

# **City of Scottsbluff, Nebraska**

**Monday, December 2, 2013**

**Regular Meeting**

## **Item Resolut.1**

**Council to consider an Ordinance dealing with a change in fees for proposed budgeted fees charged for water, wastewater, and environmental services (third reading).**

**Staff Contact: Rick Kuckkahn, City Manager**

**AN ORDINANCE OF THE CITY OF SCOTTSBLUFF AMENDING SEWER USER FEES AT CHAPTER 6 ARTICLE 6, INCLUDING SURCHARGE FOR STORMWATER REGULATORY REQUIREMENTS, AMENDING AND CHANGING THE SOLID WASTE COLLECTION FEES AT CHAPTER 6 ARTICLE 6, WATER SERVICE FEES AT CHAPTER 6 ARTICLE 6, PARKING FEES AT CHAPTER 6 ARTICLE 6, AND MISCELLANEOUS POLICE FEES FOR POLICE SERVICES AND PERMITS AT CHAPTER 6 ARTICLE 6, REPEALING PRIOR PROVISIONS OF THE MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Section 1. Section 6-6-17 of the Scottsbluff Municipal Code is amended to provide as follows:

**6-6-17. Other licenses.**

The following fees are hereby imposed for licenses required by the Municipal Code:

|  |        |
|--|--------|
| Bicycle registration .....                                     | \$5.00 |
| Electric Personal Assistive Mobility Device registration ..... | 5.00   |
| Public dances  |        |
| per day .....  | 5.00   |
| six month license .....  | 50.00  |
| one year license .....   | 100.00 |
| Bingo permit .....   | 10.00  |
| Peddling permit  |        |
| per week .....   | 20.00  |
| per year .....   | 75.00  |
| Pawnbrokers permit .....                                       | 50.00  |
| new address permit .....                                       | 25.00  |
| <br>   |        |
| Application fee, taxi cab .....                                | 25.00  |
| Arborist permit .....  | 10.00  |

(Ord. 2597, 1998; Ord. 3968, 2008; Ord. 4048, 2011)

Section 2. Section 6-6-18 of the Scottsbluff Municipal Code is amended to provide as follows:

**6-6-18. Occupation taxes.**

The occupation tax referred to elsewhere in the municipal code shall be upon each of the following occupations and businesses (except as provided in such section) in amounts, respectively, as follows:

- A -

Alcohol, alcoholic liquors. Per year-

|  |            |
|--|------------|
| Manufacture of alcohol and spirits .....   | \$1,000.00 |
| Catering Licensee .....  | 200.00     |
| Manufacture of beer .....  | 500.00     |
| Manufacture of wine .....  | 500.00     |
| Alcoholic liquor (except beer) wholesaler .....  | 1,000.00   |
| Beer wholesaler .....  | 250.00     |
| A - retailer of beer only, for<br>consumption on premises .....  | 200.00     |
| B - retailer of beer only, for consumption<br>off premises (sale in original packages only) .....  | 200.00     |
| C - retailer of alcoholic liquors for<br>consumption on premises and off premises<br>(sale in original packages only),<br>except nonprofit corporation which is a club ..... | 600.00     |
| C - retailer of alcoholic liquors, including beer<br>for consumption on the premises only,<br>nonprofit corporation which is a club .....                                    | 150.00     |
| D - retailer of alcoholic liquors,<br>including beer, for consumption off premises<br>(sale in original packages only) .....   | 400.00     |

I - retailer of alcoholic liquors, for  
 consumption on premises only ..... 500.00  
 Special Designated License, except for special designated  
 license issued to a holder of a catering license .. ..... 50.00 per day

Non-beverage User

Class 1 ..... 5.00  
 Class 2 ..... 25.00  
 Class 3 ..... 50.00  
 Class 4 ..... 100.00  
 Class 5 ..... 250.00

- B -

Billboard advertising, bill posting, thrust upon public view or attention from billboards located upon  
 private property, or elsewhere, for pay or hire, by persons, firms or corporations -  
 Per Year ..... \$ 25.00

- D -

Dog kennels  
 Kennel authorized to keep  
 less than five (5) dogs  
 Per Year ..... 25.00  
  
 Kennel authorized to keep five (5)  
 dogs or more  
 Per Year ..... 50.00

- F -

Fire insurance company or association  
 Per Year ..... 5.00

- H -

Hawkers and peddlers  
 Per Week ..... 5.00  
 Per Year ..... 25.00

- P -

Pawnbrokers  
 Per Year ..... 100.00  
  
 Petroleum products, refineries of  
 Per Year ..... 250.00  
  
 Pet shop  
 Per Year ..... 50.00  
 (Ord 3835, 2005; Ord. 3991, 2009)

Section 3. 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 sewer service charge in the minimum amount of \$40.67 which shall cover the first 10,000 gallons of water consumed by the user during the bimonthly billing period as determined in Chapter 18. Each user shall pay an additional charge of \$3.01 per each 1,000 gallons of water consumed in excess of 10,000 gallons during the applicable billing period. 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 usage on or after January 1, 2014, and for usage for which billings are made on or after January 1, 2014.

