



Schedule of:
Water & Sanitary Sewer Service Rates
Stormwater Fees
Meter Readings
Billing Practices
Bill Payment Guarantees

Rates effective with billings on and after May 1, 2019



CODE OF ORDINANCES

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SCHEDULE OF FEES AND CHARGES MAY 2019

Section 78-2. Water service generally.

- (a) Availability. Water may be taken by any applicant for a license to use water, upon approval by the water services department, who shall first and at all times thereafter comply with the rules and regulations of the water services department and with all ordinances of the city relating in any way to the purchase of water and to facilities and conditions related to its use, and who shall pay for such water according to the established rates.
- (b) Notice to initiate, discontinue or transfer service. All notices to the city's water services department to initiate discontinue or transfer service shall be in writing. The city will attempt to act on oral orders taken in person or over the telephone by an employee of the water services department but assumes no liability for failure to act on the orders.

Section 78-4.1 Units of Measure

The volume of water used shall be measured in CCF and may be billed in portions thereof.

Section 78-5. Residential meter rate.

For all water purchased for use within the city by any residential accountholder, whether owner, occupant, customer, or consumer, a total charge, consisting of the sum of a service charge and a commodity charge shall be computed monthly for each billing period, as prescribed in sections 78-6 and 78-11.

Section 78-6. General meter rate.

For all water purchased for use wholly and exclusively within the city by any accountholder the general meter rate charge shall be the sum of the service charge and the commodity charge as prescribed in section 78-11. The service charge and the commodity charge shall be determined as follows:

- 1. Service charge. The service charge is a charge per meter or service connection, to cover, in part, the cost of various services, and shall be prorated per day during the billing period and shall apply whether or not any water is used; the service charge shall be based on meter size and billing frequency as follows, unless otherwise provided herein:

| Meter Size (inches) | Monthly Billing |
|---------------------|-----------------|
| 5/8 | \$14.38 |
| 3/4 | 15.50 |
| 1 | 18.97 |
| 1-1/2 | 22.85 |
| 2 | 36.21 |
| 3 | 123.93 |

| Meter Size (inches) | Monthly Billing |
|---------------------|-----------------|
| 4 | \$156.06 |
| 6 | 232.05 |
| 8 | 335.58 |
| 10 | 441.66 |
| 12 | 520.20 |

- 2. Commodity charge. The commodity charge shall be based on the total volume of

water purchased by the accountholder as shown by all water meters connected to one or more water services serving a single property of the accountholder, and shall be as follows per month for metered water:

- a. Ordinary commodity charge.
 - First 600 cubic feet at \$4.80 per 100 cubic feet, or a portion thereof;
 - Next 4,400 cubic feet at \$5.33 per 100 cubic feet or a portion thereof;
 - Next 995,000 cubic feet at \$4.56 per 100 cubic feet or a portion thereof;
 - Over 1,000,000 cubic feet at \$3.16 per 100 cubic feet or a portion thereof;
 - b. Seasonal off-peak commodity charges. For industrial customers with peak demand in the winter season:
 - All usage at \$3.01 per 100 cubic feet or a portion thereof;
 - The director of water services is hereby authorized to promulgate regulations to be used for determining the applicability of this subsection.
3. Manual meter reading charges
- a. The service charges set out in this chapter assume use of the City's automatic meter reading system. In cases where the automatic meter reading system could not be installed due to action or inaction on the accountholder's part, including lack of access to meter, improper meter setting, accountholder refusal, or other reasons, a charge of \$19.38 for manual meter reading will be applied each time that a meter is attempted to be read manually.
 - b. When manual meter reading registers no water use for a period of 12 consecutive months, the water services department may cease monthly meter reading and begin reading the meter every six months. At that time, it will no longer charge the separate manual meter reading fee; however, a service charge of \$77.66 for the six month read period shall apply.
4. Definitions (as used in this section).
- a. Residential accountholders shall refer to all one- and two-family dwelling water service accounts.
 - b. Commercial and industrial accounts shall refer to all water service accounts other than one-and two-family dwellings.
 - c. Month and monthly shall refer to a time period of 30 days.
 - d. Accountholder shall refer to any owner or occupant of real property, or any customer or consumer of water services.

Section 78-8. Fire protection rates.

- (a) The rate for an unmetered water service connection to hydrants, hose connection or sprinkling systems purchased and used solely and exclusively for fire protection purposes, including all water used for fire protection shall be as set out in the chart below.

| Size of Connection | Rate per Annum |
|--------------------|----------------|
| 4 inch and less | \$118.32 |
| 6 inch | 347.82 |
| 8 inch | 740.52 |

| Size of Connection | Rate per Annum |
|--------------------|----------------|
| 10 inch | \$1,332.12 |
| 12 inch | 2,152.20 |
| 16 inch | 4,585.92 |

| Meter Size (inches) | Monthly Billing |
|---------------------|-----------------|
| 5/8 | \$15.55 |
| 3/4 | 16.67 |
| 1 | 20.40 |
| 1-1/2 | 25.35 |
| 2 | 38.99 |
| 3 | 123.22 |

| Meter Size (inches) | Monthly Billing |
|---------------------|-----------------|
| 4 | \$156.55 |
| 6 | 231.80 |
| 8 | 332.29 |
| 10 | 446.42 |
| 12 | 524.19 |

