

# Ordinance

Version 3.2 released on 8/3/21

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.



|                                    |                                    |                                  |                           |
|------------------------------------|------------------------------------|----------------------------------|---------------------------|
| <b>CITY COUNCIL USE ONLY</b>       |                                    | <b>CITY CLERK USE ONLY</b>       |                           |
| Date Received: _____               | Tracking #: _____                  | <input type="checkbox"/> Scanned | Date: <u>05.25.2022</u>   |
| Committee Date: _____              | Committee: _____                   | <input type="checkbox"/> Posted  | Item #: <u>2205.01088</u> |
| 1 <sup>st</sup> Agenda Date: _____ | Hearing Date: _____                |                                  |                           |
|                                    | 2 <sup>nd</sup> Agenda Date: _____ |                                  |                           |

All department items requiring Council approval must be submitted through the Mayor's Office.

## Primary Details

|   |   |  |  |
|---|---|--|--|
| Dept. Tracking No.<br>_____                                     | Board Approval<br>Tulsa Metropolitan Utility Authority<br>_____ | Other Board Name<br>_____                                    | City Council Approval<br><input checked="" type="radio"/> Yes <input type="radio"/> No |
| Department<br>Water and Sewer<br>_____                          | Contact Name<br>Eric Lee<br>_____                               | Email<br>elee@cityoftulsa.org<br>_____                       | Phone<br>918-596-7274<br>_____   |
| Subject (Description)<br>Proposed Sewer Rate Increases<br>_____ |   | Ordinance Type<br>Amending Tulsa Revised Ordinances<br>_____ |  |
| Section<br>_____  | Township<br>_____   | Range<br>_____   | Lot<br>_____   |
| Block<br>_____  | Address<br>_____  |  | BA / CT Number<br>_____  |
| Amending Ord. No.<br>_____                                      | TRO Title No.<br>11<br>e.g. 43<br>_____                         | TRO Subtitle<br>C<br>e.g. G<br>_____                         | Property/Non-Property<br>_____   |
| Council District<br>_____                                       | Zoning No.<br>_____   | PUD No.<br>_____   | Planning District<br>_____   |

## Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.AbstrTitle5413102.6001-4043122-541102-\$30,000.01)

## Approvals

Department: \_\_\_\_\_

Legal: Agne Makinson for Jeff Stephens

Board: \_\_\_\_\_

Mayor: [Signature]

Other: \_\_\_\_\_

Date: 5-20-22

Date: 5-24-22

Date: \_\_\_\_\_

Date: MAY 25 2022

Date: \_\_\_\_\_

## Policy Statement

### Background Information

This ordinance is amending Title 11-C Chapter 7 Section 702 and Section 703. This amendment will provide for sewer rate adjustments. This ordinance also will establish the amendment enacted by this Ordinance become operative on October 1, 2022.

Provide background information on the requested action.

### Summation of the Requested Action

We ask that Council and Mayor approve the attached rate amendment and approve the operative date of October 1, 2022

Summarize the pertinent details of the requested action.

### Emergency Clause?

- Yes
- No

### Reason for Emergency Clause

Explain why you are requesting that the City Council approve this action with an emergency clause.

## Processing Information for City Clerk's Office

### Post Execution Processing

- Mail vendor copy (add'l signature copies attached)
- Must be filed with other governmental entity
- Add'l governmental entity approval(s) required

### Additional Routing and Processing Details

---

(Published in the Tulsa World,  
\_\_\_\_\_, 2022.)

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

AN ORDINANCE AMENDING TITLE 11-C, TULSA REVISED ORDINANCES, TITLED "WATERWORKS AND SEWERAGE"; AMENDING CHAPTER 7, TITLED "SANITARY SEWER USER CHARGE SYSTEM"; AMENDING SECTIONS 702, AND 703, TO ADJUST SEWER SERVICE CHARGE RATES; PROVIDING THAT THESE RATES SHALL BE EFFECTIVE ON OCTOBER 1, 2022; ESTABLISHING WHEN THE AMENDMENTS ENACTED BY THIS ORDINANCE SHALL BECOME OPERATIVE; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE CITY OF TULSA:

*Section 1. That Title 11-C, Chapter 7, Section 702 Tulsa Revised Ordinances, be and the same is hereby amended to read and become operative on and after October 1, 2022 as follows:*

**"Section 702. Rates of user charge**

For the purpose of providing funds for the maintenance, repair, operation, expansion, replacement, or reconstruction of the sanitary sewer system of the City or other sanitary sewer systems of which the City has accepted or shall accept a beneficial interest and for other purposes, sewer service charges and industrial user waste charges shall be established as provided in this section. The rates so established shall become operative on October 1, 2022, for all billing cycles provided in this title with "service from date" on or after October 1, 2022.

