

BY AUTHORITY

ORDINANCE NO. **3851**

COUNCILLOR'S BILL NO. **36**

SERIES OF 2016

INTRODUCED BY COUNCILLORS
Seitz, Baker

**A BILL
FOR AN ORDINANCE AMENDING SECTIONS 8-7-3 AND 8-8-5 OF THE
WESTMINSTER MUNICIPAL CODE INCREASING TAP FEES**

WHEREAS, the City of Westminster operates a water and wastewater enterprise utility; and

WHEREAS, the City Charter requires that the utility be self-supporting; and

WHEREAS, the cost to the City of providing connections to its utility systems have increased; and

WHEREAS, the City wishes to equitably distribute infrastructure costs to the affected user classes.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. Section 8-7-3, sub-subsections (A)(3) and (4), W.M.C., are hereby AMENDED to read as follows:

8-7-3: WATER TAP FEES AND CREDITS: (1129 1217 1311 1365 1456 1527 1664 1788 2097 2123 2257 2298 2440 2634 2956 3281 3306 3546 3646 3683 3712)

(A) FEE CALCULATION:

...

(3) The base components of the 201~~3~~⁷ water tap fees are as follows:

Water Resources Fee	\$ 12,603 ^{10,759} .00
Treated Water Investment Fee	\$ 10,818 ^{10,086} .00
Meter Connection Fee	This connection fee is based on installed meter size and assessed on a per meter basis. See connection fee chart below.
Fire Connection Fee	\$ 194 ¹⁸² .00

(4) The connection fees based on meter size are as follows:

METER SIZE (INCHES)	CONNECTION CHARGE* <u>NON SINGLE FAMILY</u>	CONNECTION CHARGE <u>SINGLE FAMILY*</u>
5/8"	<u>N/A</u> \$324	<u>\$379</u>
3/4"	\$325 \$324	<u>\$434</u>
1"	\$257 \$257	<u>\$453</u>
1-1/2"	\$261 \$257	<u>\$819</u>
2"	\$325 \$324	<u>N/A</u>
3"	\$391 \$386	<u>N/A</u>
4"	\$457 \$454	<u>NA</u>
6"	\$522 \$45	<u>N/A</u>
8"	\$589 \$84	<u>N/A</u>

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*Single-family ~~Attached and Detached residential~~ connection fees for meters up to one and one half inch (1 1/2")~~three-quarter inch (3/4")~~ include the cost of the water meter, which is supplied by the City. All other connection fees do not include the cost of the water meter, which is supplied by the ~~consumer~~customer at the consumer's cost.

Section 2. Section 8-7-3, sub-subsection (D)(4), W.M.C., is hereby AMENDED to read as follows:

(D) IRRIGATION WATER TAPS: The following regulations apply to taps for irrigation:

...

(4) The irrigation tap fee consists of the meter connection fee plus the following square footage fees based upon landscape type:

(a) ~~\$2,302.05~~ per square foot for high water landscaping requiring an annual application of more than ten (10) gallons of water per square foot;

(b) ~~\$1,144.02~~ per square foot for moderate water landscaping requiring an annual application of three (3) to ten (10) gallons of water per square foot;

(c) ~~\$0,570.54~~ per square foot for low water landscaping requiring an annual application of less than three (3) gallons per square foot.

Section 3. Section 8-8-5, subsection (B), W.M.C., is hereby AMENDED to read as follows:

8-8-5: SERVICE AND USER CHARGES WITHIN THE CITY OF WESTMINSTER AND SHAW HEIGHTS; LIEN ON PROPERTY: (1131 1312 1320 1430 1455 1528 1788 1819 1900 1954 2025 2030

2080 2097 2123 2166 2197 2460 2634 2635 2836 2955 2968 3145 3281 3298 3306 3438 3496 3545 3683 3742)

(B) RATE SCHEDULES:

(1) Single-family residential equivalent (SFRE). A single-family residential equivalent is based on a three-quarter inch (3/4") water service tap and meter and is equal to one (1) single-family unit, which means a building or structure used or designed to be used as only one (1) residential unit (including a detached dwelling [single-family house] and a mobile home); each residential unit in a duplex; and each residential unit having water service separately connected to the water main or private water distribution system in a building or structure with three (3) or more residential units. Residential single-family and single-family attached units with other than 3/4" water service taps and meters due solely to meet residential fire sprinkler demand shall be considered one (1) SFRE. All residential 5/8" x 3/4" residential taps and meters currently installed prior to January 1, 2013, shall be considered one (1) SFRE.

