



Legislation Text

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***Department of Utilities***

**Reference:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING TITLE 13, TITLE 14 AND TITLE 15 OF THE BRIGHTON MUNICIPAL CODE PERTAINING TO WATER FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON; AMENDING PROCEDURES FOR DELINQUENT ACCOUNTS; CLARIFYING INCONSISTENCIES; AMENDING STORMWATER REGULATIONS; AMENDING BACKFLOW PREVENTION REGULATIONS; AND OTHER DETAILS RELATED THERETO

**To:** Mayor Richard N. McLean and Members of City Council

**Through:** Clint Blackhurst, Acting City Manager

Chontel Trujillo, Assistant City Manager of Operations

**Prepared By:** Curtis Bauers, Director of Utilities

**Date Prepared:** March 29, 2017

**PURPOSE**

To inform City Council and obtain approval to amend the Brighton Municipal Code and the City's Standards & Specifications relating to the Water, Wastewater and Storm Drainage Funds. The affected Codes are inclusive of Chapter 13 (Water & Sewer), Chapter 14 (Storm Drainage), and Chapter 15 (Buildings & Construction) as it relates to the Cross Connection Control Program.

The affected and corresponding Standards and Specifications include Section 600 (Water Supply Facilities), Section 700 (Sanitary Supply Facilities), and Section 800 (Storm Drainage Facilities). These are 'minor changes' and will not require Council action, but they will be modified in compliance with the proposed Code modifications.

**BACKGROUND**

As an ongoing exercise in updating, clarifying and rendering more efficient, the existing City Municipal Code as it relates to the Utilities Department, staff is requesting that Council review the attached Code Amendments for clarity and purpose. Additionally, as a result of certain changes to State requirements (permitting etc.), amendments to specific Standards and Specifications have also been attached for Council review.

Of particular mention under Code Amendments are: More restrictive measures and updated hazard definitions under the Cross Connection Control Program (Article 15-36); amended procedures for delinquent accounts and discontinuance of service (Article 13-4); the addition of a municipal rate for City water usage (Article 13-4); and, the transfer of Article 13-20 to Chapter 14.

**CRITERIA BY WHICH COUNCIL MUST CONSIDER THE ITEM**

- Chapter 13 (General) - confirming Utilities Director responsibilities

- Section 13-4-120 - amending procedures for delinquent accounts and discontinuation of service
- Section 13-4-130 - adding a municipal rate for City water usage to the schedule of rates & fees
- Section 13-16-20 - elimination of text concerning Wastewater Facilities Replacement Fund
- Section 13-16-70 - eliminating inconsistencies under commercial water usage
- Section 13-16-80 - amending regulatory text under the equity of wastewater service charge system
- Article 13-20 - transfer to Chapter 14 of all Stormwater-related Code
- Section 14-2-30 - added definition for Common Plan of Development
- Article 14-2 - amendments as related to Erosion & Sediment Control, MS4, and Grading permit requirement changes
- Section 14-16-130 - added enforcement for violations
- Article 14-9 - transfer from Chapter 13
- Section 15-36-40 - amending hazard-type definitions
- Section 15-36-40 - tightening regulations and addressing owner's responsibilities with backflow prevention assemblies

### **FINANCIAL IMPACT**

Nearly all of the changes proposed are without financial impact. Payment of Municipal Rates will have a financial impact on the General Fund that has been discussed and our understanding is that it was budgeted at a staff level.

### **STAFF RECOMMENDATION**

Staff recommends the approval of the proposed Ordinance changes as they establish the City Water Usage Rates as directed by Council, and address other general inconsistencies within the Code, providing greater clarity to existing Ordinance. Utilities staff is actually neutral on this proposal. Utilities staff has vetted the proposed Municipal Rates through City Management and Finance, as well as Parks, and believes this to be a fair proposal. One which allows compliance with the City Council goals as established in the 2013 Utility Business Plan, without creating an unrealistic burden on the General Fund.

### **OPTIONS FOR COUNCIL CONSIDERATION**

- Approve the attached Ordinance as presented
- Deny the attached Ordinance as presented
- Postpone consideration of the Ordinance with suggested changes

### **ATTACHMENTS**

- Ordinance
- Municipal Code - Amendments