

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE introduced by City Manager Stephen Wade concerning utility rates, amending § 13.05.020 through § 13.05.090 of the Topeka Municipal Code and repealing original sections.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 13.05.020, Retail water service rates, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Retail water service rates.**

The following are hereby established as the monthly retail water service rates, effective on the dates specified, which the consumer shall pay for water services.

(a) ~~Base~~Readiness to Serve Charge. A customer who has a City service line connected to the City water main shall pay a monthly ~~base~~Readiness to Serve charge that is based upon the size of the water meter. This ~~base~~-charge shall apply regardless whether water has passed from the City water main through the City service line during the billing period. The rates for properties inside the City and outside the City are as follows:

**Readiness to Serve Charge - Property Inside City**

	<del>Jan. 1, 2020</del>	<del>Jan. 1, 2021</del>	<del>Jan. 1, 2022</del>	Jan. 1, 2023	<u>Jan. 1, 2024</u>	<u>Jan. 1, 2025</u>	<u>Jan. 1, 2026</u>
<u>Below 1"</u>					<u>\$16.52</u>	<u>\$17.35</u>	<u>\$18.22</u>
<del>1" and below</del>	<del>\$12.66</del>	<del>\$13.61</del>	<del>\$14.63</del>	\$15.73	<u>\$18.64</u>	<u>\$20.22</u>	<u>\$21.94</u>
<del>1 1/2"</del>	<del>\$25.32</del>	<del>\$27.22</del>	<del>\$29.26</del>	\$31.45	<u>\$34.12</u>	<u>\$37.02</u>	<u>\$40.17</u>
<del>2"</del>	<del>\$40.52</del>	<del>\$43.56</del>	<del>\$46.83</del>	\$50.34	<u>\$54.62</u>	<u>\$59.26</u>	<u>\$64.30</u>
<del>3"</del>	<del>\$75.98</del>	<del>\$81.68</del>	<del>\$87.81</del>	\$94.40	<u>\$102.42</u>	<u>\$111.13</u>	<u>\$120.58</u>
<del>4"</del>	<del>\$126.61</del>	<del>\$136.11</del>	<del>\$146.32</del>	\$157.29	<u>\$170.66</u>	<u>\$185.17</u>	<u>\$200.91</u>
<del>6"</del>	<del>\$253.25</del>	<del>\$272.24</del>	<del>\$292.66</del>	\$314.61	<u>\$341.35</u>	<u>\$370.36</u>	<u>\$401.84</u>

8"	\$405.17	\$435.56	\$468.23	\$503.35	<u>\$546.13</u>	<u>\$592.55</u>	<u>\$642.92</u>
10"	\$582.44	\$626.12	\$673.08	\$723.56	<u>\$785.06</u>	<u>\$851.79</u>	<u>\$924.19</u>

### **Readiness to Serve Charge - Property Outside City**

	<b>Jan. 1, 2020</b>	<b>Jan. 1, 2021</b>	<b>Jan. 1, 2022</b>	<b>Jan. 1, 2023</b>	<b>Jan. 1, 2024</b>	<b>Jan. 1, 2025</b>	<b>Jan. 1, 2026</b>
1" and below	\$22.16	\$23.82	\$25.60	\$27.53	<u>\$32.62</u>	<u>\$35.39</u>	<u>\$38.40</u>
1 1/2"	\$44.31	\$47.64	\$51.21	\$55.04	<u>\$59.71</u>	<u>\$64.79</u>	<u>\$70.30</u>
2"	\$70.91	\$76.23	\$81.95	\$88.10	<u>\$95.59</u>	<u>\$103.71</u>	<u>\$112.53</u>
3"	\$132.97	\$142.94	\$153.67	\$165.20	<u>\$179.24</u>	<u>\$194.48</u>	<u>\$211.02</u>
4"	\$221.57	\$238.19	\$256.06	\$275.26	<u>\$298.66</u>	<u>\$324.05</u>	<u>\$351.59</u>
6"	\$443.19	\$476.42	\$512.16	\$550.57	<u>\$597.36</u>	<u>\$648.13</u>	<u>\$703.22</u>
8"	\$709.05	\$762.23	\$819.40	\$880.86	<u>\$955.73</u>	<u>\$1,036.96</u>	<u>\$1,125.11</u>
10"	\$1,019.27	\$1,095.71	\$1,177.89	\$1,266.23	<u>\$1,373.86</u>	<u>\$1,490.63</u>	<u>\$1,617.33</u>

