

COUNCIL BILL NO. 22-_____
ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTIONS 74-91 AND 74-92 OF CHAPTER 74,
PLANNING AND DEVELOPMENT, AND VARIOUS SECTIONS OF CHAPTER 102,
UTILITIES, OF THE ARVADA CITY CODE PERTAINING TO SYSTEM DEVELOPMENT
CHARGES

WHEREAS, the City is committed to providing reliable water and sewer services;

WHEREAS, water system development charges, previously known as water tap fees, have not been adjusted since 2017;

WHEREAS, sewer system development charges, previously known as sewer tap fees, have not been adjusted since 2011;

WHEREAS, system development charges support providing reliable water and sewer services;
and

WHEREAS, this ordinance shall not apply to developments that meet the requirements of ACC §8-2-3-7 at the time of adoption; and

WHEREAS, the City Council finds that it is in the best interest of the City and the public to adjust these system development charges.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. Section 74-91, Water tap fees, of Article IV, Miscellaneous Development Requirements, of Chapter 74, Planning and Development, of the Arvada City Code is hereby amended to read as follows:

“Sec. 74-91. Water system development charges.

Water system development charges shall be assessed on the basis of a schedule of fees, adopted by ordinance, and from time-to-time amended by the city. This article may be obtained from the director of utilities.”

Section 2. Section 74-92, Sewer tap fees, of Article IV, Miscellaneous Development Requirements, of Chapter 74, Planning and Development, of the Arvada City Code is hereby amended to read as follows:

“Sec. 74-92. Sewer system development charges.

Sewer system development charges shall be assessed on the basis of a schedule of fees, adopted by ordinance, and from time-to-time amended by the city. This article may be obtained from the director of utilities.”

Section 3, Section 102-32, Definitions, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-32. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned tap means a water or sewer tap through which there has been no usage for 15 consecutive years and the property owner evidences in writing or otherwise, the intent to abandon the service connection, or the hearing officer, based on evidence presented at the administrative hearing held in accordance with section 102-67, determines that the water or sewer tap is abandoned by the owner and that water or sewer service should be terminated and disconnected at the city main.

Active connected water or sewer service means that water usage has been recorded through the connection during the last consecutive 12 months and the utility billing account is coded active.

Base usage means the volume of actual water use as determined by the average of the bimonthly amount of water metered to the user during any four-month period between November 1 and April 13 in each 12-month period.

Bathroom facilities means any or all of the following: toilet, bathtub, shower.

Connected sewer service means a single sewer service connection to a city sewer main.

Connected water service means a single service connection to a city water main in which there is a meter serving potable water to a facility or purpose.

Connection means the connection of a service line to a city water or sewer main which, together with appropriate permit and payment of fees, results in service to a permitted premises. The act of making the connection is called "tapping," and the connection is called a "tap."

Distributor and institution class of service means contractual water or sewer service to user-owned and user-maintained water distribution or sewage collection systems in or out of the city through one or more master meters.

Duplex residential facility means a building containing only two attached residential units. A duplex may be considered a multifamily residential facility and shall pay the multifamily residential system development charges if the duplex building is part of a larger planned multifamily unit development project, is located within the same lot as other multifamily buildings of three or more units, and the water and sewer user charges and fees for the units will be paid through a homeowners association. The building may have separate water and sewer connections to each unit or have single water and sewer connections that serve both units. If a duplex residential facility is not a part of a larger planned multifamily unit development project, then a duplex residential facility will pay a system development charge based on the duplex residential nature of the building. Upon severing the ownership of a one owner duplex residential facility, separate connected water and sewer services shall be installed to each unit. Except as provided in this subsection, duplex units constructed after 1997 shall have separate water and sewer connections from the city mains to each unit.

Golf course class of service means water service to golf courses owned and operated by the city or by the Apex Park and Recreation District.

Household water means water use by a connected service during any given period for consumption and use of the occupants thereof for any purpose.

Inactive connected water or sewer service means that no water usage has been recorded through the connection during the last consecutive 12 months or more, up to a maximum of 15 consecutive years, and the utility billing account is coded inactive.

Inspection fee means a charge charged by the city to an applicant for a water or sewer permit to reimburse the city's cost of inspecting the service line or meter installation, or both, for compliance with city standard specifications and drawings.

Kitchen facilities mean any or all of the following: sink, range, stove, conventional oven, microwave oven.

Landscaped common area shall mean the landscaped lots or area immediately adjacent to the facilities within a development, owned or maintained, or both by the property owner or the responsible caretaker association, that is irrigated from a common irrigation system that is owned or maintained, or both by the property owner or responsible caretaker association. Open space is not included in landscaped common area.

Main means those city-owned pipes used for distributing water or collecting sewage from users' properties along public streets or other rights-of-way or easements.

Multifamily residential facility means a building containing three or more residential units. The units either have only one connected water service to the building and one or more connected sewer service line to the building, or the units have a separate connected water and sewer service to each unit. Multifamily residential facility includes apartment buildings, condominium buildings, townhouse buildings, and artists lofts or other combination residence/work space in buildings that are primarily residential facilities.

Municipal park class of service means water service to parks owned by the city or by Apex Park and Recreation District.

Nonresidential class of service means water service to any nonresidential facility and usage qualifying as irrigation, distributor, institutional, municipal park, golf course, special metered construction water, tankload and unmetered, as provided in this article.

Nonresidential facility means any building or other property which does not contain a residential unit. Nonresidential facilities include buildings specifically designed for transient occupancy such as dormitories, motels, hotels, hospitals, and nursing homes, or buildings designed only for commercial, industrial, institutional, or governmental purposes, or other combination nonresidence/living space in buildings that are primarily nonresidential facilities. The term "nonresidential facility" also includes open space, unless the context otherwise excludes it.

Nonwater conserving open space means that open space in which any type of grass and an irrigation system are incorporated in accordance with landscape plans approved by the public works and planning departments of the city.

Open space means both public and private land areas which serve to separate or buffer developed areas from one another or to enhance a developed area by providing landscape, vistas, green belts, or similar amenities within a development. Open space may be native or landscaped, and includes trails, parks, golf courses and recreational areas.

Reactivation charges means charges assessed by the city to a water or sewer user to reimburse the city for costs incurred to turn on the water service and reactivate an inactive connected water or sewer service, including the charges set forth in sections 102-39 and 102-67.

Residential class of service means water service to a facility used solely as a residence containing one or more residential units inclusive of single-family, duplex and multifamily residential facilities, mobile homes and any other structure in which one or more persons reside.

Residential facility means any building used solely as a residence containing one or more residential units.

Residential unit means a room or group of rooms which includes kitchen and bathroom facilities and in which one or more persons could reasonably reside on a permanent and nontransient basis.

Senior citizen designated unit means a unit in a multifamily residential facility that is governmentally or privately sponsored and built for occupancy by solely elderly households where the head of each household is 62 years old or older.

Service charge means a fixed charge for water or sewer service, regardless of the volume of usage.

Service line means all pipes, fittings, and appurtenances for conveying water from the city water system main to the plumbing or fire protection system of a unit or conveying wastewater from a unit to the city sewer system main.

Single family residential equivalent (SFRE) means the volume of water or sewer capacity required for a single family facility.

Single-family residential facility means a residential unit that is located in a separate building and that has both kitchen and bathroom facilities, a connected water service, and a connected sewer service to the building.

Special hydrant metered construction water means water delivered from a city hydrant to a user that has obtained a hydrant permit and paid the appropriate fees to use a specific fire hydrant equipped with a meter.

Stub-in means a connection made for the purpose of installing service lines prior to the paving of streets. Such a connection shall include fittings necessary to extend the service line to the property line, but no meter has been set.

System development charge means a one time charge assessed to an applicant for a permit to take water from the city water system or to discharge sewage into the city sewer system. System development charges are formulated using a methodology that considers the value of assets conveyed at no cost to the City. To the extent agreements entered into by the city prior to July 1, 2023, refer to “tap fees” or “tap fee,” those phrases will be interpreted to mean “system development charges” or “system development charge.” To the extent agreements entered into by the city prior to July 1, 2023, refer to “water tap fees” or “water tap fee,” those phrases will be interpreted to mean “water system development charges” or “water system development charge.” To the extent agreements entered into by the city prior to July 1, 2023, refer to “sewer tap fees” or “sewer tap fee,” those phrases will be interpreted to mean “sewer system development charges” or “sewer system development charge.”

System development charge credit means a dollar amount credited toward the purchase of a new water or sewer tap connection, based upon the previous existence of a water or sewer tap serving the same property, or based on prior payment of a system development charge which has expired as described in section 102-34.

Tapping fee means a charge assessed to a service applicant to reimburse city costs for making the connection to a city water or sewer main.

Terminated tap means a water or sewer tap that has been declared abandoned and disconnected from the city main.

Townhouse residential facility means a residential unit in a multifamily residential facility that contains three or more such attached units, each of which has either individually connected water and sewer service lines to each unit, or interconnected water service lines and interconnected sewer service lines to the building.

Usage charge means a charge based on a water or sewer usage rate.

Usage rate means a price per 1,000 gallons of water used from the city water system or the volume of sewage discharged into the city sewer system.

User means the person receiving water service or sewer service at a property or building, and includes but is not limited to the property owner, lessee, tenant, or any occupant of the property or building.

User charges mean periodic charges, according to customer classification, for water or sewer service which include a service charge plus a usage charge.

Water conserving open space means that open space in which nongrass vegetation and an irrigation system are incorporated in accordance with landscape plans approved by the public works and planning departments of the city.

Water or sewer permit means an invoice for a water or sewer tap that has been certified as paid by the director of utilities or designee thereof.

Water service shut-off means the action taken by the city to turn off the connected water service to a property being served upon the specific request of the user, or by the city for the user's nonpayment of a water or sewer bill.”

Section 4. Section 102-33, Occupancy prohibited and connections required, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-33. Occupancy prohibited and connections required.

- (a) It is unlawful for any person to use or occupy any building in the city unless such building has a system of pipes to provide water and to remove sewage as required by the uniform building and plumbing codes of the city.
- (b) It is unlawful for any person to use, excavate, connect to, open, alter, or otherwise disturb any city water or sewer main.
- (c) Each building to which water or sewer service, or both, are required shall have its own connected water and sewer services, except as otherwise determined by the city or as provided in subsections (d) and (e) of this section.
- (d) Except as provided in subsection (e) of this section or in section 102-75(a), nonresidential facilities that are located on the same lot, and are owned by only one party may be served through a single water tap, service line and meter, and a single sewer tap and service line. In the event the lot is subdivided and the facilities are no longer located within the same lot, separate water and sewer connections shall be made to each facility. Additional system development charges may be required in accordance with section 102-64.

- (e) When the construction of a building takes place in phases, the size of the existing water and sewer taps and respective service lines shall be reevaluated after the initial phase of construction. Before construction of each phase that is undertaken after the initial phase, the property owner shall submit to the city calculations from which the proper tap and service line sizes can be determined. If the city determines that a larger tap or service line, or both, are required by virtue of the new phase of construction, the computation of any additional system development charges due to the city shall be done in accordance with section 102-64.”

