



1 sources, either directly or indirectly into the sewerage system) a monthly bill for each class of  
2 customer. All customers of the sewerage system are hereby classified as one of the following:

3 (1) Domestic Customers: Residential users of any structure which is used exclusively  
4 as a dwelling. Users of a portion of a structure, which portion is separately metered for  
5 water by Central Arkansas Water, or another LRW approved water source, and is used  
6 exclusively as a dwelling are also classified as domestic customers. All domestic  
7 customers shall utilize a meter size of one (1)-inch or less. Domestic customers shall not  
8 include the users of hotels, motels, boardinghouses, apartments (three or more connected  
9 residential units), nursing homes, hospitals, residence halls, learning institutions, office  
10 complexes, wholesale/retail businesses, etc.

11 (2) Non-Domestic Customers: All other users of the sewerage system other than  
12 domestic customers classified above.

13 (3) Inside-Outside City Customers: Customers classified above (domestic or non-  
14 domestic) are further classified as either inside or outside the city limits of Little Rock,  
15 Arkansas, for the purpose of setting rates for service provided by LRW.

16 B. Usage Determination: The amount of sewage discharged to the sewerage system serviced  
17 by LRW shall be determined by the quantity of water metered; or other LRW approved sewer or  
18 diversion metered system(s) (also herein expressed as usage, flow, volume, or consumption). The  
19 sewage usage shall be determined based upon any single or combination of the following which  
20 may be applicable to the customer's connection to the sanitary sewerage system; and said usage  
21 shall be utilized to compute the portion of the monthly bill known as the volumetric charge:

22 (1) Domestic Customers:

23 (a). In the case of domestic customers obtaining water exclusively from  
24 Central Arkansas Water, the flow computation shall be based upon the water  
25 consumption records of Central Arkansas Water.

26 (b). In the case of a domestic customer obtaining water from sources other  
27 than Central Arkansas Water, LRW shall determine the amount of water usage  
28 obtained by such customers from other sources, and the amount so determined  
29 shall be used (together with the amount reflected by Central Arkansas Water's  
30 records for such customer, if any) in making the volumetric computation.

31 (c). The sewer charge each month will be based on the monthly consumption  
32 billed in the months of October, November, December, January, February and  
33 March (Winter Months Period). The Rate shall be calculated based upon the  
34 average of three or more winter months having consumption greater than zero.

1 Amounts shall be rounded to the nearest whole number. (In the case of domestic  
2 customers who were not on a meter during the previous Winter Month Period, the  
3 rates shall be computed on the actual water usage until such time as an average  
4 monthly winter usage can be calculated.) In the case of other domestic customers  
5 not on a metered basis, LRW shall establish water consumption based on a  
6 comparison of the non-metered users with metered domestic customers.

7 (2) Non-Domestic Customers:

8 (a). In the case of non-domestic customers obtaining water exclusively from  
9 Central Arkansas Water, the flow computation shall be based upon the water  
10 consumption records of Central Arkansas Water.

11 (b). Each non-domestic customer from whose property or premises sewage in  
12 any quantity is discharged into the sewage system serviced by LRW, but whose  
13 water usage is not metered, is hereby required to install a meter, at its source, at  
14 the customer's own expense, to measure the quantity of water used, with an  
15 appropriate meter to be approved by LRW, and to pay a monthly bill for service  
16 based upon the amount of water thus metered.

17 (c). In the case of a non-domestic customer obtaining water from sources  
18 other than Central Arkansas Water, LRW shall include the volume of water  
19 obtained by such customer from other sources, and the amount so determined shall  
20 be used (together with the amount reflected by Central Arkansas Water's records  
21 for such customer, if any) in making the volumetric charge computation.

22 (d). In the case of a single non-domestic customer, whose water usage is  
23 measured by multiple meters, the total water usage for all the meters shall be the  
24 basis on which the customer's monthly bill is computed and not on the basis of  
25 each separate meter source and readings.

