

ORDINANCE NO. 7733

AN ORDINANCE AMENDING SECTIONS 32-46, 32-49, AND 32-52 OF THE CODE OF ORDINANCES OF THE CITY OF MANHATTAN, KANSAS, RELATING TO RATES, CHARGES AND FEES FOR WATER PROVIDED WITHIN AND OUTSIDE OF THE CITY.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS:

SECTION 1. The City of Manhattan does hereby amend Section 32-46 of the Code of Ordinances of the City of Manhattan, Kansas, as follows:

Sec. 32-46. - Water service installation charges.

- (a) All water meter settings and water line installation shall be furnished to a premises in conjunction with the rules and regulations as set forth within this Article regarding water service connections.
- (b) Prior to the provision of water service to any property, installation charges must be paid to the City as reimbursement for all costs related to the initial installation of a water service.
- (c) Unless otherwise authorized by the director, all water service installations that are 2-inches or less shall be installed by the City.
- (d) The installation charge for a standard water service installation shall be \$ 2,730.00.
 - (1) A standard water service installation shall include all materials and labor required to complete a tap of the public water main located outside of a paved surface, installation of up to sixty (60) feet of one-inch copper water service line, a three-quarter inch or smaller sized water meter, meter transmission unit, meter pit, lid and frame, and other standard fittings that constitute a meter setting. This standard water service installation does not include additional material, labor, and administration costs incurred by the City for removal or replacement of pavement, rock excavation, or other special construction, which may be assessed to the applicant at the City's reasonable discretion.
 - (2) The director shall have the authority to adjust the standard water service installation charge due to fluctuating material prices.
- (e) The installation charge for a non-standard water service installation up to 2-inches, shall be the greater of the following:
 - (1) Cost for materials and labor, plus 15%
 - (2) \$2,730.00
- (f) All water service installations that are greater than 2-inches shall be installed by a qualified contractor at the cost of the owner, and shall require Public Works inspection fee of \$40/hour and director approval of design, location, materials, and equipment.

- (g) All water meters shall be locked in the off position until water and sewer service has been initiated by the customer per Sec. 32-36.
- (h) The City shall not be responsible for determining the appropriate size of water meter needed to provide appropriate water service to a property or structure. The responsibility for determining the appropriate water meter will be solely on the property owner.
- (i) Except where a larger water service line may be necessary for a residential fire sprinkler system, no water service line shall be larger than the meter installed for the service. The director shall have the authority to waive this requirement where hydraulic circumstances may warrant that a service line to be oversized, such as where a booster pump is necessary to supply adequate water pressure and flow to a multi-story structure.

SECTION 2. The City of Manhattan does hereby amend Section 32-49 of the Code of Ordinances of the City of Manhattan, Kansas, as follows:

Sec. 32-49. - Monthly water charges.

- (a) All water service customers served by an individual water meter, except for wholesale customers, shall be charged a monthly water charge consisting of a water usage charge for each meter by which they are served and a water service charge. Wholesale customers with multiple water meters installed may be charged monthly water charges for only the largest meter connected to the City's water distribution system.
- (b) Except for all facilities owned by Kansas State University, any new or existing structure located outside the city limits shall pay double the monthly water charges set forth in subsections (c) and (d) below. All facilities owned by Kansas State University shall pay said monthly water charges set forth in subsections (c) and (d) below for facilities inside the City regardless of whether the facilities are located inside or outside of the city limits.
- (c) Water usage charges shall be assessed for the purposes of recovering the variable costs of operating a water distribution system based upon the volume of water a customer uses. The volume of water shall be measured in units equal to 100 cubic feet (C cf). The following monthly rates for water used shall be as follows:

Customer	Water Usage Charge Rates (per C cf)
Inside City	\$3.30
Outside City	\$6.60

- (d) Water service charges shall consist of a minimum charge and a meter-based capacity surcharge. Water service charges shall be charged per meter, per monthly billing period, and shall be assessed to all customers who have service available at any time during a billing period as shown below. A customer is deemed to have service available if the private water service system, at the customer's residence or business, has been connected to the C

ity's water distribution system with a City water meter at any time during a billing period. The water service charges are to be applied regardless of whether or not any water volume passed through the City's water meter to the private water systems during a billing period, unless deemed permanently inactive by the director. Water services connections shall not be deemed permanently inactive unless the water service, including but not limited to the water meter or public water service line, has been physically disconnected or removed from the City's water distribution system.

