AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING TITLE 13 OF THE BRIGHTON MUNICIPAL CODE PERTAINING TO WATER, WASTEWATER AND STORM DRAINAGE FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON; SETTING FORTH EFFECTIVE DATES FOR SAID RATES, FEES AND CHARGES; AND, OTHER DETAILS RELATED THERETO.

ORDINANCE NO. 2185
INTRODUCED BY: Martinez

WHEREAS, authority is granted by the Charter to the governing body of the City of Brighton, Colorado, to assess fees and charges for services provided by the City; and

WHEREAS, the Utilities Department has completed an intensive cost of service and rate study analysis through consultation with Willdan Financial Services; and

WHEREAS, the analysis included a thorough review of current and future operational and capital expenditures required to operate City utilities in a conscientious and sustainable manner; and

WHEREAS, the result of this study showed the need for a 2015 revenue increase of 8% in the water fund, 4% in the wastewater fund, and by $0.64 per customer bill for stormwater fees over the average revenues generated from 2011-2013; and

WHEREAS, the fees and charges set forth herein are consistent with the recommendations from the Willdan Study and are necessary to offset the City's costs of service for the provision of water, wastewater and storm drainage services; and

WHEREAS, the rates, fees, and charges adopted herein shall become effective on the dates specified herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO AS FOLLOWS:

Section 1. Section 13-4-90 of the Brighton Municipal Code are hereby amended to read as follows:

Sec. 13-4-90. Water plant investment fee schedule.

(a) Whenever a person, firm or corporation makes application for a permit to use City water for property located within the City limits, a water plant investment fee (PIF) shall be charged to the applicant in accordance with a schedule of fees to be set by ordinance duly adopted by the City Council after review of such fee schedule as the City Council from time to time deems necessary.

(b) Water tap fees for previously accepted mains: The City will make all taps up to two-inch connections. Taps larger than two (2) inches will be made by the contractor under City supervision. The contractor will supply all materials, except curb stops, needed for all sizes of taps and make the excavation to the City water main. If a meter pit or vault is required, the contractor will install the meter pit or vault according to City specifications. The fees for all City-made taps will be as follows:

Tap Size	*Fee*
Three-quarter-inch connection	$66
One-inch connection	$75
One-and-one-half-inch connection	$138
Two-inch connection	$154

(c) Water meter pits or vaults are to be provided and installed by the contractor.

(d) Water meters are required on all water taps and must be purchase with the building permit. The City installs all three-quarter-inch and one-inch meters. There is no charge for installation. The charge for individual meters purchased from the City shall be as follows:

Meter	*Charge*
Three-quarter-inch meter	$118.00
One-inch meter	140.00
One-and-one-half-inch meter	263.00
Two-inch meter	348.00
Three-inch meter	605.00
Four-inch meter	977.00
Over four-inch connection shall be paid by applicant; the rate shall be determined by the City.	

(e) The water plant investment fees shall be as follows:

(1) Single-family detached; mixed-use; commercial; industrial; and other uses not specifically delineated herein:

a. Three-quarter-inch meter:

With water rights	$ 9,790
Without water rights	18,633

b. One-inch meter:

With water rights	$16,317
Without water rights	31,055

c. One-and-one-half-inch meter:

With water rights	$32,633
Without water rights	62,110

d. Two-inch meter:

With water rights	$52,213
Without water rights	99,376

e. Three-inch meter:

With water rights	$97,900
Without water rights	186,330

f. Four-inch meter:

With water rights	$163, 167
Without water rights	310,550

(2) Multi-family dwellings, including apartment buildings or condominiums; single-family attached (such as duplexes or townhouses); and single-family detached with carriage unit.[1]

a. With water rights:

First living unit	$9,790
Each additional unit within building*	5,874

b. Without water rights:

First living unit	$18,633
Each additional unit within building*	10,900

1 Carriage unit that is detached from the main structure will pay the fee for each additional unit. If the carriage unit is restricted to prohibit rental of the unit separate from the main structure, fees as detailed in Paragraph (1) shall apply.

(3) Mobile home parks – per user unit.