- (b) The size, location and arrangement of any fire protection services are subject to the approval of the director of the water services department.
- (c) All meters, valves and hydrants controlling or in connection with such fire protection services shall be sealed by the water services department. A fee of \$205.00 shall be charged for each meter, valve or hydrant requiring resealing in the absence of evidence that the meter, valve or hydrant seal was broken in operation against a fire or in operations pursuant to system testing by a fire underwriting agency and properly certified by such testing agency.
- (d) Direct connections between the fire protection and drain piping on all premises are not permitted, and drawings which show the location of all fire protection piping may be required by the water services department. The repeated, unauthorized breakage of seals on any premises may be taken as evidence that water is being used without authorization, and in such case the water services department may require the installation of a meter designed for fire protection and in addition to other charges set out above also assess charges therefore in accordance with Section 78-6.
- (e) Fire protection services shall be billed to the owner of record of the real property.

Section 78-9. Temporary service rate.

There shall be a temporary service rate for unmetered water for temporary purposes as follows:

- (1) Swimming pools. The service fee for filling swimming pools shall be \$505.00 plus payment of the commodity charge for the water used to fill the pool. In addition, a deposit shall be required for the hydrant meter assembly.
- (2) Other temporary purposes. For water purchased and delivered through a metered service or connection or fire hydrant for other purposes of a temporary nature, the charges therefore and the manner in which the service is to be rendered shall be prescribed for each service contract by the director of the water services department. Such charges shall conform generally to the cost of water as fixed by the applicable meter rate, plus the cost of any labor or materials required to render the temporary service.

Section 78-10. Suburban meter rate.

- (a) For any and all water purchased wholly or partially for use outside the city by any accountholder, a total charge consisting of a service charge, a commodity charge, a repumping charge where applicable, shall be computed for each billing period and shall be as follows:
 - (1) Service charge. A service charge, prorated per day during the billing period based on meter size, with such charge to be applied whether or not any water is used, shall be charged as follows:

The service charges as established in this subsection may be superseded by any contract between the city and any other public water supply which provides for an interchange agreement.

- (b) Commodity charge. A commodity charge per month, based on the total volume of water purchased by the accountholder as shown by all water meters connected to one or more water systems serving the accountholder's premises, shall be charged as follows:
 - (1) Retail Customers. For accountholder purchasing water for use wholly by the accountholder:
 - First 5,000 cubic feet at \$5.10 per 100 cubic feet or a portion thereof;
 - Over 5,000 cubic feet at \$4.09 per 100 cubic feet or a portion thereof.
 - (2) Wholesale Customers. For accountholders purchasing water for resale:
 - Unrestricted \$2.35 per hundred cubic feet or a portion thereof;
 - Restricted \$2.27 per hundred cubic feet or a portion thereof;
- Wholesale Customers shall be classified as restricted or unrestricted based on water supply contract terms between the City and any other contracting entity.
- (c) Repumping charge. A repumping charge based on the quantity of purchased water repumped shall be charged to wholesale suburban customers only as follows:
 - (1) From the pumping station at 75th & Holmes Street; from the pumping station at Highway AA, near the Village of Waukomis in Platte County, Missouri; from the Blue Ridge Pumping Station at 67th Street & Blue Ridge Boulevard; from the pumping station at Englewood Road & North Oak Trafficway; from Arrowhead Pumping Station NE 75th & Arrowhead Trafficway, and from the South Terminal Pump Station at Ward Rd. & Persells, per 100 cubic feet, \$0.20 or a portion thereof.
 - (2) From the pumping station at 131st and Prospect Avenue; from the High Grove Road Pumping Station, and from the Platte County Booster Pump Station at Camden Point Highway E and Interurban Rd., per 100 cubic feet, \$0.28 or a portion thereof.
 - (d) Definition. The term "month" or "monthly," as used in this section shall refer to a time period of approximately 30 days.
 - (e) Applicability. Rates set forth in this section may not be applicable where such rates are established by existing or future contracts.

Section 78-11. Payments in lieu of taxes.

Pursuant to Section 1209 of the City Charter, the Water Services Department shall be assessed and required to make a payment in lieu of taxes to the General Fund equal to three percent of the Water Fund's gross revenues derived from providing water services to the City's residential and commercial customers. Such payment in lieu of taxes shall be considered part of the cost of water services and shall be charged to the City's residential and commercial customers as a charge equal to three percent of the general meter rate, the fire protection rate and the temporary service rate.

Section 78-12. Bills for metered water service.

Bills for metered water service shall be mailed to the service address or upon request by the accountholder to another location. The bill shall include:

- (1) The meter readings showing the amount of water used and its cost;
- (2) The last meter reading date and day of service;
- (3) The charge for any payment in lieu of taxes established by the City;
- (4) All bills are due and payable on the billing date;
- (5) The delinquent date, which shall be not less than ten days after the billing date.

Section 78-13. Inclusion of sewer services charges on water bill.