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(2) Non-single family residential equivalent. All connections that are not single-family residential units, or are single-family residential units with larger than a five-eighths by three-quarter inch (5/8" x 3/4") water meter service, except as noted above, shall have the number of single-family residential equivalents (SFRE's) determined through the size of the water service taps serving the building, structure, or premise, and in certain cases (determined by the water service tap size) shall use the alternate calculation method, including estimated quantities of flow, BOD, SS, and TKN to be discharged to the system.

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(3) Accessory use equivalent. Tap fees for clubhouses, swimming pools, and other recreation or accessory uses in single-family detached, single-family attached, and multi-family developments are not included in the individual unit Sewer Tap Fees listed herein. Tap fees for these uses and the uses in (2) above shall be calculated at the rates listed in the following SFRE Table:

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<u>Water Tap Size in Inches</u>	<u>SFRE</u>
<u>5/8 x 3/4</u>	<u>1.0</u>
<u>3/4</u>	<u>2.0</u>
<u>1</u>	<u>4.8</u>
<u>1-1/2</u>	<u>11.0</u>
<u>2</u>	<u>20.0</u>
<u>3</u>	<u>43.0</u>
<u>4</u>	<u>86.0</u>
<u>6 or larger</u>	<u>Use Alternate Calculation</u> <u>Method in (5) below</u>

(4) Base components. The following Sewer Tap Fee calculation method shall be in effect for all tap fee payments made on or after January 1, 2017:

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Sewer Tap Fees shall be based on two (2) of three (3) components: Costs of the 2017 base components of the Sewer Tap Fee per SFRE are as follows:

<u>Transport Facilities Fee</u>	<u>\$1,709.00</u>
<u>Treatment Facilities Fee</u>	<u>\$4,220.00</u>
<u>Metro Facilities Fee</u>	<u>\$4,220.00</u>
<u>The Transport Facilities Fee</u>	
<u>The Treatment Facilities Fee</u>	
<u>The Metro Facilities Fee</u>	

The residential Transport Facilities Fee shall be calculated as the base Transport Facilities Fee times the number of units times the service commitment (SC) factor associated with the dwelling type as defined below. The non-residential Transport Facilities Fee shall be calculated as the base Transport Facilities Fee times the number of SFRE's.

Residential Connection	Single-Family Detached	Mobile Home Space	Single-Family Attached Unit	Multifamily Unit	Attached Senior Housing Unit
SC Factor	1.0	1.0	0.7	0.5	0.35

Each year, the Transport Facilities Fee shall be automatically increased in accordance with the Consumer Price Index (CPI) for the previous calendar year, as established for the Denver Metropolitan Area.

The Treatment Facilities Fee shall be calculated as the current base Treatment Facilities Fee times the number of SFRE's. In addition and at any time, the Treatment Facilities Fee shall be adjusted to reflect the City of Westminster's treatment facilities costs.

The Metro Facilities Fee shall be calculated as the current base sewer connection charge set by the Metro District, multiplied by the number of SFRE's. In addition and at any time, the Metro Facilities Fee shall be adjusted in accordance with any changes to the base sewer connection charge set by the Metro District.

