

ORDINANCE NO. 183, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 26-149 OF THE CODE OF THE CITY OF FORT COLLINS
REGARDING ANNUAL WATER ALLOTMENTS FOR NONRESIDENTIAL WATER
SERVICES WITH PERMITS ISSUED BEFORE MARCH 1, 1984

A. The City owns and operates a water utility that provides water service to customers in its service area pursuant to the City Charter, City Code, and other applicable laws.

B. The City Council is empowered and directed by the City Charter Article XII, Section 6, by ordinance from time to time, to fix, establish, maintain and provide for the collection of such rates, fees, or charges for utility services furnished by the City as will produce revenues sufficient to pay the costs, expenses, and other obligations of the water utility, as set forth therein.

C. Through Ordinance No. 152, 2024, the City added Subsection (e) to City Code Section 26-149, thereby adopting a methodology to assign annual allotments for nonresidential water service permits issued before March 1, 1984. For such permits, the assigned annual allotment is the greater of: the appropriate value in the table in this subsection; and the average annual use of the service between January 1, 2019, and December 31, 2023.

D. Since the enactment of Ordinance No. 152, 2024, City staff have analyzed the methodology and impacts of City Code Section 26-149(e). City staff have noted concerns regarding the use of data from the year 2020 in the calculations because the COVID-19 pandemic and related impacts decreased indoor water use by some customers, resulting in smaller annual allotments for some customers. City staff has also considered the use of data from the year 2023 in the calculations because of that year's higher-than-normal precipitation that decreased irrigation water use by some customers, resulting in smaller annual allotments for some customers.

E. City staff have thus recommended that the assignment of annual allotments on nonresidential water service permits issued before March 1, 1984, should be the greater of: the appropriate value in the table in this subsection; and the average annual use of the service between January 1, 2019, and December 31, 2023, *increased by one-half standard deviation*. The increase of the annual average by one-half of a standard deviation will account for variability in weather, patronage, revolving tenants, or other factors using a methodology that is applied consistently but based on individual customer water use patterns.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 26-149 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-149. - Water supply requirement (WSR); nonresidential service.

. . .

- (e) Nonresidential services with permits issued before March 1, 1984, shall be assigned an annual allotment of water for each service that is equal to the greater of: the appropriate value in the table in this subsection; and the average annual use of the service between January 1, 2019, and December 31, 2023, increased by 0.5 standard deviation. Any exceedance of an annual allotment assigned under this Subsection shall not be assessed any excess water use surcharge until January 1, 2026.

<i>Meter Size (Inches)</i>	<i>Annual Allotment (gallons per year)</i>
$\frac{3}{4}$	293,270
1	977,550
1 $\frac{1}{2}$	1,955,110
2	3,128,170
3 and larger	4,692,250

. . .

Introduced, considered favorably on first reading on November 3, 2025, and approved on second reading for final passage on November 18, 2025.

Mayor

ATTEST:

Sr. Deputy City Clerk

Effective Date: November 28, 2025
Approving Attorney: Eric Potyondy

Exhibit: None