

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

**ENTITLED: "AN ORDINANCE APPROVING AND ESTABLISHING REVISED WATER AND SEWER RATES, TAP AND SYSTEM DEVELOPMENT FEES, ADMINISTRATIVE FEES, SERVICE CHARGES AND PENALTIES, AND SEPTIC AND COMMERCIAL WASTE DUMP RATES, AS RECOMMENDED BY THE BOARD OF PUBLIC UTILITIES."**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:**

Section 1. That, pursuant to Wyoming Statute §15-7-407, the Board of Public Utilities ("BOARD") shall fix the rates for water and sanitary sewer services furnished to customers, and any revision thereof is subject to the governing body's review, modification and approval.

Section 2. That the BOARD is authorized by Wyoming statute and the Cheyenne municipal code to fix rates, fees and penalties for water and sanitary sewer services furnished to customers to:

- A. Pay interest charges and principal payments on all outstanding water and sanitary sewer loans and bonds as they are due;
- B. Pay for the operation and maintenance of the water and sanitary sewer systems, including salaries, wages and benefits, and the cost of all materials and supplies necessary for repairs, replacements and upgrades to the systems;
- C. Cover all miscellaneous expenses;
- D. Cover all usual extensions and enlargements, together with a reasonable allowance for emergency and unforeseen expenses; and
- E. Provide and maintain a depreciation fund for each of the water and sanitary sewer departments.

Section 3. That the BOARD has determined that an increase in the water and sanitary sewer rates is justified to ensure adequate revenue is generated in order to pay for costs associated with those services rendered.

Section 4. That, pursuant to Section 13.04.140 of the municipal code, the BOARD must establish rates and charges for the consumption of city utility services, charges and fees for connections, inspections, penalties, shutoff penalties and meter installations. Such rates, charges, fees and penalties must thereafter be approved by the Governing Body and filed with the City Clerk and business office of the BOARD.

Section 5. That, in accordance with City Ordinance 4505, adopted on June 12, 2023, prior to the beginning of each fiscal year the BOARD is required to calculate new rates for water and sewer services based on the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance and the Wyoming Cost of Living Index – Southeast Region, and prepare new rate schedules for water and sewer services.

Section 6. That the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance for the calendar year 2023 was 4.7% and the Wyoming Cost of Living Index – Southeast Region for the second quarter of 2023 was 4.3%; and the Engineering News Record Construction Cost Index (ENR CCI) for calendar year 2023 was 4.2%.

Section 7. That by Resolution No. 2024-01, adopted April 29, 2024, the BOARD established revised water rates to be charged to customers of the Cheyenne Water System as shown and set forth on the resolution attached hereto as Exhibit A.

Section 8. That by Resolution No. 2024-02, adopted April 29, 2024, the BOARD established revised sewer rates to be charged to customers of the Cheyenne Sewer System as shown and set forth on the resolution attached hereto as Exhibit B.

Section 9. That by Resolution No. 2024-03, adopted April 29, 2024, the BOARD established revised Water and Sewer Connections Fees, System Development Fees and other related fees as shown and set forth on the resolution attached hereto as Exhibit C.

Section 10. That by Resolution No. 2024-04, adopted April 29, 2024, the BOARD established revised Administrative fees, and Service Charges and Penalties, as shown and set forth on the resolution attached hereto as Exhibit D.

Section 11. That by Resolution No. 2024-05, adopted April 29, 2024, the BOARD established revised Septic Waste Dump and Commercial Waste Rates to be charged to the customers of the Cheyenne Water and Sewer Systems as shown and set forth on the resolution attached hereto as Exhibit E.

Section 12. That the Governing Body has reviewed the rates, charges penalties and fees established by the BOARD for water and sewer services and hereby approves the water and sewer rate schedules attached hereto.

Section 13. That, prior to the beginning of each fiscal year, the BOARD shall calculate new rates for Water and Sewer services based on the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance, Wyoming Cost of Living Index – Southeast Region, and the Engineering News Record Construction Cost Index (ENR CCI), and prepare new rate schedules for Water and Sewer Services that shall be presented, in the form of an ordinance, to the Governing Body.

Section 14. This ordinance shall be in full force and effect upon approval and publication.

