

COUNCIL BILL NO. 22-069
ORDINANCE NO. 4817

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 102, UTILITIES, OF THE ARVADA CITY CODE PERTAINING TO WATER USERS RATES AND BIMONTHLY SERVICE CHARGES

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

Section 1. Section 102-170, Residential user charges – Within city, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-170. Residential user charges—Within city.

Bimonthly user charges for residential class of service within the city shall be based upon the following service charges and usage rates; provided, however, there will be a bimonthly service charge regardless of usage as set forth in this section:

(1) Single-family or other individually connected units:

- a. The bimonthly service charge is..... \$13.83
- b. Plus, a bimonthly usage charge as follows:
 - 1. 0—30,000 gallons, per 1,000.....\$5.03
 - 2. from 30,001 to 60,000 gallons, per 1,000.....\$6.29
 - 3. from 60,001 to 90,000 gallons, per 1,000.....\$7.56
 - 4. All above 90,000 gallons, per 1,000.....\$10.07

(2) Duplex, multifamily, townhouse, or other units that are interconnected:

a. The total bimonthly service charge regardless of usage is as follows:

<i>Number of Units</i>	<i>Service Charge</i>
2—6	\$21.71
7—18	\$ 37.96
19—60	\$ 51.52
61—144	\$ 116.59
Over 144	\$ 197.94

b. Plus, a bimonthly usage charge as follows:

1. 0—30,000 gallons for the first unit plus 13,000 gallons for each additional unit at the rate of \$5.03 per 1,000 gallons.
2. 30,001—60,000 gallons for the first unit plus 26,000 gallons for each additional unit at the rate of \$6.29 per 1,000 gallons.
3. 60,001—90,000 gallons for the first unit plus 39,000 gallons for each additional unit at the rate of \$7.56 per 1,000 gallons.
4. All remaining usage at the rate of \$10.07 per 1,000 gallons.”

Section 2. Section 102-171, Residential user charges—Outside city, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-171. Residential user charges—Outside city.

Bimonthly user charges for residential service outside the city shall be based upon the following service charges and user rates; provided, however, there will be a bimonthly service charge regardless of usage as set forth in this section:

(1) Single-family or other individually connected units:

- a. The bimonthly service charge is.....\$27.66
- b. Plus, a bimonthly usage charge as follows:
 1. 0—30,000 gallons per 1,000.....\$10.06
 2. from 30,001 to 60,000 gallons, per 1,000.....\$12.58
 3. from 60,001 to 90,000 gallons, per 1,000.....\$15.12
 4. All over 90,000 gallons, per 1,000.....\$20.15

(2) Duplex, multifamily, townhouse, or other units that are interconnected:

a. The total bimonthly service charge regardless of usage is as follows:

<i>Number of Units</i>	<i>Service Charge</i>
2—6	\$43.41
7—18	\$75.91
19—60	\$103.05
61—144	\$233.19
Over 144	\$395.87

b. Plus, a bimonthly usage charge as follows:

1. 0—30,000 gallons for the first unit plus 13,000 gallons for each additional unit at the rate of \$10.06 per 1,000 gallons.
2. 30,001—60,000 gallons for the first unit plus 26,000 gallons for each additional unit at the rate of \$12.58 per 1,000 gallons.
3. 60,001—90,000 gallons for the first unit plus 39,000 gallons for each additional unit at the rate of \$15.12 per 1,000 gallons.
4. All remaining usage at the rate of \$20.15 per 1,000 gallons.”

Section 3. Section 102-172. Nonresidential user charges--Within city, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-172. Nonresidential user charges—Within city.

Bimonthly user charges for nonresidential class of service within the city is based upon the following service charges and user rates; provided, however, there will be a bimonthly service charge regardless of usage as set forth in this section:

<i>Meter Size</i>	<i>Service Charge</i>
5/8" × 3/4"	\$ 13.83
3/4"	\$16.49
1"	\$21.71
1 1/2"	\$37.96
2"	\$51.52
3"	\$116.59
4"	\$197.94