Section 5. Section 102-34, Application for service and payment of fees, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-34. Application for service and payment of fees.

- (a) Tapping and inspection fees are due at the time the invoice for a water or sewer stub-in is issued by the department of utilities.
- (b) No water or sewer tap will be authorized by the city for new construction or remodeling without valid building or other applicable permits issued by the building inspection division and certified by the department of utilities.
- (c) Water and sewer system development charges for all classes of residential and nonresidential buildings within the city, plus a prorated portion of the water system development charge for irrigation of open space when applicable, shall be paid at the time of building permit issuance. If the building permit expires, then the system development charges which have been paid will also expire and will be credited toward payment of the new required system development charges, as a system development credit. The system development charges to be paid are those in existence at the time payment is made. System development charges will be paid to the city by one of the following methods: (1) cash, (2) wire transfer with confirmed receipt by the city's bank, (3) cashier's check issued by an institution, (4) official check issued by a financial institution, or (5) a check certified by a financial institution. If system development charges are paid by some other type of check, the check must clear the bank before a temporary certificate of occupancy or a certificate of occupancy is issued for a building. An irrigation tap can be used only for irrigation purposes.
- (d) If water for construction purposes is to be obtained from the service line to the property before the building is connected to the city main, then the water meter must be purchased and set prior to obtaining water through the stub-in. Water used during construction and prior to temporary or permanent occupancy will be metered and charges for construction water will be based upon the rate schedule as provided for in sections 102-170 through 102-174. It shall be unlawful for any person to install or to use any water from a straight-through pipe at any meter pit or vault.

- (e) The city will not issue either a temporary certificate of occupancy or certificate of occupancy until all water and sewer fees, including construction water charges, are paid. Model homes or show homes are included in this requirement.
- (f) No water or sewer tap will be authorized for existing buildings and properties until the customer classification is verified by the department of utilities and all requirements of this Code have been met. System development charges for existing buildings and properties must be paid by one of the methods in subsection (c) of this section before a general public improvement permit is issued by the engineering division. If paid by some other type of check, the check must clear the bank before a general public improvement permit is issued by the engineering division.
- (g) The interconnected water service lines to adjacent units in the same townhouse residential facility shall be equipped with curb stop valves and installed in common areas of the facility that are owned and maintained by the homeowner's association. Irrigation water for the townhouse residential facility with interconnected water service lines to the units may be connected after the single water meter to the building.”

Section 6. Section 102-35, Connection to the city water system of property owners using shallow groundwater for their drinking water supply, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-35. Connection to the city water system of property owners using shallow groundwater for their drinking water supply.

Property owners using shallow groundwater for their drinking water supply may connect to the city water supply system under the following circumstances:

- (1) The property and water use is located within the municipal boundaries of the city as of January 1, 1998. A property that annexes after January 1, 1998 is not eligible to utilize this provision.
- (2) An occupied residential unit has been in existence prior to January 1, 1998 and the sole source of water for the unit is from an existing shallow (less than 60 feet deep) groundwater well. The existing water supply must be:
 - a. Contaminated and not suitable as a drinking water supply under the Colorado Department of Public Health and Environment rules and regulations; or
 - b. Physically no longer adequate for domestic use.
- (3) All connection costs including the meter, meter pit, plumbing, tapping fees, inspections, main extension, etc., shall be borne by the property owner. The connection work shall be in compliance with the engineering specifications and building regulations of the city.

- (4) The cost of the water tap may be deferred until the ownership of the property changes. When the property ownership changes the cost of the tap shall be due and payable immediately. The cost of the tap shall be determined in accordance with the system development charges in effect at the time payment is made.
- (5) The property owner shall be responsible for the payment of the monthly service and rate charges associated with the delivery of treated water through the city water system. All ordinance provisions regarding the payment for water received through the city system shall remain in full force.
- (6) In the event the water system development charge is not paid, collection of said fee may be pursued pursuant to the provisions of chapter 59 entitled "municipal liens." If the property becomes vacant before system development charges have been paid, the tap will be disconnected and not eligible for any system development charge credits for future development."

Section 7. Section 102-36, Tap fee proceeds, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-36. System development charge proceeds.

For purposes of accounting and auditing of funds of the city, it is hereby declared that all system development charge proceeds, which are collected by the city upon connection to municipal water and sewer are treated as revenue and not as contributed capital.”

Section 8. Section 102-39, Application of charges, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-39. Application of charges.

Water user and sewer user charges are applied to all properties at present rates commencing at the time the system development charges are paid and for so long thereafter as the service lines to such properties are intact and serve the property, regardless of whether or not the property is occupied or the utility service is used.”

Section 9. Section 102-40, Property owners responsible for charges, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-40. Property owners responsible for charges.

Owners of properties are responsible for payment of all system development charges, assessments, costs of materials, and other fees and user charges set forth in this article. Billings to users may be by address only, and the fact that the person receiving the service may not be identified thereon by name does not preclude collection of the charge from the owner. After notice and opportunity to be heard, water service may be shut-off by the city at any time that

water or sewer fees, rates, charges, or penalties are not paid or for any other violations of this article. Property owner shall be responsible for all charges assessed pursuant to section 102-37.”

Section 10. Section 102-43, Fees and user charges not to affect bond ordinances, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-43. Fees and user charges not to affect bond ordinances.

System development charges and user charges established in this article do not supersede those established by existing bond ordinances wherein such fees and charges are established. Nothing herein contained shall void or otherwise make unenforceable any surcharges established by prior ordinances, nor restrict the future adoption of ordinances establishing surcharges where applicable.”

Section 11. Subsection (i) of section 102-61, Water meters; generally, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“(i) Water service lines to all residential dwellings for fire protection will be metered. The owner will furnish engineering calculations to the department of utilities substantiating the fire flow and domestic flow requirements. The system development charge will be based on the domestic flow requirement and not the fire flow requirement. The meter will be installed as previously set forth in this section. The fire line will be installed as required in the Engineering Code of Standards and Specifications, as amended.”

Section 12. Section 102-64, Replacement, enlargement and elimination of taps, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-64. Replacement, enlargement and elimination of taps.

In the event a service connection to a premises must be enlarged or replaced, the department of utilities will calculate and charge an amount equal to the difference, if any, between the system development charge for the enlarged or replaced tap and the system development charge for the existing service, based on the system development charges in effect at the time the tap is enlarged or replaced. Such credit will be allowed only to the premises upon which the disconnected service connection was installed. Credit will not be allowed unless the enlarged or replacement connection is permitted to serve a property which includes all of the area or which is entirely contained within the area described in the original permit; otherwise, there will be no credit to the user for any reason.”

Section 13. Section 102-65, Consolidation of taps and credits, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-65. Consolidation of taps and credits.

- (a) When it is desired to eliminate or relocate two or more existing connections within a subdivision or public development project, the following will govern the transfer of the system development charge credits:
 - (1) System development charge credits for existing service connections that are located within a subdivision or public development project may be transferred anywhere within that subdivision or project, provided that both tracts or lots are owned by one party, and further provided service connections are eligible for service. Subdivision, for purposes of this section, is defined as set forth in the Land Development Code.
 - (2) Calculation of the system development charge credits available for application toward any new service connection shall be based on the meter capacity factor as set forth in section 102-79. The inactivation and termination of water and sewer service as set forth in section 102-67 shall apply. Residential properties granted a meter and equal tap size greater than the standard size recommended in section 102-161(4) will be valued for credit at the standard size for the type of residence.
- (b) This section is intended to discourage the sale or transfer of system development charge credits beyond the immediate subdivision or public development project in which the taps are located.”

Section 14. Section 102-67, Inactivation and termination of water and sewer services, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-67. Inactivation and termination of water and sewer services.

- (a) Water service may be inactivated by the city upon the request of the owner, providing the property is not occupied and the turn-off fee is paid.
- (b) Connected water or sewer service may be inactive for a period not exceeding 15 consecutive years. During the inactive period, the meter will be removed from the water service connection and there will be no water flow to the property for any purpose, nor any discharge to the sewer. However, the user will continue to pay the service charge, as amended from time-to-time, through the first five consecutive years of no water usage, with the exception in section 102-37(d).
- (c) During the fifth consecutive year of an inactive connected water or sewer service, the city will notify the property owner by certified mail, return receipt requested, that the value of the water or sewer tap will depreciate beginning the first month of the sixth consecutive year of no water usage and will continue to depreciate monthly thereafter at the rate of 1/120th of the then current system development charge for each additional month of consecutive no water usage through the next 120 months or ten years. The property owner

will also be notified in the same letter about the administrative hearing regarding the status of the water or sewer tap as described in subsection (g) of this section.

- (d) During the fifth consecutive year of no water usage, the city shall also file and record with the county clerk and recorder, a service lien which describes that the water or sewer service connection to the property is inactive and payment of reactivation charges are due to the city prior to water turn-on and that the city's department of utilities must be consulted.
- (e) During the 16th year of an inactive connected water or sewer service and based on the administrative hearing officer's determination that the water or sewer tap is abandoned, the water or sewer tap will be terminated. A new water or sewer permit will be required to provide connected water or sewer service to the property in the future.
- (f) An inactive connected water or sewer service may be reactivated by the city at the user's request provided the following payments are made to the city in cash or by cashier's check.
 - (1) All water and sewer charges due against the property including delinquent user charges and service charges accumulated during only the first five years the connected water or sewer service was inactive, and disconnection costs, if incurred;
 - (2) Other costs for reactivation of the connected water or sewer service, if incurred;
 - (3) A pro-rated city water or sewer system development charge, based on the number of months of no water usage, not to exceed 180 months or 15 years. To calculate the pro-rated water or sewer system development charge, the total number of months of no water usage beginning with the 61st month shall be divided by 120, and the resulting fraction shall be multiplied by the water or sewer system development charge in effect on the date of reactivation. No pro-rated system development charge will be assessed for an inactive period less than 60 consecutive months or five years. No service charges will be assessed for a connected water or sewer service after the fifth consecutive year of no water usage. For a connected service which has not been used for 15 years or more, the full water or sewer system development charge in effect on the date of reactivation, shall be paid; and
 - (4) The applicable Metro Water Recovery sewer connection charge in effect at the time of the sewer tap reactivation.
- (g) Prior to a determination that a water or sewer tap was inactive for a period of five consecutive years or more on or before January 1, 1996, and thereafter, pursuant to subsections (c) and (d) of this section or pursuant to any other section of the Code, the property owner shall be provided an administrative hearing held in accordance with section 2-171 et seq. The hearing officer may determine, based upon the evidence presented at such administrative hearing, that a water or sewer tap should not be terminated upon the payment by the property owner of any fee, charge, or cost identified in subsections (f)(1)—(4) of this section.”

Section 15. Section 102-75, Separation of properties, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-75. Separation of properties.

