

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING ORDINANCE NO. 2218 AND TITLE 13 OF THE BRIGHTON MUNICIPAL CODE PERTAINING TO WATER, WASTEWATER AND STORM DRAINAGE FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON, TO BE EFFECTIVE JANUARY 1, 2016; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

**ORDINANCE NO.: 2220
INTRODUCED BY: Edwards**

WHEREAS, authority is granted by the Charter to the governing body of the City of Brighton, Colorado, to assess fees and charges for services provided by the City; and

WHEREAS, the City Council has been advised by the City Manager that certain fees and charges should be amended to offset the City's costs of service for the provision of water, wastewater and storm drainage services; and

WHEREAS, The City Manager has recommended and the City Council agrees that the fees and charges adopted herein shall become effective on the dates specified herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH THE WATER, WASTEWATER, AND STORMWATER ENTERPRISES, AS FOLLOWS:

The following amendments shall be effective beginning January 1, 2016 and shall remain in effect until amended by action of the City Council.

Section 1. Section 13-4-90 of the Brighton Municipal Code is hereby amended to read as follows:

Sec. 13-4-90 Water plant investment fee schedule.

- (a) Whenever a person, firm or corporation makes application for a permit to use City water for property located within the City limits, a water plant investment fee (PIF) shall be charged to the applicant in accordance with a schedule of fees to be set by ordinance duly adopted by the City Council after review of such fee schedule as the City Council from time to time deems necessary.
- (b) Water tap fees for previously accepted mains. All taps on to existing main will be made by the contractor under City supervision. The contractor will supply all materials needed and complete all construction for the tap following applicable City standards and specifications. The contractor will install the meter pit or vault according to City specifications. The City shall install all three-quarter and one-inch meters. The contractor shall install all meters larger than one-inch in size under City supervision. There is no charge for meter installation by the City.
- (c) Water meter pits or vaults are to be provided and installed by the contractor.
- (d) Water meters are required on all water taps and must be purchased at time of building permit. The water meter charges shall be in an amount equal to the City's cost for the purchase of the water meter.
- (e) The water plant investment fees shall be as follows:

(1) Single-family detached, mixed use, commercial, industrial, and other uses not specifically delineated herein shall be charged based on tap size and whether water rights are being dedicated in conjunction with the new tap purchase. The With Water Rights Plant Investment Fee shall apply if water shares are to be dedicated in conjunction with the purchase of the tap. The Without Water Rights Plant Investment Fee shall apply if no water shares are to be dedicated in conjunction with the purchase of the tap. These fees shall be as stated here:

a. Three-quarter inch tap	
With Water Rights	\$10,280
Without Water Rights	\$19,565
b. One inch tap	
With Water Rights	\$17,133
Without Water Rights	\$32,608
c. One-and-one-half inch tap	
With Water Rights	\$34,265
Without Water Rights	\$65,216
d. Two-inch tap	
With Water Rights	\$54,824
Without Water Rights	\$104,345
e. Three-inch tap	
With Water Rights	\$102,795
Without Water Rights	\$195,647
f. Four-inch tap	
With Water Rights	\$171,325
Without Water Rights	\$326,078
g. Six-inch tap	
	\$342,615
	\$652,090

h. Taps larger than four inches shall be assessed on a case by case basis

(2) Multi-family dwellings, including apartment buildings or condominiums, single-family attached (such as duplexes or townhomes), and single-family detached with carriage unit shall be charged plant investment fees based on number of units. Carriage unit that is detached from the main structure will pay the fee for an additional unit. If the carriage unit is restricted to prohibit rental of the unit separate

from the main structure, fees shall be as detailed in Paragraph (1). The With Water Rights Plant Investment Fee shall apply if water shares are to be dedicated in conjunction with the purchase of the tap. The Without Water Rights Plant Investment Fee shall apply if no water shares are to be dedicated in conjunction with the purchase of the tap. These fees shall be as stated here:

a. With Water Rights	
First Living Unit	\$10,280
Each Additional Unit	\$6,168
b. Without Water Rights	
First Living Unit	\$19,565
Each Additional Unit	\$11,445

(3) Mobile home parks shall be charged on a per user unit basis. The With Water Rights Plant Investment Fee shall apply if water shares are to be dedicated in conjunction with the purchase of the tap. The Without Water Rights Plant Investment Fee shall apply if no water shares are to be dedicated in conjunction with the purchase of the tap. These fees shall be as stated here:

a. With Water Rights	\$10,280
b. Without Water Rights	\$19,565

(4) A water resource fee of nineteen thousand dollars (\$19,950.00) per acre-foot is required for public land donations when the development is paying the water plant investment fees under the "without water rights" schedule. The requirement will be calculated according to the then- applicable "water dedication worksheets" prepared by the Department of Public Works. The developer will make all taps in new construction and shall pay a fifty-dollar inspection fee for each tap. If the inspection reveals deficiencies in the installation of a new water meter by the water user or a plumber, the inspector shall provide to the water user a written notice of those deficiencies. If the Water Department has to return to a site for an installation inspection more than two (2) times after the written notice of deficiencies, the water user shall pay seventy-five dollars (\$75.00) for each additional inspection until the deficiencies are cured.