- (1) Minimum charges shall be assessed for the purposes of recovering fixed costs incurred by the City for operating the water system, without regard to quantity of customer use. The minimum charge per each meter shall be as follows:

Customer	Water Service Minimum Charge
Inside City	\$15.00
Outside City	\$30.00

- (2) Capacity surcharges shall be assessed for the purposes of recovering capacity costs incurred by the City for operating a water system and shall be based on the water meter size and the customer's capacity to demand water. The capacity surcharge per meter shall be as follows:

- a. Water service capacity surcharge:

Water Meter Size	Water Service Capacity Surcharge	
	Inside City	Outside City
5/8 inch	\$1.78	\$3.56
3/4 inch	\$1.78	\$3.56
1 inch	\$4.41	\$8.82
1 1/2 inch	\$8.81	\$17.62
2 inch	\$28.14	\$56.28
3 inch	\$76.44	\$152.88
4 inch	\$131.82	\$263.64
6 inch	\$281.18	\$562.36
8 inch	\$492.00	\$984.00
10 inch	\$737.99	\$1,475.98
12 inch	\$931.25	\$1,862.50
16 inch	\$1,175.15	\$2,350.30

- b. For customers that utilize a compound meter or fire meter, which consist of a combined two-meter system for the purpose of accurate metering of both high- and low-volume water demands, the larger

- of the two water meters shall be used to determine the monthly capacity surcharge.
- c. For a one- or two-family residential dwelling structure connected to the City water system that requires a fire protection sprinkler system, if such sprinkler system requires a larger meter size to provide adequate fire protection, the fire chief, director of public works, or other duly designated representative of the City shall have the authority to determine the appropriate equivalent meter size to assess the meter-based monthly capacity surcharge to better reflect the standard residential meter size that would otherwise be necessary to provide domestic service to the structure.
 - (e) In addition to the above rates, a surcharge of \$0.023936 per 100 cubic feet will be assessed for all water sold at retail for the purposes of financing the state water plan.
 - (f) Whenever the City provides water service to a wholesale customer located outside of the city limits pursuant to a written contract authorized by the city commission, the rates applicable to the user identified in that contract shall be the rates set forth within the contract, even if such rates are inconsistent with the provisions of this section.
 - (1) Rates for Hunter's Island and Moehlman Bottoms: Hunter's Island and Moehlman Bottoms shall be charged at one and one-half times the water rates within the City.
 - (2) Rates for Konza Valley Water Production and Taxing District: Konza Valley Water Production and Taxing District shall be charged at one and one-quarter times the water rates within the City.
 - (3) Rates for Riley County Rural Water District No. 1: Riley County Rural Water District No. 1 shall be charged at one and one-quarter times the water rates within the City.
 - (4) Rates for Pottawatomie County Rural Water District No. 1: Pottawatomie County Rural Water District No. 1 shall be charged at one and one-quarter times the water rates within the City.

SECTION 3. The City of Manhattan does hereby amend Section 32-52 of the Code of Ordinances of the City of Manhattan, Kansas, as follows:

Sec. 32-52. - System development charges.

- (a) There is hereby established a system development charge to be imposed upon all structures that are issued a building permit for a permit for connection to the City water distribution system when the structure is initially connected, regardless of whether the structure is located inside or outside of the city limits.
- (b) Except for all facilities owned by Kansas State University, any new or existing structure located outside the city limits shall pay double the inside City system development charge as set forth in subsection (c) below, upon their initial connection to the City water distribution system. All facilities

owned by Kansas State University shall pay the system development charges set forth in subsection (c) below for facilities inside the City regardless of whether the facilities are located inside or outside of the city limits.