All charges for sanitary sewer service, including any charge for payment in lieu of taxes established by the City, shall be included on the water bill. Stormwater fee charges may be included on the water bill, or may be billed separately. The delinquent date for sanitary sewer service and stormwater fee charges shall be the same as for the water bill.

Section 78-14. Late payment service charge for delinquent bills.

Upon a bill becoming delinquent, a late payment penalty in the amount of six percent of that delinquent amount shall be applied to all metered water service, sanitary sewer service and stormwater fee bills remaining unpaid after the delinquent date. The director of water services may waive or adjust late payment service charges for a party that enters into an agreement with the city for the payment of unpaid water, sanitary sewer and stormwater charges.

Section 78-14.1. Suit additional to other remedies.

- (a) In addition to any and all remedies provided in the Charter and this chapter, the city shall have the power to enforce the collection of unpaid water, sanitary sewer and stormwater charges, with all interest, costs and penalties thereon, by suit brought in the name of the city in any court of competent jurisdiction.
- (b) Ten percent on the amount of the judgment shall be added as attorney's fees in every proceeding for the collection of delinquent charges under this chapter, to be added and collected in the same manner as other costs in the case.

Section 78-15. Termination of services for failure to pay charges.

Water service, sanitary sewer service or combined water and sanitary sewer service shall be subject to termination without further notice if a bill for any or all of the above

services remains unpaid 20 days after the delinquent date. However, the director of water services may order termination at any time upon a specific finding that payment for continued service is unlikely to be received. Any partial payment received may be applied proportionally to each of the applicable water service, sanitary sewer service and stormwater service accounts.

Section 78-15.1. Property owner liability for water and sewer services; delinquent charges; liens.

- (a) Water and sanitary sewer services shall be deemed to be furnished to both the occupant and the owner of the premises receiving either or both of such services.
- (b) Any delinquent charges shall be chargeable against any deposit held by the water services department for service to such premise.
- (c) Any charges for metered water service pursuant to this chapter, for sanitary sewer service pursuant to chapter 60, or for stormwater fee pursuant to chapter 61, shall, if not paid by the due date, become delinquent and shall bear interest from the date of delinquency until paid. To the extent authorized by State statute, delinquent charges for water services or sanitary sewer services shall be a lien upon the land so charged for such service, services or fee, upon the filing of a notice of delinquency with the recorder of deeds in the county where the land is situated. The lien hereby created may be enforced by suit or foreclosure.
- (d) The director of water services is authorized to file, on behalf of the city, the notice of delinquency as provided in subsection (c) of this section, subject to the following limitations:
 1. For one- and two-family residences, if the account is three months delinquent or the total amount of such delinquency is \$500.00 or more;
 2. For all other service classifications, if the account is three or more months delinquent, or the total amount of such delinquency is \$1,000.00 or more.
 3. The limitations provided by this subsection shall not prohibit the director of water services, or the council, from pursuing other remedies provided by statute or ordinance.
- (e) Upon the written request of any owner whose land has become subject to a lien as provided in subsection (c) of this section, within 30 days of the filing of such lien, the director of the water services department shall hold a hearing to ascertain all facts in the matter. The owner requesting such hearing shall be entitled to all rights applicable to a contested case under state administrative review and procedure law. The director shall prepare written findings and conclusions determining whether the amount of the charges was properly computed, whether such charges were delinquent, or whether the lien should be removed or released for any factual or legal reason. If, after hearing, the director finds and concludes that the lien should be removed or released, the director shall take any necessary action to remove or release the lien from the property. The owner of such land must pay in advance a \$75.00 fee, to cover in part the cost of hearing the case, and preparing the written response. If upon finding that the lien should be removed or released the fee should be returned or refunded to the property owner requesting the hearing.
- (f) When, subsequent to the filing of a notice of delinquency under subsection (b) of this section, the amount of delinquency charges, plus interest and any recording fees or

attorney's fees, have been paid in full, the director of water services shall file with the appropriate recorder of deeds a notice that the delinquency has been satisfied.

Section 78-16. Charge for termination and restoration of service.

- (a) The following charges shall be made for the termination of service after failure to pay for water or sanitary sewer service, after failure to have the meter readily accessible for reading on the regularly scheduled route on more than two successive occasions, after receipt of an accountholder request for termination or for any of the grounds set forth in Section 78-30.
- (1) For processing the first termination of service order, the accountholder will be charged \$60.00.
 - (2) When the service was not established as authorized by the Code of Ordinances, the accountholder shall be charged \$180.00 for processing the termination of the service order, costs associated with failure to properly establish service, and a penalty.
 - (3) When the service is found to be restored, but not by the water services department, the accountholder shall be charged \$180.00 for processing the termination of service order, costs associated with failure to properly establish service, and a penalty. For processing each subsequent termination of service when the service has been restored but not by the water services department, the accountholder shall be charged \$500.00.
 - (4) The term "termination of service" shall not be construed to mean an immediate transfer of service from one accountholder to a subsequent accountholder or service disconnection.
 - (5) For processing a restoration of service, the accountholder will be charged \$60.00.
- (b) Upon finding that water service, sanitary sewer service or combined water and sanitary sewer service has been established for a location in a manner not authorized by this Code of Ordinances, the director of water services is authorized to take appropriate action, including removal of taps to the water or sewer main or otherwise rendering the service line inoperable, to ensure termination of service. In addition to any permit, tap, or other charges restoration of terminated service after the water services department has removed a meter or a tap to the main shall be \$610.00, but may be waived by the director of the water services department.

