

ORDINANCE NO. 51-972

AN ORDINANCE OF THE CITY OF WICHITA, KANSAS, AMENDING SECTION 16.04.055 OF THE CODE OF THE CITY OF WICHITA PERTAINING TO FEES FOR INCIDENTAL SERVICES OF THE SEWER UTILITIES AND REPEALING THE PREVIOUS VERSION OF SUCH SECTIONS

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Section 16.04.055, of the Code of the City of Wichita is hereby amended to read as follows:

SCHEDULE OF USER FEES FOR INCIDENTAL SEWER SERVICES. On and after January 1, 2023, except as otherwise provided below, the schedule of fees as set forth below shall apply to the services and incidents described herein. Reference is made to Chapter 16 (Sewer) of the Code of the City of Wichita for additional information concerning the stated fees.

A. Utility Account Services

As authorized in Sec. 16.14.040, the following utility account service fees are hereby established:

Account Origination Fee	\$34.00 per account
Convenience Fee	\$1.00 per transaction
Insufficient Funds Debit and Returned Check Charge	\$35.00 per transaction
Rejection of Payment via Telephone (Insufficient Funds)	\$35.00 per transaction
Rejection of Payment Made Online (Insufficient Funds)	\$35.00 per transaction

B. Wastewater Permits for Industrial Strength/Categorical Users

As authorized in Sec. 16.22.250, the following Wastewater Discharge Permit fees are hereby established:

Category: Average Gallons per Day (GPD) for Categorical Permit	Cost
Category I: 0-29,999 GPD	\$296 per month
Category II: 30,000-59,999 GPD	\$386 per month
Category III: 60,000-99,999 GPD	\$481 per month
Category IV: 100,000-199,999 GPD	\$641 per month
Category V: 200,000-499,999 GPD	\$1,090 per month
Category VI: 500,000 or Greater GPD	\$5,912 per month

C. Fats, Oils, and Grease Program

As authorized in Sec. 16.24.070, the following Fats, Oils, and Grease Program fees are hereby established:

Effective January 1, 2023, and January 1, 2024, the annual grease discharge permit fee will be as shown in the table below.

ANNUAL FEE	Effective January 1, 2023	Effective January 1, 2024
-------------------	--------------------------------------	--------------------------------------

Annual discharge permit fee (all users)	\$180.00/year	\$195.00/year
---	---------------	---------------

Effective January 1, 2023, the monthly grease maintenance fee will be as shown in the table below. The Standard Monthly Fees apply to all users with an automatic grease removal device (AGRD) or with no device except those who are approved for a Low Grease Discount as authorized in Section 16.24.070 (b).

MONTHLY FEES	Standard Monthly Fee	Low Grease Monthly Fee
Users with Automatic Grease Removal Device	\$40.00/month	\$20.00/month
Users with no device	\$80.00/month	\$40.00/month

D. Miscellaneous Sewer Fees

As authorized in Sec. 16.04.110 (Sewer Tap and Saddle Fee), 16.04.290 (Groundwater Sewer Discharge Permit Fee), 16.22.070 (Special Use Sewer Discharge Fee), and 16.14.040, the following miscellaneous sewer fees are hereby established:

Sewer Tap and Saddle Fee (when required)	\$266.00 per connection
Groundwater Sewer Discharge Permit Fee	\$1,000 per year
Special Use Sewer Discharge Fee	\$100 or actual cost if greater than \$100
Sewer Line Clean-up	\$100 per hour plus actual materials

SCHEDULE OF FEES FOR NEW SEWER SERVICES. On and after January 1, 2023, the schedule of fees as set forth below shall apply to the services described herein. Reference is made to Chapter 16, specifically sections 16.14.040 and 16.14.041, of the Code of the City of Wichita for additional information concerning the stated fees.

A. New Sewer Service

As authorized in Sec. 16.14.041, the following new sewer service fees are hereby established. The amount of the sewer equity fee shall be determined by the size of the water meter.