- (a) Where two or more properties are owned by one party, either separated by a common wall or separate buildings, and are served through one connection and service line, upon severing of ownership of the property, each property severed is then required to be served by a separate service connection.
- (b) All costs for the new water and sewer service will be the responsibility of the new owner. The system development charges will not be waived, but previously paid system development charges will be credited to those in effect at the time of separation.
- (c) This section does not apply to multifamily developments where an association of homeowners acts as an agent for the payment of bills and maintenance responsibilities for the owners so long as the association carries out all responsibilities of ownership in a timely manner.”

Section 16. Section 102-161, Residential water fees within city, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-161. Residential water fees within city.

Water fees for serving residential facilities within the corporate limits of the city are as follows:

- (1) Tapping fee.....\$60.00
- (2) Inspection fee:
 - a. 5/8", 3/4" and 1" meters.....\$45.00
 - b. 1 1/2" and larger meters.....\$80.00
- (3) System development charge determined from the following schedule:

Type of residence	Per Unit
a. Single-family	\$37,600.00
b. Duplex	\$28,200.00
c. Multifamily	\$18,800.00

(4) Meter and tap size determined from the following schedule:*

Type of Residence	Meter and Tap Size
a. Single-family	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
b. Duplex with individually connected units	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
Duplex with single service connection	$\frac{3}{4}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the Utilities Director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the Utilities Director for review and approval."

Section 17. Section 102-161.5, Residential water fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, the Leyden Ranch Metropolitan District, and Candelas Filings 2, 3, 4 and designated properties in Candelas Filing 1, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-161.5. Residential water fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District.

Fees in this section are set in accordance with existing agreements.

Water fees for serving residential facilities within the corporate limits of the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District are as follows:

- (1) Tapping fee\$60.00
- (2) Inspection fee:
 - a. $\frac{5}{8}$ ", $\frac{3}{4}$ " and 1" meters\$45.00
 - b. 1½", 2" and larger meters\$80.00

(3) System development charge determined from the following schedule:

	Discount Amount to be applied when Water Supplies were provided	Discount Amount to be applied when funding was provided for existing facilities	Discount Amount to be applied when funding was provided for future facilities
a. Single-family	\$13,900.00	\$1,000.00	\$2,000.00
b. Duplex	\$10,400.00	\$700.00	\$1,500.00
c. Multifamily	\$6,900.00	\$500.00	\$1,000.00

(4) Meter and tap size determined from the following schedule:*

Type of residence	Meter and Tap Size
a. Single-family	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
b. Duplex with individually connected units	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
Duplex with single service connection	$\frac{3}{4}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval."

Section 18. Section 102-161.6, Residential water fees within the Mountain Shadows Subdivision, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-161.6. Residential water fees within the Mountain Shadows Subdivision.

Fees in this section are set in accordance with existing agreements.

Water fees for serving residential facilities within the Mountain Shadows subdivision are as follows:

- (1) Tapping fee.....\$60.00
- (2) Inspection fee:
 - a. $\frac{5}{8}$ ", $\frac{3}{4}$ " and 1" meters.....\$45.00

b. 1½", 2" and larger meters.....\$80.00

(3) System development charge determined from the following schedule:

Type of residence	Per Unit
a. Single-family	\$23,700.00
b. Duplex	\$17,800.00
c. Multifamily	\$11,900.00

(4) Meter and tap size determined from the following schedule:*

Type of residence	Meter and Tap Size
a. Single-family	5/8" × 3/4" meter and 3/4" tap
b. Duplex with individually connected units	5/8" × 3/4" meter and 3/4" tap
Duplex with single service connection	3/4" × 3/4" meter and 3/4" tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval."

Section 19. Section 102-162, Same—Waiver, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-162. Waiver by city council.

The system development charge applicable within the city limits may be waived or reduced only by express city council approval upon a finding and determination by the city council that such waiver or reduction is in the best interest of the city.”

Section 20. Section 102-163, Residential water fees outside city, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-163. Residential water fees outside city.

Water fees for serving residential facilities as defined in sections 102-51 and 102-32, outside the corporate limits of the city, are as follows:

(1) Tapping fee\$90.00

(2) Inspection fee:

a. $\frac{5}{8}$ ", $\frac{3}{4}$ ", and 1" meters\$67.50

b. 1½" and larger\$120.00

(3) System development charge determined from the following schedule:

Type of residence	Per Unit
a. Single family	\$75,200.00
b. Duplex	\$56,400.00
c. Multifamily	\$37,600.00

(4) Meter and tap size determined from the following schedule:*

Type of Residence	Meter and Tap Size
a. Single-family	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
b. Duplex with individually connected units	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
Duplex with single service connection	$\frac{3}{4}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval."

Section 21. Section 102-164, Nonresidential water fees within city, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

"Sec. 102-164. Nonresidential water fees within city.

(a) Water fees for serving nonresidential facilities inside the city are as follows:

(1) Tapping fee \$60.00

(2) Inspection fee:

a. $\frac{5}{8}$ ", $\frac{3}{4}$ " and 1" meters \$45.00

b. 1½" and larger meters \$80.00

(3) System development charge based on the following schedule:

Size of Meter	Meter Capacity Factor	Per Tap
5/8" × 3/4"	1.0	\$37,600.00
3/4"	1.5	\$56,400.00
1"	2.5	\$94,000.00
1½"	5.0	\$188,000.00
2"	8.0	\$300,800.00
3"	17.5	\$639,200.00
4"	30.0	\$1,128,000.00
6"	62.5	\$2,350,000.00

(b) Water fees for serving irrigated open space inside the city are as follows:

(1) Tapping fee..... \$60.00

(2) Inspection fee:

a. 5/8" × 3/4" and 1" meters..... \$45.00

b. 1½" and larger meters..... \$80.00

(3) System development charge based on the following schedule:

a. Non-water conserving landscaping at \$6.96 per square foot of irrigated area.

b. Water conserving landscaping at \$3.73 per square foot of irrigated area.

(c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent with the provisions of this Division 6 of Chapter 102. Any such determination shall be made available to the user for inspection, upon request.

Section 22. Section 102-164.5, Nonresidential water fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, the Leyden Ranch Metropolitan District, and Candelas Filings 2, 3, 4 and designated properties in Candelas Filing 1, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-164.5. Nonresidential water fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District.

Fees in this section are set in accordance with existing agreements.

(a) Water fees for serving nonresidential facilities within the corporate limits of the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District are as follows:

(1) Tapping fee \$60.00

(2) Inspection fee:

a. $\frac{5}{8}$ " , $\frac{3}{4}$ " and 1" meters \$45.00

b. $1\frac{1}{2}$ " , 2" and larger meters \$80.00

(3) System development charge based on the following schedule:

Size of Meter	Discount Amount to be applied when Water Supplies were provided	Discount Amount to be applied when funding was provided for existing facilities	Discount Amount to be applied when funding was provided for future facilities
5/8"x 3/4"	\$13,900.00	\$1,000.00	\$2,000.00
3/4"	\$20,850.00	\$1,500.00	\$3,000.00
1"	\$34,750.00	\$2,500.00	\$5,000.00
1 1/2"	\$69,500.00	\$5,000.00	\$10,000.00
2"	\$111,200.00	\$8,000.00	\$16,000.00
3"	\$236,300.00	\$17,000.00	\$34,000.00
4"	\$417,000.00	\$30,000.00	\$60,000.00
6"	\$868,750.00	\$62,500.00	\$125,000.00

(b) Water fees for serving irrigated open space inside the city are as follows:

(1) Tapping fee \$60.00

(2) Inspection fee:

a. $\frac{5}{8}$ " x $\frac{3}{4}$ " and 1" meters \$45.00

b. $1\frac{1}{2}$ " and larger meters \$80.00

(3) System development charge based on the following schedule, at a per square foot of irrigated area:

Size of Meter	Discounted Amount because Water Supplies were provided	Discounted Amount because funding was provided for existing facilities	Discounted Amount because funding was provided for future facilities
Non-water conserving landscaping	\$4.39	\$6.77	\$6.58
Water conserving landscaping	\$2.35	\$3.63	\$2.25

(c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent with the provisions of this Article I of Chapter 33. Any such determination shall be made available to the user for inspection, upon request.”

Section 23. Section 102-164.6, Nonresidential water fees within the Mountain Shadows Subdivision, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-164.6. Nonresidential water fees within the Mountain Shadows Subdivision.

- (a) Fees in this section are set in accordance with existing agreements.
- (b) Water fees for serving nonresidential facilities within Mountain Shadows subdivision are as follows:
 - (1) Tapping fee..... \$60.00
 - (2) Inspection fee:
 - a. 5/8", 3/4" and 1" meters \$45.00
 - b. 1 1/2", 2" and larger meters \$80.00
 - (3) System development charge determined from the following schedule:

Size of Meter	Per Unit
5/8" x 3/4"	\$23,700.00
3/4"	\$35,550.00
1"	\$59,250.00
1 1/2"	\$118,500.00
2"	\$189,600.00

3"	\$402,900.00
4"	\$711,000.00
6"	\$1,481,250.00
Non-water conserving landscaping	\$4.39 per Sq. Ft.
Water conserving landscaping	\$2.35 per Sq. Ft.

- (c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent with the provisions of this division 6 of chapter 102. Any such determination shall be made available to the user for inspection, upon request.”

Section 24. Section 102-165, Same—Waiver, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-165. Same—Waiver.

The water system development charges for commercial, institutional, governmental and industrial uses applicable inside the city limits may be waived or reduced only by express city council approval upon a finding and determination that such waiver or reduction is in the best interest of the city.”

Section 25. Section 102-166, Nonresidential water fees outside city, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-166. Nonresidential water fees outside city.

- (a) Water fees for serving nonresidential facilities outside the city are as follows:

- (1) Tapping fee..... \$90.00
- (2) Inspection fee:
 - a. 5/8", 3/4" and 1" meters..... \$67.50
 - b. 1 1/2" and larger meter..... \$120.00

- (3) System development charge based on the following schedule:

Size of Meter	Meter Capacity Factor	Per Tap
5/8" x 3/4"	1.0	\$75,200.00
3/4"	1.5	\$112,800.00

1"	2.5	\$188,000.00
1½"	5.0	\$376,000.00
2"	8.0	\$601,600.00
3"	17.5	\$1,278,400.00
4"	30.0	\$2,256,000.00
6"	62.5	\$4,700,000.00

(b) Water fees for serving irrigated open space outside the city are as follows:

(1) Tapping fee..... \$90.00

(2) Inspection fee:

a. 5/8" × 3/4" and 1" meters..... \$67.50

b. 1½" and larger meters..... \$120.00

(3) System development charge based on the following schedule:

a. Non-water conserving landscape at \$13.92 per square foot of irrigated area.

b. Water conserving landscape at \$7.46 per square foot of irrigated area.

(c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their duly authorized representative, consistent with the provisions of this division 6 of chapter 102. Any such determination shall be made available to the user for inspection, upon request.

