the City shall approve the same and thereafter compute the sewer rate rent paid by said contributor according to said approved formula.

In making its determination, the City may utilize not only the information and data provided by the contributor, but also any other information or data or other proof generated by the City's officers, or employees, the City's consultants, the State of New York Department of Environmental Conservation and the U.S. Environmental Protection Agency.

The adoption of any formula determining flow rates shall not preclude the City thereafter from reconsidering whether or not a change or circumstances has occurred involving the contributor itself, the equity of the means by which the flow rate has been determined, the practicable effect and demands upon the sewage system or for any other factor indicating that the approved formula no longer represents a reasonable basis for determining the flow rate of the said contributor.

Any SIU requiring an allocation or permit specifying the level of flow or load into the City's wastewater disposal system shall be exempt from the charges for treatment under Section 31-7 pertaining to BOD, TSS, and nitrates only, if the following conditions have been met:

1. The SIU and the City have entered into a contractual agreement specifying rates on BOD, TSS and/or nitrates allocation and payment terms;
2. The agreement is approved by the Mayor, Common Council, and all appropriate regulatory agencies.
3. The SIU is in full compliance with the agreement. **[Added 10-21-1993 as L.L. #12 (Intro No. 17) 1993]**

§ 31-8. Sewer rent.

To provide for the operation and maintenance of the sewerage system of the City of Dunkirk and to provide for debt retirement expenses required for the design and construction of the sewerage system of the City of Dunkirk among the contributors who benefit by its use, an annual sewer rent payable by quarterly or monthly installments, which will track with the water billings of any IU and pollutant discharge of any SIU, shall be assessed to such contributors by the City of Dunkirk. Each contributor shall be notified at least annually in conjunction with a regular bill of the rate and portion of sewer rents for wastewater treatment and debt retirement.

§ 31-9. Sewer rent payment schedule.

Each contributor's annual sewer rent shall be paid in quarterly or monthly installments due and payable no later than fifteen (15) days from the billing day. Each installment shall be billed to the contributor in whose name the water account is listed with the Treasurer's office of the City of Dunkirk. Contributors who receive no water bill or are monitored or attributable contributors shall be billed quarterly and such bills shall be mailed to the owner or occupant of the real property wherein contribution is monitored or attributable. Such bills likewise shall be due and payable no later than fifteen (15) days from the billing date.

Such amount of rents and/or other charges related to water and sewer use, including all fees listed in this Chapter, as well as fees, penalties and other charges as may be levied under Chapter 63 of the City Code entitled "Sewer Use" and Chapter 77 of the City Code entitled "Waterworks" as remain unpaid shall be included with the annual tax levy, including any penalties and interest and shall be collected and enforced in the same manner and at the same time as provided by law and/or agreement for collection and enforcement of City taxes. **[Added 6-6-1995 as L.L. #16-1995]**

No statement contained in this local law shall be construed as preventing any special agreement or arrangement between the City and any industrial or commercial concern whereby an industrial or commercial waste of unusual strength or character may be accepted by the City for treatment subject to payment thereto by the industrial concern and subject where required to approval by NYS Department of Environmental Conservation and the US Environmental Protection Agency.

§ 31-10. Dispute Resolution.

A person shall have the right to dispute the pollutant concentration of the wastes discharged from a premise to a public sewer as determined herein provided the person complies with the following procedure:

- A. Prior to the beginning of any period for which the City takes measurements, the person must submit a request for sampling and gauging of wastes to the Chief Operator to be carried out by an independent consultant of recognized professional standing to be paid by the person.
- B. The independent consultant must confer with the City in order that an agreement may be reached as to the various factors which must be considered on a sampling program.
- C. The independent consultant employed by the person shall conduct the sampling and an analysis program in consultation with the City who shall be afforded an opportunity to be present during any measuring, sampling or analysis.
- D. In the event that the person disputes the computation of the pollutant concentration derived by the Chief Operator, he shall submit, within ten days after receipt of the City's computation, a letter of protest to the City of Dunkirk Director of Public Works, together with the computation of the pollutant computation determined by the person's independent consultant. The City of Dunkirk Director of Public Works shall, within thirty days, examine all information before it and may then affirm or modify the City's determination and adjust the surcharge costs accordingly, if necessary, and promptly notify the person of the decision of the City of Dunkirk Director of Public Works which decision shall be considered conclusive and final.

§ 31-11. Penalties.

