

ORDINANCE NO. 151, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTIONS 26-148 AND 26-149 OF THE CODE OF THE CITY OF FORT
COLLINS REGARDING WATER SUPPLY REQUIREMENT CREDITS FOR WATER
SERVICES

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 Article XII, Section 6, of the City Charter to fix, establish, maintain, and provide for the collection of such rates, fees, or charges for utility services furnished by the City as well as produce revenues sufficient to pay the costs, expenses, and other obligations of the water utility, as set forth therein.

C. City water utility customers must meet the Water Supply Requirement ("WSR") to receive new water service or to replace an existing meter or service with a larger size. See City Code Section 26-147. The WSR is set forth in City Code Sections 26-146 through 26-150. The WSR is calculated, in gallons, considering the annual volume of water a customer is anticipated to use. The WSR for residential water service is set forth in City Code Section 26-148. The WSR for nonresidential water service is set forth in City Code Section 26-149.

D. In the case of the replacement of an existing meter with a larger size or other change to an existing nonresidential service, the utility will give a credit towards the nonresidential service permit pursuant to City Code Section 26-149(h). However, there is currently no analogous provision for the utility to give a credit for nonresidential services being changed to residential services, or for residential services being changed to nonresidential services.

E. To provide for fair and equitable credits to be given for existing residential and nonresidential services, the City Council is in this Ordinance adopting a new City Code Section 26-148(d) regarding the utility giving a credit for residential services with certain analogous modifications to City Code Section 26-149(h).

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 as follows:

Section 1. Section 26-148 of the Code of the City of Fort Collins is hereby amended by the addition of a new Subsection (d) which reads in its entirety as follows:

Sec. 26-148. - Water supply requirement (WSR); residential service.

...

(d) In the case of the replacement of an existing meter with a larger size, conversion of a residential service to a nonresidential service, or other change to an existing service, the utility will give a credit towards the new service permit as follows. The credit towards the new service permit shall be for the amount of the WSR that would be required for the existing service under this section. If the credit is greater than the WSR or the nonresidential annual allotment that would otherwise be required or assigned for the new service permit, the credit shall establish the WSR or nonresidential annual allotment for the new service and no cash refund or water certificates issued by the City shall be provided to the applicant. The credit authorized under this subsection is not transferrable to other properties or services.

Section 2. Section 26-149(h) of the Code of the City of Fort Collins is hereby amended as follows:

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

. . .

(h) In the case of the replacement of an existing meter with a larger size, conversion of a nonresidential service to a residential service, or other change to an existing service, the utility will give a credit the nonresidential user towards the new service permit as follows. The credit towards the new service permit shall be for the amount of the annual allotment for the existing service. If the credit towards the service is greater than the WSR or annual allotment that would otherwise be required or assigned for the new service permit, the credit for the service shall establish the WSR or annual allotment for the new service permit and no cash refund or water certificates issued by the City shall be provided to the applicant. The credit authorized under this subsection is not transferrable to other properties or services.

. . .

Introduced, considered favorably on first reading on September 16, 2025, and approved on second reading for final passage on October 7, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: October 17, 2025
Approving Attorney: Eric Potyondy

Exhibit: None