**FIRST READING:** \_\_\_\_\_

**SECOND READING:** \_\_\_\_\_

**THIRD AND FINAL READING:** \_\_\_\_\_

\_\_\_\_\_  
PATRICK COLLINS, MAYOR

(SEAL)

ATTEST:

\_\_\_\_\_  
KRISTINA F. JONES, CITY CLERK

Published: \_\_\_\_\_  
Wyoming Tribune-Eagle

Approved as to  
form only:



Date: 04/22/2024

BOPU RESOLUTION NO. 2024-01

ENTITLED: "A RESOLUTION ADOPTING REVISED WATER RATES TO BE CHARGED TO USERS OF THE CHEYENNE WATER SYSTEM."

WHEREAS, the Board of Public Utilities ("Board") is authorized by State Statute and City Code to fix rates, fees and penalties for water and sanitary sewer services furnished to customers and any revision thereof is subject to the local governing body's review, modification and approval;

WHEREAS, the rates shall secure an income sufficient to:

- (a) Pay interest charges and principal payments on all outstanding water loans and bonds as they are due;
- (b) Pay for the operation and maintenance of the water system, including salaries, wages and benefits, and the cost of all materials and supplies necessary for repairs, replacements and upgrades to the system;
- (c) Cover all miscellaneous expenses;
- (d) Cover all usual extensions and enlargements, together with a reasonable allowance for emergency and unforeseen expenses; and
- (e) Provide and maintain a depreciation fund for the water department;

WHEREAS, the Board has determined that an increase in the water rates is justified to ensure adequate revenue is generated in order to pay for costs associated with those services rendered;

WHEREAS, the Governing Body of the City of Cheyenne, pursuant to Ordinance 4505, adopted June 12, 2023, requires that prior to the beginning of each fiscal year, the Board will calculate new rates for Water and Sewer services based on the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance, and the Wyoming Cost of Living Index – Southeast Region and prepare new rate schedules for Water and Sewer services that shall be presented in the form of an ordinance to the Governing Body;

WHEREAS, the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance for the calendar year 2023 was 4.7% and the Wyoming Cost of Living Index – Southeast Region for the second quarter of 2023 was 4.3%; and the Engineering News Record Construction Cost Index (ENR CCI) for calendar year 2023, was 4.2%;

WHEREAS, the 2020 Board of Public Utilities Water and Wastewater Rate Study recommends a cost of service adjustment for water rates for fiscal year 2025 in order to adequately fund operation & maintenance, capital equipment, infrastructure replacement and improvement, and debt service expenditures.

NOW, THEREFORE, BE IT RESOLVED that the Water rate schedule will transition to cost of service and be adjusted approximately 10.0%, effective January 1, 2025.

BE IT FURTHER RESOLVED that the following Water Rate Schedule is adopted by the Board, and that it be presented in the form of an ordinance to the Governing Body of the City of Cheyenne for approval, to become effective on consumption and bills issued on or after the dates indicated below on the water rate schedule:

WATER RATE SCHEDULE

Effective with metered consumption after November 01, 2024 on bills issued on or after the date indicated:

<u>Meter Size</u>	<u>January 1, 2025 Monthly Service Fee</u>	<u>January 1, 2024 Monthly Service Fee</u>
5/8 In. & 3/4 In.	\$ 8.02	\$ 7.29
1 In.	10.21	9.28
1 1/4 In. & 1 1/2 In.	16.23	14.75
2 In.	20.21	18.37
3 In.	78.68	71.53
4 In.	93.69	85.17
6 In.	121.80	110.73
8 In.	159.24	144.76
10 In.	206.05	187.32
12 In.	273.39	248.54

Service Fee: The monthly service fee is charged in addition to the charge per 1,000 gallons. This service fee is based upon the size of the water meter. The monthly service fee for outside city users will be 1.5 times the above rates.

	<u>January 1, 2025 Volume Rate Charge Per 1,000 Gallons</u>	<u>January 1, 2024 Volume Rate Charge Per 1,000 Gallons</u>
Residential Structure (in-city)		
First Block First 6,000	\$ 5.82	\$ 5.29
Second Block Next 18,000	7.18	6.53
Third Block Next 18,000	8.93	8.12
All Over 42,000	11.12	10.11
Commercial/Industrial	\$ 6.65	\$ 6.05
South Cheyenne Water & Sewer District	6.68	6.07
F.E. WAFB	7.24	6.58
Large Volume Commercial / Industrial	6.05	5.50
Irrigation - Treated Water	7.47	6.79
Irrigation - Raw Water including WAFB	3.55	3.23
Reclaimed Water	3.36	3.05
Recycled Water	3.36	3.05
Treated Water Fill Station	10.74	9.76
Hydrant Meter - Treated Water	7.17	6.52

\* The volume rate charge for all outside city customers will be 1.5 times the above rates (except for the Treated Water Fill Station rate).