Water Meter Size	Sewer Equity Fee
1-inch tap, service line and meter	\$1,350
2-inch tap, service line and meter	\$4,320
2, 2-inch meters on 4-inch service	\$8,640
3-inch meter on 4-inch service	\$8,100
4-inch meter on 4-inch service	\$13,500
6-inch meter on 6-inch service	\$27,000
2, 3-inch meters on 6-inch service	\$16,200
2, 4-inch meters on 6-inch service	\$27,000
8-inch meter on 8-inch service	\$43,200
2, 4-inch meters on 8-inch service	\$27,000
2, 6-inch meters on 8-inch service	\$54,000
12-inch meter on 12-inch service	\$116,100
2, 6-inch meters on 12-inch service	\$54,000

B. In Lieu of Assessment Fee

As authorized in Sec. 16.04.040, the following fee in lieu of assessments for sewer lines is hereby established:

Cost Per Front Foot	\$56.00
---------------------	---------

In Lieu of Assessment Fee is a fee based on whether a specific property has ever participated in a water distribution or sewer lateral project. Staff must know the specific project location to determine if this fee is applicable to the parcel. The front footage amount is capped at 100 feet for residential properties.

C. Main Benefit Fee

As authorized in Sec. 16.04.040, the following Main Benefit Fee for water lines is hereby established:

Cost Per Square Foot of Land	\$0.071
------------------------------	---------

Main Benefit Fee is a fee based on whether a specific property has ever participated in a sewer transmission main extension project. Staff must know the specific project location to determine if this fee is applicable.

SECTION 2. Section 16.14.040, of the Code of the City of Wichita is hereby amended to read as follows:

I. SCHEDULE OF USE CHARGES.

Each user of the sewerage system of the City shall pay, for the use of such system, sewer charges at no less than monthly intervals based where possible upon the consumption of water by such user as recorded by each of the water meters or sewer meters serving the premises according to the classifications and schedule set forth in this section.

Where any commercial or industrial premises are connected with the City's sewerage system but are not served by the City's water utility system, the owner or occupant of such premises shall, at their own expense, install and maintain on such premises a water meter or meters of a type and at a location acceptable to the Utilities of the City, which shall measure all water received on said premises from all sources, and the sewer services charge of said premises as prescribed in this section shall be based upon such meter recording. The City shall install equipment to automate the reading of said meters. The City shall charge a one-time installation fee based upon meter size for the purpose of administrative and replacement costs. A sewage meter, as set forth in the following sub-section of this section, may be substituted for the water meter requirement.

II. SEWER SERVICE VOLUME BASE:

If a commercial or industrial user desires to establish eligibility for a sewer service volume base of less than one hundred percent (100%) of water consumption, said user must submit an application in writing to the Wichita Water Utility. Upon approval the customer shall authorize the City to install the following at the Customer's expense:

A sewage meter acceptable to the director of public works & utilities to measure the volume of liquid actually discharged into the sewerage system from their premises. Customers receiving credits through

the use of water meters used for cooling towers, production credit, groundwater remediation and well water are responsible for the maintenance and calibration of said meters. If a credit is to be applied to the customer's account, the customer must have the meter tested and calibrated every two years by Wichita Water Utilities. The cost of the test will be borne by the customer at the current rate for meter testing. Further, the customer will be responsible for the removal and re-installment of the meter once testing has been completed. Sewer meters are required to be calibrated annually. Calibration must be provided through a recognized testing agency and certification of calibration must be provided to the Utilities upon completion. Calibration records shall be maintained by the City for a period of five years. No meter shall be installed on waste- water discharged until approval has been obtained from the director of public works & utilities or their duly authorized representative. Tampering with, injuring, or removing meters without written permission from the director of public works & utilities or their duly authorized representative is prohibited. In the event a sewage meter is installed, the rate schedule as set forth in this chapter shall be applied to the volume of sewage entering the sanitary sewer as measured by the meter. In the event of a meter malfunction, the customer shall be responsible for repairs. In the event that the metered amount of water consumption is less than the amount of discharge, Customer Service staff will verify that the water meter is registering flow accurately. If the water meter appears to be operating correctly, the customer will be notified and corrective action by the customer must be taken before an adjustment or credit for discharge is given. Until such time as the meter is either repaired or replaced by the customer, billing for sewer services will be based on metered water consumption. In the event that that metered water consumption begins to increase over metered discharge or if the only metered service is sewer and metered waste drops more than ten percent, Customer Service staff will verify that the water meter is registering flow accurately and/or that the sewer meter is registering flow. If the water meter appears to be operating correctly and the sewer meter is registering flow, the customer will be notified and corrective action by the customer will be required before an adjustment or credit for discharge is given. Until such time as the meter is either repaired or replaced by the customer, billing for sewer services for those accounts with metered water service will be based on 125% of average metered water consumption. For those accounts that are metered sewer only accounts, bills will be estimated based on 125% of the average of the prior twelve months metered discharge.