(d) The fees paid and collected by virtue of this section shall not be used for general or other governmental propriety purposes of the city and shall be used solely to pay for the cost of water taps for new and existing parks and street medians.”

Section 26. Section 102-168, Residential water fees for parks and street medians, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-168. Residential water fees for parks and street medians.

(a) All residential water fees collected under section 102-161(3), section 102-161.5(3), section 102-161.6(3), or section 102-163(3) shall be charged an additional amount based on the following schedule:

Type of Residence	Amount per Unit	
	In City	Out of City
a. Single-family	\$1,000.00	\$1,500.00
b. Duplex	\$750.00	\$1,125.00
c. Multifamily	\$500.00	\$750.00

(b) The fees paid and collected by virtue of this section shall not be used for general or other governmental propriety purposes of the city and shall be used solely to pay for the cost of water taps for new and existing parks and street medians.”

Section 27. Section 102-202, Sewer tap fees—Residential use property, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-202. Sewer system development charges—Residential use property.

Sewer system development charges for serving residential properties are as follows:

- (1) An inspection fee of \$25.00.
- (2) System development charge determined from the following schedule:

Type of Residence	Amount
Single-family	\$10,400.00
Duplex	\$7,280.00
Multifamily	\$7,280.00

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery. This charge must be paid prior to the connection of the sewer service line to the city sewer main.
- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.”

Section 28. Section 102-202.1, Sewer system development charges—Residential use property within the Jefferson Center Metropolitan District, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby added and shall read as follows:

“Sec. 102-202.1. Sewer system development charges—Residential use property within the Jefferson Center Metropolitan District.

Fees in this section are set in accordance with existing agreements.

Sewer system development charges for serving residential properties are as follows:

- (1) An inspection fee of \$25.00.
- (2) System development charge determined from the following schedule:

Type of Residence	Discounted Amount Based on Funding Received for Future Facilities
Single-family	\$10,225.00
Duplex	\$7,157.50
Multifamily	\$7,157.50

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery. This charge must be paid prior to the connection of the sewer service line to the city sewer main.
- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.”

Section 29. Section 102-203, Same—Other property, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby amended to read as follows:

“Sec. 102-203. Sewer system development charges—Nonresidential use property.

Sewer fees serving nonresidential use property are as follows:

- (1) An inspection fee of \$25.00.
- (2) System development charge determined from the following schedule:

Non-residential Sewer Service Tap Size	Number of Single-Family Residential Equivalents	System Development Charge
5/8” x 3/4”	1.0	\$10,400.00
3/4”	1.5	\$15,600.00
1”	2.5	\$26,000.00
1 ½”	5.0	\$52,000.00
2”	8.0	\$83,200.00
3”	17.0	\$176,800.00
4”	30.0	\$312,000.00
6”	62.5	\$650,000.00

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by

Metro Water Recovery. This charge must be paid prior to the connection of the sewer service line to the city sewer main.

- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.”

Section 30. Section 102-203.1, Sewer system development charges—Nonresidential use property within the Jefferson Center Metropolitan District, of Article II, Water and Sewer, of Chapter 102, Utilities, of the Arvada City Code is hereby added and shall read as follows:

“Sec. 102-203.1. Sewer system development charges—Nonresidential use property within the Jefferson Center Metropolitan District.

Fees in this section are set in accordance with existing agreements.

Sewer fees serving nonresidential use property are as follows:

- (1) An inspection fee of \$25.00.
- (2) System development charge determined from the following schedule:

Non-residential Sewer Service Tap Size	Number of Single-Family Residential Equivalents	Discounted Amount Based on Funding Received for Future Facilities
5/8" x 3/4"	1.0	\$10,225.00
3/4"	1.5	\$15,338.00
1"	2.5	\$25,563.00
1 1/2"	5.0	\$51,126.00
2"	8.0	\$81,801.00
3"	17.0	\$173,828.00
4"	30.0	\$306,755.00
6"	62.5	\$639,073.00

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery. This charge must be paid prior to the connection of the sewer service line to the city sewer main.
- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.”

Section 31. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby

declares that it would have adopted this ordinance and each part or parts thereof irrespective of the fact that any part or parts be declared unconstitutional or invalid.

Section 32. Effective Date. This ordinance shall take effect on July 1, 2023.

INTRODUCED, READ, AND ORDERED PUBLISHED this 3rd day of October, 2022.

PASSED, ADOPTED, AND APPROVED this 17th day of October, 2022.

Marc Williams, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Rachel Morris, City Attorney

Publication Dates: _____

REDLINE/STRIKOVER VERSION

FOR INFORMATION ONLY – NOT PART OF THE ORDINANCE

Underlined indicates new material

~~Strikethrough~~ indicates deleted material

Sec. 74-91. Water system development charges ~~tap fees~~.

Water system development charges ~~tap fees~~ shall be assessed on the basis of a schedule of fees, adopted by ordinance, and from time-to-time amended by the city. This article may be obtained from the director of utilities ~~public works~~.

Sec. 74-92. Sewer system development charges ~~tap fees~~.

Sewer system development charges ~~tap fees~~ shall be assessed on the basis of a schedule of fees, adopted by ordinance, and from time-to-time amended by the city. This article may be obtained from the director of utilities ~~public works~~.

Sec. 102-32. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned tap means a water or sewer tap through which there has been no usage for 15 consecutive years and the property owner evidences in writing or otherwise, the intent to abandon the service connection, or the hearing officer, based on evidence presented at the administrative hearing held in accordance with section 102-67, determines that the water or sewer tap is abandoned by the owner and that water or sewer service should be terminated and disconnected at the city main.

Active connected water or sewer service means that water usage has been recorded through the connection during the last consecutive 12 months and the utility billing account is coded active.

Base usage means the volume of actual water use as determined by the average of the bimonthly amount of water metered to the user during any four-month period between November 1 and April 13 in each 12-month period.

Bathroom facilities means any or all of the following: toilet, bathtub, shower.

Connected sewer service means a single sewer service connection to a city sewer main.

Connected water service means a single service connection to a city water main in which there is a meter serving potable water to a facility or purpose.

Connection means the connection of a service line to a city water or sewer main which, together with appropriate permit and payment of fees, results in service to a permitted premises. The act of making the connection is called "tapping," and the connection is called a "tap."

Distributor and institution class of service means contractual water or sewer service to user-owned and user-maintained water distribution or sewage collection systems in or out of the city through one or more master meters.

Duplex residential facility means a building containing only two attached residential units. A duplex may be considered a multifamily residential facility and shall pay the multifamily residential system development charges ~~tap fees~~ if the duplex building is part of a larger planned multifamily unit development project, is located within the same lot as other multifamily buildings of three or more units, and the water and sewer user charges and fees for the units will be paid through a homeowners association. The building may have separate water and sewer connections to each unit or have single water and sewer connections that serve both units. If a duplex residential facility is not a part of a larger planned multifamily unit development project, then a duplex residential facility will pay a system development charge ~~tap fee~~ based on the duplex residential nature of the building. Upon severing the ownership of a one owner duplex residential facility, separate connected water and sewer services shall be installed to each unit. Except as provided in this subsection, duplex units constructed after 1997 shall have separate water and sewer connections from the city mains to each unit.

Golf course class of service means water service to golf courses owned and operated by the city or by the Apex Park and Recreation District ~~North-Jeffco Metropolitan Recreation and Park District~~.

Household water means water use by a connected service during any given period for consumption and use of the occupants thereof for any purpose.

Inactive connected water or sewer service means that no water usage has been recorded through the connection during the last consecutive 12 months or more, up to a maximum of 15 consecutive years, and the utility billing account is coded inactive.

Inspection fee means a charge charged by the city to an applicant for a water or sewer permit to reimburse the city's cost of inspecting the service line or meter installation, or both, for compliance with city standard specifications and drawings.

Kitchen facilities mean any or all of the following: sink, range, stove, conventional oven, microwave oven.

Landscaped common area shall mean the landscaped lots or area immediately adjacent to the facilities within a development, owned or maintained, or both by the property owner or the

responsible caretaker association, that is irrigated from a common irrigation system that is owned or maintained, or both by the property owner or responsible caretaker association. Open space is not included in landscaped common area.

Main means those city-owned pipes used for distributing water or collecting sewage from users' properties along public streets or other rights-of-way or easements.

Multifamily residential facility means a building containing three or more residential units. The units either have only one connected water service to the building and one or more connected sewer service line to the building, or the units have a separate connected water and sewer service to each unit. Multifamily residential facility includes apartment buildings, condominium buildings, townhouse buildings, and artists lofts or other combination residence/work space in buildings that are primarily residential facilities.

Municipal park class of service means water service to parks owned by the city or by [Apex Park and Recreation District](#) ~~North Jeffeo Metropolitan Recreation and Park District~~.

Nonresidential class of service means water service to any nonresidential facility and usage qualifying as irrigation, distributor, institutional, municipal park, golf course, special metered construction water, tankload and unmetered, as provided in this article.

Nonresidential facility means any building or other property which does not contain a residential unit. Nonresidential facilities include buildings specifically designed for transient occupancy such as dormitories, motels, hotels, hospitals, and nursing homes, or buildings designed only for commercial, industrial, institutional, or governmental purposes, or other combination nonresidence/living space in buildings that are primarily nonresidential facilities. The term "nonresidential facility" also includes open space, unless the context otherwise excludes it.

Nonwater conserving open space means that open space in which any type of grass and an irrigation system are incorporated in accordance with landscape plans approved by the public works and planning departments of the city.

Open space means both public and private land areas which serve to separate or buffer developed areas from one another or to enhance a developed area by providing landscape, vistas, green belts, or similar amenities within a development. Open space may be native or landscaped, and includes trails, parks, golf courses and recreational areas.

Reactivation charges means charges assessed by the city to a water or sewer user to reimburse the city for costs incurred to turn on the water service and reactivate an inactive connected water or sewer service, including the charges set forth in sections 102-39 and 102-67.

Residential class of service means water service to a facility used solely as a residence containing one or more residential units inclusive of single-family, duplex and multifamily residential facilities, mobile homes and any other structure in which one or more persons reside.

Residential facility means any building used solely as a residence containing one or more residential units.

Residential unit means a room or group of rooms which includes kitchen and bathroom facilities and in which one or more persons could reasonably reside on a permanent and nontransient basis.

Senior citizen designated unit means a unit in a multifamily residential facility that is governmentally or privately sponsored and built for occupancy by solely elderly households where the head of each household is 62 years old or older.

Service charge means a fixed charge for water or sewer service, regardless of the volume of usage.

Service line means all pipes, fittings, and appurtenances for conveying water from the city water system main to the plumbing or fire protection system of a unit or conveying wastewater from a unit to the city sewer system main.

Single family residential equivalent (SFRE) means the volume of water or sewer capacity required for a single family facility.

