

**AGENDA
OURAY CITY COUNCIL**

Monday, March 6, 2023 - 3:30 PM

**Ouray Community Center
320 6th Ave
Ouray, CO 81427**

VIRTUAL OPTION - <https://zoom.us/j/9349389230>

Meeting ID: 934 938 9230 Passcode: 491878 Or dial: 408 638 0968 or 669 900 6833

Ouray City Council Work Session

- Changes to this agenda can be found on the bulletin board at City Hall
- Electronic copies of the Council Packet are available on the City website at www.cityofouray.com. A hard copy of the Packet is also available at the Administrative Office for interested citizens.
- Notice is hereby given that a majority or quorum of the Planning Commission, Community Economic Development Committee, Beautification Committee, Tourism Advisory Committee, and/or Parks and Recreation Committee may be present at the above noticed City Council meeting to discuss any or all of the matters on the agenda below for Council consideration

1. CALL TO ORDER
2. DISCUSSION ITEM - EQR System

9-10 Water and Sewer Use Rates

- A. Water and sewer use rates will be calculated on the basis of a single family dwelling. An equivalency factor (EQR) will be applied to the base rate to scale fees to normal usage for the particular structure or business.
- B. Rate Structure

TYPE OF FACILITY	PER UNIT/SPACE	SERVICE FEE	ADDITIONAL EQR
Single Family Dwelling	1.00	\$36.00 per property	
Multiple Family Dwelling Townhouse Condominium	1.00	\$36.00 per unit	.25 per public washing machine
Apartment Building	1.00 per apartment	\$36.00 per property	.25 per public washing machine
Permanent Trailers Mobile Home Park	1.00 per space	\$36.00 per property	
Overnight Mobile Home Park RV Park Campground	1.00 per Manager's Unit; .22 per space with sewer hookup; .11 per all other spaces	\$36.00 per property	.25 per public washing machine; 1.00 per public dump station
Hotels, Motels, Bed and Breakfasts	1.00 per Manager's Unit; .16 per bed; .02 per kitchen facility	\$36.00 per property	.05 per 1,000 gallons for swimming pools, hot tubs, etc; .25 per public washing machine; .03 per bed laundered on site

Hospitals Nursing Homes	.20 per bed	\$36.00 per property	
Churches	1.00 per parsonage; .01 per seat	\$36.00 per property	.70 per social area or kitchen facility
Private Clubs	.01 per seat	\$36.00 per property	.70 per social area or kitchen facility; 1.00 per bar
Schools	.06 per student	\$36.00 per property	
Offices Day Workers Medical Center	.30 per 1,000 sq. ft	\$36.00 per property	
Small Shops	.30 per space	\$36.00 per property	
Factories Plants Livery Barns	.50 per 1,000 sq. ft	\$36.00 per property	
Movie Theaters Arenas	.50 per 1,000 sq. ft	\$36.00 per property	
Grocery Store Market	.30 per 1,000 sq. ft	\$36.00 per property	
Service Station	.50 per pump	\$36.00 per property	
Car Wash	1.20 per wash bay	\$36.00 per property	
Laundry (Public)	.25 per machine	\$36.00 per property	
Laundry Business	1.00 per machine	\$36.00 per property	
Taverns/Bar	2.00 per 1st 20 seats; .60 per additional 10 seats	\$36.00 per property	

Food Service	2.00 per 1st 20 seats; .60 per additional 10 seats	\$36.00 per property	
Deli, Ice Cream Parlor	1.00 per 1st 20 seats; .30 per additional 10 seats	\$36.00 per property	
Beauty/Barber Shop	1.00 per property	\$36.00 per property	
Private Swimming Pool	.05 per 1,000 gallon if on City Water or Sewer System		
Ouray County Historical Society Museum	1.00 per museum unit	\$36.00 per property	
Daycare	.02 per child capacity	\$36.00 per property	
Emergency Response Facility	1.00 per facility	\$36.00 per property	

C. Water and Sewer Rates

1. Water Base Rate is \$33.98 per month per EQR.
2. Sewer Base Rate is \$53.90 per month per EQR.
3. Yearly Service Fees for Water and Sewer are \$1.50 each.
4. Water Debt Surcharge is \$1.87 per month, per EQR.
5. Water System Upgrade Surcharge is \$20.00 per month per EQR.
6. Wastewater Treatment Surcharge is \$34.00 per month per EQR.

D. Special Charges

1. If any user is discharging toxic or other pollutants in concentrations higher than that of a residential user which causes increased treatment or system costs, a surcharge may be imposed based upon the excess concentrations.

2. All water user rates for users outside of the City limits shall be classified according to the above contained and set forth classifications, but the rates therefor shall be twice the rates applicable to users inside the City limits.

3. In all special cases where the water and sewer user does not come within any of the above set forth classifications and does not use a water meter due to unusual circumstances, or to unusual or intermittent requirements of the use of water and sewer, City Council may establish a special rate therefor, but no such special water and sewer rate contract shall be entered into for a period longer than one (1) year at a time and the rate or rates for such special usage of sewer and sewer under any special contract shall be based as nearly as may be practical upon general water and sewer rate structure herein provided.

