

ORDINANCE NO. 114, 2009
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF FORT COLLINS
RELATING TO WASTEWATER RATES AND CHARGES

WHEREAS, the City Council is empowered and directed by Article XII, Section 6, of the City Charter to fix, establish, maintain and provide for the collection of such rates, fees or charges for utility services furnished by the City as will produce revenues sufficient to pay the costs expenses and other obligations of the wastewater utility, as set forth therein; and

WHEREAS, City Code Section 26-277 requires that the City Manager analyze the operating and financial records of the wastewater utility during each calendar year and recommend to the City Council the user rate fees or adjustments to be in effect for the following year; and

WHEREAS, City Code Section 26-277 further requires that the user rates be revised as necessary to assure equity of the rate system established and to assure that sufficient funds are obtained to adequately operate and maintain the wastewater system; and

WHEREAS, the treatment performance of the Mulberry Wastewater Reclamation Plant has significantly degraded and \$31.8 million is required to upgrade the plant's secondary treatment processes, to prepare the plant for future regulation-based improvements and to make odor control improvements; and

WHEREAS, such improvements are not related to growth and will require increased user rates over a five year period in order to generate sufficient revenues to repay the debt necessary to finance these improvements; and

WHEREAS, wastewater rates and charges were increased in 2008 to finance the necessary improvements and this is the third year in the five year period; and

WHEREAS, the City Manager and City staff have recommended to the City Council that the following wastewater rates be imposed for the billing year beginning January 1, 2010.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That Section 26-280 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-280. Service charges established by category.

The schedule of rates for each category described in § 26-279 shall be as follows:

<i>Category</i>	<i>Class of Customer</i>	<i>Rate</i>
A	Single-family residential user (flat rate)	\$25.70 \$28.66 per month
	Single-family residential user (metered water use)	\$11.33 \$12.80 per month plus \$2.262 \$2.488 per 1,000 gallons of either winter quarter water use or 3,000 gallons, whichever is greater
B	Duplex (two-family) residential users (flat rate)	\$40.76 \$44.75 per month
	Duplex (two-family) residential users (metered water use)	\$15.13 \$16.58 per month plus \$2.262 \$2.488 per 1,000 gallons of either winter quarter water use or 4,000 gallons, whichever is greater
C	Multi-family residential user (more than two dwelling units including mobile home parks) and winter quarter based nonresidential user	\$2.262 \$2.488 per 1,000 gallons of winter quarter water use, plus a base charge of \$1.79 \$1.95 per month per dwelling unit served
D	Minor nonresidential user	\$2.262 \$2.488 per 1,000 gallons of water use, measured sewage flow or winter quarter water use, whichever is applicable, plus the following applicable base charge: <i>Size of water meter Basecharge (inches)</i>
		\$7.64 \$7.18
		17.44 16.58
		35.31 33.37
		59.09 57.09
		98.19 91.22
		164.90 144.06
		808.46 631.51
		877.88 729.17
E and F	Intermediate nonresidential user and Significant industrial user	\$2.262 \$2.488 per 1,000 gallons of water use, measured wastewater flow or winter quarter water use, whichever is applicable; plus a surcharge of \$2.168 \$2.574 per million gallons for each milligram per liter of suspended solids in excess of 250 235

milligrams per liter; plus a surcharge of ~~\$1.82~~**\$2.143** per million gallons for each milligram per liter of BOD in excess of ~~200~~**265** milligrams per liter or a surcharge of ~~\$1.122~~**\$1.353** per million gallons for each milligram per liter of COD in excess of ~~300~~**400** milligrams per liter, or a surcharge of ~~\$3.259~~**\$4.007** per million gallons for each milligram per liter of TOC in excess of ~~100~~**130** milligrams per liter, whichever is applicable. The user shall pay this calculated amount plus the applicable base charge set forth below:

<i>Size of water meter (inches)</i>	<i>Base charge</i>
¾ or smaller	\$7.64 \$7.18
1	17.44 16.58
1½	35.31 33.37
2	59.09 57.09
3	98.19 91.22
4	164.90 144.06
6	808.46 631.51
8	877.88 729.17

- G User outside City limits The rate for users outside the City limits shall be the same as for like service inside the City limits as is specified in Categories A—F and H in this Section
- H Special with agreement The rate pursuant to a special wastewater services agreement approved by the City Council pursuant to § 26-290 shall be set forth in said agreement.

Section 2. That Section 26-282 (a) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-282. Wastewater strength or industrial surcharges and categories established.

(a) The schedule of wastewater strength surcharge for customers located either inside or outside the City limits shall be as follows:

<i>Parameter</i>	<i>Excess over (mg/l)</i>	<i>Rate per 1,000 gallons</i>
BOD	200 265	\$0.001820 \$0.002143
COD	300 400	0.0011220 0.001353
TOC	100 130	0.003259 0.004007
TSS	250 235	0.002168 0.002574

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Section 3. That Section 26-289 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-289. Miscellaneous fees and charges.

The following is a schedule of miscellaneous fees and charges:

<i>Description</i>	<i>Amount</i>
(1) Connection fees and service charges	Fees shall be set forth as in § 26-712(b)
(2) Industrial discharge permits:	
a. Administration	\$76.00 annually
b. Surveillance	Determined for each user annually, based on direct cost plus 15% indirect costs, billed monthly
(3) Laboratory support services	Determined on a case-by-case basis based on direct cost plus 15% indirect costs
(4) Determined on a case-by-case basis based on direct cost plus 15% indirect costs	Cost plus 15%
(5) Charges for disposal at the Fort Collins Regional Sanitary Waste Transfer Station:	
a. Septic tanks, vaults, privies, portable toilets:	
Generated within Larimer County	\$0.05 \$0.061 per gallon
Generated outside Larimer County	\$0.075 \$0.092 per gallon
b. Recreational vehicle sanitary waste holding tanks:	
Residential customers of the City of Fort Collins Wastewater Utility	No charge for single disposal

Others	\$2.00 base fee plus \$.05
(6) Miscellaneous fees	\$0.061 per gallon Determined on a case-by- case basis based on direct costs plus 15% indirect costs

Section 3. That the amendments to the Chapter 26 of the City Code contained herein shall go into effect in January 1, 2010.

Introduced, considered favorably on first reading, and ordered published this 20th day of October, A.D. 2009, and to be presented for final passage on the 3rd day of November, A.D. 2009.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 3rd day of November, A.D. 2009.

Mayor

ATTEST:

City Clerk