Residential Multifamily Structure with 8 or less units will be charged at the Residential Structure rate with the block volumes multiplied by the number of units. Residential Multifamily Structure with more than 8 units will be charged at the Commercial Structure rate.

Large Volume Commercial / Industrial User: Defined as a user whose treated water demand is equal to or exceeds 1 million gallons a day (“mgd”) and whose demand upon the treated water system is constant on a day-to-day basis.

Raw water: Defined as surface water which is not treated by the Board’s water treatment plants.

Reclaimed water: Defined as water released from the Board’s water reclamation plants or water released from the water treatment plant that is not recycled.

Recycled water: Defined as water released from the Board's water reclamation plant that has received tertiary treatment.

BE IT FURTHER RESOLVED that the following rates be charged for oil and mineral exploration and other related activities in Laramie County and other portions of Southeast Wyoming:

	January 1, 2025 Volume Rate Charge <u>Per 1,000 Gallons</u>	January 1, 2024 Volume Rate Charge <u>Per 1,000 Gallons</u>
Oil – Treated Water	\$ 24.20	\$ 22.00
Oil – Recycled Water	17.03	15.48
Oil – Raw Water	13.27	12.06
Oil – Reclaimed Water	9.49	8.63

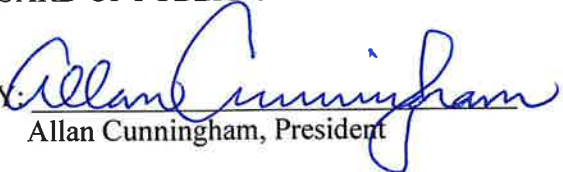
BE IT FURTHER RESOLVED that the Board is authorized to negotiate contracts with water system users based upon the above rates and any revision of the above rates shall be subject to Governing Body review, modification, and approval.

BE IT FURTHER RESOLVED that the Board is authorized to negotiate contracts and rates with commercial and/or industrial users whose demand exceeds 500,000 gallons per day for the sale of raw water and/or reclaimed water. Said contracts and rates shall be subject to Governing Body approval.

BE IT FURTHER RESOLVED that the fees established by the Board be submitted to the Governing Body of the City of Cheyenne for approval and filing as provided by the Code of the City of Cheyenne, Wyoming.

ADOPTED this 29th day of April, 2024.

BOARD OF PUBLIC UTILITIES

BY:   
Allan Cunningham, President

(SEAL)

ATTEST:

BY:   
Keith Zabka, Secretary

**Approved as to  
form only:**



**Date: 04/22/2024**

**BOPU RESOLUTION NO. 2024-02**

**ENTITLED: "A RESOLUTION ADOPTING REVISED SEWER RATES TO BE CHARGED TO USERS OF THE CHEYENNE SEWER SYSTEM."**

WHEREAS, the Board of Public Utilities ("Board") is authorized by State Statute and City Code to fix rates, fees and penalties for water and sanitary sewer services furnished to customers and any revision thereof is subject to the local governing body's review, modification and approval;

WHEREAS, the rates shall secure an income sufficient to:

- (a) Pay interest charges and principal payments on all outstanding sewer loans and bonds as they are due;
- (b) Pay for the operation and maintenance of the sewer system, including salaries, wages and benefits, and the cost of all materials and supplies necessary for repairs, replacements and upgrades to the system;
- (c) Cover all miscellaneous expenses;
- (d) Cover all usual extensions and enlargements, together with a reasonable allowance for emergency and unforeseen expenses; and
- (e) Provide and maintain a depreciation fund for the sewer department;

WHEREAS, the Board has determined that an increase in the sewer rates is justified to ensure adequate revenue is generated in order to pay for costs associated with those services;

