



ORDINANCE

8

CITY OF DANBURY, STATE OF CONNECTICUT
CITY COUNCIL

_____ A.D. 2016

Be it ordained by the City Council of the City of Danbury:

THAT Section 16-4 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

16-4. Connection permits required; connection fee; refunds; penalty for violations.

(a) *Permit.* No person shall make any connection with any public sewer or increase the volume discharge or decrease the volume discharged to any public sewer without a permit from the City Engineer and the Superintendent of Public Utilities. No such permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred fifty dollars (\$250.00) to cover administrative costs associated therewith, except the permit fee for all properties located in the Downtown Revitalization Overlay Zone shall be one hundred ten dollars (\$110.00). All such permits shall be valid for a period of one (1) year from the date of issuance. Every permit issued hereunder shall be subject to the rules and regulations of the Danbury Department of Public Works.

(b) *Connection fee.* If no prior sewer assessment established in accordance with the provisions of section 16-50 of the Danbury Code of Ordinances has been paid on the premises to be connected to said sewer, or with respect to which the use is to be changed by adding residential units or expanding the floor area of nonresidential or mixed uses, then no permit shall be issued until a connection fee is paid to the City of Danbury according to the following:

1. (a) Except as otherwise provided herein, the connection fee for buildings devoted to residential uses shall be one thousand nine hundred seventy five dollars (\$1,975.00) per dwelling unit.

(b) The connection fee for buildings located within the C-CBD zoning district and the Downtown Revitalization Overlay Zone and devoted to residential uses shall be six hundred seventy five dollars (\$675.00) per dwelling unit, but in no event shall said connection fee exceed three thousand three hundred sixty dollars (\$3,360.00) per building.

2. (a) Except as otherwise provided herein, the connection fee for buildings devoted to either nonresidential or mixed uses shall be as follows:

Building Size (Floor Area s.f.)	Connection Fee
up to 5,000 s.f.	\$ 3,360.00
from 5,001 s.f. to 10,000 s.f.	\$ 13,430.00
from 10,001 s.f. to 25,000 s.f.	\$ 26,865.00
over 25,001 s.f. to 50,000 s.f.	\$ 40,295.00
over 50,000 s.f.	\$ 67,160.00 plus \$135.00 for each 1,000 s.f. or part thereof over 50,000 s.f.

(b) The connection fee for buildings located within the C-CBD zoning district and the Downtown Revitalization Overlay Zone and devoted to either nonresidential or mixed uses shall be as follow:

Building Size (Floor Area s.f.)	Connection Fee
up to 5,000 s.f.	\$ 3,360.00
from 5,001 s.f. to 10,000 s.f.	\$ 6,710.00
from 10,001 s.f. to 25,000 s.f.	\$ 13,430.00
over 25,001 s.f. to 75,000 s.f.	\$ 20,140.00
over 75,000 s.f.	\$ 26,865.00

Whenever a change in use results in the addition of residential units or the expansion of the floor area of a nonresidential or mixed use, the connection fee associated with said change in use shall be calculated by subtracting the connection fee that would be due hereunder for the old use from the connection fee that would be due hereunder for the new use.

(c) *Refund.* Said connection fee may be refunded if no actual connection is made prior to the expiration of the connection permit; provided that a written request for said refund is made within five (5) years of the date on which the permit is issued.

(d) *Penalty for violation.* Any person violating any of the provisions of this section shall be subject to a fine of not more than one hundred dollars (\$100.00).

COPY SHOWING DELETIONS AND NEW LANGUAGE

16-4. Connection permits required; connection fee; refunds; penalty for violations.

(a) *Permit.* No person shall make any connection with any public sewer or increase the volume discharge or decrease the volume discharged to any public sewer without a permit from the City Engineer and the Superintendent of Public Utilities. No such permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred FIFTY ~~forty five~~ dollars (\$250.00) ~~(\$245.00)~~ to cover administrative costs associated therewith, except the permit fee for all properties located in the Downtown Revitalization Overlay Zone shall be one hundred TEN ~~five~~ dollars (\$110.00) ~~(\$105.00)~~. All such permits shall be valid for a period of one (1) year from the date of issuance. Every permit issued hereunder shall be subject to the rules and regulations of the Danbury Department of Public Works.