With water rights	$ 9,790.00
Without water rights	18,633

(4) A water resource fee of nineteen thousand dollars ($19,000.00) per acre-foot is required for public land donations when the development is paying the water plant investment fees under the "without water rights" schedule. The requirement will be calculated according to the then- applicable "water dedication worksheets" prepared by the Department of Public Works. The developer will make all taps in new construction and shall pay a fifty-dollar inspection fee for each tap. If the inspection reveals deficiencies in the installation of a new water meter by the water user or a plumber, the inspector shall provide to the water user a written notice of those deficiencies. If the Water Department has to return to a site for an installation inspection more than two (2) times after the written notice of deficiencies, the water user shall pay seventy-five dollars ($75.00) for each additional inspection until the deficiencies are cured.

(5) For any connection greater than two (2) inches and for all industrial users, the owner shall provide to the City an acceptable water resource report authored by a registered professional engineer experienced in water resources in addition to payment of the water plant investment fee.

(f) Water tap fees, previously accepted mains: The City will make all taps up to two-inch connections. Taps larger than two (2) inches will be made by the contractor under City supervision. The contractor will supply all materials, except curb stops, needed for all sizes of taps and make the excavation to the City water main. If a meter pit or vault is required, the contractor will install the meter pit or vault according to City specifications. The fees for all City-made taps will be as follows:

Tap Size	***Fee***
Three-quarter-inch	$ 66.00
One-inch connection	75.00
One-and-one-half-inch connection	138.00
Two-inch connection	154.00

(g) Water meter pits or vaults are to be provided and installed by the contractor.

(h) Water meters are required on all water taps and must be purchased with the building permit. The City installs all three-quarter-inch and one-inch meters. There is no charge for installation. The charge for individual meters purchased from the City shall be based on the current cost for the City to purchase said meter

(i) No connection to the City waterworks system shall be made unless all charges and assessments therefor are paid in full in advance of the connection.

Section 2. Section 1 of Ordinance No. 2167 and Section 13-4-130 of the Brighton Municipal Code are hereby amended to read as follows:

13-4-130. Charges – Monthly Water Service – Schedule. All water rate charges for use of water in the City shall be assessed pursuant to a schedule of fees to be set by ordinance duly adopted by City Council after review of such fee schedule as the City Council from time to time deems necessary. The following shall be the schedule of monthly water service rates for the use of water in the City on a metered rate basis.

(a) Residential Monthly Fixed Charge Effective with all utility bills dated after January 1, 2015, a monthly fixed charge of **$14.00** shall be billed to all water accounts whether there is water usage, or not.

(b) Residential, and Residential Irrigation Volume-Based Water Rates Monthly Charge Per 1,000 Gallons of Usage. Effective with all utility bills dated after January 1, 2015, the following monthly volume-based charge will be added to the monthly fixed charge as stated in subsection (a) above. The monthly volume-based water rates shall be as follows:

(1) The monthly volume-based water rates shall be as follows for all water usage from zero (0) gallons up to and including three thousand (3,000) gallons:

a. Residential	$2.65
b. Irrigation – Residential Only	$2.65

(2) The monthly volume-based water rates shall be as follows for all water usage from three thousand (3,000) gallons up to and including fifteen thousand (15,000) gallons:

a. Residential	$4.46
b. Irrigation – Residential Only	$4.46

(3) The monthly volume-based water rates shall be as follows for all water usage from fifteen thousand (15,000) gallons up to and including twenty-five thousand (25,000) gallons:

a. Residential	$4.80
b. Irrigation – Residential Only	$4.80

(4) The monthly volume-based water rates shall be as follows for all water usage from twenty-five thousand (25,000) gallons up to and including forty thousand (40,000) gallons:

a. Residential	$5.20
b. Irrigation – Residential Only	$5.20

(5) The monthly volume-based water rates shall be as follows for all water usage over forty thousand (40,000) gallons:

a. Residential	$6.05
b. Irrigation – Residential Only	$6.05

(c) Budget Billing. Any homeowner in the City who has timely paid their water bill for the prior twelve months, may be eligible for budget billing, as defined herein. Homeowners may apply for budget billing on forms provided by the City. New homeowners may apply for budget billing based upon previous annual average consumption at that address. Each year, in March, the next year's budget billing amount shall be computed; any underpayment shall be billed to the homeowner; any over-payment shall be credited to the homeowner.