Section 78-17. Billing for services under fire protection rate.

Water consumers served under the fire protection rate shall be billed annually in advance for this service. The bill shall include the fire protection rate and a charge for any payment in lieu of taxes imposed by the City. These bills shall be due within 30 days and delinquent if not paid thereafter. The service to premises having delinquent bills for service under these rates may be discontinued without further notice.

Section 78-18. Bills for temporary service.

Contracts for service under the temporary service rate for water delivered through a metered or unmetered service or hydrant connection for purposes of a temporary nature shall be accompanied by a cash deposit, and the accountholder shall make such additional cash deposits as required to maintain the deposit in excess of the

estimated cost of the services rendered. When a temporary service contract is terminated, the director of the water service department shall refund the amount remaining on deposit after all charges for the service have been deducted, including any charges for repair or servicing of the hydrant or other city property.

Section 78-19. Charge for water temporarily unmetered.

The director of water services will promulgate rules for back billing accountholders when there were problems with the meter, a meter was missing or there were other difficulties with the metering equipment that prevented it from registering usage.

Section 78-20. Bill payment guarantees.

- (a) Required amount. The director of the water services department is authorized and directed to require each accountholder, before taking water under the general meter rate, the suburban water rate (except as provided for in water purchase contracts) and the fire protection rate, to make a cash deposit against which the water services department may charge any unpaid bills for the following: water service; meter, hydrant or valve resealing; termination of service; meter repair; sanitary and stormwater sewer service; or other authorized charges. For customers estimated to use less than 1,000 cubic feet per month, the deposit shall be \$110.00. For customers estimated to use more than 1,000 cubic feet per month, the deposit shall be not less than the estimated cost of water and sewer service for two billing periods. Either interest shall be paid on cash deposits as required by state statute or deposits held by the director of the water service department shall be refunded after two years.
- (b) Additional deposit. An additional deposit above the amount required by subsection (a) of this section, not to exceed the estimated cost of four months' water, sanitary and stormwater sewer service, may be required by the director of the water services department for any accountholder whose account reflects a history of repeated delinquencies. Failure to provide the additional deposit authorized in this subsection shall constitute grounds for discontinuance of water service.
- (c) Refund; waiver of deposit. All bill payment guarantees taken shall be held for at least two years or until the account is terminated. The director of the water services department may waive deposits on additional accounts for an existing accountholder with known good credit. In cases where an accountholder has multiple properties or is between tenants, the deposit may be waived when the accountholder credit rating is good.
- (d) Transfer of service. When an accountholder transfers service from one location to another, the director of the water services department may waive any additional deposit.
- (e) Termination of service. When a contract for water service is terminated, the director of the water services department shall apply the deposit against any unpaid bills associated with the contract, and if the amount is \$10.00 or more, shall refund the remainder of the deposit to the depositor. Refunds in an amount under \$10.00 will be made only upon written request of the accountholder.
- (f) Bond in lieu of cash deposit. In lieu of a cash deposit, the director of the water services department may accept, as a bill payment guarantee, a corporate surety bond by a surety company authorized to do business in the state, in the amount of

the deposit required but not less than \$1,000.00. Such surety bond shall be subject to the approvals of the city attorney as to form; of the director of the water services department as to the amount, terms and conditions of the bond; and of the director of finance as to the qualifications of the surety. The surety bond shall be filed with and kept by the director of the water services department.

- (g) Commercial accounts. In addition to any bill payment guarantee, all commercial accounts shall enter into and execute a contract for service, on a form provided by the water services department, specifying the parties responsible for payment. These parties shall remain responsible of all water used until notification is received in writing of the date services is to be terminated.

Section 78-23. Water service disconnection.

- (a) Disconnection when building razed or moved. If a building is razed or moved, the water service to the premises shall be disconnected at the main. The responsibility and expense for such disconnection shall rest with the owner of the land upon which the building is located.
- (b) Disconnection for unauthorized use of water. The water department is hereby authorized to disconnect a water service at the main if deemed necessary to prevent the unauthorized use of water, in which case the owner of the property served by the connection shall reimburse the water department for the expense of the disconnection.
- (c) Reuse of service. In those cases where a building is razed or moved, a copper, cast iron or ductile iron service to a property may remain connected to the main for a period of one year on the authority of the director of the water services department and subject to his approval of the written application of the property owner indicating that the service will be used again within one year and also providing that the property owner place a cash deposit with the water department equivalent to the cost to disconnect the service line at the main. The deposit shall be refunded if the service line is reused. If the service line is not reused in the time period provided, the deposit shall be used to pay the cost of disconnecting the service line from the main.
- (d) Reconnection. Services disconnected from the main may be reconnected to the main, subject to pertinent rules and regulations of the water department, provided a permit for such reconnection is obtained and such reconnection shall be made solely at the expense of the owner of the premises serviced.
- (e) Other service disconnections. A water service connection to premises may be disconnected at the main by the water department, and the cost of the disconnection billed to the owner of the premises, if:
 - 1. The service line has not been used for one year; or
 - 2. There is a leak on a service to a vacant building, dwelling or property in those situations where public safety or welfare may be affected; or
 - 3. The service is not metered pursuant to section 78-7.

