

(Published in the Topeka Metro News October 26, 2009)

ORDINANCE NO. 19325

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning wastewater rates and charges, amending City of Topeka Code § 146-341 and specifically repealing said original section.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 146-341, Connection fees and monthly rates/charges established, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Connection fees and monthly rates/charges established.

(a) Rates and charges for customers inside/outside the city operating under the terms of this division for sewer maintenance, sewage transportation, and sewage treatment shall be as now or hereafter established by ordinance of the city and such rates shall be sufficient to pay costs and expenses of the following three (3) general classifications:

- (1) Sewage disposal and treatment; and
- (2) Sewage transportation; and
- (3) Sewer operation and maintenance.

All such rates shall be reviewed at least every five (5) years or more frequently at the discretion of the city, except rates for sewage disposal and treatment which rates shall be reviewed, altered, or amended as other rates within the city limits.

(b) At the discretion of the city manager or city council, the connection fees listed in this section may be waived for economic development projects which, due to their unusual nature or magnitude, offer extraordinary benefits to the community. The

city manager may waive up to twenty-five percent (25%) of the fees. City council approval shall be required for approval for any waiver in excess of twenty-five percent (25%).

(c) The public works director shall determine the system connection fee for each consumer making application for a new service connection. The system connection fee shall be paid prior to connection as part of the application process. Such system connection fees shall be based on the system's value, total capacity, and associated water meter size. Applications for sewer connections for which there is no associated water service application shall have a sewer connection fee which is calculated on the basis of projected flows from other sources approximating the water service size. System connection fees are in addition to other rates, charges, deposits, or fees established by law. The system connection fees for all classifications and meter sizes shall be paid prior to connection. These fees shall include all materials and labor by city personnel.

The system connection fees for meters larger than eight (8) inches shall be determined by the public works director based on projected flows.

(d) The following are established as the monthly sewer rates and charges to be paid to the city for discharging wastewater into the sanitary sewer system for bills rendered on or after ~~January 1, 2004~~ May 1, 2008:

(1) *Residential and multifamily residences.*

(a) City water system supply. The rate shall be based on a calculated average water volume determined in accordance with Topeka City Code §§ 146-137 and 146-142 for water used in the months of

December, January, and February. The average water volume determined by this method shall be referred to as the three (3) month winter average. The three (3) month winter average water volume shall be recalculated each year following the three (3) month winter period and shall be in effect for the following twelve (12) month period. For a customer who has not established an average, the charge shall be the average of the residential three (3) month winter average for the applicable meter reading route.

(b) Well water supply. For customers whose potable water supply is through means of a well, the charge shall be the average of the residential three (3) month winter average for the applicable meter reading route. Alternatively, the owner or other interested party, at his or her own expense, shall install and maintain a water meter satisfactory to the public works director. If a meter is installed at the property, sewer rates and charges shall be calculated based on the three (3) month winter average consumption as measured at the meter. Access to such meter shall be given to the ~~water department employees~~ public works director for the purpose of reading, inspecting, testing or repair of such meter at any measurable time.

(2) *Commercial and industrial.* The volume shall be based on the lesser of water volumes determined in accordance with Topeka City Code section 146-137 or actual metered sewer discharges. Credit shall be given for those metered flows which do not enter the sewer collection system. Those customers who discharge wastewater with a biological oxygen demand in excess

of three hundred (300) milligrams per liter and/or suspended solids in excess of three hundred (300) milligrams per liter will be assessed the excess strength charge in accordance with the schedule of rates and charges in this subsection.

(3) *Schedule of rates and charges.*

TABLE INSET:

	May 1, 2008	Jan. 1, 2009	Jan. 1, 2010	Jan. 1, 2011
a. Inside city (per 1,000 gallons)				
Domestic strength wastewater:				
First 1,500 gallons (minimum)	\$14.85	\$14.85	\$14.85	\$14.85
Over 1,500 gallons, per Mgal	3.43	3.57	3.71	3.86
Excess strength charges (a):				
BOD, per mg/l per Mgal	0.001921	0.001998	0.002078	0.002161
Suspended solids, per mg/l per Mgal	0.001219	0.001268	0.001318	0.001371
b. Outside city:				
Domestic strength wastewater:				
First 1,500 gallons (minimum)	\$26.00	\$26.00	\$26.00	\$26.00
Over 1,500 gallons, per Mgal	6.00	6.25	6.50	6.75
Excess strength charges (a):				
BOD, per mg/l per Mgal	0.003362	0.003497	0.003637	0.003782
Suspended solids, per mg/l per Mgal	0.002133	0.002219	0.002307	0.002399

(4) *Adjustment of bills.* The monthly rate and charge on a bill may be adjusted administratively by the water pollution control division to the actual or estimated volume or strength provided a significant change from normal conditions of discharge of waste or strength during the billing period can be demonstrated. In no event shall an adjusted monthly charge be less than the minimum rate as established in this section.

87 (5) *Implementation.* Rates and charges shall become effective with
88 bills rendered on or after the effective dates shown in the schedule of rates and
89 charges.

90 Section 2. That original § 146-341 of The Code of the City of Topeka, Kansas,
91 is hereby specifically repealed.

92 Section 3. This ordinance shall take effect and be in force from and after its
93 passage, approval and publication in the official City newspaper.

94 PASSED AND APPROVED by the City Council October 20, 2009.

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96 CITY OF TOPEKA, KANSAS
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102 William W. Bunten, Mayor

103 ATTEST:
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108 Brenda Younger, City Clerk