



Background Paper for Proposed Ordinance

COUNCIL MEETING DATE: January 10, 2022

TO: President Lawrence W. Atencio and Members of City Council

CC: Mayor Nicholas A. Gradisar

VIA: Marisa Stoller, City Clerk

From: Nancy Keller, Wastewater Director

SUBJECT: AN ORDINANCE AMENDING SECTION 3 OF CHAPTER 11 OF TITLE XVI OF THE PUEBLO MUNICIPAL CODE RELATING TO SANITARY SEWER CONNECTION FEES AND PLANT INVESTMENT FEES

SUMMARY:

With respect to Sanitary Sewer Connection Fee and Plant Invest Fee, this Ordinance updates the table of fees from 2003-2012 and subsequent years to a table of fees for 2022 – 2026 and subsequent years.

PREVIOUS COUNCIL ACTION:

None.

BACKGROUND:

The Sanitary Connection Fee and the Plant Investment Fee are intended to defray the projected impacts by proposed development for growth related capital projects to upgrade existing sanitary sewer that is insufficient to carry flow, excluding extension of the sanitary sewer system. New customers must contribute an amount comparable to the existing customers for the capacity to be utilized by the development. A clarification on how to calculate the fees is added for multifamily and commercial properties.

FINANCIAL IMPLICATIONS:

Increases in Sanitary Connection Fee and the Plant Investment Fee will help offset the cost of upsizing existing infrastructure for growth related capital projects in accordance with Section 16-11-4 and Section 6-11-7of the Pueblo Municipal Code.

BOARD/COMMISSION RECOMMENDATION:

Not applicable.

STAKEHOLDER PROCESS:

None.

ALTERNATIVES:

Alternative No. 1 – No Action

Under this alternative, the City would not change the ordinance and the rate payers would pay for the cost of upsizing the sanitary main to accommodate the flow from the new development.

RECOMMENDATION:

Approval of the Resolution.

Attachments:

None.

ORDINANCE NO. 10107

AN ORDINANCE AMENDING SECTION 3 OF CHAPTER 11 OF TITLE XVI OF THE PUEBLO MUNICIPAL CODE RELATING TO SANITARY SEWER CONNECTION FEES AND PLANT INVESTMENT FEES

WHEREAS it is necessary to revise the Sanitary Sewer Plant Investment Fee and the Sanitary Sewer Collection Fee for the City’s Wastewater Department; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that: (brackets indicate matter being deleted, underscoring indicates new matter being added)

SECTION 1.

Section 3 of Chapter 11 of Title XVI of the Pueblo Municipal Code is hereby amended to read as follows:

Sec. 16-11-3. – Schedule of sanitary connection fees.

- (a) Commencing on ~~[January 1, 2003]~~**February 1, 2022**, and thereafter for and in accordance with the calendar years indicated in Table 16-11-3(a) below, the connection fee to be assessed upon connection to the City’s sanitary sewer system shall be as follows:

[Table 16-11-3(a): Sanitary Sewer Connection Fee (in U.S. Dollars)

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012 and subsequent years
Residential, Per Unit										
Single-Family	640	640	690	740	770	830	850	910	940	940
Multi-Famil v	480	480	520	560	580	620	640	680	710	710
Nonresidential Meter Line Size in Inches										
¾	640	640	690	740	770	830	850	910	940	940
1	1,070	1,070	1,150	1,240	1,290	1,390	1,420	1,520	1,570	1,570
1½	2,130	2,130	2,300	2,460	2,560	2,760	2,830	3,030	3,130	3,130

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012 and subsequent years
2	3,410	3,410	3,680	3,940	4,100	4,420	4,530	4,850	5,010	5,010
3	7,470	7,470	8,050	8,640	8,990	9,690	9,920	10,620	10,970	10,970
4	12,800	12,800	13,800	14,800	15,400	16,600	17,000	18,200	18,800	18,800
6	26,670	26,670	28,750	30,840	32,090	34,590	35,420	37,920	39,170	39,170
8	38,400	38,400	41,400	44,400	46,200	49,800	51,000	54,600	56,400	56,400

Table 16-11-3(a): Sanitary Sewer Connection Fee (in U.S. Dollars)

Year	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026 and subsequent years</u>
<u>Residential, Per Unit</u>					
<u>Single-Family</u>	<u>2450</u>	<u>2500</u>	<u>2550</u>	<u>2725</u>	<u>2790</u>
<u>Multi-Family</u>	<u>1800</u>	<u>1880</u>	<u>1950</u>	<u>2020</u>	<u>2090</u>
<u>Nonresidential Meter Line Size in Inches</u>					
<u>¾</u>	<u>2450</u>	<u>2500</u>	<u>2550</u>	<u>2725</u>	<u>2790</u>
<u>1</u>	<u>4120</u>	<u>4260</u>	<u>4400</u>	<u>4520</u>	<u>4660</u>
<u>1½</u>	<u>8260</u>	<u>8440</u>	<u>8700</u>	<u>8930</u>	<u>9200</u>
<u>2</u>	<u>13725</u>	<u>14160</u>	<u>14570</u>	<u>15000</u>	<u>15400</u>
<u>3</u>	<u>28725</u>	<u>29550</u>	<u>30460</u>	<u>31370</u>	<u>32350</u>
<u>4</u>	<u>49200</u>	<u>50680</u>	<u>52200</u>	<u>53750</u>	<u>55350</u>
<u>6</u>	<u>102755</u>	<u>105600</u>	<u>108770</u>	<u>112050</u>	<u>115390</u>
<u>8</u>	<u>147610</u>	<u>152000</u>	<u>156600</u>	<u>161275</u>	<u>166140</u>