(b) *Water Volume Charge*. The customer shall pay on a monthly basis for the water passing from the City water main to the property. The rates for properties inside the City and outside the City are as follows:

### **Volume Charge (per 1,000 gallons) – Property Inside City**

	<b>Jan. 1, 2020</b>	<b>Jan. 1, 2021</b>	<b>Jan. 1, 2022</b>	<b>Jan. 1, 2023</b>	<b>Jan. 1, 2024</b>	<b>Jan. 1, 2025</b>	<b>Jan. 1, 2026</b>
Single-Family	\$4.88	\$5.25	\$5.64	\$6.06	<u>\$6.58</u>	<u>\$7.14</u>	<u>\$7.75</u>
Multifamily	\$3.96	\$4.26	\$4.58	\$4.92	<u>\$5.34</u>	<u>\$5.79</u>	<u>\$6.28</u>
Commercial	\$3.61	\$3.88	\$4.17	\$4.48	<u>\$4.95</u>	<u>\$5.45</u>	<u>\$5.99</u>
Industrial	\$3.09	\$3.32	\$3.57	\$3.84	<u>\$4.29</u>	<u>\$4.80</u>	<u>\$5.35</u>
Industrial II	\$2.91	\$3.13	\$3.36	\$3.61	<u>\$4.04</u>	<u>\$4.52</u>	<u>\$5.04</u>
Irrigation	\$5.87	\$6.31	\$6.78	\$7.29	<u>\$7.91</u>	<u>\$8.58</u>	<u>\$9.31</u>

### **Volume Charge (per 1,000 gallons) – Property Outside City**

	<u>Jan. 1, 2020</u>	<u>Jan. 1, 2021</u>	<u>Jan. 1, 2022</u>	<u>Jan. 1, 2023</u>	<u>Jan. 1, 2024</u>	<u>Jan. 1, 2025</u>	<u>Jan. 1, 2026</u>
Single-Family	\$8.54	\$9.19	\$9.87	\$10.61	<u>\$11.52</u>	<u>\$12.50</u>	<u>\$13.56</u>
Multifamily	\$6.93	\$7.46	\$8.02	\$8.61	<u>\$9.35</u>	<u>\$10.13</u>	<u>\$10.99</u>
Commercial	\$6.32	\$6.79	\$7.30	\$7.84	<u>\$8.66</u>	<u>\$9.54</u>	<u>\$10.48</u>
Industrial	\$5.41	\$5.81	\$6.25	\$6.72	<u>\$7.51</u>	<u>\$8.40</u>	<u>\$9.36</u>
Industrial II	\$5.09	\$5.48	\$5.88	\$6.32	<u>\$7.07</u>	<u>\$7.91</u>	<u>\$8.82</u>
Irrigation	\$10.27	\$11.04	\$11.87	\$12.76	<u>\$13.84</u>	<u>\$15.02</u>	<u>\$16.29</u>

Section 2. That section 13.05.030, Wholesale water rates, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Wholesale water rates.**

The following are hereby established as the monthly wholesale water rates, effective on the dates specified, which wholesale customers shall pay for water services:

(a) *Rural Water Districts.*

		<u>Jan. 1, 2020</u>	<u>Jan. 1, 2021</u>	<u>Jan. 1, 2022</u>	<u>Jan. 1, 2023</u>	<u>Jan. 1, 2024</u>	<u>Jan. 1, 2025</u>	<u>Jan. 1, 2026</u>
(1)	Jackson Co. No. 1 – First 600,000 gallons – Minimum charge per month	\$3,102.00	\$3,336.00	\$3,588.00	\$3,858.00	<u>\$4,313.00</u>	<u>\$4,822.00</u>	<u>\$5,377.00</u>
	Over 600,000 gallons per month per 1,000 gallons	\$5.17	\$5.56	\$5.98	\$6.43	<u>\$7.19</u>	<u>\$8.04</u>	<u>\$8.96</u>
(2)	Shawnee CRWD No.	\$15,468.64	\$16,636.00	\$17,892.00	\$19,239.00	<u>\$21,509.00</u>	<u>\$24,047.00</u>	<u>\$26,812.00</u>

	1 – First 2,992,000 gallons – Minimum charge per month							
	Over 2,992,000 gallons per month per 1,000 gallons	\$5.17	\$5.56	\$5.98	\$6.43	<u>\$7.19</u>	<u>\$8.04</u>	<u>\$8.96</u>
(3)	Shawnee CRWD No. 3 (formerly RWD No. 6) – First 2,598,000 gallons – Minimum charge per month	\$13,431.66	\$14,445.00	\$15,536.00	\$16,705.00	<u>\$18,676.00</u>	<u>\$20,880.00</u>	<u>\$23,281.00</u>
	Over 2,598,000 gallons per month per 1,000 gallons	\$5.17	\$5.56	\$5.98	\$6.43	<u>\$7.19</u>	<u>\$8.04</u>	<u>\$8.96</u>
(4)	Shawnee CRWD No. 4 – First 995,000 gallons – Minimum charge per month	\$5,144.15	\$5,532.00	\$5,950.00	\$6,398.00	<u>\$7,153.00</u>	<u>\$7,997.00</u>	<u>\$8,917.00</u>
	Over 995,000 gallons per month per 1,000 gallons	\$5.17	\$5.56	\$5.98	\$6.43	<u>\$7.19</u>	<u>\$8.04</u>	<u>\$8.96</u>

(5)	Shawnee Co. No. 8 – First 5,402,000 gallons – Minimum charge per month	\$27,928.34	\$30,035.00	\$32,304.00	\$34,735.00	\$38,834.00	\$43,416.00	\$48,409.00
	Over 5,402,000 gallons per month per 1,000 gallons	\$5.17	\$5.56	\$5.98	\$6.43	\$7.19	\$8.04	\$8.96

33 (b) *Other.* Other contractual rates shall be as follows:

	<del>Jan. 1, 2020</del>	<del>Jan. 1, 2021</del>	<del>Jan. 1, 2022</del>	Jan. 1, 2023	<u>Jan. 1, 2024</u>	<u>Jan. 1, 2025</u>	<u>Jan. 1, 2026</u>
Metro. Topeka Airport Authority – First 1,139,000 gallons – Minimum charge per month	\$5,888.63	\$6,333.00	\$6,811.00	\$7,324.00	\$8,188.00	\$9,154.00	\$10,207.00
Over 1,139,000 gallons per month per 1,000 gallons	\$5.17	\$5.56	\$5.98	\$6.43	\$7.19	\$8.04	\$8.96

34 Section 3. That section 13.05.040, Fire protection rates, of The Code of the  
35 City of Topeka, Kansas, is hereby amended to read as follows:

36 **Fire protection rates.**

37 (a) Monthly fire protection rates for fire lines or fire connections, effective on the  
38 dates specified, shall be as follows:

39 (1) *Property Inside City.*

Size of Connection (Inches)	<del>Jan. 1, 2020</del>	<del>Jan. 1, 2021</del>	<del>Jan. 1, 2022</del>	Jan. 1, 2023	<u>Jan. 1, 2024</u>	<u>Jan. 1, 2025</u>	<u>Jan. 1, 2026</u>