All sewer rentals not paid within fifteen (15) days or the billing date as herein provided shall have a penalty in the amount of one and one-half (1 1/2)

percent per month on the unpaid principal balance added to the bill. The City Treasurer shall collect all sewer rents established hereunder and any unpaid bills including penalties shall be included in the annual tax levy against real property parcels in default notwithstanding the fact that the bill or bills were unpaid by tenants or other non-owners of the real property parcel so affected. Such amount of sewer rents together with penalties thereon as remain unpaid for a period of two (2) years shall be collected and enforced in the same manner and at the time as provided by law for collection and enforcement of real property taxes.

§ 31-12. Additional costs.

Any user of the sewerage system of the City of Dunkirk that discharges toxic wastes which cause increased treatment and handling costs will be required to pay such costs pursuant to 40 CFR 35.929-1(c), and/or pursuant to the City of Dunkirk Sewer Use Ordinance or any amendments thereto.

§ 31-13. Annual review.

The City of Dunkirk shall review annually or at such earlier time as may be determined to be necessary, the wastewater contributions and the total cost of operation and maintenance and revise this local law as needed to meet the requirements of 40 CFR 35.929-2(b)(1) through (3), or any amendments thereto or State, County or local legislation or regulations relating thereto; or should it be determined that the revenues raised herein are not sufficient to meet the needs of the City of Dunkirk in maintaining its sewage facilities and sewer treatment operations.

§ 31-14. Sewer fund.

All revenues derived from the sewer rents hereby imposed shall be credited to a sewer fund established by the City of Dunkirk. Moneys in such funds shall be used only in the manner and for the purposes specified and in the order required by the Sewer Rent Law of the State of New York.

§ 31-15. Repealer.

All local laws or ordinances or parts of local laws or ordinances in conflict herewith are hereby repealed, except that all other portions of the City of Dunkirk Sewer Ordinance shall remain in full force and effect.

§ 31-16. Severability.

Should any clause, sentence, paragraph, subdivision, section or other part of this local law be adjudicated by any court of competent jurisdiction to be valid, such judgment, decree or order shall not affect, impair or invalidate the

remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph subdivision, section or other part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and to this end the provisions of each section of this local law are hereby declared to be severable.

§ 31-17. Fees. [Amended 2-5-1991 as L.L. #1-1991; Amended 10-20-1992 as L.L. #11 (Intro No. 14) 1992; Amended 10-28-1996 as L.L. #18 (Intro No. 16) 1996; Amended 11-19-1996 as L.L. #19 (Intro No. 20) 1996; Amended 6-24-1997 as L.L. #8 (Intro No.9) 1997; Amended 1-5-1999 as L.L. #1 (Intro No. 6) 1998; Amended 12-14-2009 as L.L. #4 (Intro No. 5) 2009]

Universal agreement regarding the precise allocation of cost for various levels of collection or treatment components is not possible. In the past, the City determined that the total expenditures for its sewage treatment facilities and the cost of operation and maintenance shall be paid from the sewer rents authorized.

The general principles and considerations included in the City's deliberations involve the historic investments made by the City's General Fund in the development of the system, the demands on the system posed by high volume and load contributing commercial and/or industrial users, and the need for the equitable sharing of the expenses of the system, with tax exempt contributors to the sewer system.

Since a major portion of this prior long term debt, shared by the General Fund, has now been satisfied, it has been determined that the expenditures for the operation of the wastewater system shall now be paid from the sewer rents herein resolved.

See next page:

§ 31-17(A) SEWER RENTS: IN-CITY USER FEE SCHEDULE. [Amended 12-3-2002 as L.L. #3 (Intro No. 3) 2002; Amended 5-20-03 as L.L. #3-2003; Amended 12-14-2009 as L.L. #4 (Intro No. 5) 2009; Amended 12-21-2010 as L.L. #4 (Intro No. 4) 2010]

RATES WILL BE EFFECTIVE AS FOLLOWS:

FOR THOSE ACCOUNTS BILLED ON A QUARTERLY BASIS, THE FOLLOWING RATES WILL TAKE EFFECT NOVEMBER 1, 2010 AND WILL BE FULLY REFLECTED IN THE THREE (3) MONTH BILLING CYCLE ENDING JANUARY 31, 2011. [Amended 12-14-2009 as L.L. #3 (Intro No. 4) 2009; Amended 12-21-2010 as L.L. #4 (Intro No. 4) 2010]