Section 78-24. Water meters generally.

- (a) Ownership; installation. All water meters installed for original service for any premises shall be city-owned meters installed and connected at the expense of

the owner of the premises served. The connection charge shall be based on the current price of the meter installed and related appurtenances plus the current cost of such setting. Appurtenances include but are not limited to all components necessary for the reading, transmission, and regulation of water usage.

- (b) Maintenance and replacement. All water meters shall be maintained and replaced in accordance with section 78-25.
- (c) Authority of water department. The water department may purchase meters for resale to prospective consumers and may prescribe conditions under which meters may be purchased elsewhere for installation on services connected to Water Services Department mains.
- (d) Determination of consumption when remote register or automated reading system does not operate properly. If the remote register or automated reading device does not operate properly, the reading on the actual meter located inside the premises shall determine the consumption on which the water and sewer commodity charges are computed.

Section 78-25. Water meter settings.

Water meter settings shall allow free and non-hazardous access to the meter for reading, removal, inspection or replacement, and shall be subject to the approval of the director of the water services department. All meters shall be set by the water department and charges therefore shall be assessed against the owner of the premises served as provided in Section 78-28. Meters shall be set after a payment has been made to the director of the water services department to cover the cost of connection charge based upon size of meter. Meters larger than one inch may be purchased by the owner in accordance with water services department specifications and the connection charge will be adjusted according to the current published list of meter charges as maintained by the water services department. If the meter is purchased by the owner it shall become the property of the city upon installation, and the maintenance and replacement of the meter shall become the responsibility of the water department under normal operating conditions. The acceptance of the title or of the care of the water meter by the water department as provided in this section or on city meters set under the connection charge shall not, however, relieve the accountholder of the responsibility for loss of meter or its related appurtenances, improper setting, heat damage, freezing or consumer fault or negligence.

Section 78-27. Sealing of water meters.

Water meters, when set, will be sealed in position and against access to the dials or mechanism. These seals shall be broken only by employees of the water services department in the proper exercise of their duties or by a licensed master plumber as defined in the building code. A charge of \$205.00 shall be made for the replacement on any meter of a seal that has been broken in any other manner.

Section 78-28. Water department price schedules; permits for work on water service.

- (a) Price schedules. The director of the water services department is hereby empowered and directed to prepare and maintain a schedule of prices governing the connection charge, sale, removal, test, repair and replacement of water meters; sale and operation of fire hydrants; and tapping charges. A copy shall be available for public inspection at the water services department director's office at any

reasonable time.

- (b) Permit required for installation or maintenance of services. Water services shall not be installed or maintained except by permit issued by the water services department on the basis of an application for such permit made by the owner of the premises or his authorized agent as provided under sections 78-21 and 78-22.
- (c) Types of permit; permit fee. The director is hereby authorized to issue the following kinds of permits and to charge \$100.00 per each such permit, where;
 - 1. Taps are to be made and new services are to be installed.
 - 2. An existing service is to be altered, extended, renewed or repaired from the first valve to the building improvement or fixtures, or appurtenances added thereto or detached therefrom.
 - 3. An existing service is to be abandoned and replaced with a single larger service that requires a larger tap.
 - 4. An existing service is disconnected at the main or is otherwise abandoned.
- (d) Duplicate permits. Whenever the original permit is lost, a duplicate permit must be secured. A charge of \$10.00 will be made for the issuance of a duplicate permit.
- (e) Permit controls. Water service permits shall be issued and controlled in accordance with water services department rules and regulations.
- (f) Plan Review. The director is hereby authorized to establish the following fees and charges for water service plan reviews:
 - 1. A fee of \$110.00 for water service plan reviews involving no more than 10 service connections.
 - 2. For water service plan reviews involving more than 10 service connections, an additional charge of \$12.00 for each connection greater than the 10 connections included in the charge referenced in subsection (f)(1).
 - 3. A charge of \$65.00 if plans are rejected and must be resubmitted for review due to deficiencies in the original plan.

Section 2. This ordinance and the revised rates for charges for water services herein shall become effective May 1, 2018.

Section 60-2. Sewer charges for resident users.

There are hereby established charges against every person and for every property, partnership, corporation, association, and other entity within the city limits having an actual or available connection with the city's sanitary sewer system, or discharging sewage, industrial waste, water or other liquid into the system. Charges shall be prorated per day during the billing period. Such charges are to be the sum of service charges, volume and high concentration charges to be computed and levied as follows and as prescribed in Section 60-9:

- (1) Service Charges.
 - a. Sanitary sewer. A service charge of \$22.58 per month to cover in part the cost of providing various services, and shall be prorated per day during the billing period and shall apply whether or not any sewage or wastes are actually discharged to the city sewer during the billing period; such charges are to be

made each month.