(5) For any connection greater than two (2) inches and for all industrial users, the owner shall provide to the City an acceptable water resource report authored by a registered professional engineer experienced in water resources in addition to payment of the water plant investment fee.

(f) <Deleted>

(g) <Deleted>

(h) <Deleted>

(i) No connection to the City waterworks system shall be made unless all charges and assessments therefor are paid in full in advance of the connection. (Ord. 1964 § 14, 2008)

Section 2. Section 13-16-25 of the Brighton Municipal Code is hereby amended to read as follows:

Sec. 13-16-25. Wastewater plant investment fees and connection charges.

(a) A wastewater plant investment fee (PIF) for City collection system infrastructure shall be paid for each separate tap to any sanitary sewer line within the City. The amount of the fee shall be based on the size of the water service line. The wastewater plant investment fees shall be as follows:

(1) Single family detached, mixed use, commercial, industrial, and other uses not specifically delineated herein shall be assessed based on the associated water tap size in the following amounts:

- | | |
|--|----------|
| a. Three-quarter inch | \$2,100 |
| b. One inch | \$3,570 |
| c. One-and-one-half inch | \$6,930 |
| d. Two inch | \$11,130 |
| e. Three inch | \$22,470 |
| f. Four inch | \$38,220 |
| g. Meters larger than four inches shall be considered on a case by case basis. | |

(2) Multi-family dwellings, including apartment buildings or condominiums, single-family attached serviced by common tap (such as a duplex or townhomes); and single-family detached with carriage unit shall pay plant investment fees based on number of units. Carriage unit that is detached from the main structure will pay the fee for an additional unit. If the carriage unit is restricted to prohibit rental of the unit separate from the main structure, fees shall be as detailed in Paragraph (1). These fees shall be as shown below:

- | | |
|-------------------------|---------|
| a. First Living Unit | \$2,100 |
| b. Each Additional Unit | \$1,365 |

(3) Mobile home parks shall be charged on a per user unit basis. These fees shall be as shown below:

- | | |
|----------------|---------|
| Each User Unit | \$2,100 |
|----------------|---------|

- (4) For any connection greater than two (2) inches, the owner shall provide the City with an acceptable wastewater impact report authorized by a registered professional engineering experienced in wastewater services in addition to payment of the wastewater plant investment fee.
- (5) The developer will make all taps in new developments. A fifty dollar (\$50) inspection fee will be charged for each tap to an existing line.
- (6) No new service lines will be provided outside the corporate limits of the City.
- (b) An additional wastewater plant investment fee shall be paid for the treatment component associated with each separate tap to any sanitary sewer line within the South Platte Basin of the City. The amount of the fee shall be based on the size of the water tap and shall be equal to the current impact fees assessed by Metro Wastewater and Reclamation District.
- (c) An additional wastewater plant investment fee shall be paid for the treatment component associated with each separate tap to any sanitary sewer connection within the Beebe Draw Basin of the City. The amount of the fee shall be based on the size of the water service line and shall be equal to the current impact fees assessed by the City of Lochbuie.


Section 5. Storm Water Impact Fees. Section 13-20-60 of the Brighton Municipal Code are hereby amended to read as follows:

Sec. 13-30-60. Storm drainage impact fee schedule. The storm drainage impact fee shall be paid at the time of application for building permit and shall be in accordance with a schedule of fees, rates, and charges as adopted by the annual fee resolution, ordinance, or otherwise. The storm drainage impact fee (“fee”) shall be payable in the following amounts which are effective on and after January 1, 2016:

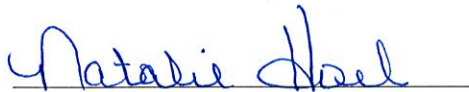
- (a) For all properties located within the OSP Area:
 - (1) Single-family residential \$4,241
 - (2) Multi-family residential, per dwelling unit \$2,126
 - (3) Non-residential, commercial, mixed use or industrial. Fifty-seven cents (\$0.65) per square foot of impervious surface, including all remodels and/or additions of one thousand (1,000) square feet or greater
- (b) For all properties located outside of the OSP Area:
 - (1) Single-family residential \$1,640
 - (2) Multi-family residential, per dwelling unit \$824
 - (3) Non-residential, commercial, mixed use or industrial. Fifty cents (\$0.55) per square foot of impervious surface area, including all remodels and/or additions of one thousand (1,000) square feet or greater

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED this 15th day of December, 2015.

CITY OF BRIGHTON, COLORADO


Richard N. McLean, Mayor

ATTEST:


Natalie Hoel, City Clerk

APPROVED AS TO FORM:



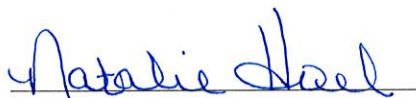
Margaret R. Brubaker, City Attorney
BY CHRISTOPHER ERNST
ASST. CITY ATTY
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CITY OF BRIGHTON, COLORADO


Richard N. McLean, Mayor

ATTEST:


Natalie Hoel, City Clerk

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