Section 4. 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 \$49.77 per bimonthly period.

(3) Single-family residential users outside the city limits shall pay \$83.33 per bimonthly period.

(4) Multi-family residential users shall pay \$71.65 per dwelling unit per bimonthly period.

The rates and fees provided for in this section shall be effective with respect to all connections, installations and usage on or after January 1, 2014, and for usage for which billings are made on or after January 1, 2014.

Section 5. Section 6-6-22 of the Scottsbluff Municipal Code is amended to provide as follows:

**6-6-22. Surcharge.**

(1) There will be a \$0.50 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 \$0.49 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 \$0.99 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 \$0.06 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 usage for which billings are made on or after January 1, 2014.

Section 6. 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 contained in approved containers shall be as follows, effective for all billings made on and after January 1, 2014:

One-family unit (including mobile homes with an individual water or sewer connection) ..... \$17.82

One-family two container unit (including mobile homes with an individual water or sewer connection) ..... \$40.73

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) | Rate Per Unit |
| 2 to 4 units   | 17.82         |
| 5 to 6 units   | 16.01         |
| 7 to 10 units  | 15.13         |
| 11 to 16 units   | 14.24         |
| 17 to 39 units   | 13.32         |
| 40 to 59 units   | 12.44         |
| 60 or more units   | 11.58         |

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 on or after January 1, 2014.

Section 7. 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, effective for all billings made on and after January 1, 2014 be as follows:

|                | <b>Each time container<br/>is emptied</b> | <b>Monthly minimum</b> |
|----------------|---|------------------------|
| 90 gallon      | \$ 9.20                                   | \$36.80                |
| 1.5 cubic yard | 12.28                                     | 49.12                  |
| 3.0 cubic yard | 23.37                                     | 93.48                  |

The rates and fees provided in this section shall be effective with respect to usage for which billings are made on or after January 1, 2014. (Ord. 4063, 2011)

Section 8. Section 6-6-27 of the Scottsbluff Municipal Code is amended to provide as follows:

**6-6-27. Special Collections and Additional Containers.**

Upon request, the City may, but is not required to, make special collections of solid waste or deliver addition containers for residents having an event. When a special collection is made, the charges shall be as follows:

|   |         |
|---|---------|
| Residential 90 gallon roll-out trash container..... | \$10.00 |
| Residential yard waste container.....               | \$10.00 |
| Each appliance.....                                 | \$25.00 |
| Pallets (price for each pallet).....                | \$ 5.00 |
| Tires (price for each tire):                        |         |
| Car.....  | \$ 5.00 |
| Truck.....  | \$10.00 |
| Tractor.....  | \$22.00 |

When notified of an event such as a picnic, fund raiser, craft fair, party, collection point for recycling or other non routine event and an additional container is requested, the charges shall be as follows:

|   |
|---|
| 90 gallon - \$10.00 rental fee per container and \$10.00 for dump per container |
| 1.5CY - \$12.28 rental fee per container and \$12.28 for dump per container     |
| 3CY - \$23.37 rental fee per container and \$23.37 for dump per container       |

The charges for the collection of other solid waste shall be based on volume as measured by the capacity of a standard ½ ton pickup truck. There shall be a minimum charge of \$10.00. If the volume of solid waste as estimated by the representative of the Sanitation Department exceeds to capacity of a standard ½ ton pickup truck, the charge shall be \$30.00 for each pickup load.

Section 9. 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 bimonthly consumption as follows:

| <u>Gallons</u>    | <u>Rate per Thousand Gallons</u> |
|-------------------|----------------------------------|
| Up to 10,000      | \$2.172                          |
| 10,001 to 20,000  | 1.767                            |
| 20,001 to 60,000  | 1.760                            |
| 60,001 to 100,000 | 1.740                            |
| Over 100,000      | 1.724                            |

Consumption of any part of 1,000 gallons shall be considered as consumption of an entire 1,000 gallons for purposes of calculating consumption and the applicable rate(s).