- b. Wastewater discharge permits. Commercial and industrial users shall pay for the cost of the wastewater discharge permitting program as described and authorized in article IV of this chapter. Charges as authorized in article IV of this chapter shall be billed and collected with the commercial or industrial users' normal water and/or sewer billing charges.
- (2) Volume charges. A volume charge of \$9.11 per 100 cubic feet (ccf), or a portion thereof, based upon the total volume of water purchased by the customer during the billing period subject to the following adjustments:
- a. Water supplied from separate source. Where water is supplied by a separate and independent source, the sewage volume charge shall be based upon the volume of water used, where such information is available, and computed at the volume charge established herein. Where usage information is not available, the water services department shall determine an appropriate volume of water used and compute it at the volume charge established herein
 - b. Residential accounts. Except as noted in (2a), residential service account (one- and two-family residences) volume charges for the bills generated during the months of May through December shall be based upon water used during the winter period, such winter period being the bills generated during January through April, (these are the billing periods that most closely correspond to the December through March usage); such charges shall be payable with each bill rendered throughout the year. Where residential water services accounts do not have an acceptable history of winter water use, the volume charge for bills generated during the months of May through December shall be the volume charge established herein, or \$54.66 per month, whichever is the lesser.
 - c. Commercial and industrial water accounts with diverted water uses. Commercial and industrial water accounts are all water service accounts other than one and two-family dwellings. Diverted water uses are those where a significant portion of the water purchased is used in manufactured products such as ice, canned goods or beverages. Where the product is transported away from the premises in containers (water to product) the application fee is \$1,000.00. Where the water purchased is lost by evaporation or irrigation the application fee is \$550.00. The Director of the Water Services Department or the Director's representative, shall make the determinations of fact as to the amount of water which is diverted, and shall have authority to adjust the sewer use volume billed on the basis of the facts ascertained. The application fee is to pay for site review, plan review, and installation inspection.
- (3) Commercial and industrial water accounts with high concentration discharges. Commercial and industrial water accounts shall include all water service accounts other than one- and two-family dwellings. High concentration discharges are those in which the BOD (biochemical oxygen demand), SS (suspended solids), and/or O&G (oil and grease) concentrations are in excess of the maximum concentration of these components in normal sewage as defined in Article IV of this chapter. In addition to other sewer service and volume charges, a surcharge, as established by the formulae defined and set forth in Article IV of this chapter, shall be levied on high concentration discharges received from any customer under this section. For surcharge rate formulae calculation purposes, the

following rates are hereby established:

- RB (surcharge per pound of excess BOD) = \$0.399
- RS (surcharge per pound of excess SS) = \$0.190
- RG (surcharge per pound of excess O&G) = \$0.178

The director of water services is hereby authorized to promulgate regulations to develop various groups and classes to facilitate the equitable distribution of surcharge fees among like groups of customers.

- (4) Definition. Month or monthly, as used in this section, shall refer to a time period of 30 days.

Section 60-3. Sewer charges for nonresident users.

- (a) Charges. There are hereby established charges against every person, partnership, corporation, association, and other entity outside the city limits having a connection with the city's sanitary sewer system or discharging sewage, industrial waste, water or other liquids into the city's sewer system. All charges billed shall be prorated per day during the billing period. Such charges are to be the sum of service charges and volume charges to be computed and charged as follows:

- (1) Metered connections with municipalities and political subdivisions. Bulk flows through a metered interconnection with a municipality or other political subdivision shall be charged and pay a rate of \$3.34 per 100 cubic feet (ccf), or a portion thereof, with no service charges.
- (2) Unmetered connections with municipalities and other political subdivisions. Bulk flows through an unmetered interconnection with a municipality or other political subdivision shall be charged and pay a rate of \$4.97 per 100 cubic feet (ccf), or portion thereof, of actual water consumption for all residential, commercial and industrial customers, and shall also pay a service charge of \$14.40 per month for each such customer.
- (3) Unmetered connections with municipalities and other political subdivisions; no water consumption records. Where actual water consumption records are not available, bulk flows from a municipality or political subdivision through an unmetered interconnection shall pay a sewer charge of \$49.77 per month per dwelling unit or equivalent dwelling unit.
- (4) Individual non-resident customers billed directly by the city. Individual nonresident customers billed directly by the city shall pay a service charge of \$31.80 per month, plus a volume charge of \$12.60 per 100 cubic feet (ccf), or portion thereof.
- (5) Accounts with high concentration discharges. High concentration discharges are those in which the BOD (biochemical oxygen demand), SS (suspended solids), and/or O&G (oil and grease) concentrations are in excess of the maximum concentration of these components in normal sewage as defined in Article IV of this chapter. In addition to the other sewer service and volume charges, a surcharge, as established by the formulae defined and set forth in Article IV of this chapter, shall be levied on high concentration discharges received from any non-resident user.

For surcharge rate formulae calculation purposes the following rates are hereby established:

- RB (surcharge per pound of excess BOD) = \$0.446
- RS (surcharge per pound of excess SS) = \$0.220
- RG (surcharge per pound of excess O&G) = \$0.191

The director is hereby authorized to develop various groups and classes to facilitate the equitable distribution of surcharge fees among like groups of customers.

- (b) Definition. "Month" or "monthly," as used in this section shall refer to a time period of approximately 30 days.
- (c) Applicability. This section may not be applicable where arrangements for sewer service and sewer service charges are established by an existing or future contract or cooperative agreement.