(e) Multi-family Residential Volume-Based Water Rates Monthly Charge Per 1,000 Gallons of Usage. Effective with all utility bills dated after January 1, 2015, the following monthly volume-based charge will be added to the monthly fixed charge as stated in subsection (a) above. The monthly volume-based water rates shall be as follows: .

(1) The monthly volume-based water rates shall be as follows for all water usage from zero (0) gallons up to and including forty thousand (40,000) gallons:

a. Multi-family Residential Indoor Use	$4.90
b. Irrigation – Multi-family Residential Only	$4.90

(2) The monthly volume-based water rates shall be as follows for all water usage over forty thousand (40,000) gallons:

a. Multi-family Residential Indoor Use	$6.05
b. Irrigation – Multi-family Residential Only	$8.10

(e) Commercial, Municipal Potable, Irrigation, Non-Potable Irrigation, Industrial, Mixed Use, Private Fire, Bulk and Schools Monthly Fixed Charge By Meter Size. Effective January 1, 2015, the following monthly fixed charge shall be billed to all water accounts whether there is water usage, or not:

(1) Three-fourths-inch meter	$14.00
(2) One-inch meter	$ 23.25
(3) One and one-half-inch meter	$46.50
(4) Two-inch meter	$74.40
(5) Three-inch meter	$139.50
(6) Four-inch meter	$232.50
(7) Six-inch meter	$465.00

(f) Commercial, Industrial, Mixed Use, Municipal Potable, Schools, Private Fire, Bulk and Non-Potable Irrigation Volume-Based Water Rates Monthly Charge Per 1,000 Gallons of Usage. Effective January 1, 2015, the following monthly volume-based charge will be added to the monthly fixed charge as stated in subsection (e) above.

(1) The monthly volume-based water rates shall be as follows:

a. Commercial, Industrial, Mixed Use - Indoor Uses	$4.60
b. Commercial, Industrial, Mixed Use - Indoor & Outdoor Combined Uses	$5.95
c. Commercial, Industrial, Mixed Use - Outdoor Irrigation Uses	$8.10
d. Private fire (there is no charge for water for fire protection purposes)	$0.00
e. Bulk	$8.10
f. Non-potable irrigation	$3.00

Section 3. Section 13-16-25 of the Brighton Municipal Code are hereby amended to read as follows:

Sec. 13-16-25. Wastewater plant investment fees and connection charges; schedule.

(a) A wastewater plant investment fee (PIF) for City collection system infrastructure shall be paid for each separate tap to any sanitary sewer line within the City. The amount of the fee

shall be based on the size of the water service line. The wastewater plant investment fees shall be as follows:

(1) Single-family detached; mixed-use; commercial; industrial; and other uses not specifically delineated herein:

Tap Size	*Fee*
Three-quarter-inch tap	$2,000
One-inch tap	3,400
One-and-one-half-inch	6,600
Two-inch tap	10,600
Three-inch tap	21,400
Four-inch tap	36,400

(2) Multi-family dwellings, including apartment buildings or condominiums; single-family attached (such as duplexes or townhouses); and single-family detached with carriage unit *:

First living unit	$2,000
Each additional unit within building *	1,300

(3) Mobile home parks – per user unit: two thousand dollars ($2,000).

(4) For any connection greater than two (2) inches, the owner shall provide the City with an acceptable wastewater impact report authorized by a registered professional engineer experienced in wastewater services in addition to payment of the wastewater plant investment fee.

(5) The developer will make all taps in new developments. A fifty-dollar inspection fee will be charged for each tap to an existing line.

(6) No new service lines will be provided outside the corporate limits of the City.

* Carriage unit that is detached from the main structure will pay the fee for each additional unit. If the carriage unit is restricted to prohibit rental of the unit separate from the main structure, fees as detailed in Paragraph (1) above, shall apply.

(b) An additional wastewater plant investment fee shall be paid for the treatment component associated with each separate tap to any sanitary sewer line within the South Platte Basin of the City. The amount of the fee shall be based on the size of the water service line and shall be based on the current charges assessed by Metro.