4" or less	\$12.72	\$13.67	\$14.70	\$15.80	<u>\$17.14</u>	<u>\$18.60</u>	<u>\$20.18</u>
6"	\$36.86	\$39.62	\$42.59	\$45.78	<u>\$49.67</u>	<u>\$53.89</u>	<u>\$58.47</u>
8"	\$78.37	\$84.25	\$90.57	\$97.36	<u>\$105.64</u>	<u>\$114.62</u>	<u>\$124.36</u>
10"	\$140.82	\$151.38	\$162.73	\$174.93	<u>\$189.80</u>	<u>\$205.93</u>	<u>\$223.43</u>
12"	\$229.05	\$246.23	\$264.70	\$284.55	<u>\$308.74</u>	<u>\$334.98</u>	<u>\$363.45</u>

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(2) *Property Outside City.*

Size of Connection (Inches)	Jan. 1, 2020	Jan. 1, 2021	Jan. 1, 2022	Jan. 1, 2023	Jan. 1, 2024	Jan. 1, 2025	Jan. 1, 2026
4" or less	\$22.26	\$23.92	\$25.73	\$27.65	<u>\$30.00</u>	<u>\$32.55</u>	<u>\$35.32</u>
6"	\$64.51	\$69.34	\$74.53	\$80.12	<u>\$86.92</u>	<u>\$94.31</u>	<u>\$102.32</u>
8"	\$137.15	\$147.44	\$158.50	\$170.38	<u>\$184.87</u>	<u>\$200.59</u>	<u>\$217.63</u>
10"	\$246.44	\$264.92	\$284.78	\$306.13	<u>\$332.15</u>	<u>\$360.38</u>	<u>\$391.00</u>
12"	\$400.84	\$430.90	\$463.23	\$497.96	<u>\$540.30</u>	<u>\$586.22</u>	<u>\$636.04</u>

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(b) *Fire Hydrants Outside City.* There shall be a fee paid each month to the

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Water Division by outside City customers for the maintenance of fire hydrants; such fee

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charged per month per customer, effective on the dates specified, as follows:

	Jan. 1, 2020	Jan. 1, 2021	Jan. 1, 2022	Jan. 1, 2023	Jan. 1, 2024	Jan. 1, 2025	Jan. 1, 2026
Maintenance fee	\$6.74	\$7.25	\$7.79	\$8.37	<u>\$9.08</u>	<u>\$9.85</u>	<u>\$10.69</u>

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Section 4. That section 13.05.050, Sanitary sewer service rates, of The Code

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of the City of Topeka, Kansas, is hereby amended to read as follows:

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**Sanitary sewer service rates.**

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The following are established as the monthly sewer service rates, effective on the

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dates specified, for discharging wastewater into the sanitary sewer system.

(a) BaseReadiness to Serve Charge. A customer who has a private sewer line that is connected to the City wastewater system, as determined by the Utilities Director or designee, shall pay a monthly basereadiness to serve charge that is based upon the size of the water meter. This base charge shall apply regardless whether wastewater has passed from the private sewer line to the City wastewater system during the billing period. The rates for properties inside and outside the City are as follows:

**BaseReadiness to Serve Charge (Property Inside City)**

	<u>Jan. 1, 2020</u>	<u>Jan. 1, 2021</u>	<u>Jan. 1, 2022</u>	<u>Jan. 1, 2023</u>	<u>Jan. 1, 2024</u>	<u>Jan. 1, 2025</u>	<u>Jan. 1, 2026</u>
<u>Below 1"</u>					<u>\$13.09</u>	<u>\$13.74</u>	<u>\$14.43</u>
<u>1" and below</u>	<u>\$11.75</u>	<u>\$11.99</u>	<u>\$12.23</u>	<u>\$12.47</u>	<u>\$14.65</u>	<u>\$15.71</u>	<u>\$16.85</u>
<u>1 1/2"</u>	<u>\$23.51</u>	<u>\$23.98</u>	<u>\$24.46</u>	<u>\$24.95</u>	<u>\$26.82</u>	<u>\$28.76</u>	<u>\$30.85</u>
<u>2"</u>	<u>\$37.61</u>	<u>\$38.36</u>	<u>\$39.13</u>	<u>\$39.91</u>	<u>\$42.90</u>	<u>\$46.01</u>	<u>\$49.35</u>
<u>3"</u>	<u>\$70.52</u>	<u>\$71.93</u>	<u>\$73.37</u>	<u>\$74.84</u>	<u>\$80.45</u>	<u>\$86.28</u>	<u>\$92.54</u>
<u>4"</u>	<u>\$117.53</u>	<u>\$119.88</u>	<u>\$122.28</u>	<u>\$124.73</u>	<u>\$134.08</u>	<u>\$143.80</u>	<u>\$154.23</u>
<u>6"</u>	<u>\$235.06</u>	<u>\$239.76</u>	<u>\$244.56</u>	<u>\$249.45</u>	<u>\$268.16</u>	<u>\$287.60</u>	<u>\$308.45</u>
<u>8"</u>	<u>\$376.12</u>	<u>\$383.64</u>	<u>\$391.31</u>	<u>\$399.14</u>	<u>\$429.08</u>	<u>\$460.19</u>	<u>\$493.55</u>
<u>10"</u>	<u>\$540.66</u>	<u>\$551.47</u>	<u>\$562.50</u>	<u>\$573.75</u>	<u>\$616.78</u>	<u>\$661.50</u>	<u>\$709.46</u>

**BaseReadiness to Serve Charge (Property Outside City)**

	<u>Jan. 1, 2020</u>	<u>Jan. 1, 2021</u>	<u>Jan. 1, 2022</u>	<u>Jan. 1, 2023</u>	<u>Jan. 1, 2024</u>	<u>Jan. 1, 2025</u>	<u>Jan. 1, 2026</u>
<u>1" and below</u>	<u>\$20.56</u>	<u>\$20.98</u>	<u>\$21.40</u>	<u>\$21.82</u>	<u>\$25.64</u>	<u>\$27.49</u>	<u>\$29.49</u>
<u>1 1/2"</u>	<u>\$41.14</u>	<u>\$41.97</u>	<u>\$42.81</u>	<u>\$43.66</u>	<u>\$46.94</u>	<u>\$50.33</u>	<u>\$53.99</u>
<u>2"</u>	<u>\$65.82</u>	<u>\$67.13</u>	<u>\$68.48</u>	<u>\$69.84</u>	<u>\$75.08</u>	<u>\$80.52</u>	<u>\$86.36</u>
<u>3"</u>	<u>\$123.41</u>	<u>\$125.88</u>	<u>\$128.40</u>	<u>\$130.97</u>	<u>\$140.79</u>	<u>\$150.99</u>	<u>\$161.95</u>
<u>4"</u>	<u>\$205.68</u>	<u>\$209.79</u>	<u>\$213.99</u>	<u>\$218.28</u>	<u>\$234.64</u>	<u>\$251.65</u>	<u>\$269.90</u>
<u>6"</u>	<u>\$411.36</u>	<u>\$419.58</u>	<u>\$427.98</u>	<u>\$436.54</u>	<u>\$469.28</u>	<u>\$503.30</u>	<u>\$539.79</u>

8"	<del>\$658.21</del>	<del>\$671.37</del>	<del>\$684.79</del>	\$698.50	<u>\$750.89</u>	<u>\$805.33</u>	<u>\$863.71</u>
10"	<del>\$946.16</del>	<del>\$965.07</del>	<del>\$984.38</del>	\$1,004.06	<u>\$1,079.37</u>	<u>\$1,157.63</u>	<u>\$1,241.56</u>

(b) *Wastewater Volume Charge.* The customer shall pay on a monthly basis for the volume of wastewater passing from the private sewer line to the City wastewater system according to the rate schedule in subsection (c) of this section.