Sec. 60-4. Use of sanitary charges.

Revenues from sanitary sewer charges are to be used to pay the cost of operating, maintaining, repairing or enlarging the existing or future sanitary sewer system, for paying the principal of and interest on the negotiable interest-bearing sewer revenue bonds of the city, and payment of any payment in lieu of taxes imposed by the City.

Sec. 60-5. Exemption from sewer charges.

All occupants of property not having a connection with the sanitary sewer system of the city and not having sewers available for connection shall be exempt from the sanitary sewer service charge and the commodity charge.

Section 2. This ordinance and the revised rates for charges for sewer services herein shall become effective May 1, 2019.

Sec. 60-9. Payment in lieu of taxes.

Pursuant to Section 1209 of the City Charter, the Water Services Department shall be assessed and required to make a payment in lieu of taxes to the General Fund equal to two percent of the Sewer Fund's gross revenues derived from providing sewer services to the City's resident users. Such payment in lieu of taxes shall be considered part of the cost of sewer services and shall be charged to the City's resident users as a charge equal to two percent of the sewer charges for resident users.

Sec. 60-10. Units of Measure.

The volume charge shall be measured in CCF and may be billed in portions thereof.

Sec. 60-191. Permit fees and monitoring fees.

- (a) All permittees are responsible for defraying the costs of administering the permitting program.
- (b) Permit application review fees are applicable and are normally due at the time of the permit application. Permit application review fees shall normally be billed at the same time as the water bill and the normal sewer service charge unless otherwise approved by the director.
- (c) Permit maintenance fees have been calculated to include a portion of the average costs of sampling and analysis for each class of permit as well as the costs of compliance inspections, report reviews, data analyses, permit modifications, correspondence and other routine permit maintenance activities. Permit

maintenance fees are payable on a monthly basis and shall normally be billed at the same time as the water bill and the normal sewer service charge unless otherwise approved by the director.

- (d) If additional sampling and analyses are required by enforcement circumstances, sample collection shall be billed at the rate of \$385.00 per occurrence (day) and sample analyses shall be billed at cost as determined by the current city laboratory analyses fee schedule. Enforcement sampling and testing charges shall normally be billed at the same time as the water bill and the normal sewer service charge unless otherwise approved by the director.
- (e) A wastewater discharge permit shall be issued/reissued only after payment of applicable fees. Permit fees are non-refundable. The following fees are applicable:

| Permit Class | Permit Application Review Fee | Monthly Permit Maintenance Fee |
|--|-------------------------------|--------------------------------|
| <i>Temporary (<1 year)</i> | | |
| a. <35,000 gal. | \$211.00 | \$542.00 |
| b. >35,000 to <75,000 gal. | 284.00 | 1,230.00 |
| c. >75,000 gal. | 347.00 | 1,628.00 |
| <i>Special wastes only</i> | | |
| a. Radioactive, medical | 347.00 | 95.00 |
| <i>Waste Treatment Facilities</i> | | |
| a. <30,000 gal./mo. | 495.00 | 193.00 |
| b. >30,000 gal./mo. | 632.00 | 386.00 |
| <i>Groundwater Remediation Projects</i> | | |
| a. <120,000 gal./yr. | \$211.00 | \$193.00 |
| b. >120,000 gal./yr. | 347.00 | 287.00 |
| <i>Categorical Facilities</i> | | |
| a. <1,000 gpd | 211.00 | 95.00 |
| b. 1,000 to <10,000 gpd | 347.00 | 193.00 |
| c. 10,000 to <25,000 gpd | 495.00 | 287.00 |
| d. >25,000 gpd | 632.00 | 386.00 |
| <i>Non-categorical Large Water Users</i> | | |
| a. <50,000 gpd | 211.00 | 193.00 |
| b. >50,000 gpd to <250,000 gpd | 347.00 | 287.00 |
| c. >250,000 gpd | 423.00 | 386.00 |
| <i>Other</i> | | |
| a. BOD, SS, &/or O&G | 347.00 | 193.00 |
| b. Other | 347.00 | 193.00 |

Sec. 60-30. Connecting private sewers with district or joint district sewers—Contents of contract; recording of contract.

- (a) (a) Any contract entered into by a developer and the director of water services as provided in section 60-26 shall provide that, if annexation is declared invalid, the developer, or his successors in ownership of the lands to be served, shall be billed in accordance with section 60-3 subsection (a) subsection (3). Where business and industrial property is to be served, the amount of the annual service charge shall be determined by the director of water services. Such contract shall be filed and recorded with the recorder of deeds in the respective county in which the sewers are to be constructed, along with a copy of the approved subdivision plat, and shall provide that the developer shall have the right to transfer responsibility for payment of the annual service charge to his successors in ownership by covenant running with the land.
- (b) Such contract shall state that the granting of the permission for a sewer connection from projects now outside the city does not exempt the property drained from being taxed for the construction of public sewers in any district or joint district hereafter established in which these sewers are constructed, and it shall not be understood that the construction of the sewers, or the property drained by them, establishes a separate sewer district.