Single-family residential facility means a residential unit that is located in a separate building and that has both kitchen and bathroom facilities, a connected water service, and a connected sewer service to the building.

Special hydrant metered construction water means water delivered from a city hydrant to a user that has obtained a hydrant permit and paid the appropriate fees to use a specific fire hydrant equipped with a meter.

Stub-in means a connection made for the purpose of installing service lines prior to the paving of streets. Such a connection shall include fittings necessary to extend the service line to the property line, but no meter has been set.

System development charge Tap fee means a one time charge assessed to an applicant for a permit to take water from the city water system or to discharge sewage into the city sewer system. System development charges are formulated using a methodology that considers the value of assets conveyed at no cost to the City. To the extent agreements entered into by the city prior to July 1, 2023, refer to “tap fees” or “tap fee,” those phrases will be interpreted to mean “system development charges” or “system development charge.” To the extent agreements entered into by the city prior to July 1, 2023, refer to “water tap fees” or “water tap fee,” those phrases will be interpreted to mean “water system development charges” or “water system development charge.” To the extent agreements entered into by the city prior to July 1, 2023, refer to “sewer tap fees” or “sewer tap fee,” those phrases will be interpreted to mean “sewer system development charges” or “sewer system development charge.”

System development charge credit Tap fee credit means a dollar amount credited toward the purchase of a new water or sewer tap connection, based upon the previous existence of a water or sewer tap serving the same property, or based on prior payment of a system development charge which has expired as described in section 102-34.

Tapping fee means a charge assessed to a service applicant to reimburse city costs for making the connection to a city water or sewer main.

Terminated tap means a water or sewer tap that has been declared abandoned and disconnected from the city main.

Townhouse residential facility means a residential unit in a multifamily residential facility that contains three or more such attached units, each of which has either individually connected water and sewer service lines to each unit, or interconnected water service lines and interconnected sewer service lines to the building.

Usage charge means a charge based on a water or sewer usage rate.

Usage rate means a price per 1,000 gallons of water used from the city water system or the volume of sewage discharged into the city sewer system.

User means the person receiving water service or sewer service at a property or building, and includes but is not limited to the property owner, lessee, tenant, or any occupant of the property or building.

User charges mean periodic charges, according to customer classification, for water or sewer service which include a service charge plus a usage charge.

Water conserving open space means that open space in which nongrass vegetation and an irrigation system are incorporated in accordance with landscape plans approved by the public works and planning departments of the city.

Water or sewer permit means an invoice for a water or sewer tap that has been certified as paid by the director of utilities or designee thereof.

Water service shut-off means the action taken by the city to turn off the connected water service to a property being served upon the specific request of the user, or by the city for the user's nonpayment of a water or sewer bill.

Sec. 102-33. Occupancy prohibited and connections required.

- (a) It is unlawful for any person to use or occupy any building in the city unless such building has a system of pipes to provide water and to remove sewage as required by the uniform building and plumbing codes of the city.

- (b) It is unlawful for any person to use, excavate, connect to, open, alter, or otherwise disturb any city water or sewer main.
- (c) Each building to which water or sewer service, or both, are required shall have its own connected water and sewer services, except as otherwise determined by the city or as provided in subsections (d) and (e) of this section.
- (d) Except as provided in subsection (e) of this section or in section 102-75(a), nonresidential facilities that are located on the same lot, and are owned by only one party may be served through a single water tap, service line and meter, and a single sewer tap and service line. In the event the lot is subdivided and the facilities are no longer located within the same lot, separate water and sewer connections shall be made to each facility. Additional system development charges tap fees may be required in accordance with section 102-64.
- (e) When the construction of a building takes place in phases, the size of the existing water and sewer taps and respective service lines shall be reevaluated after the initial phase of construction. Before construction of each phase that is undertaken after the initial phase, the property owner shall submit to the city calculations from which the proper tap and service line sizes can be determined. If the city determines that a larger tap or service line, or both, are required by virtue of the new phase of construction, the computation of any additional system development charges fees due to the city shall be done in accordance with section 102-64.

Sec. 102-34. Application for service and payment of fees.

- (a) Tapping and inspection fees are due at the time the invoice for a water or sewer stub-in is issued by the department of utilities.
- (b) No water or sewer tap will be authorized by the city for new construction or remodeling without valid building or other applicable permits issued by the building inspection division and certified by the department of utilities.
- (c) Water and sewer system development charges tap fees for all classes of residential and nonresidential buildings within the city, plus a prorated portion of the water system development charge tap fee for irrigation of open space when applicable, shall be paid at the time of building permit issuance. If the building permit expires, then the system development charges which have been paid will also expire and will be credited toward payment of the new required system development charges, as a system development credit. may be paid upon presentation of a valid building permit accompanied by written proof satisfactory to the utilities manager that the concrete pour that completes the building foundation has been finished, but no later than the time the temporary certificate of occupancy or a certificate of occupancy is issued by the building inspection division. The system development charges tap fees to be paid are those in existence at the time payment is made. If paid at the time the temporary certificate of occupancy or certificate of occupancy is issued, fees System development charges will be paid to the city by one of the following methods: (1) cash, (2) wire transfer with confirmed receipt by the city's bank, (3) cashier's

check issued by an institution, (4) official check issued by a financial institution, or (5) a check certified by a financial institution. ~~An irrigation tap can be used only for irrigation purposes.~~ If ~~system development charges tap fees~~ are paid by some other type of check, the check must clear the bank before a temporary certificate of occupancy or a certificate of occupancy is issued for a building. An irrigation tap can be used only for irrigation purposes.

- (d) If water for construction purposes is to be obtained from the service line to the property before the building is connected to the city main, then the water meter must be purchased and set prior to obtaining water through the stub-in. Water used during construction and prior to temporary or permanent occupancy will be metered and charges for construction water will be based upon the rate schedule as provided for in sections 102-170 through 102-174. It shall be unlawful for any person to install or to use any water from a straight-through pipe at any meter pit or vault.
- (e) The city will not issue either a temporary certificate of occupancy or certificate of occupancy until all water and sewer fees, including construction water charges, are paid. Model homes or show homes are included in this requirement.
- (f) No water or sewer tap will be authorized for existing buildings and properties until the customer classification is verified by the department of utilities and all requirements of this Code have been met. ~~System development charges Tap fees~~ for existing buildings and properties must be paid by one of the methods in subsection (c) of this section before a general public improvement permit is issued by the engineering division. If paid by some other type of check, the check must clear the bank before a general public improvement permit is issued by the engineering division.
- (g) The interconnected water service lines to adjacent units in the same townhouse residential facility shall be equipped with curb stop valves and installed in common areas of the facility that are owned and maintained by the homeowner's association. Irrigation water for the townhouse residential facility with interconnected water service lines to the units may be connected after the single water meter to the building.

Sec. 102-35. Connection to the city water system of property owners using shallow groundwater for their drinking water supply.

Property owners using shallow groundwater for their drinking water supply may connect to the city water supply system under the following circumstances:

- (1) The property and water use is located within the municipal boundaries of the city as of January 1, 1998. A property that annexes after January 1, 1998 is not eligible to utilize this provision.
- (2) An occupied residential unit has been in existence prior to January 1, 1998 and the sole source of water for the unit is from an existing shallow (less than 60 feet deep) groundwater well. The existing water supply must be:

- a. Contaminated and not suitable as a drinking water supply under the Colorado Department of Public Health and Environment rules and regulations; or
 - b. Physically no longer adequate for domestic use.
- (3) All connection costs including the meter, meter pit, plumbing, tapping fees, inspections, main extension, etc., shall be borne by the property owner. The connection work shall be in compliance with the engineering specifications and building regulations of the city.
 - (4) The cost of the water tap may be deferred until the ownership of the property changes. When the property ownership changes the cost of the tap shall be due and payable immediately. The cost of the tap shall be determined in accordance with the system development charges tap-fees in effect at the time payment is made.
 - (5) The property owner shall be responsible for the payment of the monthly service and rate charges associated with the delivery of treated water through the city water system. All ordinance provisions regarding the payment for water received through the city system shall remain in full force.
 - (6) In the event the water system development charge tap-fee is not paid, collection of said fee may be pursued pursuant to the provisions of chapter 59 entitled "municipal liens." If the property becomes vacant before system development charges tap-fees have been paid, the tap will be disconnected and not eligible for any system development charge tap-fee credits for future development.

Sec. 102-36. System development charge Tap-fee proceeds.

For purposes of accounting and auditing of funds of the city, it is hereby declared that all system development charge tap-fee proceeds, which are collected by the city upon connection to municipal water and sewer are treated as revenue and not as contributed capital.

Sec. 102-39. Application of charges.

Water user and sewer user charges are applied to all properties at present rates commencing at the time the system development charges tap-fees are paid and for so long thereafter as the service lines to such properties are intact and serve the property, regardless of whether or not the property is occupied or the utility service is used.

“Sec. 102-40. Property owners responsible for charges.

Owners of properties are responsible for payment of all system development charges tap fees, assessments, costs of materials, and other fees and user charges set forth in this article. Billings to users may be by address only, and the fact that the person receiving the service may not be identified thereon by name does not preclude collection of the charge from the owner.

After notice and opportunity to be heard, water service may be shut-off by the city at any time that water or sewer fees, rates, charges, or penalties are not paid or for any other violations of this article. Property owner shall be responsible for all charges assessed pursuant to section 102-37.”

Sec. 102-43. Fees and user charges not to affect bond ordinances.

System development charges ~~Tap fees~~ and user charges established in this article do not supersede those established by existing bond ordinances wherein such fees and charges are established. Nothing herein contained shall void or otherwise make unenforceable any surcharges established by prior ordinances, nor restrict the future adoption of ordinances establishing surcharges where applicable.

Sec. 102-61. Water meters; generally.

- (i) Water service lines to all residential dwellings for fire protection will be metered. The owner will furnish engineering calculations to the department of utilities substantiating the fire flow and domestic flow requirements. The system development charge ~~tap fee~~ will be based on the domestic flow requirement and not the fire flow requirement. The meter will be installed as previously set forth in this section. The fire line will be installed as required in the Engineering Code of Standards and Specifications, as amended.

Sec. 102-64. Replacement, enlargement and elimination of taps.

In the event a service connection to a premises must be enlarged or replaced, the department of utilities will calculate and charge an amount equal to the difference, if any, between the system development charge ~~tap fee~~ for the enlarged or replaced tap and the system development charge ~~tap fee~~ for the existing service, based on the system development charges ~~tap fees~~ in effect at the time the tap is enlarged or replaced. Such credit will be allowed only to the premises upon which the disconnected service connection was installed. Credit will not be allowed unless the enlarged or replacement connection is permitted to serve a property which includes all of the area or which is entirely contained within the area described in the original permit; otherwise, there will be no credit to the user for any reason.

Sec. 102-65. Consolidation of taps and credits.