(1) *Residential and Multifamily Residences/Public Water System Supply.*

The charge shall be based on a calculated average water volume determined in accordance with TMC 13.10.490 and 13.10.510 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-month winter average. The three-month winter average water volume shall be recalculated each year following the three-month winter period and shall be in effect for the following 12-month period. For a customer who has not established an average, the charge shall be the average of the residential three-month winter average for the applicable meter reading route.

(2) *Residential and Multifamily Residences/Well Water Supply.* The

charge for a customer whose potable water is supplied by a well shall be based on the average of the residential three-month winter average for the applicable meter reading route. Alternatively, the customer may install and maintain, at the customer's cost, a water meter approved by the Utilities Director or designee. If a meter is installed, the sewer rates shall be calculated based on the average water volume used in the months of December, January, and February as



measured at the meter; provided, that access is granted to the Utilities Director or designee to read, inspect, test, or repair the meter.

(3) *Commercial and Industrial.* The volume shall be based on the lesser of water volumes determined in accordance with TMC 13.10.490 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 300 milligrams per liter and/or suspended solids in excess of 300 milligrams per liter will be assessed the excess strength charge in accordance with subsection (e) of this section.

(c) *Schedule of Rates and Charges.*

(1) *Inside City.*

	<b><u>Jan. 1, 2020</u></b>	<b><u>Jan. 1, 2021</u></b>	<b><u>Jan. 1, 2022</u></b>	<b><u>Jan. 1, 2023</u></b>	<b><u>Jan. 1, 2024</u></b>	<b><u>Jan. 1, 2025</u></b>	<b><u>Jan. 1, 2026</u></b>
<b>Domestic Strength Wastewater:</b>							
Volume Charge per 1,000 gallons	<b><u>\$5.26</u></b>	<b><u>\$5.37</u></b>	<b><u>\$5.48</u></b>	<b><u>\$5.59</u></b>	<b><u>\$6.01</u></b>	<b><u>\$6.45</u></b>	<b><u>\$6.92</u></b>

(2) *Outside City.*

	<b><u>Jan. 1, 2020</u></b>	<b><u>Jan. 1, 2021</u></b>	<b><u>Jan. 1, 2022</u></b>	<b><u>Jan. 1, 2023</u></b>	<b><u>Jan. 1, 2024</u></b>	<b><u>Jan. 1, 2025</u></b>	<b><u>Jan. 1, 2026</u></b>
<b>Domestic Strength Wastewater:</b>							
Volume Charge per 1,000 gallons	<b><u>\$9.21</u></b>	<b><u>\$9.40</u></b>	<b><u>\$9.59</u></b>	<b><u>\$9.78</u></b>	<b><u>\$10.52</u></b>	<b><u>\$11.29</u></b>	<b><u>\$12.11</u></b>

(d) *Adjustment of Bills.*

(1) Notwithstanding subsection (b)(3) of this section, in the event a customer's facility bypass system becomes inoperable because of equipment

failure or system maintenance, the customer may request a temporary suspension of the imposition of excess strength charges in accordance with the policy established by the Utilities Director.

(2) 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.

(e) *Excess Strength Charges*. Excess strength charges may be established by the Utilities Director subject to the approval by the City Manager.

Section 5. That section 13.05.060, ERU rate, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**ERU rate.**

(a) There is hereby established for purposes of calculating the stormwater drainage fee the equivalent residential unit (ERU). The ERU is hereby established to be 2,018 square feet of impervious area.