AND

FOR THOSE ACCOUNTS BILLED ON A MONTHLY BASIS, THE FOLLOWING RATES WILL TAKE EFFECT JANUARY 1, 2011 AND WILL BE FULLY REFLECTED IN THE MONTHLY BILLING CYCLE ENDING JANUARY 31, 2011. [Amended 12-14-2009 as L.L. #3 (Intro No. 4) 2009; Amended 12-21-2010 as L.L. #4 (Intro No. 4) 2010]

I. SIGNIFICANT INDUSTRIAL USER (Permit level of less than 250 lb per day)

Charge (\$) (monthly) = Volume + Loading

<u>Volume</u>	Less than 4,000,000 gallons	\$4.75/1,000 gallons
	4,000,000 and greater	\$1.60/1,000 gallons
<u>Loading Gallons</u>	BOD ₅	\$0.25 lb
	TSS	\$0.14 lb
	NO ₃ -N	\$0.51 lb

#BOD₅ calculated on loading (#) of daily permit level

Permit Charge: \$1.52 times daily permit level. [Twenty-five percent (25%) daily permit level times twenty-five cents (\$0.25) per pound times thirty and four-tenths (30.4) days per month.]

**II. SIGNIFICANT INDUSTRIAL USER (Permit level of 500 lbs or greater per day)
[Amended 12-20-11 as L.L. #9-2011]**

Charge (\$) (monthly) = Volume + Loading + Permit Charge

<u>Volume</u>	Less than 4,000,000 gallons	\$4.75/1,000 gallons
	4,000,000 and greater	\$1.60/1,000 gallons
<u>Loading Gallons</u>	BOD ₅	\$0.25 lb
	TSS	\$0.14 lb
	NO ₃ -N	\$0.51 lb

BOD₅ calculated on loading (#) that exceeds twenty-five percent (25%) of daily permit level

Permit Charge: \$1.52 times daily permit level. [Twenty-five percent (25%) daily permit level times twenty-five cents (\$0.25) per pound times thirty and four-tenths (30.4) days per month.]

III. INDUSTRIAL USER

Charge (\$) (monthly) = Volume

<u>Volume</u>	Less than 4,000,000 gallons	\$4.75/1,000 gallons
	4,000,000 and greater	\$1.60/1,000 gallons

IV. COMMERCIAL USER

Charge (\$) (monthly) = Volume

<u>Volume</u>	Less than 4,000,000 gallons	\$4.75/1,000 gallons
	4,000,000 and greater	\$1.60/1,000 gallons

V. EXEMPT USER

Charge (\$) (monthly) = Volume

<u>Volume</u>	Less than 4,000,000 gallons	\$4.75/1,000 gallons
	4,000,000 and greater	\$1.60/1,000 gallons

VI. RESIDENTIAL USER

Charge (\$) (monthly) = Volume

<u>Volume</u>	Less than 4,000,000 gallons	\$4.75/1,000 gallons
	4,000,000 and greater	\$1.60/1,000 gallons

§ 31-17(B) SEWER RENTS – OUT-OF-CITY USER FEE SCHEDULE. (Industrial User) [Amended 5-20-03 as L.L. #3-2003]

I. SIGNIFICANT INDUSTRIAL USER (Permit level of less than 250 lb per day)

Volume calculated upon metered water consumption unless user has outflow metering, as directed by the Department of Public Works, Waste Water Treatment Facility.

Charge (\$) (monthly) = Volume + Loading

<u>Volume</u>	Two Hundred Percent (200%) of In-City User charge, per Schedule 31-17(A)(I)	
<u>Loading</u>	BOD ₅	\$0.32 lb
	TSS	\$0.14 lb
	NO ₃ -N	\$0.51 lb
#BOD ₅	calculated on loading (#) of daily permit level	

Permit Charge: \$1.52 times daily permit level. [Twenty-five percent (25%) daily permit level times thirty-two cents (\$0.32) per pound times thirty and four-tenths (30.4) days per month.]

II. SIGNIFICANT INDUSTRIAL USER (Permit level of 250 lb or greater per day)

Charge (\$) (monthly) = Volume + Loading + Permit Charge

<u>Volume</u>	Two Hundred Percent (200%) of In City User charge, per Schedule 31-17(A)(II)	
<u>Loading</u>	BOD ₅	\$0.32 lb
	TSS	\$0.14 lb
	NO ₃ -N	\$0.51 lb

*Less a 250 mg/L exemption
 # BOD₅ calculated on loading (#) that exceeds twenty-five percent (25%) of daily permit level

Permit Charge: \$1.52 times daily permit level. [Twenty-five percent (25%) daily permit level times thirty-two cents (\$0.32) per pound times thirty and four-tenths (30.4) days per month.]