- (a) When it is desired to eliminate or relocate two or more existing connections within a subdivision or public development project, the following will govern the transfer of the system development charge ~~tap fee~~ credits:
 - (1) System development charge ~~Tap fee~~ credits for existing service connections that are located within a subdivision or public development project may be transferred anywhere within that subdivision or project, provided that both tracts or lots are owned by one party, and further provided service connections are eligible for service. Subdivision, for purposes of this section, is defined as set forth in the Land Development Code.

- (2) Calculation of the system development charge tap-fee credits available for application toward any new service connection shall be based on the meter capacity factor as set forth in section 102-79. The inactivation and termination of water and sewer service as set forth in section 102-67 shall apply. Residential properties granted a meter and equal tap size greater than the standard size recommended in section 102-161(4) will be valued for credit at the standard size for the type of residence.
- (b) This section is intended to discourage the sale or transfer of system development charge tap-fee credits beyond the immediate subdivision or public development project in which the taps are located.

Sec. 102-67. Inactivation and termination of water and sewer services.

- (a) Water service may be inactivated by the city upon the request of the owner, providing the property is not occupied and the turn-off fee is paid.
- (b) Connected water or sewer service may be inactive for a period not exceeding 15 consecutive years. During the inactive period, the meter will be removed from the water service connection and there will be no water flow to the property for any purpose, nor any discharge to the sewer. However, the user will continue to pay the service charge, as amended from time-to-time, through the first five consecutive years of no water usage, with the exception in section 102-37(d).
- (c) During the fifth consecutive year of an inactive connected water or sewer service, the city will notify the property owner by certified mail, return receipt requested, that the value of the water or sewer tap will depreciate beginning the first month of the sixth consecutive year of no water usage and will continue to depreciate monthly thereafter at the rate of 1/120th of the then current system development charge tap-fee for each additional month of consecutive no water usage through the next 120 months or ten years. The property owner will also be notified in the same letter about the administrative hearing regarding the status of the water or sewer tap as described in subsection (g) of this section.
- (d) During the fifth consecutive year of no water usage, the city shall also file and record with the county clerk and recorder, a service lien which describes that the water or sewer service connection to the property is inactive and payment of reactivation charges are due to the city prior to water turn-on and that the city's department of utilities must be consulted.
- (e) During the 16th year of an inactive connected water or sewer service and based on the administrative hearing officer's determination that the water or sewer tap is abandoned, the water or sewer tap will be terminated. A new water or sewer permit will be required to provide connected water or sewer service to the property in the future.
- (f) An inactive connected water or sewer service may be reactivated by the city at the user's request provided the following payments are made to the city in cash or by cashier's check.

- (1) All water and sewer charges due against the property including delinquent user charges and service charges accumulated during only the first five years the connected water or sewer service was inactive, and disconnection costs, if incurred;
 - (2) Other costs for reactivation of the connected water or sewer service, if incurred;
 - (3) A pro-rated city water or sewer system development charge tap-fee, based on the number of months of no water usage, not to exceed 180 months or 15 years. To calculate the pro-rated water or sewer system development charge tap-fee, the total number of months of no water usage beginning with the 61st month shall be divided by 120, and the resulting fraction shall be multiplied by the water or sewer system development charge tap-fee in effect on the date of reactivation. No pro-rated system development charge tap-fee will be assessed for an inactive period less than 60 consecutive months or five years. No service charges will be assessed for a connected water or sewer service after the fifth consecutive year of no water usage. For a connected service which has not been used for 15 years or more, the full water or sewer system development charge tap-fee in effect on the date of reactivation, shall be paid; and
 - (4) The applicable Metro Water Recovery metro-wastewater-reclamation-district's sewer connection charge in effect at the time of the sewer tap reactivation.
- (g) Prior to a determination that a water or sewer tap was inactive for a period of five consecutive years or more on or before January 1, 1996, and thereafter, pursuant to subsections (c) and (d) of this section or pursuant to any other section of the Code, the property owner shall be provided an administrative hearing held in accordance with section 2-171 et seq. The hearing officer may determine, based upon the evidence presented at such administrative hearing, that a water or sewer tap should not be terminated upon the payment by the property owner of any fee, charge, or cost identified in subsections (f)(1)—(4) of this section.

Sec. 102-75. Separation of properties.

- (a) Where two or more properties are owned by one party, either separated by a common wall or separate buildings, and are served through one connection and service line, upon severing of ownership of the property, each property severed is then required to be served by a separate service connection.
- (b) All costs for the new water and sewer service will be the responsibility of the new owner. The system development charges tap-fees will not be waived, but previously paid system development charges fees will be credited to those in effect at the time of separation.
- (c) This section does not apply to multifamily developments where an association of homeowners acts as an agent for the payment of bills and maintenance responsibilities for the owners so long as the association carries out all responsibilities of ownership in a timely manner.

Sec. 102-161. Residential water fees within city.

Water fees for serving residential facilities within the corporate limits of the city are as follows:

- (1) Tapping fee..... \$60.00
- (2) Inspection fee:

 - a. 5/8", 3/4" and 1" meters.....\$45.00
 - b. 1 1/2" and larger meters.....\$80.00

- (3) ~~System development charge~~ Tap fee determined from the following schedule:

Type of residence	Per Unit
a. Single-family	\$19,275.00 \$37,600.00
b. Duplex	\$14,460.00 \$28,200.00
c. Multifamily	\$-9,640.00 \$18,800.00

- (4) Meter and tap size determined from the following schedule:*

Type of Residence	Meter and Tap Size
a. Single-family	5/8" x 3/4" meter and 3/4" tap
b. Duplex with individually connected units	5/8" x 3/4" meter and 3/4" tap
Duplex with single service connection	3/4" x 3/4" meter and 3/4" tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1 1/2" meter and 1 1/2" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the Utilities Director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the Utilities Director for review and approval.

Sec. 102-161.5. Residential water fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District ~~, and Candelas Filings 2, 3, 4 and designated properties in Candelas Filing 1.~~

Fees in this section are set in accordance with existing agreements.

~~Pursuant to the Intergovernmental Agreement approved on April 4, 2005, by Ordinance 3943, the Jefferson Center Metropolitan District is responsible for the procurement of water supplies and the construction of major water infrastructure within the District boundaries. The city is not to charge the Jefferson Center Metropolitan District the initial capital cost of water rights or facilities conveyed at no cost to the city by the district.~~

~~Pursuant to the Annexation Agreement approved on August 1, 2011, by Ordinance 4278, the Leyden Rock Metropolitan District is to provide water supplies at no cost to the city for the properties within the district boundaries. The city is not to charge the Leyden Rock Metropolitan District the initial capital cost of water rights conveyed at no cost to the city by the district.~~

~~Pursuant to the Annexation Agreement approved on March 19, 2012, by Ordinance 4321, the Leyden Ranch Metropolitan District is to provide water supplies at no cost to the city for the properties within the district boundaries. The city is not to charge the Leyden Ranch Metropolitan District the initial capital cost of water rights conveyed at no cost to the city by the district.~~

~~Pursuant to a March 17, 2014 amendment to the May 2005 Intergovernmental Agreement with Jefferson Center Metropolitan District No. 2, the credits for the installation of major water infrastructure and the credits for the purchase of water rights have been blended into a uniform tap fee schedule for all properties within Candelas Filings 2, 3, 4, and designated properties in Candelas Filing 1.~~

Water fees for serving residential facilities within the corporate limits of the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District ~~and Candelas Filings 1, 2, 3, and 4~~ are as follows:

- (1) Tapping fee\$60.00
- (2) Inspection fee: ~~.....~~
 - a. 5/8", 3/4" and 1" meters\$45.00
 - b. 1 1/2", 2" and larger meters\$80.00
- (3) System development charge Tap fee determined from the following schedule:

	<u>Discount Amount to be applied when Water Supplies were provided</u>	<u>Discount Amount to be applied when funding was provided for existing facilities</u>	<u>Discount Amount to be applied when funding was provided for future facilities</u>
d. <u>Single-family</u>	<u>\$13,900.00</u>	<u>\$1,000.00</u>	<u>\$2,000.00</u>
e. <u>Duplex</u>	<u>\$10,400.00</u>	<u>\$700.00</u>	<u>\$1,500.00</u>
f. <u>Multifamily</u>	<u>\$6,900.00</u>	<u>\$500.00</u>	<u>\$1,000.00</u>

Type of residence	When no facilities or water supplies have been provided	When facilities only have been provided	When water supplies only have been provided	When facilities and water supplies have been provided	Candelas Uniform Tap Fee
a. Single-family	\$19,275	\$14,840	\$7,325	\$2,890	\$11,640
b. Duplex	\$14,460	\$11,140	\$5,490	\$2,170	\$ 8,730
e. Multifamily	\$ 9,640	\$ 7,430	\$3,660	\$1,450	\$ 5,820

(4) Meter and tap size determined from the following schedule:*

Type of residence	Meter and Tap Size
a. Single-family	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
b. Duplex with individually connected units	$\frac{5}{8}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
Duplex with single service connection	$\frac{3}{4}$ " \times $\frac{3}{4}$ " meter and $\frac{3}{4}$ " tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval.

~~(5) Water Surcharge Fee for Leyden Rock Metropolitan District. Pursuant to the Annexation Agreement approved on August 1, 2011, by Ordinance 4278, the Leyden Rock Metropolitan District is to pay a per unit water surcharge on the first 850 single family units constructed. Said water surcharge is in addition to the water fees listed above.~~

Sec. 102-161.6. Residential water fees within the Mountain Shadows Subdivision.

Fees in this section are set in accordance with existing agreements.

~~On August 11, 2003 under Resolution 03-105, the City approved an agreement with the Consolidated Mutual Water Company whereby the City may purchase shares of stock in the Consolidated Mutual Water Company for the purpose of acquiring additional water supplies. These water supplies are for the purpose of securing a water supply for the properties within the Mountain Shadows subdivision. Under the terms of the Annexation Agreement, Ordinances 3865 and 3866, the property owners will:~~

- ~~(1) Pay to the city the current Consolidated Mutual Water District selling price of capital stock for each share required for each water tap;~~
- ~~(2) Pay to the city the in-city water tap fee, with a credit given for water supplies that are being supplied via the Consolidated Mutual Water District.~~

Water fees for serving residential facilities within the Mountain Shadows subdivision are as follows:

- (1) Tapping fee.....\$60.00
- (2) Inspection fee:
 - a. 5/8", 3/4" and 1" meters.....\$45.00
 - b. 1 1/2", 2" and larger meters.....\$80.00
- (3) System development charge Tap fee determined from the following schedule:

Type of residence	Per Unit
a. Single-family	\$23,700.00 \$7,325 plus the Consolidated Mutual Water District selling price of capital stock for each share required for each water tap
b. Duplex	\$17,800.00 \$5,490 plus the Consolidated Mutual Water District selling price of capital stock for each share required for each water tap
c. Multifamily	\$11,900.00 \$3,660 plus the Consolidated Mutual Water District selling price of capital stock for each share required for each water tap

- (4) Meter and tap size determined from the following schedule:*

Type of residence	Meter and Tap Size
a. Single-family	5/8" × 3/4" meter and 3/4" tap
b. Duplex with individually connected units	5/8" × 3/4" meter and 3/4" tap
Duplex with single service connection	3/4" × 3/4" meter and 3/4" tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval.