(c) An additional wastewater plant investment fee shall be paid for the treatment component associated with each separate tap to any sanitary sewer connection within the South Beebe Draw Basin of the City. The amount of the fee shall be based on the size of the water service line and shall be based on the current charges assessed by the City of Lochbuie.

Section 4. Section 2 of Ordinance No. 2167 and Section 13-16-70 of the Brighton Municipal Code are hereby amended to read as follows:

13-16-70 Wastewater Service Charges – Rates – Notification.

(a) Wastewater Service Charge. All wastewater service charges for processing of wastewater in the City shall be assessed pursuant to a schedule of fees to be set by ordinance duly adopted by City Council after review of such fee schedule as the City Council from time to time deems necessary.

Every user of the City wastewater system will be charged the monthly wastewater service charge whether matter is discharged into the system, or not. This service charge will be added to either the flat wastewater rates as calculated pursuant to either subsection (b) or subsection (c) hereof, as applicable.

(b) Effective January 1, 2015, the following shall be the schedule of monthly wastewater service rates for the processing of wastewater in the City:

Residential Monthly Fixed Charge. The following monthly fixed charge shall be billed to all residential wastewater accounts whether there is wastewater usage, or not:

$9.55

Commercial, Industrial, Mixed Use, and Schools Monthly Fixed Charge By Meter Size. The following monthly fixed charge shall be billed to all Commercial, industrial, mixed use, school wastewater accounts whether there is wastewater usage, or not:

(1) Three-fourths-inch meter	$18.10
(2) One-inch meter	$42.85
(3) One and one-half-inch meter	$105.00
(4) Two-inch meter	$190.30
(5) Three-inch meter	$399.70
(6) Four-inch meter	$723.20
(7) Six-inch meter	$1,950.80

(c) Flat Wastewater Rate – Metered Water Usage. Effective January 1, 2015, all users of the wastewater system who are metered for water usage will be billed a flat wastewater rate each month, based on the average water usage as reflected in the prior December, January and February water bills. This flat wastewater rate may be changed annually, and will vary

in amount, based on classification. Monthly volume-based rates per 1,000 gallons of water usage are as follows:

(1) Residential	$4.40
(2) Commercial	$5.40
(3) Municipal	$4.40

(d) Flat Wastewater Rate – Non-Metered Water Usage. Effective January 1, 2015, those users of the wastewater system who are not metered for water usage will be billed a flat wastewater rate each month. The flat wastewater rates will vary in amount, based on classification. The monthly flat wastewater rates for non-users metered water are as follows:

(1) Residential	$23.45
(2) Multi-family - Number of dwelling units x	$23.45
(3) Commercial (discharging restrooms only)	$23.90
(4) Commercial (discharging other than restrooms)	$47.75

(e) Commercial Property – Rated Based on Actual Water Usage. Effective January 1, 2015 any owner of commercial property in the City which receives City wastewater service may request to be billed a wastewater rate based on actual water usage each month. Such request shall be made annually on forms provided by the City. The effective date for such billing shall be the first full monthly billing after such written request is approved. Monthly volume-based rates per 1,000 gallons of water usage for approved commercial users shall be as follows:

Commercial	$5.40

Section 5. Storm Drainage Management Utility. Section 3 of Ordinance No. 2167, and Section 13-20-81 of the Brighton Municipal Code are hereby amended to read as follows:

13-20-81 Storm Drainage Maintenance Fee – Rates.

(a) The storm drainage maintenance fee shall be used solely for administration, engineering, professional services, design, installation, repair, maintenance, operation, management, improvement, of storm drainage facilities in the City necessary for the Utility to reasonably manage storm drainage in the City.

(b) All storm drainage maintenance fee charges shall be assessed pursuant to a schedule of fees to be set by ordinance duly adopted by the City Council after review of such fee schedule as the City Council from time to time deems necessary. The following shall be the schedule of monthly storm drainage maintenance fees.

Monthly Fixed Charges. Effective January 1, 2015, the following monthly fixed charges shall be billed to all water or sewer accounts whether there is water usage, or not:

Single-family residence	$2.76
Multi-family residence	$3.52
Nonresidential, commercial, mixed-use, schools, industrial, and all other uses	$7.85

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED this 18th day of November, 2014.

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, City Attorney

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CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

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