

ORDINANCE NO. 128, 2022
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF
FORT COLLINS TO REVISE WATER RATES, FEES, AND CHARGES

WHEREAS, the City Council is empowered and directed by Article XII, Section 6 of the Charter of the City of Fort Collins, to by ordinance from time to time 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 as set forth therein; and

WHEREAS, the rates, fees or charges for utility services set forth herein are necessary to produce sufficient revenues to provide the utility services described herein; and

WHEREAS, the revenue from the rates, fees or charges for utility services set forth herein shall be used to defray the costs of providing such utility services as required by the Charter and the City Code; and

WHEREAS, Article III, Chapter 26 of the City Code establishes the water utility as a utility service furnished by and as an enterprise of the City; and

WHEREAS, City Code Sections 26-126 and 26-127 concern various water-related rates, fees, and charges; and

WHEREAS, City Code Section 26-118 requires that the City Manager analyze the operating and financial records of the utility during each calendar year and recommend to the City Council user rates or adjustments to be in effect for the following year; and

WHEREAS, the City Manager and City staff have recommended to the City Council adjustment of the water-related rates, fees, and charges as set forth herein to be effective January 1, 2023; and

WHEREAS, this Ordinance increases the subject water rates by 4%; and

WHEREAS, based on the foregoing, City Council desires to amend Chapter 26 of the City Code to adjust the scope and rate of the water-related rates, fees, and charges as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes any and all determinations and findings contained in the recitals set forth above.

Section 2. That Section 26-126 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-126. - Schedule A, flat rates for unmetered construction water use.

For residential and nonresidential premises under construction with a planned meter size greater than one (1) inch, no flat unmetered water service will be provided. For residential and nonresidential premises under construction with a planned meter size of one (1) inch or less, the following flat rates will apply per month until the permanent meter is set: The use of construction water, pursuant to this Section, shall exclude the establishment of vegetation, landscape and other appurtenances.

<i>Category</i>	<i>Component Charge</i>	<i>Billed Charge (with PILOT)</i>
¾-inch construction service, flat charge per month	\$31.36	\$33.24
1-inch construction service, flat charge per month	\$59.79	\$63.38

Section 2. That Section 26-127 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-127. - Schedule B, meter rates.

(a) *Residential rates.*

(1) Residential customers with one (1) dwelling unit shall pay the sum of the following charges:

<i>Category</i>	<i>Component Charge</i>	<i>Billed Charge (with PILOT)</i>
a. Base monthly charge for residential customers with one (1) dwelling unit	\$17.96	\$19.04
b. Quantity monthly charge for residential customers with one (1) dwelling unit (volumetric)		
Tier 1 - For the first seven thousand (7,000) gallons used per month, per one thousand (1,000) gallons	\$2.780	\$2.947
Tier 2 - For the next six thousand (6,000) gallons used per month, per one thousand (1,000) gallons	\$3.195	\$3.387
Tier 3 - For all additional gallons used per month, per one thousand (1,000) gallons	\$3.675	\$3.896
...

(2) Residential customers with two (2) dwelling units shall pay the sum of the following charges:

Category	Component Charge	Billed Charge (with PILOT)
a. Base monthly charge for residential customers with two (2) dwelling units	\$18.97	\$20.11
b. Quantity monthly charge for residential customers with two (2) dwelling units (volumetric)		
Tier 1 - For the first nine thousand (9,000) gallons used per month, per one thousand (1,000) gallons	\$2.409	\$2.553
Tier 2 - For the next four thousand (4,000) gallons used per month, per one thousand (1,000) gallons	\$2.768	\$2.935
Tier 3 - For all additional gallons used per month, per one thousand (1,000) gallons	\$3.186	\$3.377
...

(3) Residential customers with more than two (2) dwelling units shall pay the sum of the following charges:

Category	Component Charge	Billed Charge (with PILOT)
a. Base monthly charge for residential customers with more than two (2) dwelling units		
First dwelling unit	\$13.64	\$14.46
Second and each additional dwelling unit	\$4.54	\$4.82
b. Quantity monthly charge for residential customers with more than two (2) dwelling units (volumetric)		
Winter - per one thousand (1,000) gallons used in the winter season months of November through April	\$1.983	\$2.102
Summer - per one thousand (1,000) gallons used in the summer season months of May through October	\$2.479	\$2.628
The meter reading date shall generally determine the seasonal monthly quantity charge; however, no customer shall be billed more than six (6) full billing cycles at the summer quantity charge.		
...

(b) *Nonresidential rates.*

(1) *Base charge.* Nonresidential, except for special users as described in Subsection 26-127(c) below, customers shall pay a base monthly charge based on meter size as follows:

<i>Meter Size (inches)</i>	<i>Monthly Base Charge</i>	<i>Billed Charge (with PILOT)</i>
¾	\$15.97	\$16.93
1	\$44.57	\$47.25
1½	\$121.20	\$128.47
2	\$182.63	\$193.59
3	\$278.56	\$295.28
4	\$437.33	\$463.57
6	\$848.36	\$899.26
8	\$1,498.71	\$1,588.64

(2) *Quantity charges.* Nonresidential customers shall pay monthly charges as follows:

<i>Category</i>	<i>Component Charge</i>	<i>Billed Charge (with PILOT)</i>
Winter - per one thousand (1,000) gallons used in the winter season months of November through April	\$2.222	\$2.356
Summer - per one thousand (1,000) gallons used in the summer season months of May through October	\$2.778	\$2.945
The meter reading date shall generally determine the seasonal monthly quantity charge; however, no customer shall be billed more than six (6) full billing cycles at the summer quantity charge.		

(3) *Charges for excess use.* Nonresidential customers shall also pay monthly water use charges in excess of the amounts specified in the following table:

<i>Category</i>	<i>Component Charge</i>	<i>Billed Charge (with PILOT)</i>
Winter - per one thousand (1,000) gallons used in the winter season months of November through April	\$3.193	\$3.384

Summer - per one thousand (1,000) gallons used in the summer season months of May through October	\$3.994	\$4.233
The meter reading date shall generally determine the seasonal monthly quantity charge; however, no customer shall be billed more than six (6) full billing cycles at the summer quantity charge.		

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(c) *High volume industrial rates.* High volume industrial rates apply to any customer with an average daily demand in excess of two million (2,000,000) gallons per day. The specific rate for any qualifying customer shall be based upon the applicable peaking factor for that customer as follows:

<i>Peaking Factor</i>	<i>Monthly Charge per Thousand Gallons</i>	<i>Billed Charge (with PILOT)</i>
1.00—1.09	\$1.74	\$1.84
1.10—1.19	\$1.80	\$1.91
1.20—1.29	\$1.87	\$1.98
1.30—1.39	\$1.92	\$2.04
1.40—1.49	\$1.99	\$2.11
1.50—1.59	\$2.03	\$2.15
1.60—1.69	\$2.09	\$2.22
1.70—1.79	\$2.15	\$2.28
1.80—1.89	\$2.20	\$2.34
1.90—1.99	\$2.28	\$2.41
> 2.00	\$2.33	\$2.47

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Section 3. That the modifications set forth above shall be effective for meter readings on or after January 1, 2023, and in the case of fees not based on meter readings, shall be effective for all fees paid on or after January 1, 2023.

Introduced, considered favorably on first reading, and ordered published this 1st day of November, A.D. 2022, and to be presented for final passage on the 15th day of November, A.D. 2022.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 15th day of November, A.D. 2022.

Mayor

ATTEST:

City Clerk