

O R D I N A N C E

No. 1146

AN ORDINANCE AMENDING THE BRAINERD CITY CODE
BY ADDING SECTION 703 ESTABLISHING
A SEWER AVAILABILITY CHARGE (SAC)

THE COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE. That the Brainerd City Code be amended by adding the following:

"Section 703, Sewer Availability Charge (SAC)

703.01 Charge Established. For the purpose of providing funds for the city's waste water treatment, force mains, lift stations and sewage collection systems, and the plant and facilities connected therewith, and the payment of capital charges represented by bonds, certificates of indebtedness or otherwise, which may be used to finance the costs of additions or expansions to the facilities, and the payment of reasonable requirements or reserves for replacement in obsolescence thereof, there is hereby imposed upon each lot, parcel of land, building or premises having any connection with the City's public sewer system a sewer availability charge (SAC) as hereinafter provided. Said charge shall be in addition to any other previous or future charge or assessment levied against the property.

703.02 Determination And Administration Of Charge. The availability charge as hereinabove authorized shall be imposed in addition to the user charges for sewer service and shall be determined and administered as follows:

Subdivision. 1. Payment Required:

- a) Payment Required Prior To Connection: Prior to the issuance of the applicable permit and before connecting to the City's sewer system, a City sewer availability charge as hereinafter provided for shall be paid.
- b) Additional Building Permit: If, after the initial availability charge is paid, an additional building permit is issued, the use of the property changes, or new sewer connection is made, the availability charge shall be recalculated and any additional charges shall be paid.
- c) Change By Resolution: Any change in the City sewer availability charge as hereinafter set forth shall be by Council Resolution.

Subd. 2. Determination Of Charge. The amount of the availability charge shall be determined by the City by first determining the number of Equivalent Residential Connections (ERC's) applicable to the particular property. This charge shall be calculated in accordance with the most current ERC Table on file in the office of the City Engineer. Once the appropriate number of ERC's are determined in this manner, the availability charge shall be calculated using the charge in the most recent resolution setting the availability charge.


Subd. 3. Determination Of ERC's. The City shall determine the number of ERC's.

Subd. 4. Transfer of ERC's. Once established, the number of ERC's shall remain the same on the property. An ERC can be transferred on the property from a structure being removed to a structure being constructed.

Subd. 5. Uses Not On Table. Any use not represented in the ERC table shall be subject to determination of the appropriate number of ERC's by the City based on estimated flows. The most recent edition of the Service Availability Charge Procedures Manual prepared by the Metropolitan Council Environmental Services division may also be utilized as a tool for calculating ERC's."

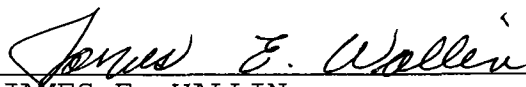
SECTION TWO. That this ordinance shall take effect and be in force on July 1, 2002.

Adopted this 3rd day of June, 2002.

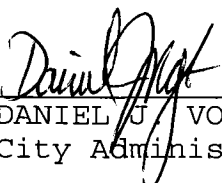


LUCY R. NESHEIM
President of the Council

Approved this 4th day of June, 2002.



JAMES E. WALLIN
Mayor

ATTEST: 

DANIEL J. VOGT
City Administrator

Published: June 10, 2002

ORDINANCE

No. 1147

AN ORDINANCE AMENDING THE BRAINERD CITY CODE
BY ADDING SECTION 706 ESTABLISHING
A WATER AVAILABILITY CHARGE (WAC)

THE COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE. That the Brainerd City Code be amended by adding the following:

"Section 706, Water Availability Charge (WAC)

706.01 Charge Established. For the purpose of providing funds for the city's wells, water treatment, water storage and water distribution systems, and the plant and facilities connected therewith, and the payment of capital charges represented by bonds, certificates of indebtedness or otherwise, which may be used to finance the costs of additions or expansions to the facilities, and the payment of reasonable requirements or reserves for replacement in obsolescence thereof, there is hereby imposed upon each lot, parcel of land, building or premises having any connection with the City's public water system a water availability charge (WAC) as hereinafter provided. Said charge shall be in addition to any other previous or future charge or assessment levied against the property.