(b) *Connection fee.* If no prior sewer assessment established in accordance with the provisions of section 16-50 of the Danbury Code of Ordinances has been paid on the premises to be connected to said sewer, or with respect to which the use is to be changed by adding residential units or expanding the floor area of nonresidential or mixed uses, then no permit shall be issued until a connection fee is paid to the City of Danbury according to the following:

- 1. (a) Except as otherwise provided herein, the connection fee for buildings devoted to residential uses shall be one thousand nine hundred SEVENTY FIVE ~~twenty~~ dollars (\$1,975.00) ~~(\$1,920.00)~~ per dwelling unit.

(b) The connection fee for buildings located within the C-CBD zoning district and the Downtown Revitalization Overlay Zone and devoted to residential uses shall be six hundred SEVENTY ~~forty five~~ dollars (\$675.00) ~~(\$655.00)~~ per dwelling unit, but in no event shall said connection fee exceed three thousand THREE ~~two~~ hundred sixty five dollars (\$3,360.00) ~~(\$3,265.00)~~ per building.

- 2. (a) Except as otherwise provided herein, the connection fee for buildings devoted to either nonresidential or mixed uses shall be as follows:

Building Size (Floor Area s.f.)	Connection Fee
up to 5,000 s.f.	\$ 3,265.00 <u>3,360.00</u>
from 5,001 s.f. to 10,000 s.f.	\$ 13,045.00 <u>13,430.00</u>
from 10,001 s.f. to 25,000 s.f.	\$ 26,095.00 <u>26,865.00</u>
over 25,001 s.f. to 50,000 s.f.	\$ 39,140.00 <u>40,295.00</u>
over 50,000 s.f.	\$ 65,235.00 <u>67,160.00</u> plus \$ 130.00 <u>135.00</u> for each 1,000 s.f. or part thereof over 50,000 s.f.

(b) The connection fee for buildings located within the C-CBD zoning district and the Downtown Revitalization Overlay Zone and devoted to either nonresidential or mixed uses shall be as follow:

Building Size (Floor Area s.f.)	Connection Fee
up to 5,000 s.f.	\$ 3,265.00 <u>3,360.00</u>
from 5,001 s.f. to 10,000 s.f.	\$ 6,520.00 <u>6,710.00</u>
from 10,001 s.f. to 25,000 s.f.	\$ 13,045.00 <u>13,430.00</u>
over 25,001 s.f. to 75,000 s.f.	\$ 19,565.00 <u>20,140.00</u>
over 75,000 s.f.	\$ 26,095.00 <u>26,865.00</u>

Whenever a change in use results in the addition of residential units or the expansion of the floor area of a nonresidential or mixed use, the connection fee associated with said change in use shall be calculated by subtracting the connection fee that would be due hereunder for the old use from the connection fee that would be due hereunder for the new use.

(c) *Refund.* Said connection fee may be refunded if no actual connection is made prior to the expiration of the connection permit; provided that a written request for said refund is made within five (5) years of the date on which the permit is issued.

(d) *Penalty for violation.* Any person violating any of the provisions of this section shall be subject to a fine of not more than one hundred dollars (\$100.00).

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by strikeouts.



ORDINANCE

CITY OF DANBURY, STATE OF CONNECTICUT
CITY COUNCIL

_____ A.D. 2016

Be it ordained by the City Council of the City of Danbury:

THAT Section 16-32 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Section 16-32. Sewer Use Charges.

(a) General sewer use charges established. There are hereby established sewer use charges applicable with respect to all bills rendered on or after July 1, 2016, to all sewer customers provided with metered city water service. Sewer use charges shall be reflected on the quarterly billing in two (2) components. The first component shall be the sewer use charge for the operation and maintenance (O&M) of the Danbury sewage works (as defined in Section 16-1 hereof) and the second component shall be the sewer use charge for the retirement of debt service relating to system renovations and improvements. Such charges, established in accordance with criteria contained in Section 16-27 of this Code of Ordinances, shall be determined in accordance with the following formulas and values:

(1) Formulas:

a. Quarterly Sewer Use Charge (O&M) = $\frac{0.9 \times A \times X}{1,000 \text{ gallons}}$

b. Quarterly Sewer Use Charge Residential Debt Service = $\frac{0.9 \times A \times Y}{1,000 \text{ gallons}}$

Where "A" equals the volume of water, as measured through the customer's water meter, used during the previous billing quarter. Where X and Y are the values with respect to sewer use charges and classes. Notwithstanding the prior provisions of this section, there shall be a minimum quarterly sewer use charge, which shall be established herein.