WHEREAS, the Governing Body of the City of Cheyenne, pursuant to Ordinance 4505, adopted June 12, 2023, requires that prior to the beginning of each fiscal year, the Board will calculate new rates for Water and Sewer services based on the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance, and the Wyoming Cost of Living Index – Southeast Region and prepare new rate schedules for Water and Sewer services that shall be presented in the form of an ordinance to the Governing Body;

WHEREAS, user charges for contributors shall be based on requirements to adequately fund operation & maintenance, capital equipment, infrastructure replacement and improvement, and debt service expenditures;

WHEREAS, residential user charges for contributors connected to city sewer may be based on the user's average monthly water consumption as determined by water meter readings taken in January, February and March of each year or based on the actual metered water use each month;

WHEREAS, user charges for industrial and commercial contributors shall be based on water used each month. If an industrial or commercial contributor uses water which is not returned to the wastewater collection system, the user charge for that contributor may be based on a wastewater meter or meters or a water meter or meters installed and maintained at the contributor's expense, or any other method acceptable to the Board;

WHEREAS, the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance for the calendar year 2023 was 4.7% and the Wyoming Cost of Living Index – Southeast Region for the second quarter of 2023 was 4.3%; and the Engineering News Record Construction Cost Index (ENR CCI) for calendar year 2023, was 4.2%;

WHEREAS, the 2020 Board of Public Utilities Water and Wastewater Rate Study recommends a cost of service adjustment to sewer rates, for fiscal year 2025, in order to adequately fund operation & maintenance, capital equipment, infrastructure replacement and improvement, and debt service expenditures;

NOW, THEREFORE, BE IT RESOLVED that the sewer rate schedule will transition to cost of service and be adjusted by approximately 8.0% overall effective January 1, 2025.

BE IT FURTHER RESOLVED that the following Sewer Rate Schedule is adopted by the Board, and that it be presented in the form of an ordinance to the Governing Body of the City of Cheyenne for approval, to become effective on consumption and bills issued on or after the dates noted below on the Sewer rate schedule:

### SEWER RATE SCHEDULE

Effective with metered consumption after November 01, 2024 on bills issued on or after the date indicated:

<u>Meter Size</u>	<u>January 1, 2025 Monthly Service Fee</u>	<u>January 1, 2024 Monthly Service Fee</u>
5/8 In. & 3/4 In.	\$ 6.85	\$ 6.34
1 In.	7.95	7.36
1 1/4 In. & 1 1/2 In.	9.73	9.01
2 In.	13.74	12.72
3 In.	19.60	18.15
4 In.	27.57	25.53
6 In.	47.06	43.57
8 In.	70.58	65.35
10 In.	94.10	87.13
12 In.	117.66	108.94

Service Fee: The monthly service fee is charged in addition to the charge per 1,000 gallons. This service fee is based upon the size of the water or sewer meter. The monthly service fee for outside city users will be 1.5 times the above rates.

	<u>January 1, 2025 Volume Rate Charge Per 1,000 Gallons</u>	<u>January 1, 2024 Volume Rate Charge Per 1,000 Gallons</u>
Residential	\$ 6.74	\$ 6.24
Commercial	6.87	6.36
Industrial	6.91	6.40
South Cheyenne Water & Sewer District	6.56	6.07
F.E. WAFB	6.43	5.95
Large volume Commercial / Industrial	6.75	6.25

Residential Multifamily Structure with 8 or less units will be charged at the Residential Structure rate. Residential Multifamily Structure with more than 8 units will be charged at the Commercial Structure rate.

BE IT FURTHER RESOLVED that whenever a commercial / industrial user's Biochemical Oxygen Demand concentration exceeds 350 mg/l the sewage volume rate charge shall be increased by \$.70 per pound of waste and whenever the Total Suspended Solids concentration exceeds 700 mg/l the sewage volume rate charge shall be increased by \$.57 per pound of waste.



BE IT FURTHER RESOLVED that outside city customers, unless specifically identified above, will be charged 1.5 times the above rates.

BE IT FURTHER RESOLVED that the Board is authorized to negotiate contracts with sewer system users based upon the above rates and any revision of the above rates shall be subject to Governing Body review, modification, and approval.

BE IT FURTHER RESOLVED that the fees established by the Board be submitted to the Governing Body of the City of Cheyenne for approval and filing as provided by the Code of the City of Cheyenne, Wyoming.

ADOPTED this 29<sup>th</sup> day of April, 2024.