Sec. 102-162. ~~Same~~—Waiver by city council.

The ~~system development charge residential water tap fees~~ applicable within the city limits may be waived or reduced only by express city council approval upon a finding and determination by the city council that such waiver or reduction is in the best interest of the city.

Sec. 102-163. Residential water fees outside city.

Water fees for serving residential facilities as defined in sections 102-51 and 102-32, outside the corporate limits of the city, are as follows:

- (1) Tapping fee\$90.00
- (2) Inspection fee:
 - a. 5/8", 3/4", and 1" meters\$67.50
 - b. 1½" and larger\$120.00
- (3) ~~System development charge Tap fee~~ determined from the following schedule:

Type of residence	Per Unit
a. Single family	\$75,200.00 \$38,550
b. Duplex	\$56,400.00 \$28,920
c. Multifamily	\$37,600.00 \$19,280

- (4) Meter and tap size determined from the following schedule:*

Type of Residence	Meter and Tap Size
a. Single-family	5/8" × 3/4" meter and 3/4" tap
b. Duplex with individually connected units	5/8" × 3/4" meter and 3/4" tap
Duplex with single service connection	3/4" × 3/4" meter and 3/4" tap
c. Multifamily:	
1. 3—6 units	1" meter and 1" tap
2. 7—18 units	1½" meter and 1½" tap
3. 19 or more units	2" or larger meter and tap

*A larger or smaller meter and equal tap size may be purchased and installed when approved by the utilities director if the total peak demand flow of the property being served, as calculated by the latest edition of the AWWA Manual M22, "Sizing Water Service Lines and Meters," which is hereby adopted by reference, justifies the change. Calculations so made will be submitted to the utilities director for review and approval.

Sec. 102-164. Nonresidential water fees within city.

(a) Water fees for serving nonresidential facilities inside the city are as follows:

(1) Tapping fee \$60.00

(2) Inspection fee:

a. 5/8", 3/4" and 1" meters \$45.00

b. 1½" and larger meters \$80.00

(3) System development charge Tap fee based on the following schedule:

Size of Meter	Meter Capacity Factor	Per Tap	
5/8" × 3/4"	1.0	<u>\$37,600.00</u>	<u>\$19,275</u>
3/4"	1.5	<u>\$56,400.00</u>	<u>\$28,910</u>
1"	2.5	<u>\$94,000.00</u>	<u>\$48,190</u>
1½"	5.0	<u>\$188,000.00</u>	<u>\$96,380</u>
2"	8.0	<u>\$300,800.00</u>	<u>\$154,200</u>
3"	17.5	<u>\$639,200.00</u>	<u>\$327,680</u>
4"	30.0	<u>\$1,128,000.00</u>	<u>\$578,250</u>
6"	62.5	<u>\$2,350,000.00</u>	<u>\$1,204,690</u>

(b) Water fees for serving irrigated open space inside the city are as follows:

(1) Tapping fee..... \$60.00

(2) Inspection fee:

- a. $\frac{5}{8}$ " \times $\frac{3}{4}$ " and 1" meters..... ~~§~~45.00
 - b. 1½" and larger meters..... ~~§~~80.00
- (3) System development charge Tap fee based on the following schedule:
- a. Non-water conserving landscaping at ~~§6.96~~ ~~§1.48~~ per square foot of irrigated area.
 - b. Water conserving landscaping at ~~§3.73~~ ~~§0.74~~ per square foot of irrigated area.
- (c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge tap fee, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their ~~his~~ duly authorized representative, consistent with the provisions of this Division 6 of Chapter 102. Any such determination shall be made available to the user for inspection, upon request.

Sec. 102-164.5. Nonresidential water fees within the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District, ~~and Candelas Filings 2, 3, 4 and designated properties in Candelas Filing 1.~~

Fees in this section are set in accordance with existing agreements.

~~Pursuant to the Intergovernmental Agreement approved on April 4, 2005, by Ordinance 3943, the Jefferson Center Metropolitan District is responsible for the procurement of water supplies and the construction of major water infrastructure within the district boundaries. The city is not to charge the Jefferson Center Metropolitan District the initial capital cost of water rights or facilities conveyed at no cost to the city by the district.~~

~~Pursuant to the Annexation Agreement approved on August 1, 2011, by Ordinance 4278, the Leyden Rock Metropolitan District is to provide water supplies at no cost to the city for the properties within the district boundaries. The city is not to charge the Leyden Rock Metropolitan District the initial capital cost of water rights conveyed at no cost to the city by the district.~~

~~Pursuant to the Annexation Agreement approved on March 19, 2012, by Ordinance 4321, the Leyden Ranch Metropolitan District is to provide water supplies at no cost to the city for the properties within the district boundaries. The city is not to charge the Leyden Ranch Metropolitan District the initial capital cost of water rights conveyed at no cost to the city by the district.~~

~~Pursuant to a March 17, 2014 amendment to the May 2005 Intergovernmental Agreement with Jefferson Center Metropolitan District No. 2, the credits for the installation of major water infrastructure and the credits for the purchase of water rights have been blended into a uniform tap fee schedule for all properties within Candelas Filings 2, 3, 4, and designated properties in Candelas Filing 1.~~

(a) Water fees for serving nonresidential facilities within the corporate limits of the Jefferson Center Metropolitan District, the Leyden Rock Metropolitan District, and the Leyden Ranch Metropolitan District, ~~and Candelas Filings 1, 2, 3, and 4~~ are as follows:

(1) Tapping fee \$60.00

(2) Inspection fee:

a. $\frac{5}{8}$ " , $\frac{3}{4}$ " and 1" meters \$45.00

b. $1\frac{1}{2}$ " , 2" and larger meters \$80.00

(3) System development charge Tap fee based on the following schedule:

<u>Size of Meter</u>	<u>Discount Amount to be applied when Water Supplies were provided</u>	<u>Discount Amount to be applied when funding was provided for existing facilities</u>	<u>Discount Amount to be applied when funding was provided for future facilities</u>
<u>$\frac{5}{8}$"x $\frac{3}{4}$"</u>	<u>\$13,900.00</u>	<u>\$1,000.00</u>	<u>\$2,000.00</u>
<u>$\frac{3}{4}$"</u>	<u>\$20,850.00</u>	<u>\$1,500.00</u>	<u>\$3,000.00</u>
<u>1"</u>	<u>\$34,750.00</u>	<u>\$2,500.00</u>	<u>\$5,000.00</u>
<u>1 $\frac{1}{2}$"</u>	<u>\$69,500.00</u>	<u>\$5,000.00</u>	<u>\$10,000.00</u>
<u>2"</u>	<u>\$111,200.00</u>	<u>\$8,000.00</u>	<u>\$16,000.00</u>
<u>3"</u>	<u>\$236,300.00</u>	<u>\$17,000.00</u>	<u>\$34,000.00</u>
<u>4"</u>	<u>\$417,000.00</u>	<u>\$30,000.00</u>	<u>\$60,000.00</u>
<u>6"</u>	<u>\$868,750.00</u>	<u>\$62,500.00</u>	<u>\$125,000.00</u>

<u>Size of Meter</u>	<u>When — no facilities — or water supplies have — been provided</u>	<u>When facilities — only have — been provided</u>	<u>When — water supplies — only have — been provided</u>	<u>When facilities — and water supplies have — been provided</u>	<u>Candelas Uniform — Tap Fee</u>
<u>$\frac{5}{8}$" x $\frac{3}{4}$"</u>	<u>\$ —19,275</u>	<u>\$ —14,840</u>	<u>\$ —7,325</u>	<u>\$ —2,890</u>	<u>\$ —11,640</u>
<u>$\frac{3}{4}$"</u>	<u>\$ —28,019</u>	<u>\$ —22,260</u>	<u>\$ —10,990</u>	<u>\$ —4,340</u>	<u>\$ —17,460</u>
<u>1"</u>	<u>\$ —48,190</u>	<u>\$ —37,110</u>	<u>\$ —18,310</u>	<u>\$ —7,230</u>	<u>\$ —29,100</u>
<u>1$\frac{1}{2}$"</u>	<u>\$ —96,380</u>	<u>\$ —74,220</u>	<u>\$ —36,620</u>	<u>\$ —14,460</u>	<u>\$ —58,200</u>
<u>2"</u>	<u>\$ —154,200</u>	<u>\$ —118,730</u>	<u>\$ —58,600</u>	<u>\$ —23,130</u>	<u>\$ —93,120</u>
<u>3"</u>	<u>\$ —327,680</u>	<u>\$ —252,310</u>	<u>\$ —124,520</u>	<u>\$ —49,150</u>	<u>\$ —197,880</u>
<u>4"</u>	<u>\$ —578,250</u>	<u>\$ —445,260</u>	<u>\$ —219,730</u>	<u>\$ —86,740</u>	<u>\$ —349,200</u>
<u>6"</u>	<u>\$ —1,204,690</u>	<u>\$ —927,610</u>	<u>\$ —457,780</u>	<u>\$ —180,700</u>	<u>\$ —727,500</u>

(b) Water fees for serving irrigated open space inside the city are as follows:

- (1) Tapping fee \$60.00
- (2) Inspection fee:
 - a. 5/8" x 3/4" and 1" meters \$45.00
 - b. 1 1/2" and larger meters \$80.00
- (3) System development charge Tap-fee based on the following schedule, at a per square foot of irrigated area:

<u>Size of Meter</u>	<u>Discounted Amount because Water Supplies were provided</u>	<u>Discounted Amount because funding was provided for existing facilities</u>	<u>Discounted Amount because funding was provided for future facilities</u>
<u>Non-water conserving landscaping</u>	<u>\$4.39</u>	<u>\$6.77</u>	<u>\$6.58</u>
<u>Water conserving landscaping</u>	<u>\$2.35</u>	<u>\$3.63</u>	<u>\$2.25</u>

	<u>When no facilities or water supplies have been provided</u>	<u>When facilities only have been provided</u>	<u>When water supplies only have been provided</u>	<u>When facilities and water supplies have been provided</u>	<u>Candelas Uniform Tap Fee</u>
<u>Non-water conserving landscaping</u>	<u>\$1.48</u>	<u>\$1.14</u>	<u>\$0.56</u>	<u>\$0.22</u>	<u>\$0.86</u>
<u>Water conserving landscaping</u>	<u>\$0.74</u>	<u>\$0.57</u>	<u>\$0.28</u>	<u>\$0.11</u>	<u>\$0.43</u>

- (c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge tap-fee, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their his duly authorized representative, consistent with the provisions of this Article I of Chapter 33. Any such determination shall be made available to the user for inspection, upon request.

Sec. 102-164.6. Nonresidential water fees within the Mountain Shadows Subdivision.