(2) Values:

a. For sewer use customers with metered city water service, the following sewer use charge values are hereby established:

1. O&M value (X) = \$2.83

2. Debt service values (Y) =

i. Residential, Class 1 and 1A = \$0.47

ii. Mixed residential / commercial, Class 2A = \$6.91

iii. Nonresidential, Class 2 and 3 = \$8.12

b. The minimum quarterly sewer use charge shall be thirty one dollars and twenty two cents (\$31.22).

(b) For sewer use customers with flat rate city water service the quarterly sewer use charge shall be:

- (1) Residential (Class 1 and 1A) = one hundred fifty one dollars and ninety three cents (\$151.93) per unit.
- (2) Mixed residential / commercial (Class 2A) = three hundred two dollars and nine cents (\$302.09) per unit.
- (3) Nonresidential (Class 2 and 3) = three hundred two dollars and nine cents (\$302.09) per unit.

(c) For sewer use customers having no city water service the quarterly sewer use charge shall be:

- (1) Residential (Class 1 and 1A) = seventy one dollars and twenty four cents (\$71.24) per unit.
- (2) Mixed residential/commercial (Class 2A) = Two hundred fifty seven dollars and sixty seven cents (\$257.67) per unit.
- (3) Nonresidential (Class 2 and 3) = Two hundred eighty two dollars and eighty one cents (\$282.81) per unit.

For the purposes of subsections (b) and (c) hereof, a sewer unit shall represent the sewer use for a single family dwelling. An additional sewer unit shall be assessed for each additional residence within any residential structure. A fractional sewer unit shall be assessed for a portion of the dwelling which, in the opinion of the Superintendent of Public Utilities, bears, with respect to sewer usage, the same relationship to a whole sewer unit as that portion of the dwelling in question bears to a single family dwelling. All nonresidential flat rate city water customers shall be assessed for sewer units or fractions thereof based on the relationship between the customer's nonresidential use and the use generated by a single family dwelling, in the opinion of the Superintendent of Public Utilities.

(d) For purposes of this section, sewer use charges imposed upon military veterans' posts and organizations that are exempt from federal taxation under Section 501(c)(19) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, shall be imposed at the residential rates established herein.

COPY SHOWING DELETIONS AND NEW LANGUAGE

Section 16-32. Sewer Use Charges.

(a) General sewer use charges established. There are hereby established sewer use charges applicable with respect to all bills rendered on or after July 1, 2016 ~~2014~~, to all sewer customers provided with metered city water service. Sewer use charges shall be reflected on the quarterly billing in two (2) components. The first component shall be the sewer use charge for the operation and maintenance (O&M) of the Danbury sewage works (as defined in Section 16-1 hereof) and the second component shall be the sewer use charge for the retirement of debt service relating to system renovations and improvements. Such charges, established in accordance with criteria contained in Section 16-27 of this Code of Ordinances, shall be determined in accordance with the following formulas and values:

(1) Formulas:

a. Quarterly Sewer Use Charge (O&M) = $\frac{0.9 \times A \times X}{1,000 \text{ gallons}}$

b. Quarterly Sewer Use Charge Residential Debt Service = $\frac{0.9 \times A \times Y}{1,000 \text{ gallons}}$

Where "A" equals the volume of water, as measured through the customer's water meter, used during the previous billing quarter. Where X and Y are the values with respect to sewer use charges and classes. Notwithstanding the prior provisions of this section, there shall be a minimum quarterly sewer use charge, which shall be established herein.

(2) Values:

a. For sewer use customers with metered city water service, the following sewer use charge values are hereby established:

1. O&M value (X) = ~~\$2.75~~ 2.83

2. Debt service values (Y) =

i. Residential, Class 1 and 1A = ~~\$0.46~~ 0.47

ii. Mixed residential / commercial, Class 2A = ~~\$6.71~~ 6.91

iii. Nonresidential, Class 2 and 3 = ~~\$7.89~~ 8.12

b. The minimum quarterly sewer use charge shall be: thirty ONE dollars and TWENTY TWO ~~thirty three~~ cents (~~\$31.22~~) (\$30.33).