26 (e). If a non-domestic customer desires to establish eligibility for a sewage  
27 service volume based on less than 100% of total monthly water usage, the non-  
28 domestic customer may submit a written request to LRW that it be permitted, at  
29 the sole expense of the non-domestic customer, to have a meter installed for the  
30 purpose of determining the amount of such quantity not reaching the sewer system,  
31 provided, however, the meter shall be inspected and approved by LRW prior to  
32 being eligible to receive any type of credit or adjustment to the monthly bill. The  
33 burden of showing that an appreciable quantity of water usage does not reach the  
34 sewer shall be upon the customer; and the customer shall make a determination if

1 it wishes to either (1) install a sewage meter, or (2) install a diversion meter as  
2 outlined below. Both meter types shall comply with the items listed in (3) below.

3 (1) Install a sewage meter to measure the volume of wastewater actually  
4 discharged into the sewage system from the non-domestic customer's premises. In  
5 the event a sewage meter is installed, the rate schedule as set forth in this Ordinance  
6 shall be applied to either: (a) the volume of sewage entering the sewage system as  
7 measured by the meter; or (b) in the event the sewage meter fails, a calculated  
8 volume shall be substituted, for up to ninety (90) days, based on the percentage of  
9 metered water usage discharged to the sewage system as determined by the  
10 historical comparison of water usage to that of the metered sewage; or

11 (2) Install a diversion meter. In lieu of a sewage meter, the non-domestic  
12 customer may install diversion water meter(s) to measure that portion of water  
13 used which is diverted completely away from entering the sewage system. In the  
14 event a diversion water meter is installed, the volume of water metered by such  
15 meter(s) shall be deducted from the total volume of water usage (master water  
16 meter provided by Central Arkansas Water) before the sewer service rate schedule  
17 is applied. In the event the diversion meter fails, a calculated volume shall be  
18 substituted, for up to ninety (90) days, based on the percentage of metered diverted  
19 water usage to the master water meter usage as determined by the historical  
20 comparison of the two; and

21 (3) The following conditions shall also apply to non-domestic customers who  
22 desire to establish eligibility for credit related to the use of either a sewer or  
23 diversion water meter:

- 24 • Said meters shall measure flow in units of cubic-feet, and be  
25 maintained and routinely calibrated to assure an accuracy of  $\pm 10\%$ .
- 26 • The readings from the meter shall be taken at least once monthly and  
27 shall be provided to LRW in units of 00-ft<sup>3</sup> (100 cubic-feet).
- 28 • Cooling towers and boilers used for conditioning the air space of  
29 buildings or used by customers of non-domestic facilities for  
30 processing shall only be eligible for up to 70% credit when the bleed  
31 and/or blow-down wastewaters are connected to the sanitary sewer  
32 system.
- 33 • No refunds, allowances, credits, or reductions from the 100% water  
34 use base will be granted to a non-domestic customer for any time

1 period prior to approval of a sewage metering or diverted water  
2 metering system.

- 3 ● Should a non-domestic customer fail to report a meter reading to LRW  
4 for more than ninety (90) days, the customer shall be removed from  
5 the sewer meter program. The customer may reapply by making  
6 written application to LRW for approval.
- 7 ● After receiving approval for a meter installation, and should that  
8 metering system later fail, or the customer fail to report monthly  
9 readings for ninety (90) days, LRW shall apply 100% of the total water  
10 metered volume as if it was all discharged to the sewerage system for  
11 the purposes of preparing the monthly bill.
- 12 ● Any deviations will be at the discretion of the Director of  
13 Environmental Assessment Division, Little Rock Wastewater

14 (3). The following shall apply to both domestic and non-domestic customers:

15 In the case of a customer using water for irrigation or lawn sprinkling purposes,  
16 the customer may have an additional service meter installed by Central Arkansas  
17 Water to deliver the water in such a way that the water is billed separately  
18 without a sewer charge being computed.