In lieu of sewage meter(s), the user may request installation of auxiliary water meter(s) to measure the portion of water consumed which is diverted from entering the sanitary sewer. In the event an auxiliary water meter is installed, the volume of water metered by such meter(s) shall be deducted from the total volume of water consumed before the sewer service charge rate schedule is applied. Customers receiving credits through the use of water meters used for cooling towers, production credit, groundwater remediation and well water are responsible for the maintenance and calibration of the said meters. If a credit is to be applied to the customer's account, the customer must have the meter tested and calibrated every two years by Wichita Water Utilities. The cost of the test will be borne by the customer at the

current rate for meter testing. Further, the customer will be responsible for the removal and re-installment of the meter once testing has been completed. The City may install meters and charge the customer for the meter, installation fees, and a monthly fee based on the size of the meter.

No credits for sewer use shall be given until the type and location of meters installed have been approved by the director of public works & utilities or their duly authorized representative.

Sewer volume credits established in accordance with the provisions of this Section for commercial and industrial users shall be prospective only.

III. EXTRA STRENGTH CHARGE:

Sewage discharged to the sanitary sewer system from each industrial or commercial user shall be subject to an extra strength charge when the bio- chemical oxygen demand (BOD) concentration exceeds two hundred fifty milli- grams per liter, the suspended solids (SS) exceeds a concentration of three hundred milligrams per liter, or the oil and grease concen- tration exceeds one hundred milligrams per liter, as deter- mined by Environmental Protection Agency Methodology stipu- lated in 40 CFR Part 136 analysis proce- dures. Sample collec- tion methodology will be as specified by the director of public works & utilities. Extra strength charges shall be calculated according to the formula:

$$S = V (0.00832) (X(\text{BOD}-250) + Y(\text{SS}-300) + Z(\text{O\&G}-100))$$

Where:

S = Extra strength charge in dollars

V = Sewage volume in thousands of gallons

0.00832 = Conversion factor for thousands of gallons to million pounds

X = Applicable unit charge for BOD in dollars per pound from the schedule below

BOD = BOD strength index in parts per million by weight or mg/l

250 = Allowable BOD strength under normal volume charges in parts per million by weight or mg/l

Y = Applicable unit charge for suspended solids in dollars per pound from the schedule below

SS = Suspended solids strength index in parts per million by weight or mg/l

300 = Allowable suspended solids strength under normal volume charges in parts per million by weight or mg/l

Z	Applicable unit charge for oil and grease in dollars per pound from the schedule below
O&G	Oil and grease index in parts per million by weight or mg/l
100	Allowable oil and grease under normal volume charges in parts per million by weight or mg/l

As of January 1, 2023, extra strength unit charges are established as shown in schedule below:

	Charge per Pound	
	<u>Inside City</u>	<u>Outside City</u>
BOD	0.29	0.47
Suspended Solids	0.23	0.38
Grease	4.37	7.00

IV. TOXIC POLLUTANT CHARGE:

Discharging of any toxic pollutants is prohibited under City Code Section 16.22. If any such waters or wastes enter into the municipal sewer system which cause an increase in the cost of managing the effluent or the sludge from the City's treatment plants and/or collection system, the discharger shall pay for the increased costs, and will be subject to the penalties ascribed in Chapter 16.22.

V. WASTEWATER ANALYSIS:

Samples and measurements will be taken by the City, as required by the director of public works & utilities or their authorized representative. The strength of the sewage discharge by the industrial or commercial user will be determined by the analyses of said samples.

The user, at their expense, may be required at the sole discretion of the director of public works & utilities to provide monitoring and flow measurement facilities which coincide at the point at which effluent limits apply. Sampling locations must be safe, convenient, and accessible to the industrial user and Wichita Water Utilities personnel.

