

RESOLUTION 2011-01

Rates, Charges, Fees and Monetary Penalties

WHEREAS, the Fountain Sanitation District (the "District") is a special district as defined under C.R.S. § 32-1-103(20) and having all of the purposes, powers and authority as provided under C.R.S. Title 32; and

WHEREAS, C.R.S. § 32-1-1001(1)(j) authorizes special districts to "fix and from time to time to increase or decrease fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the district"; and

WHEREAS, the Board of Directors of the District (the "Board") previously adopted a schedule of Rates, Charges, Fees and Monetary Penalties for the District by resolution in 2010; and

WHEREAS, the Board now wishes to revise the Rates, Charges, Fees and Monetary Penalties for the District; and

WHEREAS, the Board has reviewed information, including that provided by the District staff and the District Engineer, regarding anticipated capital improvement, technical, financial, managerial, administrative and institutional needs; and

WHEREAS, the Board has determined that the public health, interest, safety, welfare, and the best interests of the District's existing and future constituents, and the financial condition of the District are best served by a modification to the Rates, Charges, Fees and Monetary Penalties of the District; and

WHEREAS, pursuant to C.R.S. § 32-1-1001, and having determined that the revised Rates, Charges, Fees and Monetary Penalties are reasonable and necessary to protect the public interest, the Board desires to change the Rates, Charges, Fees and Monetary Penalties applicable to operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board that the Rates, Charges, Fees and Monetary Penalties for the District effective as of the beginning date for the January 2011 billing cycle shall be as follows:

**Rates, Charges, Fees and Monetary Penalties
Fountain Sanitation District**

2010 Assessed Valuation	\$129,539,020	All real and personal property
2011 Mill Levy	4.719 mills	Levied on ALL taxable property
2011 Abate & Refund Mill Levy	0.065 mills	Levied on ALL taxable property
Site Development/Plan Review Development/Additions involving expansion of gross area, developed site area	\$2000 Deposit Per Development Review**	Deposit to cover initial review costs associated with the District's review. All associated costs for plan and development review for professional fees incurred by the District will be charged directly to the applicant.
**Outside Consultants (i.e. legal, structural, geo- technical, etc.)		**A Reimbursement Agreement executed by the applicant is required for professional fees incurred beyond the initial deposit. Final approval is contingent upon payment of all fees and expenses to the District. The District is not obligated to record any documents, issue any building permits or process any subsequent submittals from an applicant until and unless all prior direct expenses have been paid.
Initial Inspection Fee for Service Line Connection	\$50 per unit	Payable at time of purchase of connection permit and payment of plant investment fee for any commercial, single

family or multiple family dwelling units. The charge will be re-assessed, unless construction is completed within 180 days of the original issuance of the connection permit, regardless of reason for delay.

Re-inspection Fee for Service Line Construction \$50 per request Payable at time of each subsequent inspection after initial inspection failure. Approval of completed construction will not occur without full payment of all fees due.

RESIDENTIAL/COMMERCIAL
WASTEWATER PLANT
INVESTMENT FEES ARE
PAYABLE TO THE DISTRICT
AT THE TIME OF
APPLICATION FOR A
BUILDING PERMIT

Connection permits are issued when paid and shall be valid for 180 days from the date of issue. After said time the connection permit expires unless otherwise agreed to by the District.

**FOUNTAIN CREEK BASIN
DISTRICT MONTHLY USER CHARGES**

1. Residential dwellings within the FOUNTAIN CREEK BASIN of the District: For each living unit, whether a single family dwelling, or located within a duplex, fourplex, sixplex, eightplex, apartment building or individual mobile home, the rate shall be \$19.75 per month.
2. Residential dwelling units outside the FOUNTAIN CREEK BASIN of the District: For each living unit, whether a single family dwelling, or located within a duplex, fourplex, sixplex, eightplex, apartment building, individual mobile home, the rate shall be \$39.50 per month;
3. Church facilities, excluding facilities used for residential, school or daycare purposes: The rate shall be \$19.75 per month;
4. Schools, Commercial, Industrial establishments, Business or Enterprises, Privately owned trailer courts or mobile home parks, and any other establishment, business or enterprise: The rate shall be \$ 19.75 for the first 6,000 gallons or any part thereof, plus \$2.35 for each additional 1,000 gallons thereafter or any part thereof.

**JIMMY CAMP CREEK BASIN AND LOWER FOUNTAIN CREEK BASIN
DISTRICT MONTHLY USER CHARGES**

1. Residential dwellings within the JIMMY CAMP CREEK BASIN AND LOWER FOUNTAIN CREEK BASIN of the District: For each living unit, whether a single family dwelling, or located within a duplex, fourplex, sixplex, eightplex, apartment building or individual mobile home, the rate shall be \$19.85 per month.
2. Residential dwelling units outside the JIMMY CAMP CREEK BASIN AND LOWER FOUNTAIN CREEK BASIN of the District: For each living unit, whether a single family dwelling, or located within a duplex, fourplex, sixplex, eightplex, apartment building, individual mobile home, the rate shall be \$39.70 per month;
3. Church facilities, excluding facilities used for residential, school or daycare purposes: The rate shall be \$19.85 per month;
4. Schools, Commercial, Industrial establishments, Business or Enterprises, Privately owned trailer courts or mobile home parks, and any other establishment, business or enterprise: The rate shall be \$ 19.85 for the first 6,000 gallons or any part thereof, plus \$2.40 for each additional 1,000 gallons thereafter or any part thereof.