(2) Each user of the City water system located within the City limits shall pay minimum bimonthly charges as follows:

| <u>Water Meter Size</u> | <u>Minimum Charge</u> | <u>Gallons</u> |
|-------------------------|-----------------------|----------------|
| 5/8" or 3/4"            | \$21.72               | 10,000         |
| 1"                      | 39.39                 | 20,000         |
| 1½"                     | 74.59                 | 40,000         |
| 2"                      | 100.99                | 55,000         |
| 3"                      | 161.98                | 90,000         |
| 4"                      | 248.35                | 140,000        |
| 6"                      | 351.79                | 200,000        |
| 8"                      | 524.19                | 300,000        |

Payment of the minimum charge shall constitute payment in full for any quantity of water not exceeding the amount shown in the "Gallons" column opposite the applicable "Minimum Charge." 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 bimonthly charge for standby fire protection service of \$6.00.

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:

For the first twenty (20) years of service through the City water system located outside the City limits . . . . . 2 times the minimum charges listed above  
 For 21-25 years . . . . . 1.75 times the minimum charges listed above  
 For 26 years and over . . . . . 1.5 times the minimum charges listed above  
 Provided, wholesale water use and sale shall be sold at an agreed upon amount as set by the City Council for charges outside the City limits. Provided further, users of the City water system that are serviced by the airport water line shall pay double, or 2 times the minimum charges listed above.

The rates and fees provided for in this section shall be effective with respect to all connections, installations, and usage on or after January 1, 2014.

Section 10. Section 6-6-30 of the Scottsbluff Municipal Code is amended to provide as follows:

**6-6-30. Parking permits and fees.**

The following fees are hereby imposed relating to the parking of vehicles:

- Over parking
  - If paid within 24 hours after notice.....\$5.00
  - If paid more than 24 hours and less than 72 hours after notice.....\$10.00
  - Limited time parking permit.....\$15.00

Section 11. Section 6-6-33.1 of the Scottsbluff Municipal Code is amended to provide as follows:

**6-6-33.1. Towing and storage of motor vehicles.**

(1) The storage cost of motor vehicles at the police warehouse or at the City/County impound lot shall be the sum of \$5.00 per day. These storage fees shall be separate from, and in addition to, any fees charged for storage of the vehicle when actually in the private towing contractor's impound lot. These storage fees shall be retained by the City, less any payments made to Scotts Bluff County pursuant to the Inter Local Cooperation Agreement for vehicle storage.

- (2) The fee for any vehicle towing shall be:
- a. The fee for any Police tow shall equal the charge for the tow to the City pursuant to the current tow contract between the City and the private towing contractor.
  - b. In addition to the tow fee referred to in section 6-6-31.1(2) a. there will be a \$20.00 administrative fee payable to the Police Department for any tow.

Section 12. Section 6-6-33.2 of the Scottsbluff Municipal Code is amended to provide as follows:

**6-6-33.2. Miscellaneous; police services.**

From time to time, the Police Department provides certain services to the general public for which a fee is charged. The fees for the following services shall be as follows:

- a. Criminal history checks: \$7.50
- b. Private security services: \$50.00 per hour, per person
- c. Fingerprints: \$7.50 per card
- d. Video/Audio duplication, including storage media: \$20.00
- e. Copies of police photographs: \$20.00 plus processing costs
- f. Hand gun permit: \$5.00
- g. Intoxilizer breath test: \$75.00

- h. Blood test: \$125.00
- i. Copies: \$1.00 per page
- j. Accident report copies by fax or mail: \$4.00  
(must provide self addressed, stamped envelope)

Section 13. Section 6-6-35 of the Scottsbluff Municipal Code is amended to provide as follows:

**6-6-35. Obstruction of streets for carnivals, bazaars, or the sale of merchandise.**

When applying for a permit to obstruct the sidewalk or street the sale of merchandise, or for any activity described in section 20-6-52, the applicant shall pay the following fee:

Permit to operate one of the activities described in Section 20-6-52 . . . . . 25.00  
(Ord. 3520, 1997)

Section 14. Existing Sections 6-6-17, 6-6-18, 6-6-19, 6-6-20, 6-6-22, 6-6-23, 6-6-24, 6-6-27, 6-6-28, 6-6-30, 6-6-33.1, 6-6-33.2, and 6-6-35 of the Scottsbluff Municipal Code are hereby repealed, provided however that the rates provided for in such prior sections shall remain effective until midnight, December 31, 2013. 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 15. This Ordinance shall become effective January 1, 2014.

**PASSED and APPROVED** on \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk (Seal)

Approved as to Form:

\_\_\_\_\_  
Deputy City Attorney