Such contract shall further provide that the city retains the right and power to make use of, construct, reconstruct or change the sewers and the connections to the city sewers, laterals and appurtenances, as may be necessary for the sewerage of the property to be drained under the terms of such contract.

Sec. 61-3. Stormwater Utility Division; applicability of stormwater fee.

- (a) There is hereby created a stormwater utility within the water services department under the control of the director of water services, who is empowered to implement the provisions of this article.
- (b) The stormwater utility hereby created shall be responsible for the management of the stormwater system.
- (c) The stormwater fee shall be used for the sole purpose of stormwater system management, which includes catch basin maintenance, storm sewer and channel maintenance, flood protection system management and stormwater master planning.

Section 61-4. Collection and amount of stormwater fees.

There is hereby assessed a stormwater fee on every property within the city limits, that prevents stormwater from being directly absorbed into the underlying ground. The fee shall be based on the amount of surface ("runoff surface") on a given property. Such fees are to be computed and levied as follows:

- (1) Fee structure. The stormwater fee is based upon the amount of runoff surface on a property, not an actual or theoretical stormwater runoff. The fee structure considers runoff surface to be an indicator of a property's runoff contribution, but also considers the fixed costs of the stormwater utility, which benefit all properties in the city. Fixed costs include program administration as well as maintenance of the storm drainage and flood protection systems.

- (2) Runoff surface. A “runoff surface” is an impervious surface area that does not allow rain or snow melt to be directly absorbed into the underlying ground.
- a. Runoff surfaces include, but are not limited to: Rooftops, asphalt or concrete driveways, patios, parking lots, tennis courts, swimming pools.
 - b. Runoff surfaces do not include:
 1. Wood decks located above a pervious (dirt, grass or gravel) surface area; or
 2. Gravel/rock areas such as: rocked landscaped areas, or driveways or parking lots not required to be paved pursuant to code section 52-35.
 - c. Updated runoff surface determinations shall be made through new aerial photographs or any other means available to the director of water services. It shall be the duty of a property owner to notify the director of water services of any changes in runoff surface if the owner desires runoff surface determination be reconsidered. Runoff surface determinations shall not be retroactive without convincing documentation confirming the date that a runoff surface changed.
- (3) Fee amount. The stormwater fee shall be \$0.50 per month for each 500 square feet (“runoff unit”), or portion of 500 square feet, of runoff surface on a property. Portions of a runoff unit shall be rounded up to the next highest runoff unit only when the portion is 0.5 runoff unit or greater.
- (4) Stormwater fee credits.
- a. Ratio credit. Properties that have a large pervious area to help absorb runoff from the runoff surface will be given a ratio credit, if the ratio of the total property area to the runoff surface area is at least 30:1. Properties that qualify shall be granted a 50 percent stormwater fee credit.
 - b. Detention credit. Stormwater detention structures are installed and maintained to reduce the peak flow of and runoff volume of stormwater from a drainage area, thereby reducing flooding and erosion downstream. Properties served by a privately owned, and properly maintained, detention structure shall be granted a stormwater fee credit. The amount of the credit shall be based on the reduction of stormwater runoff provided by the detention structures and be calculated according to guidelines established by the director of water services. The minimum credit shall be 10 percent and the maximum credit shall be 50 percent.
 - c. It shall be the duty of the property owner to apply for the ratio credit, detention credit, or both. If a property receives both a ratio credit and a detention credit, the ratio credit shall be applied first, and then the detention credit shall be applied to the remaining amount. The combined credit shall not exceed 75 percent.
- (5) Appeals. Upon the written request of any owner whose property is subject to the stormwater fee, the director of water services, or a person designated by the director of water services, shall review the applicability or amount of the stormwater fee. Matters which shall be reviewed may include:
- a. Whether a surface is considered a runoff surface subject to the stormwater fee;
 - b. Amount of runoff surface, or number of runoff units, subject to the

stormwater fee;

c. Bill payment responsibilities; and

d. Amount and applicability of stormwater fee credits.

(6) Billing procedures.

a. Stormwater fee charges for properties with one water service or sanitary sewer service account shall be included on the water bill in the manner established by chapter 78 of the code of ordinances, subject to additional provisions of this subsection.

b. For properties where the water or sewer service accounts are inactive, or for the properties which have no water or sewer service accounts, a bill shall be sent to the property owner. The director of water services shall determine the frequency of the billing.

c. For new residential, commercial or industrial properties an estimated runoff surface may be established for billing purposes until such time as the actual runoff surface can be determined. If, after the actual runoff surface for the property has been established, it is determined that the property was overcharged, then a credit for the amount overcharged shall be applied to the account.

(7) No stormwater service charge shall be charged for any parcel of land that is void of any development;

(8) Rules and regulations. The director of water services shall have power to promulgate reasonable rules, regulations, orders and direction as may be necessary and feasible to implement the provisions of this section.

(9) Additional enforcement of collections. In addition to procedures established in this section, the stormwater fee may be collected and enforced under and pursuant to the provisions of chapters 60 and 78 of this code.

(10) Month or monthly shall refer to a time period of approximately 30 days, and shall be prorated per day during the billing period.

Section 2. This ordinance shall become effective May 1, 2019.

KC WATER

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