BOARD OF PUBLIC UTILITIES

BY:   
Allan Cunningham, President

(SEAL)

ATTEST:

BY:

  
Keith Zabka, Secretary

Approved as to  
form only:



Date: 04/22/2024

BOPU RESOLUTION NO. 2024-03

ENTITLED: "A RESOLUTION APPROVING REVISED WATER AND SEWER CONNECTION FEES, SYSTEM DEVELOPMENT FEES, AND RELATED FEES SET BY THE BOARD OF PUBLIC UTILITIES."

WHEREAS, the Board of Public Utilities ("Board") has exclusive authority to manage, operate, maintain and control the Cheyenne Municipal Waterworks, Sanitary Sewage System and Water Reclamation Facilities of the City and to make all rules and regulations necessary for the safe, economical and efficient operation and maintenance of the above facilities;

WHEREAS, the Board has determined that an increase in the fees is necessary to pay for costs associated with the new connectors' share of the water and sewer systems; water and sewer development; water and sewer debt service; over-sizing water and sewer mains; and for expansions to the water and sewer systems;

WHEREAS, the Board desires to set the fees to secure an income sufficient to:

- (a) Pay for costs associated with water and sewer installations;
- (b) Recover costs and reduce debt associated with water and sewer development and expansions to the City's water and sewer systems; and
- (c) Pay for costs associated with over-sizing water and sewer mains;

WHEREAS, the Governing Body of the City of Cheyenne, pursuant to Ordinance 4505, adopted June 12, 2023, requires that prior to the beginning of each fiscal year, the Board will calculate new rates for Water and Sewer services based on the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance and the Wyoming Cost of Living Index – Southeast Region, and prepare new rate schedules for Water and Sewer services that shall be presented in the form of an ordinance to the Governing Body;

WHEREAS, the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance for the calendar year 2023 was 4.7% and the Wyoming Cost of Living Index – Southeast Region for the second quarter of 2023 was 4.3%;

WHEREAS, the 2020 Board of Public Utilities Water and Wastewater Rate Study recommends an adjustment of 5.0% for fiscal year 2025 to Connection Fees and simplified System Development Fees which includes a provision to adjust fees based upon changes to the "Engineering News Record Construction Cost Index" (ENR CCI) which, for calendar year 2023, was 4.2%; and

NOW, THEREFORE, BE IT RESOLVED that the Water and Sewer Connection Fees, Related Fees rate schedule will be adjusted approximately 10.0%, for Water and 8.0% for Sewer except as otherwise noted.

BE IT FURTHER RESOLVED that the following Schedule of Water and Sewer Connection Fees, System Development Fees, and Related Fees is adopted by the Board and that it shall be presented in the form of an ordinance to the Governing Body of the City of Cheyenne for approval, and upon approval will become effective on the dates indicated below:

**I. Water Connection Fee Based on the Following Water Meter Size–Connection Not Installed by BOPU:**

<u>Size</u>	<u>January 1, 2025</u>	<u>January 1, 2024</u>
5/8In. & ¾ In.	\$ 366.00	\$ 333.00
1 In.	375.00	341.00
1 ½ In.	389.00	354.00
2 In. and Larger	403.00	366.00

**II. Water Connection Fee Based upon the following Water Meter Size–Connection installed by BOPU:**

<u>Size</u>	<u>January 1, 2025</u>	<u>January 1, 2024</u>
3 In.	N/A	\$ 3,775.00
4 In.	N/A	3,941.00
6 In.	N/A	4,597.00
8 In.	N/A	5,585.00
10 In.	N/A	7,407.00
12 In.	N/A	9,216.00

\*BOPU will discontinue installation of water connections greater than 2” effective July 1, 2024.