19 (a) The following rates shall be effective starting January 1, 2017 (“Rate  
20 Effective Date”) upon the adoption of this ordinance (and shall be increased  
21 thereafter upon the dates set forth below) and shall be applied to each customer,  
22 unless modified by contract recommended by the Water Reclamation Commission  
23 and approved by ordinance by the City Board of Directors if the facility provides  
24 its own conveyance directing its waste stream to the digester or another specialty  
25 treatment process which does not commingle with the influent at the headworks of  
26 the Wastewater Treatment Plant, and which does not adversely impact the fair and  
27 reasonable rate structure applicable to all customers, as above determined, to arrive  
28 at the monthly charge for each customer:

29  
30 **(1) Inside City – Domestic Customers**

31  
32 **(i). Service Availability Charge**

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<b>Description</b>	<b>January 1 2017</b>	<b>January 1 2018</b>	<b>January 1 2019</b>	<b>January 1 2020</b>	<b>January 1 2021</b>
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Meter Size

5/8"	10.78	11.29	11.81	12.36	12.93
3/4"	13.88	14.54	15.23	15.95	16.71
1"	20.99	21.99	23.03	24.13	25.27

(ii). Operations Volumetric Charge (for all water consumed)

<u>Description</u>	<u>January 1 2017</u>	<u>January 1 2018</u>	<u>January 1 2019</u>	<u>January 1 2020</u>	<u>January 1 2021</u>
Flow	1.84	1.93	2.02	2.12	2.22

(iii). Debt Repayment Volumetric Charge (for all water consumed)

<u>Description</u>	<u>January 1 2017</u>	<u>January 1 2018</u>	<u>January 1 2019</u>	<u>January 1 2020</u>	<u>January 1 2021</u>
Flow	2.14	2.24	2.35	2.46	2.58

**(2) Outside City – Domestic Customers**

(i). Service Availability Charge

<u>Description</u>	<u>January 1 2017</u>	<u>January 1 2018</u>	<u>January 1 2019</u>	<u>January 1 2020</u>	<u>January 1 2021</u>
<u>Meter Size</u>					
5/8"	16.17	16.94	17.75	18.59	19.47
3/4"	20.82	21.81	22.85	23.93	25.07
1"	31.49	32.98	34.55	36.19	37.91

(ii). Operations Volumetric Charge (for all water consumed)

<u>Description</u>	<u>January 1 2017</u>	<u>January 1 2018</u>	<u>January 1 2019</u>	<u>January 1 2020</u>	<u>January 1 2021</u>
Flow	2.77	2.9	3.03	3.18	3.33

(iii). Debt Repayment Volumetric Charge (for all water consumed)

<u>Description</u>	<u>January 1 2017</u>	<u>January 1 2018</u>	<u>January 1 2019</u>	<u>January 1 2020</u>	<u>January 1 2021</u>
Flow	3.22	3.37	3.53	3.7	3.87

**(3) Inside City – Non Domestic Customers**

(i). Service Availability Charge

1

<b>Description</b>	<b>January 1 2017</b>	<b>January 1 2018</b>	<b>January 1 2019</b>	<b>January 1 2020</b>	<b>January 1 2021</b>
<u>Meter Size</u>					
5/8"	10.78	11.29	11.83	12.39	12.98
3/4"	13.88	14.54	15.23	15.95	16.71
1"	20.99	21.99	23.03	24.13	25.27
1.5"	37.06	38.82	40.66	42.60	44.62
2"	57.51	60.24	63.10	66.10	69.24
3"	105.11	110.10	115.33	120.81	126.54
4"	173.30	181.53	190.15	199.19	208.65
6"	343.71	360.03	377.13	395.05	413.81

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**(ii). Operations Volumetric Charge (for all water consumed)**

<b>Description</b>	<b>January 1 2017</b>	<b>January 1 2018</b>	<b>January 1 2019</b>	<b>January 1 2020</b>	<b>January 1 2021</b>
Flow	2.88	3.02	3.16	3.31	3.47

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**(iii). Debt Repayment Volumetric Charge (for all water consumed)**