706.02 Determination And Administration Of Charge. The availability charge as hereinabove authorized shall be imposed in addition to the user charges for water service and shall be determined and administered as follows:

Subdivision. 1. Payment Required:

- a) Payment Required Prior To Connection: Prior to the issuance of the applicable permit and before connecting to the City's water system, a City water availability charge as hereinafter provided for shall be paid.
- b) Additional Building Permit: If, after the initial availability charge is paid, an additional building permit is issued, the use of the property changes, or new water connection is made, the availability charge shall be recalculated and any additional charges shall be paid.
- c) Change By Resolution: Any change in the City water availability charge as hereinafter set forth shall be by Council Resolution.

Subd. 2. Determination Of Charge. The amount of the availability charge shall be determined by the City by first determining the number of Equivalent Residential Connections (ERC's) applicable to the particular property. This charge shall be calculated in accordance with the most current ERC Table on file in the office of the City Engineer. Once the appropriate number of ERC's are determined in this manner, the availability charge shall be calculated using the charge in the most recent resolution setting the availability charge.


Subd. 3. Determination Of ERC's. The City shall determine the number of ERC's.

Subd. 4. Transfer of ERC's. Once established, the number of ERC's shall remain the same on the property. An ERC can be transferred on the property from a structure being removed to a structure being constructed.

Subd. 5. Uses Not On Table. Any use not represented in the ERC table shall be subject to determination of the appropriate number of ERC's by the City based on estimated flows. The most recent edition of the Service Availability Charge Procedures Manual prepared by the Metropolitan Council Environmental Services division may also be utilized as a tool for calculating ERC's."


SECTION TWO. That this ordinance shall take effect and be in force on July 1, 2002.

Adopted this 3rd day of June, 2002.

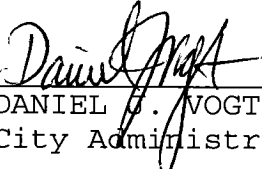


LUCY R. NESHEIM
President of the Council

Approved this 4th day of June, 2002.



JAMES E. WALLIN
Mayor

ATTEST: 

DANIEL G. VOGT
City Administrator

Published: June 10, 2002

**RESOLUTION
NO. 75:05**

**RESOLUTION ESTABLISHING SEWER AVAILABILITY CHARGE (SAC)
AND WATER AVAILABILITY CHARGE (WAC)**

WHEREAS, the City Council has adopted Ordinance No. 703 establishing a Sewer Availability Charge (SAC) and Ordinance No. 706 establishing a Water Availability Charge (WAC) to provide funds for the sewer and water systems; and,


WHEREAS, the ordinances call for the availability charges to be established by Council Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BRAINERD, MINNESOTA:

1. That the Sewer Availability Charge (SAC) contemplated by Ordinance No. 703 shall be set at \$1,400 per Equivalent Residential Connection (ERC) effective March 1, 2006 and \$1,900 per Equivalent Residential Connection (ERC) effective January 1, 2007.

2. That the Water Availability Charge (WAC) contemplated by Ordinance No. 706 shall be set at \$1,100 per Equivalent Residential Connection (ERC) effective March 1, 2006 and \$1,400 per Equivalent Residential Connection (ERC) effective January 1, 2007.

Adopted this 19th day of December, 2005.

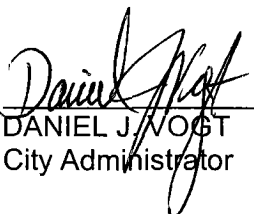


KELLY J. BEVANS
President of the Council

Approved this 20th day of December, 2005.