4. In cases where there is a transfer of City utility account customers due to the conveyance of property served by the City's water and sewer system, there shall be a \$25.00 Utility Account Transfer Charge billed to the new property owner as a new customer of the utility account. This charge shall be incurred and billed at the time of such transfer, with payment due within thirty (30) days of billing.

E. Additional Provisions

All customers shall be required to properly complete and submit to the City, information, declarations, and surveys upon the City's request, as appropriate to facilitate the administration of this Chapter and the EQR system.

(Source: Ordinance No. 10, 2021; Ordinance No. 12, 2020; Ordinance No. 5, 2019; Ordinance No. 9, 2018; Ordinance No. 8, 2016; Ordinance No. 10, 2015; Ordinance No. 10, 2014; Ordinance No. 11, 2013)

CITY OF OURAY

WATER AND SEWER REGULATIONS

EQR SYSTEM POLICY CONCEPTS

Periodically, the City's administrative staff receives questions or comments regarding the City's EQR system for water and sewer utility charges. Often, the concern is of a policy nature rather than administrative interpretation. We recognize that the EQR system is relatively unique and have prepared the following summary of the policy concepts to assist you in understanding of the City's regulations.

The City uses an equivalency rate ("EQR") structure to charge its utility customers for water and sewer services. A single-family residence has a base rate of 1.0 EQR. The EQR rates for other property categories (e.g. retail, lodging, restaurants) are measured from this base perspective. In 1992, the City formed an EQR Committee to extensively research data to develop the current EQR rate structure for all properties, as set forth in City Code section 9-11 (see attached). **The City's water and sewer rates have been determined to be in the lower 10% of such municipal rates within Colorado.**

Frequently, a customer asks why the City does not use a metering system. The following are several reasons the City has chosen not to meter its customers:

- The cost of the water is minimal, since it flows from an underground spring for which the City has water rights and is only required to add chlorine gas. The real cost is with respect to the distribution infrastructure (installation and maintenance of water and sewer lines), which must be capable of managing peak season demand for potable consumption and fire protection, i.e. July 4th. EQRs for lodging are determined by number of beds, for restaurants by number of seats (both indoor and outdoor) and for office/retail by square footage. This is a capacity (ability to supply) concept that does not contemplate average usage, or seasonality of residences or businesses.
- Installation of a metering system is expensive and requires additional manpower to read meters and process periodic invoices.
- Meters would disproportionately spread system costs by basing charges on a minor cost element of providing water and sewer services.
- A metering system would create a disincentive to live and operate businesses in Ouray on a year-round basis. Affordable housing is currently an issue.
- Discharge from watering lawns and washing cars does not flow into the sewer system and therefore have little effect on sewer capacity requirements.
- In order to minimize the problems of freezing water lines, the City encourages users to keep water running at a trickle during winter months.
- Some businesses make their restrooms available to the public and should not be penalized for such community service.
- Not all water usage is equal. For example, a restaurant without a grease trap creates system demand that is not commensurate with water usage.

Should this summary not adequately address your specific question or concern, we encourage you to write a letter to City Council for consideration.

Sincerely,

The City Council

Community Development Department

320 6th Avenue | P.O. Box 468 Ouray, CO 81427
 buildinginspector@cityofouray.com | 970-325-7063



PROPERTY DECLARATION/EQR

Please submit the completed Property Declaration to the Community Development Department for review. Upon receipt, the City's Building Inspector will schedule an inspection of said property with the owner to ensure the correct area(s)/unit(s) were described and calculated below.

CONTACT INFORMATION	
Property Owner(s): _____	
Mailing Address: _____	City/State/ZIP: _____
Phone: _____	Email: _____
Property Address (for this Declaration): _____	
City/State/ZIP: _____	Parcel: _____
Property Declaration Date: _____	

Fill out all applicable section(s) for your property; leave any not-applicable section(s) blank.

PROPERTY DECLARATION SCHEDULE & WATER EQUIVALENCY RATES ("EQRs")			
<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
Number	Residential Dwelling Units	EQR Per Unit/Space	EQR (= column A * column C)
	Single Family Dwelling Unit(s)	1.00 per unit	
	Multi-Family Dwelling Unit(s)	1.00 per unit	
	Duplex Unit(s)	1.00 per unit	
	Triplex Unit(s)	1.00 per unit	
	Townhome Unit(s)	1.00 per unit	
	Condominium Unit(s)	1.00 per unit	
	Apartment Building(s)	1.00 per apartment	
	Accessory Dwelling Unit(s) (ADU)	1.00 per ADU	
>> Is property within City limits?		(<input checked="" type="checkbox"/>) One	(<input type="checkbox"/>)Yes (<input type="checkbox"/>)No
Permanent Trailers Mobile Home Park			
	Mobile Home Space(s) (incl. Manager Unit(s))	1.00 per space	
Travel Trailers Overnight Mobile Home Park RV Park			
	Manager Unit(s)	1.00 per manager unit	
	Sq.Ft. of any office (not included in above)	0.30 per 1,000 sq.ft.	
	Space(s) with Sewer Hookups	0.22 per space	
	Space(s) w/out Sewer Hookups (all other spaces)	0.11 per other spaces	
	Public Dump Station(s)	1.00 per dump station	
Lodging Businesses (Hotel Motel Bed & Breakfast Inn Lodge Hostel)			
	Manger Unit(s)	1.00 per manager unit	
	Bed(s) in Rental Unit(s)	0.16 per bed	
	Kitchen Facility(s) in Rental Unit(s)	0.02 per kitchen facility	