<i>Meter Size</i>	<i>Quantity (in 1,000 gallons) at a rate of \$5.03 per 1,000 gallons</i>	<i>Quantity (in 1,000 gallons) at a rate of \$6.29 per 1,000 gallons</i>	<i>Quantity (in 1,000 gallons) at a rate of \$7.56 per 1,000 gallons</i>	<i>Quantity (in 1,000 gallons) at a rate of \$10.07 per 1,000 gallons</i>
5/8" × 3/4"	0 to 170	170 to 340	340 to 510	All over 510
3/4"	0 to 170	170 to 340	340 to 510	All over 510
1"	0 to 280	280 to 560	560 to 840	All over 840
1 1/2"	0 to 600	600 to 1,200	1,200 to 1,800	All over 1,800
2"	0 to 900	900 to 1,800	1,800 to 2,700	All over 2,700
3"	0 to 2,000	2,000 to 4,000	4,000 to 6,000	All over 6,000
4"	0 to 3,400	3,400 to 6,800	6,800 to 10,200	All over 10,200

”

Section 4. Section 102-173. Nonresidential user charges—outside city, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-173. Nonresidential user charges—outside city.

Bimonthly user charges for nonresidential class of service outside the city is based upon

the following service charges and user rates; provided, however, there will be a bimonthly service charge regardless of usage as set forth in this section:

<i>Meter Size</i>	<i>Service Charge</i>
5/8" x 3/4"	\$27.66
3/4"	\$32.98
1"	\$43.42
1 1/2"	\$75.92
2"	\$103.04
3"	\$233.18
4"	\$395.88

<i>Meter Size</i>	<i>Quantity (in 1,000 gallons) at a rate of \$10.06 per 1,000 gallons</i>	<i>Quantity (in 1,000 gallons) at a rate of \$12.58 per 1,000 gallons</i>	<i>Quantity (in 1,000 gallons) at a rate of \$15.12 per 1,000 gallons</i>	<i>Quantity (in 1,000 gallons) at a rate of \$20.15 per 1,000 gallons</i>
5/8" x 3/4"	0 to 170	170 to 340	340 to 510	All over 510
3/4"	0 to 170	170 to 340	340 to 510	All over 510
1"	0 to 280	280 to 560	560 to 840	All over 840
1 1/2"	0 to 600	600 to 1,200	1,200 to 1,800	All over 1,800
2"	0 to 900	900 to 1,800	1,800 to 2,700	All over 2,700
3"	0 to 2,000	2,000 to 4,000	4,000 to 6,000	All over 6,000
4"	0 to 3,400	3,400 to 6,800	6,800 to 10,200	All over 10,200

Section 5. Section 102-174. Distributor and institution user rates, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-174. Distributor and institution user rates.

The following water user rates are applicable to contractual service in or out of the city accountable through master meter or meters to user-owned and user-maintained distribution systems:

- (1) First 500,000 gallons per month, per 1,000 gallons.....\$5.15
- (2) Excess of 500,000 gallons per month, per 1,000 gallons.....\$4.96”

Section 6. Section 102-175. Fill Station user rates, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-175. Fill station user rates.

The water user rate applicable for fill station usage will be charged at \$7.56 per 1,000 gallons.”

Section 7. Section 102-176. Fire hydrant metered water user rates, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-176. Fire hydrant metered water user rates.

(a) The water user rate applicable to permitted users of fire hydrant meters for measuring water supplied from a city fire hydrant is \$7.56 per 1,000 gallons, plus a service charge as follows:

- | | |
|-----------------------|----------------------------------|
| (1) 1 to 90 days: | \$1.00 per day, minimum of 1 day |
| (2) 91 to 180 days: | \$2.00 per day |
| (3) 181 days or more: | \$3.00 per day |

A damage deposit of \$1,250.00 will be collected at the time of issuance of the fire hydrant permit. Upon return of the fire hydrant meter in condition acceptable to the city, the damage deposit will be returned.

- (b) Tampering with, or in any manner altering the operation of the meter such that the register usage is less than the actual usage will result in an additional fee of \$5.00 per day being charged retroactive to the date the hydrant meter permit was issued and ending on the date the meter is returned. The charges provided in this paragraph shall be in addition to the charges provided in paragraph (a) of this section.
- (c) If the city cannot furnish a fire hydrant meter, the customer may use the customer's own meter upon obtaining a permit under provisions of this section. The customer may be required to submit written proof that the meter has been calibrated and reads accurately.”

Section 8. Section 102-177. Municipal park rate, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-177. Municipal park rate.

- (a) Monthly user rate for the municipal park class is based upon the rate of \$2.86 per 1,000 gallons.
- (b) This service is interruptible to the extent the city may limit the times of irrigation and the amount of water used. The city and the Apex Park and Recreation District-owned properties, which have occupied structures located thereon, are excluded from this class of water service.”