**FOUNTAIN CREEK BASIN
WASTEWATER PLANT INVESTMENT**

Wastewater Plant Investment	\$2125.00	Minimum Base Plant Investment Fee (PIF) Charge
Fee:	18	Minimum Drainage Fixture Unit (DFU) allowance
	\$ 186.00	FU charge in excess of minimum allowance.

**JIMMY CAMP CREEK BASIN AND LOWER FOUNTAIN CREEK BASIN
WASTEWATER PLANT INVESTMENT**

Wastewater Plant Investment	\$5990.00	Minimum Base PIF Charge
Fee:	18	Minimum Drainage Fixture Unit allowance
	\$ 186.00	DFU charge in excess of minimum allowance

	\$318.39 per unit	Payable at time of purchase of connection permit and payment of Plant Investment Fee for any commercial, single family or multiple family dwelling units within the Jimmy Camp Creek and Lower Fountain Creek Basins.
Little Ranches Pump Station Fee/ Assessment		

SPECIAL PIPELINE FEE FOR HIGHWAY 85 OUTFALL SEWER

The special pipeline fee is established on the basis of completed protect costs as determined by the District. The area subject to the special pipeline fee is shown in Exhibit A to this resolution. By notice to the property owners of the subject service area, the special pipeline fee shall be applicable to any facilities within the subject area requiring wastewater service. Terms and Conditions of the assessment of a special pipeline fee are as follows:

1. The special pipeline fee established by Resolution 2009-02 is based on preconstruction estimates of total project cost. The special pipeline fee will be adjusted in the future based on completed project costs as determined by the District.
2. The District has entered into Participation Agreements with certain property owners in the Highway 85 Outfall Sewer Service Area. Where the terms of such Participation Agreement are inconsistent herewith, the Participation Agreement shall control the obligation of the said property owners. The "special assessment" described in the Participation Agreement is referred to herein as the special pipeline fee.
3. Participation payments made by owners pursuant to a Participation Agreement shall be credited to the special pipeline fee otherwise due under the terms of this Resolution. The District shall have no obligation to return any Participation payments, except pursuant to the Participation Agreement, or to assist any owner or former owner in the recovery of such payment from any subsequent property owner.
4. The special pipeline fee established herein shall be applicable through calendar year 2011 unless otherwise modified or amended by action of the Board of Directors of the District. The Board of Directors of the District shall evaluate the need for a change in the special pipeline fee on no less than an annual basis as it evaluates other rates, charges, fees and monetary penalties applicable to the operation of the District.
5. The special pipeline fee shall carry a service charge in an amount equal to 1.0% in excess of the annualized weighted yield on the District's invested funds for the prior fiscal year as determined by the District's auditors and/or certified public accountant.
6. The District finds that the general benefits are approximately equal among all properties being served central wastewater collection services within this specified service area. Therefore, the special pipeline fee will be applied uniformly to all properties in the Highway 85 Service Area.
7. Based on the project cost records as of the date of adoption of this Resolution, the special pipeline fee shall be \$2,906.00 per acre. The properties and acreage which are subject to the special pipeline fee are shown on Exhibit A.
8. The special pipeline fee shall be due and payable at the time a wastewater Plant Investment Fee is due and payable to the District for connection to the District's wastewater management system.

DISTRICT SERVICE CHARGES

Clerical/Field Personnel	\$ 75.00	per hour of engagement
District Manager	\$ 170.00	per hour of engagement
Copies	\$ 0.50	per 8.5"x11"

	\$ 0.75	per 8.5"x14"
	\$ 1.50	per 11"x17"
	\$ 4.50	per 24"x36" blue line sheet
Fax	\$ 2.50	per outgoing fax in USA
Mileage	\$ 0.75	per mile
Materials and Supplies Cost x	\$ 1.25	A 25% surcharge applies to all costs incurred by the District in performance of all work for individual users.

DISTRICT LABORATORY TESTING FEES

\$25.00	Fecal Coliform (membrane filter)
\$15.00	Alkalinity (manual)
\$20.00	Ammonia
\$45.00	BOD
\$45.00	CBOD
\$10.00	Dissolved Oxygen
\$10.00	pH
\$20.00	Total Suspended Solids (TSS)
\$ 5.00	Temperature
\$ 5.00	Turbidity

ILLEGAL TAMPERING WITH WASTEWATER SYSTEM

First Offense

\$1000.00+

In addition to first offense monetary penalty, costs of collection, repair, restoration, personnel, consultant fees, attorneys' fees and other related costs and expenses including monetary penalties or the equivalent levied by local, state or federal agencies. Tampering with the wastewater system is a crime and will be prosecuted.