(a) Fees in this section are set in accordance with existing agreements.

~~(a) On August 11, 2003 under Resolution 03-105, the city approved an agreement with the Consolidated Mutual Water Company whereby the city may purchase shares of stock in the Consolidated Mutual Water Company for the purpose of acquiring additional water supplies. These water supplies are for the purpose of securing a water supply for the properties within the Mountain Shadows subdivision. Under the terms of the Annexation Agreement, Ordinances 3865 and 3866, the property owners will:~~

~~(1) Pay to the city the current Consolidated Mutual Water District selling price of capital stock for each share required for each water tap;~~

~~(2) Pay the in-city water tap fee, with a credit given for water supplies that are being supplied in-city via the Consolidated Mutual Water District.~~

(b) Water fees for serving nonresidential facilities within Mountain Shadows subdivision are as follows:

(1) Tapping fee..... \$60.00

(2) Inspection fee:

a. 5/8", 3/4" and 1" meters \$45.00

b. 1 1/2", 2" and larger meters \$80.00

(3) System development charge Tap fee determined from the following schedule:

Size of Meter	Per Unit	Per Water Tap
5/8" x 3/4"	\$23,700.00 \$7,325	Plus the current Consolidated Mutual Water District selling price of capital stock for each share required for each water tap
3/4"	\$35,550.00 \$10,990	
1"	\$59,250.00 \$18,310	
1 1/2"	\$118,500.00 \$36,620	
2"	\$189,600.00 \$58,600	
3"	\$402,900.00 \$124,520	
4"	\$711,000.00 \$219,730	
6"	\$1,481,250.00 \$457,780	
Non-water conserving landscaping	\$4.39 \$0.56 per Sq. Ft.	
Water conserving landscaping	\$2.35 \$0.28 per Sq. Ft.	

- (c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge tap fee, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their his duly authorized representative, consistent with the provisions of this division 6 of chapter 102. Any such determination shall be made available to the user for inspection, upon request.

Sec. 102-165. Same—Waiver.

The water system development charges tap fees for commercial, institutional, governmental and industrial uses applicable inside the city limits may be waived or reduced only by express city council approval upon a finding and determination that such waiver or reduction is in the best interest of the city.

Sec. 102-166. Nonresidential water fees outside city.

- (a) Water fees for serving nonresidential facilities outside the city are as follows:

- (1) Tapping fee..... \$90.00
- (2) Inspection fee:
 - a. $\frac{5}{8}$ " , $\frac{3}{4}$ " and 1" meters..... \$67.50
 - b. 1½" and larger meter..... \$120.00

- (3) System development charge Tap fee based on the following schedule:

Size of Meter	Meter Capacity Factor	Per Tap
$\frac{5}{8}$ " × $\frac{3}{4}$ "	1.0	<u>\$75,200.00</u> \$38,550
$\frac{3}{4}$ "	1.5	<u>\$112,800.00</u> \$57,820
1"	2.5	<u>\$188,000.00</u> \$96,380
1½"	5.0	<u>\$376,000.00</u> \$192,760
2"	8.0	<u>\$601,600.00</u> \$308,400
3"	17.5	<u>\$1,278,400.00</u> \$655,360
4"	30.0	<u>\$2,256,000.00</u> \$1,156,500
6"	62.5	<u>\$4,700,000.00</u> \$2,409,380

- (b) Water fees for serving irrigated open space outside the city are as follows:

- (1) Tapping fee..... \$90.00
- (2) Inspection fee:
 - a. $\frac{5}{8}$ " × $\frac{3}{4}$ " and 1" meters..... \$67.50

- b. 1½" and larger meters..... ~~\$~~120.00
- (3) System development charge Tap fee based on the following schedule:
 - a. Non-water conserving landscape at ~~\$13.92~~ ~~\$2.96~~ per square foot of irrigated area.
 - b. Water conserving landscape at ~~\$7.46~~ ~~\$1.48~~ per square foot of irrigated area.
- (c) For service connections requiring a water tap and meter size larger than six inches, the determination of the system development charge tap fee, based on the total annual water requirement and the water demand characteristics of the property being served, shall be at the sole discretion of the utilities director or their ~~his~~ duly authorized representative, consistent with the provisions of this division 6 of chapter 102. Any such determination shall be made available to the user for inspection, upon request.
- (d) The fees paid and collected by virtue of this section shall not be used for general or other governmental propriety purposes of the city and shall be used solely to pay for the cost of water taps for new and existing parks and street medians.

Sec. 102-168. Residential water fees for parks and street medians.

- (a) All residential water fees collected under section 102-161(3), section 102-161.5(3), section 102-161.6(3), or section 102-163(3) shall be charged an additional amount based on the following schedule:

Type of Residence	Amount per Unit	
	In City	Out of City
a. Single-family	\$1,000.00 \$445.00	\$1,500.00 \$667.50
b. Duplex	\$750.00 \$333.75	\$1,125.00 \$500.62
c. Multifamily	\$500.00 \$222.50	\$750.00 \$333.75

- (b) The fees paid and collected by virtue of this section shall not be used for general or other governmental propriety purposes of the city and shall be used solely to pay for the cost of water taps for new and existing parks and street medians.

Sec. 102-202. Sewer system development charges tap fees—Residential use property.

Sewer system development charges tap fees for serving residential properties, ~~inclusive of single family, duplex, townhouse, multifamily, apartment buildings, and mobile home courts,~~ are as follows:

- (1) An inspection fee of \$25.00.
- (2) System development charge Tap fee determined from the following schedule:

<u>Type of Residence</u>	<u>Amount</u>
<u>Single-family</u>	<u>\$10,400.00</u>
<u>Duplex</u>	<u>\$7,280.00</u>
<u>Multifamily</u>	<u>\$7,280.00</u>

<u>Type of Residence</u>	<u>Amount — effective through 6-30-2010</u>	<u>Amount effective 7-1-2010</u>	<u>Amount effective 1-1-2011</u>
<u>1. Single family</u>	<u>\$1,120.00</u>	<u>\$1,349.50</u>	<u>\$1,579.00</u>
<u>2. Duplex</u>	<u>784.00</u>	<u>944.50</u>	<u>1,105.00</u>
<u>3. Multi-family</u>	<u>784.00</u>	<u>944.50</u>	<u>1,105.00</u>

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) Wastewater Reclamation District ("district") connector charge. The city acts as the agent for ~~the Metro Water Recovery district~~ in collection of a connector charge in accordance with the fee schedule established by ~~the Metro Water Recovery district~~. This charge must be paid prior to the connection of the sewer service line to the city sewer main.
- (4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.

Sec. 102-202.1. Sewer system development charges—Residential use property within the Jefferson Center Metropolitan District.

Fees in this section are set in accordance with existing agreements.

Sewer system development charges for serving residential properties are as follows:

- (1) An inspection fee of \$25.00.
- (2) System development charge determined from the following schedule:

<u>Type of Residence</u>	<u>Discounted Amount Based on Funding Received for Future Facilities</u>
<u>Single-family</u>	<u>\$10,225.00</u>
<u>Duplex</u>	<u>\$7,157.50</u>
<u>Multifamily</u>	<u>\$7,157.50</u>

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by

Metro Water Recovery. This charge must be paid prior to the connection of the sewer service line to the city sewer main.

(4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.

Sec. 102-203. Sewer system development charges—Nonresidential use property ~~Same—Other property.~~

Sewer fees serving nonresidential use property ~~all other property, inclusive of all types not specifically named in section 102-202,~~ are as follows:

- (1) An inspection fee of \$25.00.
- (2) System development charge ~~Tap fee~~ determined from the following schedule:

<u>Non-residential Sewer Service Tap Size</u>	<u>Number of Single-Family Residential Equivalents</u>	<u>System Development Charge</u>
<u>5/8" x 3/4"</u>	<u>1.0</u>	<u>\$10,400.00</u>
<u>3/4"</u>	<u>1.5</u>	<u>\$15,600.00</u>
<u>1"</u>	<u>2.5</u>	<u>\$26,000.00</u>
<u>1 1/2"</u>	<u>5.0</u>	<u>\$52,000.00</u>
<u>2"</u>	<u>8.0</u>	<u>\$83,200.00</u>
<u>3"</u>	<u>17.0</u>	<u>\$176,800.00</u>
<u>4"</u>	<u>30.0</u>	<u>\$312,000.00</u>
<u>6"</u>	<u>62.5</u>	<u>\$650,000.00</u>

<u>Nonresidential Sewer Service Tap Size—Inches</u>	<u>Number Single-Family Residential Equivalents</u>	<u>System development charge Tap fee</u>	<u>System development charge Fee effective 7-1-2010</u>	<u>System development charge Fee effective 1-1-2011</u>
<u>5/8 by 3/4</u>	<u>1.0</u>	<u>\$1,120.00</u>	<u>\$1,349.50</u>	<u>\$1,579.00</u>
<u>3/4 by 3/4</u>	<u>1.5</u>	<u>1,680.00</u>	<u>2,024.50</u>	<u>2,369.00</u>

- (3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) Metro Wastewater Reclamation District ("district") connector charge. The city acts as agent for ~~the Metro Water Recovery district~~ in collection of a connector charge in accordance with the fee schedule established by ~~the Metro Water Recovery district~~. This charge must be paid prior to the connection of the sewer service line to the city sewer main.

(4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.

Sec. 102-203.1. Sewer system development charges—Nonresidential use property within the Jefferson Center Metropolitan District.

Fees in this section are set in accordance with existing agreements.

Sewer fees serving nonresidential use property are as follows:

(1) An inspection fee of \$25.00.

(2) System development charge determined from the following schedule:

<u>Non-residential Sewer Service Tap Size</u>	<u>Number of Single-Family Residential Equivalents</u>	<u>Discounted Amount Based on Funding Received for Future Facilities</u>
<u>5/8" x 3/4"</u>	<u>1.0</u>	<u>\$10,225.00</u>
<u>3/4"</u>	<u>1.5</u>	<u>\$15,338.00</u>
<u>1"</u>	<u>2.5</u>	<u>\$25,563.00</u>
<u>1 1/2"</u>	<u>5.0</u>	<u>\$51,126.00</u>
<u>2"</u>	<u>8.0</u>	<u>\$81,801.00</u>
<u>3"</u>	<u>17.0</u>	<u>\$173,828.00</u>
<u>4"</u>	<u>30.0</u>	<u>\$306,755.00</u>
<u>6"</u>	<u>62.5</u>	<u>\$639,073.00</u>

(3) Plus, the Metro Water Recovery (formerly known as Metro Wastewater Reclamation District) connector charge. The city acts as the agent for Metro Water Recovery in collection of a connector charge in accordance with the fee schedule established by Metro Water Recovery. This charge must be paid prior to the connection of the sewer service line to the city sewer main.

(4) The sewer tap size required will be determined in accordance with the Uniform Plumbing Code (UPC), as amended and adopted by the city.