**III. Water System Development Fee: All Customer Classes Based on Water Meter Size**

<u>Size</u>	<u>January 1, 2025</u>	<u>January 1, 2024</u>
5/8 In.	\$ 7,532.00	\$ 6,847.00
¾ In.	11,298.00	10,271.00
1 In.	18,830.00	17,118.00
1 ½ In.	37,672.00	34,247.00
2 In.	60,265.00	54,786.00
3 In.	131,844.00	119,858.00
4 In.	226,032.00	205,484.00
6 In.	508,559.00	462,326.00

**IV. Water System Development Fee – Large Commercial/Industrial User:**

<u>Factor</u>	<u>Amount</u>	<u>January 1, 2025</u>	<u>January 1, 2024</u>
	<u>GPD</u>	<u>Multiplier</u>	<u>Multiplier</u>
Base Demand =	_____	\$ 18.04*	\$16.40*
Maximum Day Demand =	_____	7.04**	6.40**
Peak Hour Demand =	_____	0.24***	0.22***

\*Per gallon per day average day demand

\*\*Per gallon per day Maximum day demand (excess of Base Demand)

\*\*\*Per gallon per day Maximum hour demand (excess of Maximum Day Demand)

**V. Sewer Connection Fee:**

**Water Meter Size**

<u>Size</u>	<u>January 1, 2024</u>	<u>January 1, 2024</u>
All Sizes	\$ 167.00	\$ 155.00

The above fee is charged for each connection to the sewer system.

**VI. Sewer System Development Fee-All Customer Classes Based on Water Meter Size**

<u>Size</u>	<u>January 1, 2025</u>	<u>January 1, 2024</u>
5/8 In.	\$ 2,029.00	\$ 1,879.00
3/4 In.	3,029.00	2,805.00
1 In.	5,037.00	4,664.00
1 ½ In.	10,086.00	9,339.00
2 In.	16,133.00	14,938.00
3 In.	35,295.00	32,681.00
4 In.	60,505.00	56,023.00
6 In.	136,121.00	126,038.00

**VII. Sewer System Development Fee-For Large Commercial/Industrial User:**

<u>Factor</u>	<u>GPD or PPD</u>	<u>Amount</u>	<u>January 1, 2025</u>	<u>January 1, 2024</u>
		<u>Multiplier \$</u>	<u>Multiplier</u>	<u>Multiplier</u>
Wastewater Volume =			\$ 6.59*	\$ 6.10*
Biochemical Oxygen Demand =			\$ 1,389.00**	\$ 1,286.00**
Total Suspended Solids =			\$ 1,389.00**	\$ 1,286.00**

\* Per gallon per day average day flow

\*\* Per pounds per day average day demand

BE IT FURTHER RESOLVED that:

- I. The applicant/contractor/developer shall comply with the following documents:
  - a. "Infrastructure Policy and Design Criteria" as amended from time to time, and
  - b. "City of Cheyenne & Board of Public Utilities Construction Specification Standard Drawings" as amended from time to time.
- II. The applicant/contractor/developer shall submit a Utility Layout Plan identifying the water and / or sanitary sewer connection(s), service line size(s), curb stop and meter pit locations from the Board main line to the property. The Utility Layout Plan shall clearly show the property location (lot, block, subdivision), street names and addresses if available.
- III. After approval of the Utility Layout Plan, the applicant/contractor/developer shall complete the connection permit application and pay all fees due prior to the issuance of a tap/connection permit ("PERMIT"), except for system development fees, which may be paid at either the time of issuance of a PERMIT or prior to the issuance of a building permit. The fees due shall be the amount of the fee in effect at the time payment is received.
- IV. Under no circumstance will the City of Cheyenne be allowed to issue a building permit prior to the payment of all fees due to the Board, including system development fees. The applicant for a city building permit will be required to furnish proof to the City that all required fees have been paid to the Board, including the system development fees.
- V. The applicant for the PERMIT shall remain liable to the Board for payment of all system development fees, without regard to subsequent assumption of payment responsibility by another party.
- VI. In no event shall water service be provided to the property before all fees, including system development fees, are paid in full.

VII. If no building permit is required, then the applicant/contractor/developer shall pay all fees, including system development fees, before the issuance of a PERMIT.

VIII. **For All Connections to the Board Water and Sewer Systems, the applicant / contractor / developer shall be responsible for:**

- a. Obtaining all necessary City Right of Way Permit(s), proper street cuts, excavation, trench boxes, OSHA approved safety setups, backfill, base course, compaction plus asphalt and concrete replacement and other construction costs. (Note: BOARD employees will not access areas that do not fully comply with OSHA approved safety standards. If complications arise during the tapping process and BOARD personnel are required to assist or re-inspect, the applicant will be billed for the additional expenses incurred.)
- b. If required, the installation of wiring for a remote readout meter.
- c. Notifying the BOARD prior to taking any type of water.
- d. Paying for any and all water.
- e. Paying a penalty as described in the Administrative Fees, Services Charges and Penalties Act set by the BOARD for failure to comply with any of the requirements contained in this Resolution.

