

ORDINANCE NO. 4505

ENTITLED: "AN ORDINANCE APPROVING AND ESTABLISHING REVISED WATER AND SEWER RATES, TAP AND SYSTEM DEVELOPMENT FEES, ADMINISTRATIVE FEES, SERVICE CHARGES AND PENALTIES, AND SEPTIC AND COMMERCIAL WASTE DUMP RATES, AS RECOMMENDED BY THE BOARD OF PUBLIC UTILITIES."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That, pursuant to WYO. STAT. §15-7-407, the Board of Public Utilities ("BOARD") shall fix the rates for water and sanitary sewer services furnished to customers, and any revision thereof is subject to the governing body's review, modification, and approval.

Section 2. That the BOARD is authorized by State Statute and City Code to fix rates, fees and penalties for water and sanitary sewer services furnished to customers to:

- A. Pay interest charges and principal payments on all outstanding water and sanitary sewer loans and bonds as they are due;
- B. Pay for the operation and maintenance of the water and sanitary sewer systems, including salaries, wages and benefits, and the cost of all materials and supplies necessary for repairs, replacements and upgrades to the systems;
- C. Cover all miscellaneous expenses;
- D. Cover all usual extensions and enlargements, together with a reasonable allowance for emergency and unforeseen expenses; and,
- E. Provide and maintain a depreciation fund for each of the water and sanitary sewer departments.

Section 3. That the Board has determined that an increase in the water and sanitary sewer rates are justified to ensure adequate revenue is generated in order to pay for costs associated with those services rendered.

Section 4. That, pursuant to City Code Section 13.04.140, rates, and charges for the consumption of city utility services, charges and fees for connections, inspections, penalties, shutoff penalties and meter installations shall be established by the BOARD, approved by the Governing Body and filed with the City Clerk and business office of the Board.

Section 5. That, pursuant to City Ordinance 4447, adopted on June 13, 2022, prior to the beginning of each fiscal year the BOARD will calculate new rates for water and sewer services based on the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance and the Wyoming Cost Living Index – Southeast Region and prepare new rate schedules for Water and Sewer services.

Section 6. That the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance for the calendar year 2022 was 4.9% and the

Wyoming Cost of Living Index – Southeast Region for the second quarter of 2022 was 10.5%; and the Engineering News Record Construction Cost Index (ENR CCI) for calendar year 2022, was 7.2%.

Section 7. That the BOARD established by Resolution No. 2023-04, adopted April 24, 2023, revised Water rates to be charged to users of the Cheyenne Water System as shown and set forth on the resolution attached hereto as Exhibit A.

Section 8. That the BOARD established by Resolution No. 2023-05, adopted April 24, 2023, revised Sewer rates to be charged to users of the Cheyenne Sewer System as shown and set forth on the resolution attached hereto as Exhibit B.

Section 9. That the BOARD established by Resolution No. 2023-06, adopted April 24, 2023, revised Water and Sewer Connections Fees, System Development Fees, Pump Station Development Fees, and Related Fees set by the Board of Public Utilities as shown and set forth on the resolution attached hereto as Exhibit C.

Section 10. That the BOARD established by Resolution No. 2023-07, adopted April 24, 2023, revised Administrative fees, Service charges and Penalties set by the Board of Public Utilities as shown and set forth on the resolution attached hereto as Exhibit D.

Section 11. That the BOARD established by Resolution No. 2023-08, adopted April 24, 2023, revised Septic Waste Dump and Commercial Waste Rates to be charged to the user of the Cheyenne Water and Sewer Systems as shown and set forth on the resolution attached hereto as Exhibit E.

Section 12. That the Governing Body has reviewed the rates, charges and fees established by the BOARD for water and sewer services and hereby approves the water and sewer rate schedules attached hereto.

Section 13. That, prior to the beginning of each fiscal year, the BOARD will calculate new rates for Water and Sewer services based on the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance, Wyoming Cost Living Index – Southeast Region and The Engineering News Record Construction Cost Index (ENR CCI) and prepare new rate schedules for Water and Sewer services that shall be presented, in the form of an ordinance, to the Governing Body.

Section 14. That this ordinance shall be in full force and effect upon its passage and publication.

FIRST READING: _____ May 8, 2023 _____

SECOND READING: _____ May 22, 2023 _____

THIRD AND FINAL READING: _____ June 12, 2023 _____



PATRICK COLLINS, MAYOR

(SEAL)

ATTEST:



KRISTINA F. JONES, CITY CLERK

Published: June 16, 2023
Wyoming Tribune-Eagle