<b>Description</b>	<b>January 1 2017</b>	<b>January 1 2018</b>	<b>January 1 2019</b>	<b>January 1 2020</b>	<b>January 1 2021</b>
Flow	2.51	2.63	2.76	2.89	3.03

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**(4) Outside City – Non Domestic Customers**

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**(i). Service Availability Charge.**

<b>Description</b>	<b>January 1 2017</b>	<b>January 1 2018</b>	<b>January 1 2019</b>	<b>January 1 2020</b>	<b>January 1 2021</b>
<u>Meter Size</u>					
5/8"	16.17	16.94	17.75	18.59	19.47
3/4"	20.82	21.81	22.85	23.93	25.07
1"	31.49	32.98	34.55	36.19	37.91
1.5"	55.59	58.23	61.00	63.89	66.93
2"	86.26	90.36	94.65	99.15	103.86
3"	157.66	165.15	172.99	181.21	189.82
4"	259.95	272.30	285.23	298.78	312.97
6"	515.56	540.05	565.70	592.57	620.72

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**(ii). Operations Volumetric Charge (for all water consumed)**

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Description	January 1 2017	January 1 2018	January 1 2019	January 1 2020	January 1 2021
Flow	4.33	4.53	4.75	4.97	5.21

(iii). Debt Repayment Volumetric Charge (for all water consumed)

Description	January 1 2017	January 1 2018	January 1 2019	January 1 2020	January 1 2021
Flow	3.78	3.96	4.15	4.35	4.55

**(5) Unit Extra Strength Surcharges (Inside & Outside City)**

Description	Cost Rate Based on Units of	January 1 2017	January 1 2018	January 1 2019	January 1 2020	January 1 2021
Unit Extra Strength Surcharges*						
TSS > 600 mg/L	pounds	0.17	0.18	0.18	0.19	0.20
O&G > 50 mg/L	pounds	0.20	0.21	0.22	0.23	0.24
COD > 960 mg/L	pounds	0.20	0.21	0.22	0.23	0.24

C. Billing Charge: Customers whose usage requires rendering a bill shall pay a service charge as determined by LRW’s Annual Consolidated Fee Schedule which shall be duly adopted by the Water Reclamation Commission.

D. Delinquent Accounts: All accounts for sewer service not paid within thirty (30) days of the billing date shall bear interest at the maximum rate permitted by law until paid in full.

F. Wastewater Rate Subsidy Program: A domestic customer may qualify for payment of sewer rates payable according to the Wastewater Rate Subsidy Program by submitting a written application, as provided by the City of Little Rock Department of Public Works, Solid Waste Division for the Solid Waste Fee Increase Subsidy Program, and if approved by LRW, such customer will pay the minimum service availability charge for the size water meter located at the customer’s residence.

**Section 2.** The following rates for extra strength charges (or surcharge) are also established as rates which the City Board of Directors further find and declare to be reasonable and minimum rates to be charged.

A. Applicability of Payment of Surcharge: The discharge of wastewaters having an excessive chemical oxygen demand (COD), total suspended solids (TSS), or oil and grease (O&G) constitute an added expense in the operation and maintenance of LRW’s treatment facilities and should be accompanied by payment of an extra strength surcharge to compensate for this added expense.



1 (1) Any non-domestic customer who demonstrates the ability, in any single month, to  
2 discharge 4,000 pounds per month of COD, or more, shall receive a monthly bill for surcharge for all  
3 applicable parameters. The applicability determination shall be on the following basis:

$$4 \quad \text{COD, lbs/month} = ((\text{flow, gallons per month})/1,000,000) (8.34) (\text{COD, mg/L}^*)$$

5 (2) \*COD, mg/L shall be measured on the total sample basis and shall not receive any  
6 deduction for the typical background domestic wastewater characteristic.