**A. Inside the Corporate Limits of City or on City-Owned Property, Per Monthly Billing Period:**

**1. Sewer Service Charge.**

Monthly Service Charge

| <u>Water Meter Size</u>  | <u>Charge</u> |
|--------------------------|---------------|
| 3/4 inch or less in size | \$9.95        |
| 1 inch in size           | \$13.54       |
| 1-1/2 inches in size     | \$15.91       |
| 2 inches in size         | \$32.51       |
| 3 inches in size         | \$37.93       |
| 4 inches in size         | \$53.13       |

|                           |          |
|---------------------------|----------|
| 6 inches in size          | \$67.85  |
| 8 inches in size          | \$89.60  |
| 10 or more inches in size | \$105.32 |

Quantity Charge

| <u>Monthly Quantity</u>       | <u>Charge</u> |
|-------------------------------|---------------|
| All Use-Each thousand gallons | \$10.02       |

**2. Industrial User Waste Charge.**

Monthly Service Charge

| <u>Water Meter Size</u>   | <u>Charge</u> |
|---------------------------|---------------|
| 3/4 inch or less in size  | \$9.95        |
| 1 inch in size            | \$13.54       |
| 1-1/2 inches in size      | \$15.91       |
| 2 inches in size          | \$32.51       |
| 3 inches in size          | \$37.93       |
| 4 inches in size          | \$53.13       |
| 6 inches in size          | \$67.85       |
| 8 inches in size          | \$89.60       |
| 10 or more inches in size | \$105.32      |

Additional Quantity Charge

| <u>Monthly Quantity</u>     | <u>Charge</u>           |
|-----------------------------|-------------------------|
| Volume per thousand gallons | \$6.67                  |
| COD/BOD per pound           | \$0.7149                |
| Suspended solids per pound  | \$0.3751                |
| Monitoring                  | Actual Cost to the City |

**B. Outside the Corporate Limits of City, but Excluding City-Owned Property, Per Monthly Billing Period:**

**1. Sewer Service Charge.**

Monthly Service Charge

| <u>Water Meter Size</u>  | <u>Charge</u> |
|--------------------------|---------------|
| 3/4 inch or less in size | \$19.86       |
| 1 inch in size           | \$20.10       |
| 1-1/2 inches in size     | \$20.95       |

|                           |          |
|---------------------------|----------|
| 2 inches in size          | \$36.67  |
| 3 inches in size          | \$50.00  |
| 4 inches in size          | \$54.65  |
| 6 inches in size          | \$69.37  |
| 8 inches in size          | \$91.02  |
| 10 or more inches in size | \$106.84 |

Quantity Charge

| <u>Monthly Quantity</u>       | <u>Charge</u> |
|-------------------------------|---------------|
| All Use-Each thousand gallons | \$13.38       |

**2. Industrial User Waste Charge.**

Monthly Service Charge

| <u>Water Meter Size</u>   | <u>Charge</u> |
|---------------------------|---------------|
| 3/4 inch or less in size  | \$19.86       |
| 1 inch in size            | \$20.10       |
| 1-1/2 inches in size      | \$20.95       |
| 2 inches in size          | \$36.67       |
| 3 inches in size          | \$50.00       |
| 4 inches in size          | \$54.65       |
| 6 inches in size          | \$69.37       |
| 8 inches in size          | \$91.02       |
| 10 or more inches in size | \$106.84      |

Additional Quantity Charge

| <u>Monthly Quantity</u>     | <u>Charge</u>           |
|-----------------------------|-------------------------|
| Volume per thousand gallons | \$8.83                  |
| COD/BOD per pound           | \$1.2425                |
| Suspended solids per pound  | \$0.6194                |
| Monitoring                  | Actual Cost to the City |