- (b) Commencing on **[January 1, 2003]** **February 1, 2022**, and thereafter for and in accordance with the calendar years indicated in Table 16-11-3(b) below, the plant investment fee to be assessed upon connection to the City's sanitary sewer system shall be as follows:

[Table 16-11-3(b): Plant Investment Fee (in U.S. Dollars)

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012 and subsequent years
Residential, Per Unit										
Single-Family	480	510	550	560	580	590	590	640	650	800
Multi-Family	360	380	410	420	440	440	440	480	490	600
Nonresidential Meter Line Size in Inches										
$\frac{3}{4}$	480	510	550	560	580	590	590	640	650	800
1	800	850	920	940	970	990	990	1,070	1,090	1,340
1½	1,600	1,700	1,830	1,860	1,930	1,960	1,960	2,130	2,160	2,660
2	2,560	2,720	2,930	2,980	3,090	3,140	3,140	3,410	3,460	4,460
3	5,600	5,950	6,420	6,540	6,770	6,890	6,890	7,470	7,590	9,340
4	9,600	10,200	11,000	11,200	11,600	11,800	11,800	12,800	13,000	16,000
6	20,000	21,250	22,920	23,340	24,170	24,590	24,950	26,670	27,090	33,340
8	28,800	30,600	33,000	33,600	34,800	35,400	35,400	38,400	39,000	48,000

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Table 16-11-3(b): Plant Investment Fee (in U.S. Dollars)

<u>Year</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026 and subsequent years</u>
<u>Residential, Per Unit</u>					
<u>Single- Family</u>	<u>1050</u>	<u>1100</u>	<u>1150</u>	<u>1175</u>	<u>1210</u>
<u>Multi-Family</u>	<u>800</u>	<u>820</u>	<u>850</u>	<u>880</u>	<u>910</u>
<u>Nonresidential Meter Line Size in Inches</u>					
<u>¾</u>	<u>1050</u>	<u>1100</u>	<u>1150</u>	<u>1175</u>	<u>1210</u>
<u>1</u>	<u>1780</u>	<u>1840</u>	<u>1900</u>	<u>1980</u>	<u>2040</u>
<u>1½</u>	<u>3540</u>	<u>3660</u>	<u>3800</u>	<u>3870</u>	<u>4000</u>
<u>2</u>	<u>5,975</u>	<u>6,140</u>	<u>6,330</u>	<u>6,500</u>	<u>6,700</u>
<u>3</u>	<u>12,475</u>	<u>12,850</u>	<u>13,240</u>	<u>13,630</u>	<u>14,050</u>
<u>4</u>	<u>21,400</u>	<u>22,020</u>	<u>22,700</u>	<u>23,350</u>	<u>24,050</u>
<u>6</u>	<u>44,525</u>	<u>45,800</u>	<u>47,230</u>	<u>48,650</u>	<u>50,110</u>
<u>8</u>	<u>64,090</u>	<u>66,000</u>	<u>68,000</u>	<u>70,025</u>	<u>72,150</u>

- (c) For multiple dwelling units, the connection fee and plant investment fee shall be an amount computed by multiplying the Multi-Family Residential per-unit amount, specified in Tables 16-11-3(a) and 16-11-3(b), for the specified year by the number of potential dwelling units served.
- (d) Connection fees and plant investment fees applicable within sanitation districts shall be determined pursuant to the provisions of the separate agreements with each district, as approved by City Council.
- (e) Connection fees and plant investment fees applicable to hotels, motels, bed and breakfast establishments and nursing homes shall be based on the water meter size for a commercial development as provided in Tables 16-11-3(a) and 16-11-3(b) for the specified year.
- (f) In addition to any other fee or charge imposed or authorized pursuant to this Title, every extraterritorial sanitary sewer service connection made on or after September 1, 1994, shall be assessed a sanitary sewer connection fee as provided in Subsection (a) above. A plant investment fee shall also be imposed on extraterritorial sanitary sewer service connections pursuant to Section 16-4-11 of this Title, unless otherwise specified in a separate agreement.
- (g) All due and unpaid connection fees and plant investment fees plus interest thereon at the rate of one and one-half percent (1.5%) per month shall constitute a perpetual lien on and against the property served having priority over all liens except general tax liens and collected as provided in Section 16-6-3(3). Due and unpaid connection fees or plant investment fees shall be cause for disconnection for nonpayment as provided in Section 16-6-3(4).

SECTION 2.

The officers and staff of the City are authorized to perform any and all acts consistent with the intent of this Ordinance to implement the policies and procedures described herein.

SECTION 3.

This Ordinance shall become effective on December 31, 2021, at 11:59 p.m.

Action by City Council:

Introduced and initial adoption of Ordinance by City Council on January 10, 2022.

Final adoption of Ordinance by City Council on January 24, 2022.



President of City Council

Action by the Mayor:

Approved on January 31, 2022.

Disapproved on _____ based on the following objections:



Mayor

Action by City Council After Disapproval by the Mayor:

Council did not act to override the Mayor's veto.

Ordinance re-adopted on a vote of _____, on _____

Council action on _____ failed to override the Mayor's veto.

President of City Council

ATTEST



City Clerk