IX. **For All Water Connections the applicant / contractor / developer shall be responsible for:**

- a. Providing all materials, labor and equipment necessary for the installation of the tap. Materials include, but are not limited to, the corporation, tapping saddle, if required the insulator coupling, and meter pit.
- b. The proper installation of all material. These items must be installed at the address and location and in the manner specified on the Utility Layout Plan and permit. If the corporation and coupling are not properly installed or not in accordance with permit designation, then the applicant/contractor/developer will be responsible for immediate removal and/or repair. (See most recent approved edition of City of Cheyenne & Board of Public Utilities Construction Specifications and Standard Drawings.)

X. **Water and Sewer Connection Fees:**

- a. The water meter connection fee includes inspection fee, account fee, and installation of the meter with wireless reading interface.
- b. The sewer connection fee includes the engineering fee for inspection and the sewer account fee.

XI. **System Development Fees:**

- a. Water connections for fire lines and main line extensions are exempt from system development fees.
- b. All customer class connections to the wastewater effluent system and/or the recycle water system are assessed system development fees based upon the water system development fee schedules listed in Schedule III above.
- c. Large commercial/Industrial System Development fees are for large users and non-typical diurnal flow patterns.

BE IT FURTHER RESOLVED that all water and sewer connections and service connections within the boundaries of Warren Air Force Base will be charged the established in-city rates.

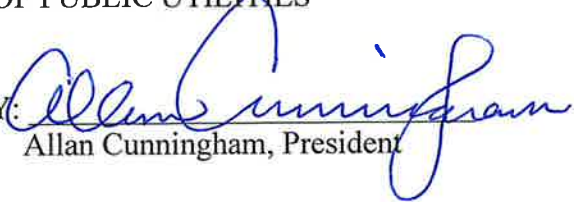
BE IT FURTHER RESOLVED that all taps and service connections outside the City limits will be charged 1.5 times for all the above fees, charges, and penalties.

BE IT FURTHER RESOLVED that the Board is authorized to negotiate contracts with water and sewer system users, based upon the above rates for water and sewer connections, system development fees, and other related fees and that any revision of the above rates shall be subject to Governing Body review, modification and approval.

BE IT FURTHER RESOLVED that the foregoing Water and Sewer Connection Fees, System Development Fees and Related Fees established by the Board be submitted to the City Council for approval and filing as provided by the Code of the City of Cheyenne.

ADOPTED THIS 29th DAY OF April, 2024.

BOARD OF PUBLIC UTILITIES

BY:   
Allan Cunningham, President

(SEAL)

ATTEST:

BY:   
Keith Zabka, Secretary

Approved as to  
form only:



Date: 04/22/2024

BOPU RESOLUTION NO. 2024-04

ENTITLED: "A RESOLUTION APPROVING REVISED ADMINISTRATIVE FEES, SERVICE CHARGES AND PENALTIES SET BY THE BOARD OF PUBLIC UTILITIES."

WHEREAS, the Board of Public Utilities ("Board") is authorized by State Statute and City Code to fix rates, fees and penalties for water and sanitary sewer services furnished to customers;

WHEREAS, the Board has determined that an increase in the administrative fees, service charges and penalties is justified to ensure adequate revenue is generated in order to pay for costs associated with those water and sewer services rendered;

WHEREAS, pursuant to City Code Section 13.04.140, rates and charges for the consumption of city utility services, charges and fees for connection thereto, inspections, penalties, shutoff penalties and meter installations are established by the Board, approved by the Governing Body and filed with the City Clerk and business office of the Board;

WHEREAS, the Governing Body of the City of Cheyenne, pursuant to Ordinance 4505, adopted June 12, 2023, requires that prior to the beginning of each fiscal year, the Board will calculate new rates for Water and Sewer services based on the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance, and the Wyoming Cost of Living Index – Southeast Region and prepare new rate schedules for Water and Sewer services that shall be presented in the form of an ordinance to the Governing Body; and

WHEREAS, the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance for the calendar year 2023 was 4.7% and the Wyoming Cost of Living Index – Southeast Region for the second quarter of 2023 was 4.3%; and the Engineering News Record Construction Cost Index (ENR CCI) for calendar year 2023, was 4.2%;

NOW, THEREFORE, BE IT RESOLVED that the administrative fees, service charges and penalties fee schedule will be adjusted based on review and rationale.