(b) The ERU rate to be charged for stormwater drainage fees for each ERU is hereby established as follows:

ERU rates per month:	<del>Jan. 1,</del> 2020	<del>Jan. 1,</del> 2021	<del>Jan. 1,</del> 2022	Jan. 1, 2023	<u>Jan. 1,</u> 2024	<u>Jan. 1,</u> 2025	<u>Jan. 1,</u> 2026
<b>Single-family residence:</b>							
Less than 1,500 sq. ft.	<del>\$3.22</del>	<del>\$3.46</del>	<del>\$3.72</del>	\$4.00	<u>\$4.23</u>	<u>\$4.46</u>	<u>\$4.70</u>
1,501 to 3,500 sq. ft.	<del>\$5.00</del>	<del>\$5.38</del>	<del>\$5.78</del>	\$6.21	<u>\$6.61</u>	<u>\$6.97</u>	<u>\$7.34</u>

Over 3,500 sq. ft.	<del>\$7.77</del>	<del>\$8.36</del>	<del>\$8.98</del>	\$9.65	<u>\$10.25</u>	<u>\$10.80</u>	<u>\$11.38</u>
<b>All other residential</b>	<del>\$5.00</del>	<del>\$5.38</del>	<del>\$5.78</del>	\$6.21	<u>\$6.61</u>	<u>\$6.97</u>	<u>\$7.34</u>
<b>All nonresidential</b>	<del>\$5.00</del>	<del>\$5.38</del>	<del>\$5.78</del>	\$6.21	<u>\$6.61</u>	<u>\$6.97</u>	<u>\$7.34</u>

(c) The following enumerated factors and review process are hereby adopted by the City to evaluate any reductions of stormwater utility fees charged to properties which are located within a duly created drainage district:

(1) Quantify the functional activities and frequency for the activities that are being performed within a drainage district's boundary within the City's service area by the City.

(2) Quantify the functional activities and frequency for the activities that are being performed within a drainage district's boundary within the City's service area by the drainage district.

(3) If an identical function is being performed by the drainage district and is not replicated by the City within the drainage district's service area, quantify the specific unit of service, including but not limited to length, cross-section area, surface area, number of structures, rehabilitation activities and the frequency for this performance.

(4) Compare the same function and frequency with the costs appropriate for the City staff to perform an identical activity utilizing the City's budget for that specific function.

(5) Utilizing the City's cost for a function and the specific units accomplished in the drainage district's boundary, extend the unit cost times the units accomplished to obtain the total annual cost for all identical functions.

131 (6) Utilizing the total costs for all functions provided by the drainage  
132 district based upon City unit costs, divide this total cost by the ERUs within the  
133 drainage district (divided by 12 to obtain monthly) and obtain a “drainage district  
134 ERU equivalent cost.”

135 (7) For all parcels within the specific drainage district boundary and  
136 within the City limits, subtract the “drainage district ERU equivalent cost” from the  
137 City’s stormwater ERU rate (monthly).

138 (d) The Utilities Department is directed to annually review, utilizing the factors  
139 and process referenced herein, and determine monetary savings, if any, to the City for  
140 stormwater services provided by duly created drainage districts. The Utilities  
141 Department shall report its determination of savings to the stormwater utility, if any, to  
142 the Governing Body by June 15th of each year. Rate reductions for properties within  
143 duly created drainage districts shall be adopted by separate ordinance and be based  
144 upon savings to the stormwater utility.

145 (e) Utilizing the enumerated factors and review process adopted herein, the  
146 stormwater rate reduction for the following duly created drainage districts is as follows:

Shunganunga Drainage District	0
Kaw River Drainage District	0
North Topeka Drainage District (per ERU, per month)	\$0.83

147 Section 6. That section 13.05.090, No free service or discrimination in rates, of  
148 The Code of the City of Topeka, Kansas, is hereby repealed.

149 ~~**No free service or discrimination in rates.**~~

150 ~~No person nor any City department shall be allowed free use of water, nor shall~~

~~there be discrimination among water, wastewater or stormwater customers of like classes as to rates; and rebates in rates shall never be allowed to any person or City department except as an inducement to prompt payment of water, wastewater or stormwater rates unless otherwise provided in this title.~~

Section 7. That original § 13.05.020 through § 13.05.090 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 8. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 9. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 10. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on \_\_\_\_\_.

CITY OF TOPEKA, KANSAS

\_\_\_\_\_  
Michael A. Padilla, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Younger, City Clerk