~~Reactivation Charge. A Reactivation Charge shall be charged to any reactivated connection that has not registered metered water use for a period of ten (10) years. The Reactivation Charge is due for each SFRE for each year beyond ten (10) years that the connection has been inactive. The Reactivation Charge shall be adjusted as part of the base Sewer Tap Fees to equal the Metro District charge for reactivation.~~

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2013-base components of the Sewer Tap Fee per SFRE are as follows:

Transport Facilities Fee	\$1,594.00
Treatment Facilities Fee	\$3,310.00
Metro Facilities Fee	\$3,310.00
Reactivation Charge	\$120.00 per year beyond 10 years

~~Each year, the Transport Facilities Fee shall be automatically increased in accordance with the Consumer Price Index (CPI) for the previous calendar year, as established for the Denver Metropolitan Area. In addition, at any time, the Treatment Facilities Fee shall be adjusted to reflect the City of Westminster's treatment facilities costs and the Metro Facilities Fee shall be adjusted in accordance with any changes to the base sewer connection charge set by the Metro District.~~

~~Tap fees for clubhouses, swimming pools, and other recreation or accessory uses in single family detached, single family attached, and multi family developments are not included in the individual unit Sewer Tap Fees listed above. Tap fees for these uses shall be calculated at the rates listed in the following SFRE Table:~~

Water Meter Size in Inches	SFRE
5/8 x 3/4	1.0
3/4	1.9
1	4.5
1-1/2	11.0
2	20.0
3	42.0

4	76.0
6 or larger	Use Alternate Calculation Method

(5) Alternate Calculation Method. A new sewer connection, which serves multiple new water service taps with a combined service commitment of greater than or equal to two hundred five (205), shall have its number of service commitments determined in the same manner that connections for service taps for water meters six inches (6") or larger are determined.

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For service taps for water meters six inches (6") or larger, the number of service commitments for calculating the Sewer Tap Fee shall be determined from the following formula:

$$\text{SFRE's} = \frac{\text{Flow} \times (\text{F})}{148225} + \frac{\text{BOD} \times (\text{B})}{0.31485} + \frac{\text{SS} \times (\text{S})}{0.320994} + \frac{\text{TKN} \times (\text{T})}{0.049488}$$

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Where: flow = estimated flow in gal/day (peak month); BOD = estimated biological oxygen demand in lbs/day (peak month); SS = estimated suspended solids in lbs/day (peak month); TKN = estimated total nitrogen in lbs/day (peak month).

At minimum, the following values shall be used in the above formulas:

TAP SIZE	FLOW	BOD	SS	TKN
6"	32,264.46,125	68.62.78.86	69.96.80.78	10.76
8"	48,396.74,250	102.92.126.95	104.94.130.04	16.14
10"	76,516.136,125	162.73.232.73	165.92.238.41	25.53.29.52

The City shall make the final determination of the estimated flow, BOD, SS and TKN used to determine the number of service commitments for each new connection, which is subject to the above formula.

~~Following are the fractions of the Metro District's capital investment used for the treatment of flow and loadings, effective January 1, 2013: Flow (F) = 0.5245, BOD (B) = 0.2309, SS (S) = 0.1684, TKN (T) = 0.0762. These fractions may change at any time to reflect changes imposed by the Metro District or changes in the City of Westminster treatment costs.~~

The City shall review applicant's determination of water tap size and may adjust Sewer Tap Fee charges, if the projected water use is more than the maximum service commitment for the corresponding water meter size listed.

(6) Reactivation Charge. A Reactivation Charge shall be charged to any reactivated connection that has not registered metered water use for a period of ten (10) years. The Reactivation Charge is due for each SFRE for each year beyond ten (10) years that the connection has been inactive. The Reactivation Charge shall be adjusted as part of the base Sewer Tap Fees to equal the Metro District charge for reactivation, in the event the Metro District charge is revised.
Reactivation Charge \$120.00 per year beyond ten (10) years

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Section 4: Upon its final passage, this ordinance shall take effect January 1, 2017. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE
ORDERED PUBLISHED this 12th day of September, 2016.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED
PUBLISHED this 26th day of September, 2016.

Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

City Clerk

City Attorney's Office