7 B. If applicable in Section 2(a), surcharge will be determined as follows:

8 (1) Excessive strength is hereby defined as COD in excess of 960 mg/L, TSS  
9 in excess of 600 mg/L, and O&G in excess of 50 mg/L, as determined in accordance with test methods  
10 approved under 40 C.F.R. Part 136. The surcharge costs shall be based upon the pounds of pollutant  
11 discharged in excess, and the following shall also apply:

$$12 \quad \text{COD, lbs/month} = ((\text{flow, gallons per month})/1,000,000) (8.34)(\text{COD, mg/L} - 960 \text{ mg/L})$$

$$13 \quad \text{TSS, lbs/month} = ((\text{flow, gallons per month})/1,000,000) (8.34)(\text{TSS, mg/L} - 600 \text{ mg/L})$$

$$14 \quad \text{O\&G, lbs/month} = ((\text{flow, gallons per month})/1,000,000) (8.34)(\text{O\&G, mg/L} - 50 \text{ mg/L})$$

15 (2) The surcharge shall be computed separately for COD, TSS, and O&G on the total  
16 discharge, unless the usage determination has been adjusted as provided for under Section 1.B(2)e.

17 C. Determination of Surcharge Strengths: LRW will perform analyses at minimum of once  
18 per calendar year to determine the strength of sewage discharged by non-domestic customers, whose wastes  
19 are subject to surcharge, and who have demonstrated the ability to exceed the pounds of COD specified in  
20 Section 2(a). For those non-domestic customers, the following shall also apply:

21 (1) If a non-domestic customer disagrees with the analytical value determination made  
22 by LRW, the customer may, at its sole expense, employ an independent laboratory, acceptable to LRW, to  
23 conduct sampling and analysis of its sewage discharge. The time period and location for the collection of  
24 the samples shall be designated by LRW. LRW and the independent laboratory shall both preside over the  
25 collection of the samples and shall equally divide the final composite sample so that duplicate analyses may  
26 be made. In the case of the O&G, two separate and distinct samples shall be collected and both analyzed.

27 (2) The results of the analyses of the sewage sample made by both LRW and the  
28 independent laboratory will be averaged. The average of the results of these analyses shall be used to  
29 determine the actual extra strength surcharges.

30 D. Reevaluation Period: If any non-domestic customer improves the quality of its sewage  
31 discharged, upon written request by the customer, LRW shall reevaluate the strength of the sewage  
32 discharge over a period of no more than one (1) year. If after the one (1) year evaluation period, the  
33 monitoring data reveals the customer did not, in any one single data point, exceed the amount of 4,000

1 pounds per month of COD, then LRW shall remove the customer from the extra strength surcharge program  
2 the first billing cycle following the conclusion of the one (1) year evaluation period. The customer shall  
3 pay LRW for any additional monitoring data requested by the customer over and above the routine  
4 monitoring normally performed by LRW. The additional monitoring charge shall consist of all costs for  
5 personnel, material, and equipment used to collect and analyze samples from the customer's discharge of  
6 sewage. The exact charge shall be based on actual costs and shall be determined by LRW.

7 E. Performance of Analyses: All analyses shall be performed in accordance with the  
8 provisions as specified in City of Little Rock Ordinance 19,895, or its successor ordinance. All surcharges  
9 shall be calculated based on one hundred percent (100%) of metered water use, except as otherwise  
10 provided in Section 1.B(2)(e) of this Ordinance.

11 **Section 3.** Adjustments: Any customer who feels its monthly bill is unjust and inequitable  
12 may make written application to LRW requesting a review of this charge. Said written request shall, when  
13 necessary, show the actual or estimated average flow and/or strength of the customer's wastewater in  
14 comparison with the values upon which the charge is based, including how the measurements or estimates  
15 were made. Review of the request shall be made by LRW. If substantiated, the charges for that customer  
16 shall be recomputed based on the revised flow and/or strength data, and the new charges shall be applicable  
17 to the next billing cycle/period. The following shall apply to any adjustments made:

18 A. Subject to Section 3.B, LRW shall adjust a customer's account and issue a corrected bill if  
19 it determines that it has over-billed or under-billed the customer for sewer because of:

20 (1) Central Arkansas Water meter's failure to meet the accuracy standards of the  
21 American National Standards Institute or the American Water Works Association, as applicable (subject to  
22 verification by LRW with Central Arkansas Water);

23 (2) The application of an incorrect sewer rate to the customer's account;

24 (3) An erroneous meter reading or the reading of a meter other than that through which  
25 the customer actually received service; or

26 (4) The failure of Central Arkansas Water to include the sewer service in the  
27 customer's billing account.