If any industrial or commercial user chooses not to accept the analytical determination made by the City for a billing period, such user shall, prior to the date on which payment of the charges for such billing is

due, notify the director of public works & utilities in writing and, at their sole expense, employ an independent laboratory which is certified by the Kansas Department of Health and Environment and acceptable to the director of public works & utilities, to conduct sampling and analysis of their sewage.

The time period, location, and method for the collection of the samples shall be designated by the City. The City and the independent laboratory shall both preside over the collection of the samples and shall equally divide the samples so that duplicate analysis may be performed.

If results of the analysis of the sewage sample made by both the City and the independent laboratory are not comparable, the director of public works & utilities may appoint a second independent laboratory certified by the Kansas Department of Health and Environment to analyze the sewage. The sampling procedures used will be the same as those outlined above. The results of these analyses, together with the previous results, shall be used to determine the actual extra strength charges for the subject billing period. The fee for the second independent laboratory analyses shall be paid for by the user.

VI. MONITORING CHARGE:

When regulations, Federal, State or City, require monitoring of the waste from an industry, that industry shall pay a monitoring charge.

The monitoring charge shall consist of all costs for personnel, material and equipment used to collect and analyze samples from the user's wastewater. The exact charge shall be based on actual costs and shall be determined by the director of public works & utilities.

VII. REVIEW OF USER CHARGE RATE STRUCTURE:

The user charge rate schedule of the City shall be reviewed and adjusted at least biennially to:

- a) Maintain the proportional distribution of operation, maintenance and replacement costs among user classes.
- b) Provide adequate revenues to cover operation, maintenance and replacement and debt service costs.

VIII. SEWER RATES AND CHARGES

On and after January 1, 2023, the schedule of rates and charges as set forth below shall apply to all categories of sewer customers.

A. BASE SERVICE CHARGES (Monthly charges based on water meter size)

	<u>METER SIZES</u>	<u>Inside City</u> <u>Residential</u>	<u>Outside City</u> <u>Residential</u>	<u>Inside City</u> <u>Commercial</u>	<u>Outside City</u> <u>Commercial</u>	<u>Wholesale</u>
	5/8 inch	\$11.06	\$17.73	\$11.06	\$17.73	\$17.21
	3/4 inch	11.06	17.73	11.06	17.73	17.21
	1 inch	11.06	17.73	11.06	17.73	17.21
	1 1/2 inch	17.87	28.59	17.87	28.59	27.75
	2 inch	26.75	42.64	26.75	42.64	41.38
	3 inch	77.33	123.73	77.33	123.73	120.08
	4 inch	98.36	157.36	98.36	157.36	152.72
	6 inch	186.05	297.69	186.05	297.69	288.90

	8 inch	265.18	424.24	265.18	424.24	411.72
	10 inch	408.96	654.33	408.96	654.33	635.02
	12 inch	596.88	955.01	596.88	955.01	926.83

B. VOLUME CHARGES (

	<u>Inside City</u>	<u>Outside City</u>
<u>Price per 1,000 gallons of metered water consumption</u>	4.36	6.98

C. FLAT RATE CHARGES

	<u>Inside City</u>	<u>Outside City</u>
<u>Rates per 1,000 Gallons</u>	32.28	51.64

D. WHOLESALE RATES

Monthly charge per 1,000 gallons 3.35

IX. GOVERNMENT MILITARY FACILITIES LOCATED OUTSIDE THE CITY

Government military facilities located outside the City of Wichita shall be charged inside city rates for sewer service.

X. MISCELLANEOUS CHARGES

Other charges and billing for special services, such as but not limited to administrative cost, account origination fees, collection cost, disconnect/reconnect fees, damages and/or vandalism to Utility

infrastructure and appurtenances, etc., shall be determined by the director of public works & utilities and set forth in Sections 16.04.055.

SECTION 3. The previous version of Section 16.04.055 is hereby repealed.

SECTION 4. This ordinance shall take effect and be in force on and after November 22, 2022, and upon publication once in the official City paper.

ADOPTED at Wichita, Kansas, this 22nd day of November, 2022.

Brandon J. Whipple, Mayor
City of Wichita

ATTEST:

Approved as to Form:

Jamie Buster,
City Clerk

Jennifer Magaña, Director of Law
and City Attorney