

ORDINANCE NO. 060, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF FORT COLLINS
REGARDING FEES WHEN A SINGLE WATER SERVICE FOR A DUPLEX IS SPLIT
BETWEEN THE TWO DWELLING UNITS

A. The City owns and operates a water utility that provides water service to customers in its service area pursuant to the City Charter, City Code, and other applicable laws.

B. The City Council is empowered and directed by the City Charter Article XII, Section 6, by ordinance from time to time, to fix, establish, maintain and provide for the collection of such rates, fees, or charges for utility services furnished by the City as will produce revenues sufficient to pay the costs, expenses, and other obligations of the water utility, as set forth therein.

C. The City provides water service to various duplexes, defined in City Code Section 7.5-17 as dwellings containing two dwelling units.

D. Current practice is for duplexes to be constructed to be served by two water service lines, one for each dwelling unit. However, there are various duplexes in the City's water service area that were constructed years ago that are served by a single water service line. In these situations, the City bills one customer for water use by both dwelling units.

E. Duplexes being served by a single water service line can create various issues for the City and its water customers, including challenges with inequities in how water use is billed and allocated between the duplex's two dwelling units, a lack of incentives for water conservation by the owners of the two dwelling units, and potential disputes between the residents and owners of the two dwelling units. Many of these challenges can be magnified when the two dwelling units have separate owners.

F. It can thus be desirable to "split" the water service for such duplexes by replacing the single water service line with two separate water service lines, each one serving one of the duplex's dwelling units. The feasibility to "split" the water service for such duplexes can depend on the duplexes' internal plumbing and other factors.

G. Where "splitting" such water service is feasible, City staff has concluded that the duplex's water use will remain relatively constant after the splitting such that additional Water Plant Investment Fees, described in City Code Sections 26-120 and 26-128, and additional Water Supply Requirements, described in City Code Sections 26-147 and 26-148, are not required to offset impacts to the City's water utility and its ratepayers.

H. Where "splitting" such water service is feasible, City staff has also concluded that the duplex's generation of wastewater will remain relatively constant after the splitting such that additional Sewer Plant Investment Fees, described in City Code

Sections 26-283 and 26-284 are not required to offset impacts to the City's water utility and its ratepayers.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. Section 26-120 of the Code of the City of Fort Collins is hereby amended by the addition of a new Subsection (h) which reads in its entirety as follows:

Sec. 26-120. - Water plant investment fees.

...

(h) Notwithstanding the provisions of this Section, § 26-128, § 26-147, § 26-283, and § 26-284, the Utilities Executive Director is authorized to waive payment of the WPIF and the Water Supply Requirement (WSR) pursuant to this Subsection (h).

(1) A customer of the water utility with a duplex served by a single water service line that is seeking to split the duplex's water service by replacing the single service line with two (2) service lines, one (1) for each dwelling unit, may request that the Utilities Executive Director waive the WPIF and the WSR. The Utilities Executive Director may prepare a form of application and other documents for such requests identifying the necessary information.

(2) The Utilities Executive Director will, following any appropriate investigations including requests for information from the applicant, waive payment of the WPIF and the WSR if the Utilities Executive Director finds that the following conditions are met:

a. The duplex's plumbing and other factors establish that water service to the duplex can be split between the two dwelling units; and

b. No other engineering, plumbing, or other reasons preclude the splitting of water service for the duplex.

(3) If an application for such a waiver is denied, the Utilities Executive Director will notify the applicant in writing of the denial and state the reasons therefor.

Section 2. Section 26-147 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-147. - Grant of water rights; required.

All owners of premises requesting water service from the City as a new water service or replacing an existing meter or service with a larger size, shall, before being granted a water service permit, satisfy the assessed Water Supply

Requirements (WSR) as determined in this Division without cost to the City. The WSR may be waived pursuant to § 26-120(h). The WSR is as provided in this Division.

Section 3. Section 26-283 of the Code of the City of Fort Collins is hereby amended by the addition of a new Subsection (f) which reads in its entirety as follows and all subsequent Subsections to be re-lettered accordingly:

Sec. 26-283. - Sewer plant investment fees (SPIF); basis.

...

(f) Notwithstanding the provisions of Subsections (a) and (c) of this Section, the Utilities Executive Director is authorized to waive payment of the SPIF pursuant to this Subsection (f).

(1) A customer of the wastewater utility and the water utility with a duplex served by a single water service line that is seeking to split the duplex's water service by replacing the single service line with two (2) service lines, one (1) for each dwelling unit, may request that the Utilities Executive Director waive the SPIF. The Utilities Executive Director may prepare a form of application and other documents for such requests identifying the necessary information.

(2) The Utilities Executive Director will, following any appropriate investigations including requests for information from the applicant, waive payment of the SPIF if the Utilities Executive Director finds that the following conditions are met:

a. The duplex's plumbing and other factors establish that water service to the duplex can be split between the two (2) dwelling units; and

b. No other engineering, plumbing, or other reasons preclude the splitting of water service for the duplex.

(3) If an application for such a waiver is denied, the Utilities Executive Director will notify the applicant in writing of the denial and state the reasons therefor.

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Introduced, considered favorably on first reading on April 1, 2025, and approved on second reading for final passage on April 15, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 25, 2025

Approving Attorney: Eric Potyondy