III. INDUSTRIAL USER

Charge (\$) (monthly) = Volume

<u>Volume</u>	Two Hundred Percent (200%) of In City Significant Industrial user charge, per Schedule 31-17(A)(III)
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IV. COMMERCIAL USER

Charge (\$) (monthly) = Volume

Volume Two Hundred Percent (200%) of In City user charge, per Schedule 31-17(A)(IV)

V. Exempt User

Charge (\$) (monthly) = Volume

Volume Two Hundred Percent (200%) of In City user charge, per Schedule 31-17(A)(V)

VI. RESIDENTIAL USER

Charge (\$) (monthly) = Volume

Volume Two Hundred Percent (200%) of In City user charge, per Schedule 31-17(A)(VI)

ARTICLE III

Water Rate Schedule
 [Adopted 6-18-1992 as L.L. #6-1992]

§ 31-18. Intent.

The intent of this local law is to increase the amount of revenues received by the City for the water services which it provides, in order to more accurately reflect the cost of providing those services.

§ 31-19. Rate structure. [Amended 10-27-1993 as L.L. #11 (Intro No.15) 1993; Amended 6-6-1995 as L.L. #16-1995; Amended 10-28-1996 as L.L. #17 (Intro No. 17) 1996; Amended 12-3-2002 as L.L. #4-2002; Amended 12-12-2006 as L.L. #12-2006; Amended 12-14-2009 as L.L. #3 (Intro No. 4) 2009; Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012; Amended 12-16-2014 as L.L. #3 (Intro No. 1) 2014]

The following constitutes the rate structure for water services provided by the City of Dunkirk.

EFFECTIVE JANUARY 1, 2015

FOR ACCOUNTS BILLED QUARTERLY (fully-reflected in the three-month billing cycle ending March 31, 2015: [Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012; Amended 12-16-2014 as L.L. #3 (Intro No. 1) 2014]

QUARTERLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 5,000 gallons	\$57.00	\$99.75
Next 15,000 gallons	\$ 3.14 per 1,000 gal.	\$ 5.50 per 1,000 gal.
Next 23,980,000 gallons	\$ 2.44 per 1,000 gal.	\$ 4.27 per 1,000 gal.
All over 24,000,000 gallons	\$ 1.27 per 1,000 gal.	\$ 2.22 per 1,000 gal.

METER RATES [Amended 12-3-2002 as L.L. #4-2002]

1"	\$ 25.00	\$ 43.75
1.5"	\$ 60.00	\$ 105.00
2"	\$ 125.00	\$ 218.75
3"	\$ 250.00	\$ 437.50
4"	\$ 375.00	\$ 656.25
6"	\$ 437.50	\$ 765.63
8"	\$ 500.00	\$ 875.00

10"	\$ 562.50	\$ 984.38
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<u>MAXIMUM METER CHARGE PER CUSTOMER</u>	\$1,800.00	\$3,150.00
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FOR ACCOUNTS BILLED MONTHLY (fully-reflected in the one-month billing cycle ending January 31, 2015): **[Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012; Amended 12-16-2014 as L.L. #3 (Intro No. 1) 2014]**

MONTHLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 2,000 gallons	\$19.00	\$33.25
Next 5,000 gallons	\$ 3.14 per 1,000 gal.	\$ 5.50 per 1,000 gal.
Next 7,993,000 gallons	\$ 2.44 per 1,000 gal.	\$ 4.27 per 1,000 gal.
All over 8,000,000 gallons	\$ 1.27 per 1,000 gal.	\$ 2.22 per 1,000 gal.

METER RATES [Amended 12-3-2002 as L.L. #4-2002]

1"	\$ 25.00	\$ 43.75
1.5"	\$ 60.00	\$ 105.00
2"	\$ 125.00	\$ 218.75
3"	\$ 250.00	\$ 437.50
4"	\$ 375.00	\$ 656.25
6"	\$ 437.50	\$ 765.63
8"	\$ 500.00	\$ 875.00
10"	\$ 562.50	\$ 984.38

