

ORDINANCE NO. 16-11

AN ORDINANCE AMENDING SECTION 417 (DISCONNECTION) OF PART 4 (CONNECTION AND INSTALLATION OF SYSTEM) OF ARTICLE 4 (WATER CODE); AND SECTION 413 (DISCONNECTION) OF PART 4 (CONNECTION AND INSTALLATION) OF ARTICLE 5 (WASTEWATER TREATMENT CODE) ALL OF CHAPTER 12 (UTILITIES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO THE ELIMINATION OF RECONNECTION FEES FOR AND THE STATUS OF ABANDONED AND INACTIVE WATER AND WASTEWATER SERVICE LINES

WHEREAS, Colorado Springs Utilities ("Utilities") assesses water and wastewater reconnection charges for service lines that are classified as inactive or abandoned in accordance with the City Code and Utilities Rules and Regulations; and

WHEREAS, City Council believes that water and wastewater services lines currently classified as abandoned or inactive should not be subject to the currently established reconnection charges and that no additional service lines should be classified as abandoned or inactive.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 417 (Disconnection) of Part 4 (Connection and Installation of System) of Article 4 (Water Code) of Chapter 12 (Utilities) of the City Code of Colorado Springs 2001, as amended, is hereby amended to read as follows:

12.4.417: DISCONNECTION:

* * *

D. Failure To Use Service Line:

* * *

2. Any service line classified as abandoned and/or inactive through previous City Code or Utilities' rules and regulations (prior to March 1, 2016) shall be returned to service upon request, payment of all applicable fees and costs, and compliance with all applicable rules and regulations. ~~Any service line not in use as of the effective date of this section (January 18, 2012) that was not used before January 1, 2001, or that was inactive before January 1, 2001, is an abandoned service line unless a letter of agreement is entered into between the customer and Utilities stating that the service line will be in regular use within a specific time agreed to by Utilities. On and after January 1, 2001, if a previously used service line is not used for a continuous period of twenty (20) years or more, then the service line shall be abandoned. When a service line is abandoned under this section, then there shall be no further obligation on Utilities to provide service to that service line. The obligation to serve shall not again arise except upon reapplication for service in accord with all ordinances and tariff provisions then applicable and the payment of all fees due at the time of the reapplication. In any event, the cost to reestablish service to any premises to which an abandoned service line attaches shall be equal to the maximum reconnection charge as specified in the Utilities' tariffs.~~

~~3. The reconnection charge in Utilities' tariffs shall be calculated using the water service charge, effective on January 1, 2012, per meter size and rate class for each day after five (5) years that the water service line is inactive, up to a maximum reconnection charge. The maximum reconnection charge shall be equal to fifteen (15) years of the water service charge, effective on January 1, 2012, not to exceed one-half (1/2) of the water development charge, effective on January 1, 2012, per meter size and rate class. The reconnection charge for service outside of the city limits shall be at one and one-half (1 1/2) times the inside city rate. After January 1, 2012, the reconnection charge, the water service charge, and the water development charge may be revised in any rate proceeding pursuant to section 12.1.107 of this chapter.~~

Section 2. Section 413 (Disconnection) of Part 4 (Connection and Installation) of Article 5 (Wastewater Treatment Code) of Chapter 12 (Utilities) of the City Code of Colorado Springs 2001, as amended, is hereby amended to read as follows:

12.5.413: DISCONNECTION:

* * *

B. Any service line classified as abandoned and/or inactive through previous City Code or Utilities' rules and regulations (prior to March 1, 2016) shall be returned to service upon request, payment of all applicable fees and costs, and compliance with all applicable rules and regulations. ~~Any service line not in use as of the effective date of this section (January 18, 2012) that was not used before January 1, 2001, or that was inactive before January 1, 2001, is an abandoned service line unless a letter of agreement is entered into between the customer and Utilities stating~~

~~that the service line will be in regular use within a specific time agreed to by Utilities. On and after January 1, 2001, if a previously used service line is not used for a continuous period of twenty (20) years or more, then the service line shall be abandoned. When a service line is abandoned under this section, then there shall be no further obligation on Utilities to provide service to that service line. The obligation to serve shall not again arise except upon reapplication for service in accord with all ordinances and tariff provisions then applicable and the payment of all fees due at the time of the reapplication. In any event, the cost to reestablish service to any premises to which abandoned service line attaches shall be equal to the maximum reconnection charge as specified in the Utilities' tariffs.~~

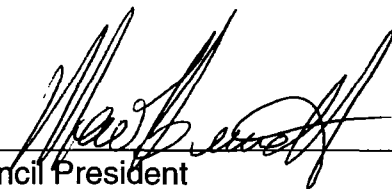
~~C. The reconnection charge in Utilities' tariffs shall be calculated using the wastewater service charge, effective on January 1, 2012, per meter size and rate class for each day after five (5) years that the wastewater service line is inactive, up to a maximum reconnection charge. The maximum reconnection charge shall be equal to fifteen (15) years of the wastewater service charge, effective on January 1, 2012, not to exceed one half (1/2) of the wastewater development charge, effective on January 1, 2012, per meter size and rate class. The reconnection charge for service outside of the city limits shall be at one and one half (1 1/2) times the inside city rate. After January 1, 2012, the reconnection charge, the wastewater service charge, and the wastewater development charge may be revised in any rate proceeding pursuant to section 12.1.107 of this chapter.~~

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

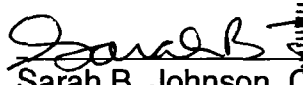
Introduced, read, passed on first reading and ordered published this 26th day of January, 2016.


Finally passed: February 9, 2016



Council President

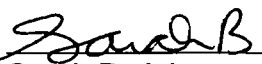
ATTEST:



Sarah B. Johnson, City Clerk



I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE AMENDING SECTION 417 (DISCONNECTION) OF PART 4 (CONNECTION AND INSTALLATION OF SYSTEM) OF ARTICLE 4 (WATER CODE); AND SECTION 413 (DISCONNECTION) OF PART 4 (CONNECTION AND INSTALLATION) OF ARTICLE 5 (WASTEWATER TREATMENT CODE) ALL OF CHAPTER 12 (UTILITIES) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO THE ELIMINATION OF RECONNECTION FEES FOR AND THE STATUS OF ABANDONED AND INACTIVE WATER AND WASTEWATER SERVICE LINES”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on January 26, 2016; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 9th day of February, 2016, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 9th day of February, 2016.


Sarah B. Johnson, City Clerk



1st Publication Date: January 29, 2016
2nd Publication Date: February 12, 2016

Effective Date: February 17, 2016 Initial: SBJ
City Clerk