JAMES E. WALLIN
Mayor

ATTEST: 

DANIEL J. VOGT
City Administrator

EQUIVALENT RESIDENTIAL CONNECTION (ERC) TABLE

<u>FACILITY</u>	<u>PARAMETER</u>	<u>ERe</u>
Animal Clinic (humane societies, animal research, boarding etc).		
Animal Holding Areas	17 <i>iu.</i>	1
Animal Runs	34 f.u.	1
Archery (6 feet/lane)	6 lanes	1
Arenas (bleachers 18 inches/person)	110 seats	1
Auditoriums (7 square feet/person)	110 seats	1
Automobile Service		
Car Dealership (charge for office, retail, etc. at established rates)		
Fast Service (# service bays x 30%)	.2 service bays	1
Major Service		
(# service bays @ 70% x 1 employee/bay)	14 employees	1
Fast Service (less than 4 hours per car)	.2 service bays	1
Major Service (more than 4 hours per car)	14 employees	1
Ballroom (exclude dance floor)		
Facility without liquor service	825 sq. feet	1
Facility with liquor service	590 sq. feet	1
Bank (exclude cash vault)	.2,400 sq. feet	1
Banquet Room (15 square feet/person)		
Food Catered	2,060 sq. feet	1
Food Catered with Dishwashing	1,180 sq. feet	1
Food Catered with Liquor	1,028 sq. feet	1
Food Preparation & Dishwashing	825 sq. feet	1
Food Catered, Dishwashing & Liquor.	750 sq. feet	1
Food Preparation, Dishwashing & Liquor..	590 sq. feet	1
Barber	4 chairs	1
Batting Cages (6 feet/lane)	6 lanes	1
Beauty Salon	.4 cutting stations	1
Bingo Hall (used only for Bingo)	.110 seats	1
Boarding House (dorm rooms)	5 beds	1
Body Shop		
Major Service		
(more than 4 hours per car, no vehicle washing)..	14 employees	1
Bowling Alley (does not include bar or dining area)	3 alleys	1

FACILITY	PARAMETER	ERC
Camps (# gallons x occupant or site)		
Children's Camps (central toilet & bath; overnight, primitive cabins) (# occupants x 50 gallons /occupant)	274 gallons	1
Day Camps (no meals) (# occupants x 10 gallons/occupant)	274 gallons	1
Labor/Construction Camps (# occupants x 50 gallons/occupant)	274 gallons	1
Resorts (housekeeping cabins) (# occupants x 60 gallons/occupant)	274 gallons	1
Travel Trailer Parks - with water & sewer hookup (# sites x 100 gallons/site)	274 gallons	1
Travel Trailer Parks - with central toilet & showers (# sites x 75 gallons/site)	274 gallons	1
Travel Trailer Parks - sanitary dump (sites without hookup) (# sites x 10 gallons/site)	274 gallons	1
Car Wash (contact the City Engineer's office for calculation)		
Catering (contact the City Engineer's office for calculation)		
Churches (for sanctuary, nave, chancel) (7 square feet/person - seating area) - (remainder use other criteria) (sacristy, ambulatory - no charge)	275 seats	1
Cocktail Lounge (no food service)	.23 seats	1
Coffee Shop (no food service)	23 seats	1
Correction Facility (prison)	.25 inmates	1
Court Rooms	1,650 sq. feet	1
Dorm Rooms - on/off campus students (charge additional for classrooms)	5 students	1
Daycare (number of children licensed for) Child!Adult Play Area (not licensed)	14 children .490 sq. feet	1 I
Dry Cleaners (retail)	3,000 sq. feet	1
Elderly Housing (100% of current ERC Rate)		
no washer/dryer each unit..	3 people	1
washer/dryer each unit..	2.5 people	1
*Three bedroom unit with washer/dryer (separate from formula below)		
(# of one bedroom units x 1.5 people/unit)		
+(# of two bedroom units x 2 people/unit)		
<u>+(# of three bedroom units x 3 people/unit)</u>		
(total # of people)		

