

PUBLIC NOTICE OF ADOPTION

USER AND UTILIZATION CHARGES

ERIE COUNTY SEWER DISTRICT NOS. 1, 2, 3, 4, 5, 6 & 8

Erie County Sewer District Nos. 1, 2, 3, 4, 5, 6 and 8 held a Public Hearing on their proposed user charge rates on September 22, 2022 at 10:00 A.M. local time in the Conference Room of the Department of Environment and Planning, 95 Franklin Street – Room 1004, Buffalo, NY 14202. At that time, the following information was considered:

Charges for ratepayers in Erie County Sewer District (ECSD) Nos. 1, 2, 3, 4, 5, 6 and 8 are based on a combination of unit/usage, parcel, assessed valuation, and footage charges. The system of user charges for high strength wastes or system usage/flow was adopted for the first time in 1981 in order to meet Federal mandates for user charges and to apportion the cost of sewerage service to the ratepayers. In 2023, the following rates will apply:

	COUNTY SEWER DISTRICT NOS.	1	2	3	4	5	6	8
1	Biochemical Oxygen Demand 5 day (BOD <sub>5</sub> ) \$ per lb. <sup>(1)</sup>	\$0.1909	\$0.18	\$0.03	\$0.1909	N/A	\$0.15	\$0.03
2	Suspended Solids (SS) \$ per lb.	\$0.2243	\$0.12	\$0.12	\$0.2243	N/A	\$0.11	\$0.12
3	Phosphorous (as P) \$ per lb. <sup>(2)</sup>	\$0.0294	\$0.82	\$0.82	\$0.0294	N/A	\$0.58	\$0.82
4	Flat usage charge	\$206.00	\$315.00	\$255.00	\$215.00	\$170.00	N/A	\$95.00
5	Flow (water use) \$ per 1000 gallons <sup>(3)</sup>	\$4.30	\$3.80	\$3.10	\$2.60	\$4.55	\$4.90	\$3.50
6	Wastehaulers\$/1000 gal. (from parcels outside County Sewer District) <sup>(5)</sup>	N/A	\$60.00	\$60.00	N/A	N/A	N/A	N/A
7	Wastehaulers\$/1000 gal. (from parcels within any County Sewer District) <sup>(4, 5)</sup>	N/A	\$30.00	\$30.00 <sup>(5)</sup>	N/A	N/A	N/A	N/A

(N/A means not applicable)

- (1) Based on Carbonaceous BOD Data
- (2) Based on total phosphate
- (3) Based on Water Usage, see below
- (4) Properties located within a County Sewer District which in 2023 have septage disposed of by a wastehauler at a County Sewer District facility may apply to the District Office (call (716) 858-6990 for information) for a partial rebate of the wastehauler charges paid, up to one half of the actual District sewer taxes paid.
- (5) Disposal in ECSD No. 3 is only at the Southtowns Advanced Wastewater Treatment Facility.

Non-residential users discharging below the base levels of normal strength sewage (i.e., BOD<sub>5</sub> = 250 mg/l, suspended solids = 250 mg/l, phosphorous = 5 mg/l), will only be subject to a user charge for flow. All users in ECSD Nos. 1, 2, 3, 4, 5 and 8 will be subject to a flat usage charge as shown in the table above (4<sup>th</sup> row). Non-residential users in ECSD Nos. 1, 2, 3, 4 and 5 exceeding 91,250 gallons per year will be subject to an additional flow charge for that amount greater than 91,250 gallons. The rate for this additional flow is shown in the 5<sup>th</sup> row of the table above. For Erie County Sewer District Nos. 6 & 8 all users are charged based on flow. (Water use is used in lieu of sewage flow unless the property owner(s) can substantiate actual sewage volume).

Property owners will have thirty (30) days from the date of publication of the notice of adoption to appeal this schedule of rates and charges to the Erie County Legislature. Appeals should be sent to the Erie County Legislature, 92 Franklin Street, Buffalo, NY 14202, Attention: Clerk of the Legislature.

The aforesaid schedule of charges will be collected annually with the regular County Sewer (Special) District charges.

User charges are due and payable on the same date and time as the general County taxes. Late payment penalties will be assessed in the same manner as the penalties for late payment of the general County taxes.

EFFECTIVE DATE - January 1, 2023

Joseph Fiegl, P.E., BCEE  
Erie County Sewer Agency

Dated: 11/1/22

Date published: 11/4/22