Section 9. Section 102-178. Unmetered standby fire protection service charge, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-178. - Unmetered standby fire protection service charge.

Bimonthly charges for unmetered standby fire protection service is as follows:

	In City	Out of City
a. Fire hydrants, each	\$7.56	\$11.34
b. Automatic sprinkler system:		
5/8"—3/4" service line	\$7.56	\$11.34
1" service line	\$7.56	\$11.34
1 1/4" service line	\$15.13	\$22.68
1 1/2" service line	\$15.13	\$22.68
2" service line	\$22.66	\$33.99
3" service line	\$30.19	\$45.28
4" service line	\$45.34	\$68.01
6" service line	\$60.44	\$90.66
8" service line	\$71.51	\$107.28

”

Section 10. Section 102-179. Lost water rate, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-179. Lost water rate.

Unmetered water lost or used due to activities such as, but not limited to, excavation, demolition, landscaping, or intentional acts of vandalism or theft will be billed to the responsible party at the rate of \$7.56 per 1,000 gallons. The estimated volume of unmetered lost water will be based on main size, break size, water pressure, flow time, or other available data.”

Section 11. Section 102-180. Special service fees and user rates, of the Arvada City Code, is hereby amended and shall read as follows:

“Sec. 102-180. Special service fees and user rates.

Prior to use of the fire hydrant as a source of water for special short-term community activities, the applicant will obtain a hydrant permit and water meter from the utilities department at least 24 hours prior to the time of use. Charges for the service and the water used will be based only on the water user rate of \$5.03 per 1,000 gallons.”

Section 12. Severability. Should any provision of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 13. This ordinance shall take effect on January 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

By:_____

Publication Dates: October 6, 2022
October 20, 2022

REDLINE/STRIKETHROUGH VERSION

FOR INFORMATION ONLY – NOT PART OF THE ORDINANCE

Underlined indicates new material
~~Strikethrough~~ indicated deleted material

Sec. 102-170. Residential user charges—Within city.

Bimonthly user charges for residential class of service within the city shall be based upon the following service charges and usage rates; provided, however, there will be a bimonthly service charge regardless of usage as set forth in this section:

(1) Single-family or other individually connected units:

- a. The bimonthly service charge is..... ~~\$9.83~~ 13.83
- b. Plus, a bimonthly usage charge as follows:
 - 1. 0—30,000 gallons, per 1,000.....~~\$4.48~~ 5.03
 - 2. from 30,001 to 60,000 gallons, per 1,000.....~~\$5.60~~ 6.29
 - 3. from 60,001 to 90,000 gallons, per 1,000.....~~\$6.73~~ 7.65
 - 4. All above 90,000 gallons, per 1,000.....~~\$8.97~~ 10.07

(2) Duplex, multifamily, townhouse, or other units that are interconnected:

- a. The total bimonthly service charge regardless of usage is as follows:

<i>Number of Units</i>	<i>Service Charge</i>
2—6	\$15.43 <u>21.71</u>
7—18	\$26.98 <u>37.96</u>
19—60	\$36.62 <u>51.52</u>
61—144	\$82.87 <u>116.59</u>
Over 144	\$140.69 <u>197.94</u>

- b. Plus, a bimonthly usage charge as follows:

- 1. 0—30,000 gallons for the first unit plus 13,000 gallons for each additional unit at the rate of ~~\$4.48~~ 5.03 per 1,000 gallons.
- 2. 30,001—60,000 gallons for the first unit plus 26,000 gallons for each additional unit at the rate of ~~\$5.60~~ 6.29 per 1,000 gallons.

3. 60,001—90,000 gallons for the first unit plus 39,000 gallons for each additional unit at the rate of ~~\$6.73~~ 7.56 per 1,000 gallons.

4. All remaining usage at the rate of ~~\$8.97~~ 10.07 per 1,000 gallons.

Sec. 102-171. Residential user charges—Outside city.