**3. Wholesale User Waste Charge.**

| <u>Monthly Quantity</u>                            | <u>Charge</u> |
|--|---------------|
| Transportation and Treatment-Each thousand gallons | \$8.81        |
| Treatment Only-Each thousand gallons               | \$6.38"       |

Section 2. That Title 11-C, Chapter 7, Section 703 Tulsa Revised Ordinances, be and the same is hereby amended to read and become operative on and after October 1, 2022 as follows:

**"Section 703. Determination of sewer service charge**

The City of Tulsa finds that in most instances it is impractical to measure the volume of domestic sewage discharged into the sanitary sewer system for the purpose of billing under this chapter. Therefore, the volume of domestic sewage, upon which the sewer service charges shall be calculated, shall *prima facie* be the amount of water which is metered to the user of both water service and sanitary sewer service, except in cases where treatment facilities are furnished by others in which cases sanitary sewer service and sewer service charges therefor shall be rendered pursuant to contract. The following provisions shall apply to the determination of sewer service charges, and the rates established in this section shall become operative on October 1, 2022, for all billing cycles provided in this title with "service from date" on or after October 1, 2022.

- A. All sanitary sewer service billing periods shall coincide with the billing periods of water service to the same user or premises.
- B. The monthly sewer service charge or industrial user waste charge to each user shall be calculated by applying the rates of user charge as established by the applicable provisions of this chapter, to the base use for each user.
- C. In the event sanitary sewer service is commenced to a new user after annual sewer base uses have been established and such user was a water customer of the City for more than twelve (12) months, but less than sixty (60) months, the base use shall be calculated on the average monthly gallons of water billed to the user for all periods ending in December, January and February.
- D. In the event sanitary sewer service is commenced to a new user after annual sewer base uses have been established and such user was not a water customer of the City during the previous twelve (12) months, the Director shall establish a temporary base use for such customer which shall be predicated upon actual use, adjusted for seasonal variation, and shall remain in effect until a new base use is established.
- E. In the event a customer transfers from one service address to another, the base use of such customer at the billing address from which transferred may be the base use for the customer at the new location until a new base use is established.
- F. If in the opinion of the Director the base use established in accordance with the applicable provisions of this chapter does not reasonably approximate the actual discharge of wastewater into the public sanitary sewer system by such user, the Director shall determine the average monthly discharge of such user based upon actual consumption of water, less the water consumed but not discharged into the sanitary sewer system. The average so

established shall be reviewed by the Director at least annually.

- G. Any sanitary sewer user who is not also a water customer of the City shall pay a flat charge of Sixty and 75/100 Dollars (\$60.75) per month if the user is within the City limits, and Eighty-One and 41/100 Dollars (\$81.41) per month if the user is outside the City limits. However, if such charge does not, in the opinion of the Director, fully compensate the City for the transporting and treating of sewage discharged by such user at the rates of user charges established by applicable provisions of this chapter, the Director shall determine, from such information as may be available to him, the average monthly discharge from such user. The average so established shall be the base use for such customer. The base use so established shall be reviewed by the Director at least annually.
- H. The determination of base use made in accordance with the provisions of this chapter shall be final and binding upon all users, provided, that any user may, at the user's own expense, install metering or measuring devices of a type and installed in a manner approved by the Director. Billings after installation of a meter or measuring device shall be based upon actual usage measured in accordance with the schedule or rates of user charges set forth in the applicable provisions of this chapter.
- I. Every water customer of the City to whom sanitary sewer service is available, except purchasers of water for resale, shall be deemed a user or sanitary sewer user unless the water customer produces evidence to the contrary.
- J. The user charges provided in this section shall take precedence over any terms or conditions of agreements or contracts between the City and users (including industrial users, special districts, other municipalities, or federal agencies or installations) which are inconsistent with this chapter."

*Section 3. SEVERABILITY. If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.*

ADOPTED by the Council: \_\_\_\_\_  
Date

\_\_\_\_\_  
Chair of the Council

ADOPTED as an emergency measure: \_\_\_\_\_  
Date

\_\_\_\_\_  
Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: \_\_\_\_\_, at \_\_\_\_\_.  
Date Time

G. T. Bynum, Mayor

By \_\_\_\_\_  
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: \_\_\_\_\_,  
Date  
at \_\_\_\_\_.  
Time

\_\_\_\_\_  
Mayor

(Seal)  
ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED:

\_\_\_\_\_  
City Attorney JMS