

(19)

City Council Committee Meeting as a Whole
DANBURY CITY COUNCIL
Sewer Ordinance, Code of Ordinance Section 16-32
May 17, 2016

Honorable Mayor Mark D. Boughton
Members of the City Council

President Cavo called the Committee meeting to order at 7:12 p.m.

COUNCIL MEMBERS PRESENT: Philip D. Curran, Michael J. Esposito, Warren Levy, Gregg Seabury, Irving M. Fox, Vinny DiGilio, Joe Cavo, Fred Visconti, Elmer Palma, Christopher J. Arconti, John J. Esposito, Duane Perkins, Nancy Cammisa, Paul T. Rotello, and Joseph Scozzafava.

COUNCIL MEMBERS ABSENT: Jack Knapp is attending to business; John Priola is attending to business at Richter Park Authority; Ben Chianese is at a convention; Andrew Wetmore is working; Thomas Saadi has family/Boy Scout business; and Christina Chieffalo is not feeling well.

PRESENT: 15 ABSENT: 6

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

Sewer Ordinance, Section 16-32

Mr. Pinter provided an overview of the amendment to the sewer ordinance. The issue is rate structure delineating user charges for various categories of property. It does not change, but rather, clarifies classifications, bringing apartments of 5 units or more into the non-residential property classification. The other change is a section allowing a modest administrative process if the rate payer has an issue with the rate calculation or use charge, staff can look at the issue and make an administrative decision. The appeal process remains in place.

Mr. Day responded to Mr. Rotello regarding how many units may be affected by the reclassification -164 classifications (which were already going to happen), approximately 2% of the customer base, and this clarifies those changes. He commented on the rate details as well.

A motion was made by Vinny DiGilio, seconded by Irving Fox, to recommend to the City Council and the Water Pollution Control Authority an amendment to the Code of Ordinance Section 16-32 revising and clarifying the formula and classification of rates for classes of properties in the City of Danbury for the purpose of charging for use of City sewer. The motion carried 11- 4 , Paul Rotello, John Esposito, Duane Perkins, and Fred Visconti dissenting.

The Committee ended discussion of this item at 7:19 p.m.

Respectfully submitted,

Lori Goor
Recording Secretary
Attest, Mark D. Boughton, Mayor

19-1



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. 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:

When a water meter is used as the basis for billing

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

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

When a sewage meter is used as the basis for billing

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

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

Where "A" equals the volume of water or sewage, as measured through the customer's water meter or sewage 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) =

Land Use Code Definition Per CAAO Handbook	Land Use Code (LUC) As Assigned by Tax Assessor	Y
i. Residential *Single family under 5 units *Mobile home parks *Condominiums	100 Series	\$0.47
ii. Commercial	200 Series	\$8.12
iii. Industrial	300 Series	\$8.12
iv. Apartments – 5 or more units	800 Series	\$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:

Land Use Code Definition Per CAAO Handbook	Land Use Code (LUC) As Assigned by Tax Assessor	Y
i. Residential *Single family under 5 units *Mobile home parks *Condominiums	100 Series	\$151.93
ii. Commercial	200 Series	\$302.09
iii. Industrial	300 Series	\$302.09
iv. Apartments – 5 or more units	800 Series	\$302.09

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

Land Use Code Definition Per CAAO Handbook	Land Use Code (LUC) As Assigned by Tax Assessor	Y
i. Residential *Single family under 5 units *Mobile home parks *Condominiums	100 Series	\$71.24
ii. Commercial	200 Series	\$282.81
iii. Industrial	300 Series	\$282.81
iv. Apartments – 5 or more units	800 Series	\$282.81

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 sewer use customers having a sewage meter (regardless of water service) the quarterly sewer use charge shall be:

Land Use Code Definition Per CAAO Handbook	Land Use Code (LUC) As Assigned by Tax Assessor	Y
i. Residential *Single family under 5 units *Mobile home parks *Condominiums	100 Series	\$0.47
ii. Commercial	200 Series	\$8.12
iii. Industrial	300 Series	\$8.12
iv. Apartments - 5 or more units	800 Series	\$8.12

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

(f) 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.

(g) Notwithstanding the provisions of sec. 16-30 and 16-30.1 hereof which shall remain valid for those circumstances specifically identified and reserved therein, the superintendent of public utilities or his immediate designee, in consultation with the director of public works and the director of finance may, upon his own determination of necessity or upon written request from any rate payer petitioning under this section 16-32, make administrative determination regarding accuracy and amount of sewer use charges and billing, such decision being final, subject only to an appeal to the city council or a court of law as set forth in sec. 16-31 hereof.