Bimonthly user charges for residential service outside the city shall be based upon the following service charges and user rates; provided, however, there will be a bimonthly service charge regardless of usage as set forth in this section:

(1) Single-family or other individually connected units:

a. The bimonthly service charge is.....~~\$19.66~~ 27.66

b. Plus, a bimonthly usage charge as follows:

1. 0—30,000 gallons per 1,000.....~~\$8.96~~ 10.06

2. from 30,001 to 60,000 gallons, per 1,000.....~~\$11.19~~ 12.58

3. from 60,001 to 90,000 gallons, per 1,000.....~~\$13.47~~ 15.12

4. All over 90,000 gallons, per 1,000.....~~\$17.94~~ 20.15

(2) Duplex, multifamily, townhouse, or other units that are interconnected:

a. The total bimonthly service charge regardless of usage is as follows:

<i>Number of Units</i>	<i>Service Charge</i>
2—6	\$30.86 <u>43.41</u>
7—18	\$53.96 <u>75.91</u>
19—60	\$73.24 <u>103.05</u>
61—144	\$165.74 <u>233.19</u>
Over 144	\$281.38 <u>395.87</u>

b. Plus, a bimonthly usage charge as follows:

1. 0—30,000 gallons for the first unit plus 13,000 gallons for each additional unit at the rate of ~~\$8.96~~ 10.06 per 1,000 gallons.

2. 30,001—60,000 gallons for the first unit plus 26,000 gallons for each additional unit at the rate of ~~\$11.19~~ 12.58 per 1,000 gallons.

3. 60,001—90,000 gallons for the first unit plus 39,000 gallons for each

additional unit at the rate of \$~~13.47~~ 15.12 per 1,000 gallons.

4. All remaining usage at the rate of \$~~17.94~~ 20.15 per 1,000 gallons.

Sec. 102-172. Nonresidential user charges—Within city.

Bimonthly user charges for nonresidential class of service within the city is based upon the following service charges and user rates; provided, however, there will be a bimonthly service charge regardless of usage as set forth in this section:

<i>Meter Size</i>	<i>Service Charge</i>
5/8" x 3/4"	\$ 9.83 <u>13.83</u>
3/4"	\$ 11.72 <u>16.49</u>
1"	\$ 15.43 <u>21.71</u>
1 1/2"	\$ 26.98 <u>37.96</u>
2"	\$ 36.62 <u>51.52</u>
3"	\$ 82.87 <u>116.59</u>
4"	\$ 140.69 <u>197.94</u>

<i>Meter Size</i>	<i>Quantity (in 1,000 gallons) at a rate of \$4.48 <u>5.03</u> per 1,000 gallons</i>	<i>Quantity (in 1,000 gallons) at a rate of \$5.60 <u>6.29</u> per 1,000 gallons</i>	<i>Quantity (in 1,000 gallons) at a rate of \$6.73 <u>7.56</u> per 1,000 gallons</i>	<i>Quantity (in 1,000 gallons) at a rate of \$8.97 <u>10.07</u> per 1,000 gallons</i>
5/8" x 3/4"	0 to 170	170 to 340	340 to 510	All over 510
3/4"	0 to 170	170 to 340	340 to 510	All over 510
1"	0 to 280	280 to 560	560 to 840	All over 840
1 1/2"	0 to 600	600 to 1,200	1,200 to 1,800	All over 1,800
2"	0 to 900	900 to 1,800	1,800 to 2,700	All over 2,700
3"	0 to 2,000	2,000 to 4,000	4,000 to 6,000	All over 6,000
4"	0 to 3,400	3,400 to 6,800	6,800 to 10,200	All over 10,200

Sec. 102-173. Nonresidential user charges—outside city.

Bimonthly user charges for nonresidential class of service outside the city is based upon the following service charges and user rates; provided, however, there will be a bimonthly service charge regardless of usage as set forth in this section:

<i>Meter Size</i>	<i>Service Charge</i>
5/8" x 3/4"	\$ 19.66 <u>27.66</u>
3/4"	\$ 23.44 <u>32.98</u>
1"	\$ 30.86 <u>43.42</u>
1 1/2"	\$ 53.96 <u>75.92</u>
2"	\$ 73.24 <u>103.04</u>
3"	\$ 165.74 <u>233.18</u>
4"	\$ 281.38 <u>395.88</u>

Meter Size	Quantity (in 1,000 gallons) at a rate of \$8.96 <u>10.06</u> per 1,000 gallons	Quantity (in 1,000 gallons) at a rate of \$11.19 <u>12.58</u> per 1,000 gallons	Quantity (in 1,000 gallons) at a rate of \$13.47 <u>15.12</u> per 1,000 gallons	Quantity (in 1,000 gallons) at a rate of \$17.94 <u>20.15</u> per 1,000 gallons
5/8" x 3/4"	0 to 170	170 to 340	340 to 510	All over 510
3/4"	0 to 170	170 to 340	340 to 510	All over 510
1"	0 to 280	280 to 560	560 to 840	All over 840
1 1/2"	0 to 600	600 to 1,200	1,200 to 1,800	All over 1,800
2"	0 to 900	900 to 1,800	1,800 to 2,700	All over 2,700
3"	0 to 2,000	2,000 to 4,000	4,000 to 6,000	All over 6,000
4"	0 to 3,400	3,400 to 6,800	6,800 to 10,200	All over 10,200

Sec. 102-174. Distributor and institution user rates.

