COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 250171

Amending Chapter 78, Code of Ordinances, entitled "Water" by repealing Sections 78-6, 78-8, 78-10, 78-11, 78-23, and 78-28 and enacting in lieu thereof new sections of like number and subject matter, that adjust charges for water service; and establishing an effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 78 of the Code of Ordinances of Kansas City, Missouri, entitled "Water", is hereby amended by repealing Sections 78-6, 78-8, 78-10, 78-11, 78-23 and 78-28 and enacting in lieu thereof new sections of like number and subject matter that adjust charges for water service to read as follows:

**Sec. 78-6. General meter rate.**

For all water purchased for use wholly and exclusively within the city by any accountholder the general meter rate charge shall be the sum of the service charge and the commodity charge, and as prescribed in Section 78-11. The service charge and the commodity charge shall be determined as follows:

(1) Service charge. The service charge is a charge per meter or service connection, to cover, in part, the cost of various services, and shall be prorated per day during the billing period and shall apply whether or not any water is used; the service charge shall be based on meter size and billing frequency as follows, unless otherwise provided herein:

| Meter Size (inches) | Billed Monthly |
|---|---|
| 5/8 | $17.97 |
| ¾ | 19.40 |
| 1 | 23.74 |
| 1½ | 28.62 |
| 2 | 45.26 |
| 3 | 155.29 |
| 4 | 195.57 |
| 6 | 290.44 |
| 8 | 419.76 |
| 10 | 553.32 |

| | |
|---|---|
| 12 | 650.84 |

(2) Commodity charge. The commodity charge shall be based on the total volume of water purchased by the accountholder as shown by all water meters connected to one or more water services serving a single property of the accountholder and shall be as follows per month for metered water:

Ordinary commodity charge.

First 600 cubic feet at $6.02 per 100 cubic feet, or a portion thereof;

Next 4,400 cubic feet at $6.69 per 100 cubic feet or a portion thereof;

Next 995,000 cubic feet at $5.72 per 100 cubic feet or a portion thereof;

Over 1,000,000 cubic feet at $3.96 per 100 cubic feet or a portion thereof.

(3) Manual meter reading charges.

a. The service charges set out in this chapter assume use of the city's automatic meter reading system. In cases where the automatic meter reading system could not be installed due to action or inaction on the accountholder's part, including lack of access to meter, improper meter setting, accountholder refusal, or other reasons, a charge of $23.78 for manual meter reading will be applied each time that a meter is attempted to be read manually.

b. When manual meter reading registers no water use for a period of 12 consecutive months, the water services department may cease monthly meter reading and begin reading the meter every six months. At that time, it will no longer charge the separate manual meter reading fee; however, a service charge of $142.71 for the six-month read period shall apply.

(4) Definitions (as used in this section).

a. Residential account shall refer to all one- and two-family dwelling water service accounts.

b. Commercial and industrial accounts shall refer to all water service accounts other than one- and two-family dwellings.

c. Month and monthly shall refer to a time period of approximately 30 days.

d. Accountholder shall refer to any owner or occupant of real property, or any customer or consumer of water services.

**Sec. 78-8. Fire protection rates.**

(a) The rate for an unmetered water service connection to hydrants, hose connection or sprinkling systems purchased and used solely and exclusively for fire protection purposes, including all water used for fire protection shall be as set out in the chart below.

| Size of Connection | Rate Per Annum |
|---|---|
| 4-inch and less | $145.22 |
| 6-inch | 427.18 |
| 8-inch | 910.54 |
| 10-inch | 1,638.76 |
| 12-inch | 2,646.82 |
| 16-inch | 5,639.20 |

(b) The size, location and arrangement of any fire protection services are subject to the approval of the director of the water services department.

(c) All meters, valves and hydrants controlling or in connection with such fire protection services shall be sealed by the water services department. A fee of $205.00 shall be charged for each meter, valve or hydrant requiring resealing in the absence of evidence that the meter, valve or hydrant seal was broken in operation against a fire or in operations pursuant to system testing by a fire underwriting agency and properly certified by such testing agency.

(d) Direct connections between the fire protection and drain piping on all premises are not permitted, and drawings which show the location of all fire protection piping may be required by the water services department. The repeated, unauthorized breakage of seals on any premises may be taken as evidence that water is being used without authorization; and in such case the water services department may require the installation of a meter designed for fire protection and in addition to other charges set out above also assess charges therefore in accordance with section 78-6.

(e) Fire protection services shall be billed to the owner of record of the real property.

**Sec. 78-10. Suburban meter rate.**

(a) For any and all water purchased wholly or partially for use outside the city by any accountholder, a total charge consisting of a service charge, a commodity charge, a re-pumping charge where applicable, shall be computed for each billing period and shall be as follows:

(1) *Service charge.* A service charge, prorated per day during the billing period based on meter size, with such charge to be applied whether or not any water is used, shall be charged as follows;

| Meter Size (inches) | Billed Monthly |
|---|---|

| | |
|---|---|
| 5/8 | $18.34 |
| ¾ | 19.77 |
| 1 | 24.22 |
| 1½ | 29.68 |
| 2 | 46.22 |
| 3 | 158.47 |
| 4 | 199.28 |
| 6 | 296.27 |
| 8 | 428.24 |
| 10 | 563.92 |
| 12 | 663.56 |

The service charges as established in this subsection may be superseded by any contract between the city and any other public water supply which provides for an interchange agreement.