<u>FACILITY</u>	<u>PARAMETER</u>	<u>ERC</u>
Exercise Area/Gym		
(juice bars-no charge) (sauna & whirlpool)	700 sq. feet	1
No Showers	2,060 sq. feet	1
Fire Station (charge for office, meeting rooms, etc. at established rates)		
Full Time (overnight people) (75 gal/person)	.274 gallons	1
Volunteer (occasional overnight)	14 people	1
Washing (hose tower, trunk)	274 gallons	1
Funeral Home	770 sq. feet	1
(charge viewing areas only-chapel, viewing areas, etc.)		
Apartment (1 apartment).....		1
Game Room (billiards, video & pinball games)		
With Bar	590 sq. feet	1
Without Bar..	2,060 sq. feet	1
Golf Course (if showers-use locker room criteria)		
18 Hole.....		3
9 Hole-Par 3		2
Country Club (private)		
Dining Room (evenings & weekends)	15 seats	1
Bar & Grill (bar and grill separate)		
Bar.	23 seats	1
Grill	15 seats	1
Miniature.....		3
Golf Dome or Driving Range	6 driving stations	1
Greenhouse		
Area Not Open to Public	15,000 sq. feet	1
Area Open to Public	5,000 sq. feet	1
General Retail Area	.3,000 sq. feet	1
Group Home		
Primary Treatment (residents stay all day)	.3 beds	1
Secondary Treatment (residents leaving during the day)	5 beds	1
Guest Rooms (apartment or condominium) (charge ERC as apartment)		
Washer/Dryer	100% of current ERC rate	
No Washer/Dryer	80% of current ERC rate	
No Kitchen	50% of current ERC rate	
Handball and Racquetball Courts	1 court	2
Hospitals (licensed beds or baby cribs)	1 bed	1
(does not include outpatient clinic)		
Outpatient Clinic (plumbing fixture units)	17 f.u.	1
Sterilizers (4 hours x gpm x 60 minutes)	274 gallons	1

<u>FACILITY</u>	<u>PARAMETER</u>	<u>ERe</u>
Hospitals continued...		
Vacuum Device (Dental office) (9 hours x gpm x 60 minutes)	274 gallons	1
X-Ray Film Processors (continuous operation 9 hours) (intermittent operation 4 hours) (operation time - (hrs) - x gpm x 60 minutes)	274 gallons	1
Ice Arena		
Bleachers	110 seats	1
Showers (see LOCKER ROOMS)		
Team Rooms (plumbing fixture units)	17 f.u.	1
Zamboni (if discharge going to sanitary sewer).....		4
Industrial (contact the City Engineer's office for calculation)		
Laundromat (requires water volume for cycle time, 8 cycles/day)...	274 gallons	1
Library (subtract book storage areas, file areas-charge common plumbing fixture units in public areas)		
Meeting Rooms, Board Rooms, Reception, and Book Checkout Offices	17 f.u. 2,400 sq. feet	1 1
Loading Dock	7,000 sq. feet	1
Locker Rooms (if showers - 20 gallons/person)	14 lockers	1
Medical Clinic (see HOSPITALS, OUTPATIENT CLINIC)		
Meeting Rooms (conference rooms)	1,650 sq. feet	1
Mini-Storage (storage area - no charge)		
Living Area.....		1
Public Restroom (plumbing fixtures)	17 f.u.	1
Mobile Home....		1
Motels & Hotels (assume 2 persons/room)		
(pools, saunas, jacuzzis, game rooms or exercise rooms used exclusively by guests - no charge)	2 rooms	1
Breakfast only (complimentary)	.45 seats	1
Cocktail Hour (complimentary)	55 seats	1
Kitchenettes (# kitchenettes x 10 gallons/day)	274 gallons	1
Museum	2,400 sq. feet	1
Nursing Home	3 beds	