The following water user rates are applicable to contractual service in or out of the city accountable through master meter or meters to user-owned and user-maintained distribution systems:

- (1) First 500,000 gallons per month, per 1,000 gallons.....~~\$4.59~~ 5.15
- (2) Excess of 500,000 gallons per month, per 1,000 gallons.....~~\$4.42~~ 4.96

Sec. 102-175. Fill station user rates.

The water user rate applicable for fill station usage will be charged at ~~\$6.73~~ 7.56 per 1,000 gallons.

Sec. 102-176. Fire hydrant metered water user rates.

- (a) The water user rate applicable to permitted users of fire hydrant meters for measuring water supplied from a city fire hydrant is ~~\$6.73~~ 7.56 per 1,000 gallons, plus a service charge as follows:

- (1) 1 to 90 days: \$1.00 per day, minimum of 1 day
- (2) 91 to 180 days: \$2.00 per day
- (3) 181 days or more: \$3.00 per day

A damage deposit of \$1,250.00 will be collected at the time of issuance of the fire hydrant permit. Upon return of the fire hydrant meter in condition acceptable to the city, the damage deposit will be returned.

- (b) Tampering with, or in any manner altering the operation of the meter such that the register usage is less than the actual usage will result in an additional fee of \$5.00 per day

being charged retroactive to the date the hydrant meter permit was issued and ending on the date the meter is returned. The charges provided in this paragraph shall be in addition to the charges provided in paragraph (a) of this section.

- (c) If the city cannot furnish a fire hydrant meter, the customer may use the customer's own meter upon obtaining a permit under provisions of this section. The customer may be required to submit written proof that the meter has been calibrated and reads accurately.

Sec. 102-177. Municipal park rate.

- (a) Monthly user rate for the municipal park class is based upon the rate of ~~\$2.55~~ 2.86 per 1,000 gallons.
- (b) This service is interruptible to the extent the city may limit the times of irrigation and the amount of water used. The city and the Apex Park and Recreation District-owned properties, which have occupied structures located thereon, are excluded from this class of water service.

Sec. 102-178. Unmetered standby fire protection service charge.

Bimonthly charges for unmetered standby fire protection service is as follows:

	In City	Out of City
a. Fire hydrants, each	\$6.73 <u>7.56</u>	\$10.10 <u>11.34</u>
b. Automatic sprinkler system:		
5/8"—3/4" service line	\$6.73 <u>7.56</u>	\$10.10 <u>11.34</u>
1" service line	\$6.73 <u>7.56</u>	\$10.10 <u>11.34</u>
1 1/4" service line	\$13.47 <u>15.13</u>	\$20.20 <u>22.68</u>
1 1/2" service line	\$13.47 <u>15.13</u>	\$20.20 <u>22.68</u>
2" service line	\$20.18 <u>22.66</u>	\$30.27 <u>33.99</u>
3" service line	\$26.88 <u>30.19</u>	\$40.32 <u>45.28</u>
4" service line	\$40.37 <u>45.34</u>	\$60.56 <u>68.01</u>
6" service line	\$53.82 <u>60.44</u>	\$80.73 <u>90.66</u>
8" service line	\$63.68 <u>71.51</u>	\$95.53 <u>107.28</u>

Sec. 102-179. Lost water rate.

Unmetered water lost or used due to activities such as, but not limited to, excavation, demolition, landscaping, or intentional acts of vandalism or theft will be billed to the responsible party at the rate of ~~\$6.73~~ 7.56 per 1,000 gallons. The estimated volume of unmetered lost water will be based on main size, break size, water pressure, flow time, or other available data.

Sec. 102-180. Special service fees and user rates.

Prior to use of the fire hydrant as a source of water for special short-term community activities, the applicant will obtain a hydrant permit and water meter from the utilities department at least 24 hours prior to the time of use. Charges for the service and the water used will be based only on the water user rate of \$~~4.48~~ 5.03 per 1,000 gallons.