>> Is bedding laundered on-site?	(✓) One	()Yes ()No
(If Yes) Bed(s) laundered on-site	0.03 per bed	
>> Is there a swimming pool/hot tub on-site?	(✓) One	()Yes ()No
(If Yes) Capacity of swimming pool/hot tubs (gal.)	0.05 per 1,000 gallons	
>> What is the source of swimming pool/hot tub water?	(✓) One	()City ()Other:
Hospitals Nursing Homes		
Bed(s)	0.20 per bed	
Churches		
Separate Living Unit(s)	1.00 per parsonage	
Seating Capacity	0.01 per seat	
Kitchen(s)	0.70 per kitchen facility	
Social Area(s)	0.70 per social area	
Private Clubs Fraternal Clubs (e.g. Elks)		
Seating Capacity	0.01 per seat	
Kitchen(s)	0.70 per kitchen facility	
Social Area(s)	0.70 per social area	
Bar(s)	1.00 per bar	
Schools		
Students (as of Fall of current academic year)	0.06 per student	
Daycare Facilities		
Children	0.02 per child capacity	
Offices Day Workers Medical Centers		
Total Square Footage (incl. all storage areas)	0.30 per 1,000 Sq.Ft.	
Small Shops		
Separate Shop Spaces	0.30 per space	
Factories Plants Livery Barns Movie Theaters Arenas		
Total Square Footage (incl. all storage areas)	0.50 per 1,000 Sq.Ft.	
Grocery Stores Markets		
Total Square Footage (incl. all storage areas)	0.30 per 1,000 Sq.Ft.	
Service Station Car Wash		
Gas Pump(s)	0.50 per pump	
Wash Bay(s)	1.20 per wash bay	
Taverns Bars Food Service		
Seating Capacity (Inside)	2.00 for 1 st 20 seats; 0.60 per additional 10 seats	
Seating Capacity (Outside, On-Premises)		
Seating Capacity (Outside, on City right-of-way)		
Deli Ice Cream Parlor		
Seating Capacity (Inside)	1.00 for 1 st 20 seats; 0.30 per additional 10 seats	
Seating Capacity (Outside, On-Premises)		
Seating Capacity (Outside, on City right-of-way)		
Beauty Barber Tanning Shops		
Property(s)	1.00 per property	

Private Swimming Pools Private Hot Tubs			
Capacity of swimming pool(s)/hot tub(s) (gal.)	0.05 per 1,000 gallons		
>> What is the source of swimming pool/hot tub water?		(<input checked="" type="checkbox"/>) One	(<input type="checkbox"/>)City (<input type="checkbox"/>)Other:
Ouray County Historical Society Museum Emergency Response Facility (EMS)			
Museum Unit(s)	1.00 per museum unit		
EMS Facility(s)	1.00 per facility		
Laundry Business Public Laundry Machines			
Washing machine(s) for Laundry Business	1.00 per machine		
>> Are there any washing machines available on your property for Non-Resident/Public use? (including Lodging Businesses, multifamily residences, Mobile Home Park, RV Park)		(<input type="checkbox"/>)Yes (<input type="checkbox"/>)No	
		(<input checked="" type="checkbox"/>) One	
(If yes) Washing machines available for public use	0.25 per machine		

ADDITIONAL COMMENTS

CERTIFICATION	
I understand that the City of Ouray will use the above information to determine future water and sewer rates for the property indicated on Page 1 of this Declaration. Should any of the information change, I will report such changes to the City within 30 days.	
Property Owner's Signature: <i>(Required)</i>	Date:
Agent's Signature: <i>(If you are acting as an owner's agent, you must provide Authorization of Agent form)</i>	Date:

FOR CITY USE ONLY	
Property Declaration Complete? (<input type="checkbox"/>)Yes (<input type="checkbox"/>)No	
Date of Building Inspection (to confirm EQR declarations): _____	
Declared Total EQRs (from Applicant's calculations, above):	
Total EQRs (confirmed by Community Development Department):	
Declaration Reviewed by <i>[sign & date]</i> (Building Inspector) _____ (Community Development Coordinator) _____ (Deputy Clerk) _____	Date: _____ Date: _____ Date: _____
Comments/File Notes:	