FACILITY	PARAMETER	ERe
Office		
General Office (deduct mechanical rooms, elevator shafts, stairwells, restrooms and storage areas)	2,400 sq. feet	1
Dental, Doctors - (See HOSPITAL)		
Police Station (charge as office)		
Cells (overnight-jail)	.3 people	1
Cells (no overnight people-holding area)	14 people	1
Recording/Filming Studios	7,000 sq. feet	1
Residential (per dwelling unit)		1
(20% reduction for apartment units with no plumbing for laundry within each unit)		
Restaurant - Drive-in	9 parking spaces	1
Restaurant - Fast Food (disposable paper plates, glasses & silverware)	.22 seats	1
Restaurant - Full Service (washable silverware, glasses & silverware)	8 seats	1
Retail Stores (deduct mechanical rooms, elevator shafts, stairwells, restrooms, and unfinished storage areas)	.3,000 sq. feet	1
Rifle Ranges (handgun ranges - 6 feet/lane)	6lanes	1
Roller Rink (skating area)	825 sq. feet	1
Rooming Houses (no food service)	7 beds	1
RV Dumping Station (not in association with campgrounds).....		1
Schools		
College, TVI - 30 square feet/student..	18 students	1
Lecture Halls - 15 square feet/student..	18 students	1
Labs - 50 square feet/student..	18 students	1
Dorm Rooms (on/off campus students)	.5 students	1
Elementary (15 gallons/student) - 30 square feet/student..	18 students	1
Nursery (number of children licensed for)	14 students	1
Church (nursery-during worship service only)		
30 square feet/child	55 students	1
Nursery (health clubs, bowling alleys, etc.)	2,400 sq. feet	1
Secondary (20 gallons/student) - 30 square feet/student..	14 students	1
Labs - 50 square feet/student..	.14 students	1
Sunday - 30 square feet/student..	55 students	1

FACILITY	PARAMETER	ERC
-----------------	------------------	------------

Service Station

Car Wash (see CAR WASH)		
Convenience Center	3,000 sq. feet	1
Gas Pumping.		1
Service Bays	2 bays	1

Swimming Pools (public - pool area) (private residential, townhouse, condominiums, hotels, motels, or apartments - no charge)	900 sq. feet	1
--	--------------	---

Tanning Rooms	3,000 sq. feet	1
----------------------	----------------	---

Tennis Courts (public, shower facilities)	1 court	2
--	---------	---

Theater	64 seats	1
---------	----------	---

Theater (drive-in - parking spaces)	55 spaces	1
--	-----------	---

Vehicle Garages

Employees Stationed in Garage	14 employees	1
Vehicle Drivers (per day)	28 drivers	1
Vehicle Washing (# vehicles/day x gpm x minutes/vehicle).	274 gallons	1

Warehouse (assembly areas)	7,000 sq. feet	1
-----------------------------------	----------------	---

Warehouse/Office (speculative - must be reviewed on finishing permits)

Minimum 30% office	2,400 sq. feet	1
Maximum 70% warehouse	7,000 sq. feet	1

Whirlpool (doctors office/clinic, therapy) (# gallons/fill x 8 fills/day)	274 gallons	1
--	-------------	---

Yard Storage Buildings (ex: lumber storage-customer pickup, no permanent employees)	15,000 sq. feet	1
---	-----------------	---

PLUMBING WASTE FIXTURE UNITS * (17 F.U. = 1 ER_e)

<u>TYPE OF FIXTURE</u>	<u>FIXTURE UNIT VALUE (F.U.)</u>
Drinking Fountain	1
Floor Drain	
2 inch waste (only if hose bib included)	2
3 inch waste (only if hose bib included)	.3
4 inch waste (only if hose bib included)	.4
Sinks	
janitor.	4
kitchen, and others	2
lab in exam room, bathroom	1
surgeon	3
Trench Drain - per 6 foot section	2
Water Closet	6

* if not included in list, use plumbing code