Second Offense with 5 Years

\$2,000.00

In addition to second offense monetary penalty, costs of collection, repair, restoration, personnel, consultant fees, attorneys' fees and other related costs and expenses including monetary penalties or the equivalent levied by local, state or federal agencies. Tampering with the wastewater system is a crime and will be prosecuted.

INCLUSION REQUEST INTO DISTRICT

\$1000.00

Includes costs of, personnel, consultant fees, attorneys' fees and related publication, filing and recording costs and expenses.

DISTRICT OWNED MOBILE EQUIPMENT, PUMPS, VEHICLES, IMPLEMENTS AND TOOLS

TV Video Inspection Unit	\$300.00/hr.	Plus \$2.00 per ft viewed; personnel equip. included
Vaccon Jet Vac Cleaner	\$375.00/hr.	Includes one (1) operator *minimum two required

Following Items DO NOT include transport or operator(s)

Backhoe		Varies; no less than 2 times private market rate
Skid Steer(s) 2-available	Cost per hr	Varies; no less than 2 times private market rate
Farm Implements	Cost per hr	Varies; no less than 2 times private market rate
6" Goodwin Pump w/Auto & Hoses	Cost per hr	Varies; no less than 2 times private market rate
4" Multiquip Pump w/ Hoses	Cost per hr	Varies; no less than 2 times private market rate
Other Pumps	Cost per hr	Varies; no less than 2 times private market rate
Hand/Electrical Tools	Cost per hr	Varies; no less than 2 times private market rate
Other Applicable Items not Listed or Described	Cost per hr	Varies; no less than 2 times private market rate

DETERMINATION OF WASTEWATER PLANT INVESTMENT FEES
DRAINAGE FIXTURE UNIT EQUIVALENT SCHEDULE

Drainage fixture unit equivalents shall be calculated using the schedule contained in Table 709.1 of the International Plumbing Code, 2003 Edition, as adopted in the Pikes Peak Regional Building Code on the effective date of this Resolution and shall apply to “stubbed in” or “roughed in” fixture traps as well as those fixtures being installed.

TABLE 709.1
DRAINAGE FIXTURE UNITS FOR FIXTURES AND GROUPS

FIXTURE TYPE	DRAINAGE FIXTURE UNIT VALUE AS LOAD FACTORS	MINIMUM SIZE OF TRAP (inches)
Automatic clothes washers, commercial ^{a,g}	3	2
Automatic clothes washers, residential ^g	2	2
Bathroom group as defined in Section 202 (1.6 gpf water closet) ^f	5	-
Bathroom group as defined in Section 202 (water closet flushing greater than 1.6 gpf) ^f	6	-
Bathtub ^b (with or without overhead shower or whirlpool attachments)	2	1½
Bidet	1	1¼
Combination sink and tray	2	1½
Dental lavatory	1	1¼
Dental unit or cuspidor	1	1¼
Dishwashing machine, ^c domestic	2	1½
Drinking fountain	½	1¼
Emergency floor drain	0	2
Floor drains	2	2
Kitchen sink, domestic	2	1½
Kitchen sink, domestic with food waste grinder and/or dishwasher	2	1½
Laundry tray (1 or 2 compartments)	2	1½
Lavatory	1	1¼
Shower	2	1½
Sink	2	1½
Urinal	4	Note d
Urinal, 1 gallon per flush or less	2 ^e	Note d
Wash sink (circular or multiple) each set of faucets	2	1½
Water closet, flushometer tank, public or private	4 ^e	Note d
Water closet, private (1.6 gpf)	3 ^e	Note d
Water closet, private (flushing greater than 1.6 gpf)	4 ^e	Note d
Water closet, public (1.6 gpf)	4 ^e	Note d
Water closet, public (flushing greater than 1.6 gpf)	6 ^e	Note d

For SI: 1 inch = 25.4 mm, 1 gallon = 3.785 L.

a. For traps larger than 3 inches, use Table 709.2

b. A showerhead over a bathtub or whirlpool bathtub attachment does not increase the drainage fixture unit value.

c. See Sections 709.2 through 709.4 for methods of computing unit value of fixtures not listed in this table or for rating of devices with intermittent flows.

d. Trap size shall be consistent with the fixture outlet size.

e. For the purpose of computing loads on building drains and sewers, water closets and urinals shall not be rated at a lower drainage fixture unit unless the lower values are confirmed by testing.

f. For fixtures added to a dwelling unit bathroom group, add the DFU value of those additional fixtures to the bathroom group fixture count.

g. See Section 406.3 for sizing requirements for fixture drain, branch drain, and drainage stack for an automatic clothes washer standpipe.

ADOPTED, this 12th day of January, 2011

FOUNTAIN SANITATION DISTRICT

Attest: _____

District Manager

By: _____

President