- (c) The water system development charge shall be based on the size and type of each individual meter as follows:

(1) System Development Charge:

Water Meter Size	Water System Development Charge	
	Inside City	Outside City
5/8 inch	\$987.00	\$1,974.00
3/4 inch	\$987.00	\$1,974.00
1 inch	\$1,974.00	\$3,948.00
1 1/2 inch	\$3,947.00	\$7,894.00
2 inch	\$12,496.00	\$24,992.00
3 inch	\$34,331.00	\$68,662.00
4 inch	\$59,190.00	\$118,380.00
6 inch	\$126,272.00	\$252,544.00
8 inch	\$220,976.00	\$441,952.00
10 inch	\$328,833.00	\$657,666.00
12 inch	\$418,275.00	\$836,550.00
16 inch	\$526,132.00	\$1,052,264.00

- (2) For water connections that utilize a compound water meter or fire meter, which consist of a combined two-meter system for the purpose of accurate metering of both high- and low-volume water demands, the larger of the two water meters shall be used to determine the system development charge.
- (3) For a one- or two-family residential dwelling structure connected to the City water system that requires a fire protection sprinkler system, if such sprinkler system requires a larger meter size to provide adequate fire protection, the fire chief, director of public works, or other duly designated representative of the City shall have the authority to determine the appropriate equivalent meter size to assess the meter-based monthly capacity surcharge to better reflect the standard residential water meter size that would otherwise be necessary to provide domestic service to the structure.
- (4) The system development charges shall be paid for any structure previously connected to the City's water distribution system that is being altered, added to, or rebuilt, if the structure requires a larger sized water meter.
- (5) Any structure connecting to the City's water distribution system, where the structure is located outside of the City limits and the connection is used exclusively for fire protection sprinkler systems, shall be required to pay a water system development charge. The water system

development charge shall be based on the pipe diameter of the connection and shall be one-half of the equivalent meter size listed within this Article for outside City connections.

- (d) This system development charge is for the right to connect to the City's water system and is in addition to any installation charges currently levied, or that might be levied in the future, for actual labor, materials, and administrative costs associated with making water taps and setting water meters.
- (e) The revenues from the charges set forth above shall be set aside in a Water Fund to be used for the construction, reconstruction, maintenance, replacement, and repair of improvements related to the city water system, or improvements to the public facilities of the city that provide increased capacity to serve new or expanded development, as the governing body of the city deems advisable.
- (f) The charges set forth above shall be immediately due and payable at the time a building permit is issued for the structure, or in the case where no building permit is required, shall be due and payable at the time the "initiating service charge" as set forth in Section 32-48 is paid.
- (g) The building official shall collect the systems development charge before issuing any building permit or before permitting any connection to the water system. If a connection is made to the water system without the permit prescribed by this Chapter, the system development charge is immediately due and payable as of the earliest date that such permit was required under this Chapter and refusal to pay the systems development charge promptly upon notification shall be unlawful, and subject to a minimum fine of \$100.00.
- (h) The system development charge shall be paid based on the year that the building permit is approved by the Building Official and not when the building permit was applied for.
- (i) Whenever the City provides water service to a property located outside of the city limits, pursuant to a written contract authorized by the governing body, the charges applicable to the property identified in that contract shall be the charges set forth within the contract, even if such charges are inconsistent with the provisions of this section. In addition, such charges may include a charge for extending infrastructure to serve the subject property.

SECTION 4. This ordinance shall be published once in the official City newspaper and shall take effect on January 1, 2025

**PASSED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS,
THIS 3RD DAY OF DECEMBER, 2024.**

Susan E. Adamchak, Mayor

ATTEST:

Brenda K. Wolf, CMC, City Clerk

(PUBLISHED IN *THE MANHATTAN MERCURY* ON December 7, 2024)

ORDINANCE NO. 7733 SUMMARY

On December 3, 2024 the City of Manhattan, Kansas adopted the following ordinance:

AN ORDINANCE AMENDING SECTIONS 32-46, 32-49, AND 32-52 OF THE CODE OF ORDINANCES OF THE CITY OF MANHATTAN, KANSAS, RELATING TO RATES, CHARGES AND FEES FOR WATER PROVIDED WITHIN AND OUTSIDE OF THE CITY.

The Ordinance modifies rates and charges effective January 1, 2025, for water service installations, monthly water services, and system development charges, whether inside or outside the corporate limits of the city, as more specifically described in the Ordinance. The complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 1101 Poyntz Ave., Manhattan, KS 66502, Monday – Thursday, 8 a.m. to 5 p.m., and Friday 8 a.m. to 12:00 p.m. and is available for at least one week following the publication date of this summary at www.cityofmhk.com. This Summary certified to be legally accurate and sufficient by City Attorney Katharine Jackson.

City Attorney

Date certified: _____