(b) *Commodity charge.* A commodity charge per month, based on the total volume of water purchased by the accountholder as shown by all water meters connected to one or more water systems serving the accountholder's premises, shall be charged as follows:

(1) Retail customers. For accountholders purchasing water for use wholly by the accountholder:

First 5,000 cubic feet at $6.41 per 100 cubic feet or a portion thereof;

Over 5,000 cubic feet at $5.14 per 100 cubic feet or a portion thereof.

(2) Wholesale customers. For accountholders purchasing water for resale:

Unrestricted: $2.84 per hundred cubic feet or a portion thereof;

Restricted: $2.72 per hundred cubic feet or a portion thereof;

Wholesale customers shall be classified as restricted or unrestricted based on water supply contract terms between the city and other contracting entity.

(c) *Repumping charge.* A repumping charge based on the quantity of purchased water repumped shall be charged to wholesale suburban customers only as follows:

(1) From the pumping station at 75th and Holmes Street; from the pumping station at Highway AA near the Village of Waukomis in Platte County, Missouri; from the Blue Ridge Pumping Station at 67th Street and Blue Ridge Boulevard; from the pumping station at Englewood Road and North Oak Trafficway; from Arrowhead Pumping Station at NE 75th and Arrowhead Trafficway, and from the South

Terminal Pump Station at Ward Road and Persells, per 100 cubic feet, $0.24 or a portion thereof.

(2) From the pumping station at 131st Street and Prospect Avenue; from the High Grove Road Pumping Station, and from the Platte County Booster Pump Station at Camden Point Highway E and Interurban Road, per 100 cubic feet, $0.33 or a portion thereof.

(d) *Definition.* The term "month" or "monthly," as used in this section shall refer to a time period of approximately 30 days.

(e) *Applicability.* Rates set forth in this section may not be applicable where such rates are established by existing or future contracts.

**Sec. 78-11. Payments in lieu of taxes.**

Pursuant to section 1209 of the City Charter, the water services department shall be assessed and required to make a payment in lieu of taxes to the general fund equal to two percent of the water fund's gross revenues derived from providing water services to the city's residential and commercial customers. Such payment in lieu of taxes shall be considered part of the cost of water services and shall be charged to the city's residential and commercial customers as a charge equal to two percent of the general meter rate, the fire protection rate and the temporary service rate.

**Sec. 78-23. Water service disconnection.**

(a) *Disconnection when building razed or moved.* Prior to demolishing or razing a building, water services shall be abandoned or disconnected from the main, as determined by the water services department and as required by a water service line kill permit issued by the city. The responsibility and expense for such disconnection, including permit fees, shall rest with the owner of the land upon which the building is located.

(b) *Disconnection for unauthorized use of water.* The water services department is hereby authorized to disconnect a water service at the main if deemed necessary to prevent the unauthorized use of water, in which case the owner of the property served by the connection shall reimburse the water services department for the expense of the disconnection.

(c) *Reconnection.* Services disconnected from the main may be reconnected to the main, subject to pertinent rules and regulations of the water services department, provided a permit for such reconnection is obtained and such reconnection shall be made solely at the expense of the owner of the premises serviced.

(d) *Other service disconnections.* A water service connection to a premises may be disconnected at the main by the water services department, and the cost of the disconnection billed to the owner of the premises, if:

(1) The service line has not been used for one year; or

(2) There is a leak on a service to a vacant building, dwelling or property in those situations where public safety or welfare may be affected; or

(3) The service is not metered pursuant to section 78-7; or

(4) If the owner fails to disconnect the service line from the main prior to demolishing or razing a property; or

(5) The building is deemed by the city to be a dangerous building.

**Sec. 78-28. Water department price schedules; permits for work on water service.**

(a) *Price schedules.* The director of the water services department is hereby empowered and directed to prepare and maintain a schedule of prices governing the connection charge, sale, removal, test, repair and replacement of water meters; sale and operation of fire hydrants; and tapping charges. A copy shall be available for public inspection at the water services department director's office at any reasonable time.

(b) *Permit required for installation or maintenance of services.* Water services shall not be installed or maintained except by permit issued by the water services department on the basis of an application for such permit made by the owner of the premise or authorized agent as provided under sections 78-21 and 78-22.

(c) *Types of permit; permit fee.* The director is hereby authorized to issue the following kinds of permits and to charge $100.00 per each such permit, where:

(1) Taps are to be made and new services are to be installed.

(2) An existing service is to be altered, extended, renewed or repaired from the first valve to the building improvement or fixtures, or appurtenances added thereto or detached therefrom.

(3) An existing service is to be abandoned and replaced with a single larger service that requires a larger tap.

(4) An existing service is disconnected at the main or is otherwise abandoned.

(d) *Permit controls.* Water service permits shall be issued and controlled in accordance with water services department rules and regulations.

(e) *Plan review.* The director is hereby authorized to establish the following fees and charges for water service plan reviews:

(1) A fee of $110.00 for water service plan reviews involving no more than ten service connections.

(2) For water service plan reviews involving more than ten service connections, an additional charge of $12.00 for each connection greater than the ten connections included in the charge referenced in subsection (e)(1).

(3) A charge of $65.00 if plans are rejected and must be resubmitted for review due to deficiencies in the original plan.

Section 2. This ordinance shall become effective on May 1, 2025.

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Approved as to form:

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Nicole Rowlette
Senior Associate City Attorney