

ORDINANCE NO. 117, 2009
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF FORT COLLINS
TO REVISE SEWER PLANT INVESTMENT FEES

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, Section 26-277 of the City Code 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, Section 26-283 of the City Code provides that the City Manager review the rates and parameters of the Sewer Plant Investment Fees annually and present them to City Council for approval no less frequently than biennially; and

WHEREAS, on October 21, 2008, the City Council adopted Ordinance No. 111, 2008, which established the sewer plant investment fees now in effect; and

WHEREAS, the City Manager and City staff have recommended to the City Council the following adjustments to the Sewer Plant Investment Fees to be effective January 1, 2010; and

WHEREAS, based on the foregoing, it is the desire of the City Council to amend Chapter 26 of the City Code to revise Sewer Plant Investment Fees.

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

Section 1. That Sections 26-283 (b) and (c) of the Code of the City of Fort Collins are hereby amended to read as follows:

Sec. 26-283. Sewer plant investment fees (SPIF); basis.

...

(b) The SPIF shall be based on and used for growth-related capital expansion costs of wastewater collection, transmission and treatment facilities. The fee shall vary with the number of dwelling units for residential users. **For nonresidential users, the fee shall be based on (1) quantity of discharge that may be determined by size of water meter or other means of accurately measuring or calculating flow quantity as approved by the General Manager and (2) and the size of the water meter for nonresidential users the level of wastewater concentration of organic and solid materials.** The parameters and rates shall be reviewed by the City Manager annually and fees shall be presented to the City Council for approval no less frequently than biennially.

(c) No wastewater utility user shall make any changes or additions to the property served **or operations at the property** that would significantly affect the nature or quantity of the wastewater discharged and/or cause a change in the category of use without first obtaining the approval of the General Manager and paying a SPIF based on the altered service. Such changes include without limitation the replacement of an abandoned service line, an increase in the water or sewer tap size, an increase in the number of dwelling units, a change from residential use to nonresidential use **or a modification of production by a nonresidential user.**

...

Section 2. That Sections 26-284 (a), (d), and (f) of the Code of the City of Fort Collins are hereby amended to read as follows:

Sec. 26-284. Sewer plant investment fees and surcharges established.

(a) The schedule of sewer plant investment fees, subject to the exceptions and additional requirements provided in this Section, is as follows:

<i>Category</i>	<i>SPIF</i>
A	\$3,194. \$3,550.
B and C	\$2,069. \$2,490. for each dwelling unit or mobile home space

<i>Category</i>	<i>Water meter size (inches)</i>	<i>Fee</i>
D, E, F	$\frac{3}{4}$	\$6,206. \$7,100.
	1	16,361. 17,880.
	1½	28,396. 31,490.
	2	50,963. 55,290.
	3	121,484. 150,130.
	4 and above	Calculated on an individual basis based on peak wastewater flow (determined in the manner set forth hereinafter) but not less than the charge for a three-inch meter.
G		Same as equivalent category, plus any special sanitation district fees.
H		Determined pursuant to paragraph (d) of this Section.

...

(d) The amount of the plant investment fee and surcharge for each nonresidential surcharged user, users in Category H and any user that is expected to generate greater than its proportionate share of peak day flow at the treatment

plant for the applicable category (including both contributed wastewater volume and volume related to infiltration and inflow), shall be calculated utilizing the following formula:

$$\text{SPIF} = \text{Site Flow} \times [\text{Flow}_s + (\text{BOD} \times \text{BOD}_s) + (\text{TSS} \times \text{TSS}_s)] + \text{I\&I Flow} \times [\text{Flow}_s + (200 \text{ mg/l} \times \text{BOD}_s) + (250 \text{ mg/l} \times \text{TSS}_s)]$$

Where:

SPIF = Plant investment fee for Category H users and users discharging wastewater with average concentrations of BOD and/or TSS which exceed those average concentrations which are set forth in § 26-282(b) under Category E-34

Site Flow = The user's proportionate share of peak day flow at the treatment plant based on site flow discharge from user's site ~~including both contributed wastewater volume and volume related to infiltration and inflow~~

I&I Flow = That proportionate share of peak day flow due to infiltration and inflow as allocated to user's site flow discharge.

Flow_s = ~~\$5.31~~ \$6.34 per gallon (unit cost of facilities attributable to treating wastewater flow)

BOD = Average BOD concentration for user category or measured BOD concentration for the user as determined in accordance with Subsection (c) of this Section, but not less than 200 mg/l

BOD_s = ~~\$0.0116~~ \$0.0138 per mg/l (unit cost of facilities attributable to treating BOD)

TSS = Average TSS concentration for user category or measured TSS concentration for the user as determined in accordance with Subsection (c) of this Section, but not less than 250 mg/l

TSS_s = ~~\$0.0093~~ \$0.0110 per mg/l (unit cost of facilities attributable to treating TSS)

...

(f) For purposes of this Section, the proportionate share of peak day flow at the treatment plant for users in Categories D, E and F shall be deemed to be:

<i>Water meter size (inches)</i>	<i>Peak flow (gallons per day)</i>
¾	709 600
1	1,814 1,510
1½	3,279 2,660
2	5,802 4,670
3	12,105 12,680
4 and greater	Calculated on an individual basis based on user's proportionate share of peak day flow at the treatment plant (including both contributed wastewater volume and volume related to infiltration and inflow) but not less than the peak day flow for a three-inch meter

Section 3. That the amendments to Chapter 26 of the City Code contained herein shall go into effect on 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