

City of Scottsbluff, Nebraska

Monday, September 18, 2023

Regular Meeting

Item Resolut.4

Council to consider action on the second reading of the Ordinance updating utility user fees, including water and sewer fees, solid waste collection, surcharge for stormwater and amending the sewer usage process.

Staff Contact: Chris Burbach, Deputy Finance Director

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SCOTTSBLUFF AMENDING AND CHANGING CHAPTER 6, ARTICLE 6, FOR SOLID WASTE COLLECTION FEES AT SECTIONS 6-6-23, 6-6-24; AMENDING AND CHANGING SEWER USER FEES INCLUDING SURCHARGE FOR STORMWATER REGULATORY REQUIREMENTS AT SECTIONS 6-6-19; 6-6-20; AND 6-6-22, AMENDING AND CHANGING THE WATER SERVICE FEES AT SECTION 6-6-28 ALL IN CHAPTER 6 ARTICLE 6 OF THE MUNICIPAL CODE, AMENDING CHAPTER 18, ARTICLE 4, SECTION 3 FOR SEWER AVERAGING PROCESS, REPEALING CHAPTER 18, ARTICLE 4 SECTION 4 AND AMENDING CHAPTER 23, ARTICLE 2, SECTION 2, ALL RELATING TO A MONTHLY BILLING CYCLE, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA.

Section 1. Section 6-6-19 of the Scottsbluff Municipal Code is amended to provide as follows: **“6-6-19. MINIMUM CHARGE.**

Each user shall pay a monthly sewer service charge of \$20.51. Each user shall pay an additional charge of \$2.79 per each 1,000 gallons for all gallons of water consumed by the user during the applicable monthly billing period as determined in Chapter 18. Provided, however, wholesale users shall pay 92.5% of the charges provided in this paragraph.

The rates and fees provided for in this section shall be effective with respect to all connections, installations and billings after October 1, 2023.”

Section 2. Section 6-6-20 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-20. PRIVATE WATER SUPPLY.

With respect to users having a private water supply which is discharged into the City's sanitary sewer system, sewer service charges shall be calculated as follows:

(1) Commercial and industrial users shall meter their water supply at their expense and their sanitary sewer use charge shall be based on the quantity of water consumed on the premises from all sources.

(2) Single-family residential users within the city limits shall pay \$31.38 per monthly period.

(3) Single-family residential users outside the city limits shall pay \$52.54 per monthly period.

(4) Multi-family residential users shall pay \$45.18 per dwelling unit per monthly period. The rates and fees provided for in this section shall be effective with respect to all connections, installations and billings after October 1, 2023.”

Section 3. Section 6-6-22 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-22. SURCHARGE.

(1) There will be a \$2.50 per billing cycle surcharge fee to all residents of the city for stormwater regulatory requirements and the use, upkeep and maintenance of the city’s stormwater collection system.

(2) Users who contribute wastewater the strength of which is greater than normal domestic sewage shall, in addition to the basic sewer charge, pay a surcharge equal to \$0.63 per pound for the first ten thousand (10,000) pounds of excess B.O.D. per billing cycle (or up to the limit of their contract with the City), and a surcharge of \$1.17 for all additional excess B.O.D. per billing cycle. A contribution of more than twelve thousand (12,000) pounds of excess B.O.D. per billing cycle, in the absence of a contract, shall subject the user to the sanctions and penalties provided in this Chapter. Users with a contract who exceed the limits of their contract may also be subject to the sanctions and penalties provided in this Chapter.

(3) Users who contribute wastewater the strength of which is greater than normal domestic sewage shall, in addition to the basic sewer charge, pay a surcharge equal to \$0.063 per pound of excess suspended solids per billing cycle.

(4) The expression “per billing cycle” as used in this section means the period for which the sewer service charge is payable.

(5) The rates and fees provided in this section shall be effective with respect to connections, installations and billings after October 1, 2023.”

Section 4. Section 6-6-23 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-23. RESIDENTIAL.

The minimum monthly charges for collection and disposal service to residential units for solid waste and the single stream recycling program all of which is contained in approved containers shall be as follows, effective for all billings made after October 1, 2023:

| | |
|--|---------|
| One-family unit (including mobile homes with an individual water or sewer connection). | \$25.38 |
| One-family two container unit (including mobile homes with an individual water or sewer connection). | \$58.05 |

The minimum requirement for one-family two container units is twelve months from the date of request for two container service.