(b) For sewer use customers with flat rate city water service the quarterly sewer use charge shall be:

- (1) Residential (Class 1 and 1A) = one hundred FIFTY ONE ~~forty seven~~ dollars and NINETY THREE ~~forty eight~~ cents (\$151.93) ~~(\$147.58)~~ per unit.
- (2) Mixed residential / commercial (Class 2A) = THREE ~~two~~ hundred TWO ~~ninety three~~ dollars and NINE ~~forty three~~ cents (\$302.09) ~~(\$293.43)~~ per unit.
- (3) Nonresidential (Class 2 and 3) = THREE ~~two~~ hundred TWO ~~ninety three~~ dollars and NINE ~~forty three~~ cents (\$302.09) ~~(\$293.43)~~ per unit.

(c) For sewer use customers having no city water service the quarterly sewer use charge shall be:

- (1) Residential (Class 1 and 1A) = SEVENTY ONE ~~sixty nine~~ dollars and twenty FOUR cents (\$71.24) ~~(\$69.20)~~ per unit.
- (2) Mixed residential/commercial (Class 2A) = Two hundred fifty SEVEN dollars and SIXTY SEVEN ~~twenty nine~~ cents (\$257.67) ~~(\$250.29)~~ per unit.
- (3) Nonresidential (Class 2 and 3) = Two hundred EIGHTY TWO ~~seventy four~~ dollars and EIGHTY ~~seventy one~~ cents (\$282.81) ~~(\$274.71)~~ per unit.

For the purposes of subsections (b) and (c) hereof, a sewer unit shall represent the sewer use for a single family dwelling. An additional sewer unit shall be assessed for each additional residence within any residential structure. A fractional sewer unit shall be assessed for a portion of the dwelling which, in the opinion of the Superintendent of Public Utilities, bears, with respect to sewer usage, the same relationship to a whole sewer unit as that portion of the dwelling in question bears to a single family dwelling. All nonresidential flat rate city water customers shall be assessed for sewer units or fractions thereof based on the relationship between the customer's nonresidential use and the use generated by a single family dwelling, in the opinion of the Superintendent of Public Utilities.

(d) For purposes of this section, sewer use charges imposed upon military veterans' posts and organizations that are exempt from federal taxation under Section 501(c)(19) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, shall be imposed at the residential rates established herein.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by strikeouts.

City Council Committee Meeting as a Whole
DANBURY CITY COUNCIL
Ordinance Setting Sewer Rates as of July 1, 2016
April 26, 2016

Honorable Mayor Mark D. Boughton
Members of the City Council

President Cavo called the meeting to order at 7:18 p.m. in City Hall Council Chambers.

COUNCIL MEMBERS PRESENT: Philip D. Curran, Christina Chieffalo, Jack Knapp, Warren Levy, Gregg Seabury, Andrew Wetmore, Irving M. Fox, Vinny DiGilio, Joe Cavo, Thomas J. Saadi, Fred Visconti, Elmer Palma, Christopher J. Arconti, John J. Esposito, Duane Perkins, Benjamin Chianese, Paul T. Rotello, Nancy Cammisa, and Joseph Scozzafava.

COUNCIL MEMBERS ABSENT: Michael J. Esposito is working at the polls; John Priola is at a Richter Park Authority Meeting.

PRESENT: 19 ABSENT: 2

ALSO PRESENT: Laszlo L. Pinter, Deputy Corporation Counsel; Robert J. Yamin, Corporation Counsel; and David St. Hilaire, Director of Finance.

An Ordinance setting Sewer Rates as of July 1, 2016

A motion was made by Philip Curran, seconded by Christopher Arconti, to recommend adoption of the Sewer Use Rate adjustments as set forth in the Code of Ordinances as specified. The motion carried 18-1, Paul Rotello dissenting.

The Committee ended discussion of this item at 7:18 p.m.

Respectfully submitted,

Lori Goor
Recording Secretary

Attest,
Mark D. Boughton, Mayor