28 B. No billing adjustment shall be made, and no back credit or refund shall be issued, with  
29 respect to sewer services provided.

30 (1) More than twelve (12) months before the date the error or inaccuracy is discovered  
31 if the error or inaccuracy caused the customer to be over-billed;

32 (2) More than twelve (12) months before the date the error or inaccuracy is discovered  
33 if the error or inaccuracy caused the customer to be under-billed for non-domestic customers, or, in the case  
34 of a domestic customer, more than six (6) months before the date the error or inaccuracy is discovered;

1 (3) Limited to the customer currently receiving sewer service at the service address to  
2 which the adjustment pertains;

3 (4) Under an account that has become an inactive account and for which a final bill  
4 was issued more than ninety (90) days before the error or inaccuracy was discovered.

5 C. For an adjustment due to an inaccurate meter, LRW may estimate the customer's utility  
6 consumption using prior consumption history, comparisons to similarly situated customers under similar  
7 weather conditions, readings from a replacement meter, or such other methods and information that it  
8 reasonably deems appropriate. In the case of the application of an incorrect rate, LRW shall base the  
9 adjustment on the correct rate.

10 D. In the event an adjustment is made for Central Arkansas Water's utility service, the sewer  
11 charges will be adjusted by LRW for the same period. With the exception that the adjustment period  
12 directly impacted the sewer, to which LRW will make no adjustment.

13 E. If a customer is liable for a balance under an inactive account, LRW may transfer that  
14 balance to any of the customer's active accounts. The time limitations in Section 3.B shall not apply to a  
15 transfer made under this subsection.

16 F. If LRW makes a determination on its own that an adjustment is needed to a customer's bill,  
17 notwithstanding the above provisions, LRW may make that adjustment.

18 **Section 4.** All bills for sewer service shall be rendered monthly. Under the provision of Ark.  
19 Code Ann. § 14-235-223, if any sewer charge is not paid within thirty (30) days after same is due, there  
20 shall be a ten percent (10%) penalty on the amount due, for which suit may be brought to collect all sums  
21 due, together with a reasonable attorney's fee.

22 **Section 5.** Each user of the sewer system shall be notified, at least annually by publication  
23 having circulation in Pulaski County, Arkansas, in conjunction with a regular bill, of the rate and the portion  
24 of the user charges which are attributable to waste water treatment services, in compliance with 40 C.F.R.  
25 §35.929-2(f).

26 **Section 6. Severability:** In the event any title, section, paragraph, item, sentence, clause, phrase,  
27 or word of this Ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or  
28 adjudication shall not affect the remaining portions of this Ordinance, which remain in full force and effect  
29 as if the portion so declared or adjudged invalid or unconstitutional is not a part of this Ordinance.

30 **Section 7. Effective Date.** This ordinance shall become in full force and effect on January 1, 2017  
31 ("Ordinance Effective Date.")

32 **Section 8. Repealer:** All laws, ordinances, resolutions, or parts of the same, that are inconsistent  
33 with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency including as

1 to the Ordinance Effective Date for the rates, but not limited to, Little Rock, Ark., Ordinance No. 20,594  
2 (June 12, 2012).

3 **PASSED: August 4, 2015.**

4 **ATTEST:**

**APPROVED:**

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7 \_\_\_\_\_  
8 **Susan Langley, City Clerk**

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**Mark Stodola, Mayor**

8 **APPROVED AS TO LEGAL FORM:**

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12 **Thomas M. Carpenter, City Attorney**

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