Multifamily structures (including mobile home parks with a single water or sewer connection)

| Monthly Rate Per Unit | |
|-----------------------|---------|
| 2 to 4 units | \$25.38 |
| 5 to 6 units | \$22.80 |
| 7 to 10 units | \$21.55 |
| 11 to 16 units | \$20.28 |
| 17 to 39 units | \$18.98 |
| 40 to 59 units | \$17.71 |
| 60 or more units..... | \$16.49 |

Hotels, motels and rooming houses shall be considered as commercial establishments and shall pay charges based on the charges provided for institutional business, commercial and industrial establishments as provided in this Chapter. The charges for quantities or services which exceed those covered by the minimum charge shall be an amount equal to the reasonable cost of the service as determined by the City Manager or the designee of the City Manager.

The rates and fees provided in this section shall be effective with respect to usage for which billings are made after October 1, 2023.”

Section 5. Section 6-6-24 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-24. INSTITUTIONAL; BUSINESS; COMMERCIAL INDUSTRIAL.

(a) The monthly charges for collection and disposal of solid waste of institutional, business, commercial and industrial establishments, and solid waste in required containers at construction sites, shall be based upon the number of approved containers collected per collection. Where an establishment has its own water or sewer connection, the fact that it shares a building with another establishment, or does not occupy the entire building, shall be of no significance. The charge per approved container per collection shall be as follows:

| | Each time container minimum is emptied | Monthly |
|----------------|---|----------------|
| 90 gallon | \$ 6.56 | \$52.49 |
| 1.5 cubic yard | \$ 8.76 | \$70.01 |
| 3.0 cubic yard | \$17.15 | \$133.22 |

The rates and fees provided in this section shall be effective with respect to usage for which billings are made after October 1, 2023.”

Section 6. Section 6-6-28 of the Scottsbluff Municipal Code is amended to provide as follows:

“6-6-28. WATER SERVICE.

(1) Each user of the City water system located within the City limits shall pay charges based on monthly consumption as follows:

| <u>Consumption Charge</u> | <u>Rate per Thousand Gallons</u> |
|---------------------------|----------------------------------|
| All gallons | \$1.71 |

Consumption of any part of 1,000 gallons shall be considered as consumption of an entire 1,000 gallons for purposes of calculating billed consumption and total consumption charge.

(2) Each user of the City water system located within the City limits shall pay a monthly charge based on meter size as follows:

| <u>Water Meter Size</u> | <u>Minimum Charge</u> |
|-------------------------|-----------------------|
| 5/8" or 3/4" | \$10.99 |
| 1" | \$19.88 |
| 1 1/2" | \$37.66 |
| 2" | \$50.98 |
| 3" | \$81.76 |
| 4" | \$125.34 |
| 6" | \$177.54 |
| 8" | \$264.48 |

In the case of premises as to which the final date for connection of the plumbing has been deferred under section 22-1-8, there shall be a monthly charge for standby fire protection service of \$3.00.

Each user of the City water system located outside of the City limits, except for whole sale water use provided by the City pursuant to the terms of an agreement, shall pay the following 1.5 times the minimum charges listed above. Provided, whole sale water use and sale shall be sold at an agreed upon amount as set by the City Council for charges outside the City limits.

The rates and fees provided for in this section shall be effective with respect to all connections, installations, and billings after October 1, 2023."

Section 7. Section 18-4-3 of the Scottsbluff Municipal Code is amended to provide as follows:

“18-4-3. BASIS FOR COMPUTATION; BILLING; PAYMENT.

(A) Sewer service charges shall be computed, and paid on a monthly basis, and shall be billed and paid at the same time as monthly charges for water service.

(B) The amount to be charged shall be calculated as follows:

(1) Except as provided in division (B)(2) below, the charge to each residential user shall be based in the quantity of water consumed by the residential user during the month of February. Once the charge for the quantity for this time period is computed, the charge shall be payable for a period of one year beginning the following October.

(2) Commercial, industrial, and wholesale users will be billed on a monthly basis. The Charge to each commercial, industrial, and wholesale user shall be based on the amount of water consumed on the premises during the period for which the sewer service charge is payable.”

Section 8. Section 18-4-4 of the Scottsbluff Municipal Code is repealed.

Section 9. Section 23-2-2 of the Scottsbluff Municipal Code is amended to provide as follows:

“23-2-2 WATER SERVICE RATES.

Each user of the city water system located within the city limits shall pay charges based on monthly consumption as provided in Chapter 6, Article 6 of this code.”

Section 10. Existing Sections 6-6-19, 6-6-20, 6-6-22, 6-6-23, 6-6-24, 6-6-28, 18-4-3, 18-4-4 and 23-2-2 of the Scottsbluff Municipal Code are hereby repealed. This Ordinance shall not be construed to effect any cause of action, civil or criminal, existing or actions pending, at the time this Ordinance becomes effective.

Section 11. This Ordinance shall become effective upon its passage, approval as provided by law, and publication shall be in pamphlet form.

PASSED and APPROVED on _____, 2023.

Jeanne McKerrigan, Mayor

ATTEST:

City Clerk (Seal)

Approved as to form:

City Attorney