<u>MAXIMUM METER CHARGE PER CUSTOMER</u>	\$ 600.00	\$1,050.00
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Such amount of rents and/or other charges related to water and sewer use, including all fees listed in this Chapter, as well as all fees, penalties and other charges as may be levied under Chapter 63 of the City Code entitled "Sewer Use" and Chapter 77 of the City Code entitled "Waterworks" as remain unpaid shall be included with the annual tax levy, including any penalties and interest and shall be collected and enforced in the same manner and at the same time as provided by law and/or agreement for collection and enforcement of City taxes. **[Amended 6-6-95 as L.L. #16-1995]**

§ 31-19 (A) Inter-Municipal Provider Rate - Fredonia. [Amended 5-2-2000 as L.L. #1 (Intro No. 4) 2000]

Pursuant to a contract authorized by Common Council resolution, an inter-municipal water rate for the Village of Fredonia may be authorized at a rate of \$1.40 per thousand gallons, billed monthly, and to include a monthly

demand/meter charge as appropriate in the 31-19 Suburban Rate monthly meter rate schedule. This rate shall terminate no later than December 31, 2000.

§ 31-20. Severability.

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of such local law or the application of such provision to any other person or circumstance shall not be affected thereby.

§ 31-21. Supersession of prior legislation.

This local law supersedes all prior Dunkirk Common Council legislation establishing water rates.

ARTICLE IV

**Farmers Market Fee Schedule
[Amended 3-18-1993 as L.L. #3-1993]****§ 31-22. Intent.**

It is the intent of this local law to increase certain fees at the Farmers Market, in order to facilitate placement of certain amenities at the Market.

§ 31-23. Fee schedule. [Amended 3-7-2006 as L.L. #2 (Intro No. 1) 2006]

Effective April 1, 2006, the following fees are hereby established:

Annual	-	\$100.00 per ten foot space
Monthly	-	\$ 25.00 per ten foot space

ARTICLE V

Dog License Fees

§ 31-24. Intent.

It is the intent of this local law to increase license fees for dogs in the City of Dunkirk in order to add a local portion to the fee mandated by the State of New York.

§ 31-25. Fee schedule [Amended 2-15-05 as L.L. #1-2005; Amended 7-2-96 as L.L. #11 (Intro No. 12) 1996]

The following fees are hereby established:

Total Annual Fee for License for Unspayed or Unneutered Dog -	\$20.50
Total Annual Fee for any Senior Citizen age 65 or older for License for Unspayed or Unneutered Dog -	\$15.50
Total Annual Fee for License for Spayed or Neutered Dog -	\$12.50
Total Annual Fee for any Senior Citizen age 65 or older for License for Spayed or Neutered Do -	\$ 7.50

ARTICLE VI

DPW-Parks Division Equipment and Facilities
[Added 5-4-1992 as L.L. #4-1992]**§ 31-30. Intent.**

The intent of this local law is to update the fee schedule for picnic table and bandstand rentals.

§ 31-31. Fee schedule.

Effective immediately, the following fees are hereby established:

Picnic table rental - \$2.50 per day

Bandstand rental, per 8x8 section - \$5.00 per day

§ 31-32. Severability.

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of such local law or the application of such provision to any other person or circumstance shall not be affected thereby.

ARTICLE VII

Zoning Fees - Telecommunication Facilities
[Adopted 7-7-1998 as L.L. #2-1998]

§ 31-40. Intent.

The intent of this local law is to establish the fee schedule for the issuance of permits in accordance with Chapter 79 of the Dunkirk City Code entitled "ZONING Article XXVI, § 79-26160 – Regulation of Telecommunication Facilities Located In the City Of Dunkirk."

§ 31-41. Fee schedule.

Effective immediately, the following fees are hereby established:

- | | | | |
|----|-----------------------------------|---|------------|
| 1. | Special Tower Permit | - | \$2,500.00 |
| 2. | Site Plan Review | - | \$ 500.00 |
| 3. | Co-User Permit/Existing Structure | - | \$1,000.00 |

§ 31-42. Severability.

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of such local law or the application of such provision to any other person or circumstance shall not be affected thereby.

ARTICLE VIII

Electrical License and Renewal Fees
[Adopted 9-21-04 as L.L. #5-2004]**§ 31-50. Intent.**

It is the intent of this local law to establish a fee schedule in the City of Dunkirk for the issuance of electrical licenses pursuant to Chapter 28 Electrical Installations.

§ 31-51. Fee Schedule.

Effective immediately, the following fees are hereby established:

- | | | | |
|----|--|---|----------|
| 1. | Master Electrician initial license | - | \$150.00 |
| 2. | Yearly renewal of Master Electrician license | - | \$ 75.00 |