BE IT FURTHER RESOLVED that the following fee schedule for administrative fees, service charges and penalties is adopted by the Board and that it shall be submitted to the Governing Body of the City of Cheyenne for approval to become effective January 1, 2025.

**Administrative Fees, Service Charges and Penalties**

	<b>Effective</b>	<b>Effective</b>
	<b><u>January 1, 2025</u></b>	<b><u>January 1, 2024</u></b>
<b>Administration:</b>		
Late Payment Penalty	\$3.30	\$3.30
Customer Deposit	\$250.00	\$250.00
Trip Charge	\$20.00	\$0.00

	<b>Effective</b> <b><u>January 1, 2025</u></b>	<b>Effective</b> <b><u>January 1, 2024</u></b>
<b>Water Service Disconnect and/or Reconnect Fees*:</b>		
During Office Hours (8 to 5 non-weekend or holidays)	\$40.00	\$38.00
After Office Hours and Holidays	\$60.00	\$57.00
*(Fee to disconnect or reconnect water service for nonpayment, inability to obtain a meter reading or BOPU Violation)		
ISF Checks; Returned Checks; Cancelled Payments	\$30.00	\$33.00
<b>Violations of the Water Conservation Program</b>		
<b>Under Normal Water Schedule</b>		
1st Violation (Warning)	\$0	\$0
2 <sup>nd</sup> Violation	\$90.00	\$90.00
3rd Violation	\$180.00	\$180.00
Subsequent Violations (each)	\$500.00	\$500.00
<b>Under Times of Water Shortage</b>		
1st Violation (Warning)	\$0	\$0
2 <sup>nd</sup> Violation	\$250.00	\$250.00
3rd Violation	\$500.00	\$500.00
Subsequent Violations (each)	\$750.00	\$750.00
Penalty for violation of City Codes	\$750.00	\$740.00
Photocopies (B & W)	\$0.40	\$0.40
Photocopies (Color)	\$0.50	\$0.50
<b>Fax Transmissions</b>		
Inbound	\$1.80	\$1.80
Outbound	\$1.80	\$1.80
Production and/or Duplication of Electronic Records or Recordings	\$25.00/hour	\$15.00/hour
Special Project Research	\$25.00/hour	\$22.00/hour
Special Computer Runs/Listings	\$25.00/hour	\$77.00
<b>Engineering:</b>		
Inspection Fee (per hour)	\$76.00	\$72.00
Inspection Fee (per hour) – Overtime	\$114.00	\$108.00
Construction Water	Approved Water Rates	\$45.00
Penalty for connection to System without permit (see Penalty for violation of City Codes)	\$750.00	\$740.00
Penalty for taking water without a meter (see Penalty for violation of City Codes)	\$750.00	\$300.00
Penalty for removing a meter without permission (see Penalty for violation of City Codes)	\$750.00	\$740.00
Common User Service Application Fee	\$150.00	\$150.00



	<b>Effective</b> <b>January 1, 2025</b>	<b>Effective</b> <b>January 1, 2024</b>
Outside User Agreement Application Fee	\$350.00	\$350.00
Temporary Outside User Agreement Application Fee	\$100.00	\$100.00
Utility Plan Review Fee (per plan & profile)	\$100.00	\$82.00
Connection replat or transfer Administration Fee	\$100.00	\$100.00
<b>Operations and Maintenance:</b>		
Meter Installation/Removal Fee	\$45.00	\$65.00
Meter Installation/Removal Fee – Overtime	\$68.00	\$98.00
Meter Inspection Testing Fee	\$45.00	\$37.00
Jet Truck Assistance	\$300.00/hour	\$300.00/hour
Camera Trailer Inspection	\$300.00/hour	\$300.00/hour
Dump Truck	\$60.00/hour	\$56.00/hour
Utility Pickup Truck	\$25.00/hour	\$25.00/hour
Wheel Backhoe	\$60.00/hour	\$53.00/hour
Sewer Blockage/Backup Fee	Actual Cost	Actual Cost
Water/Sewer Damage Repair Fee	Actual Cost	Actual Cost
Damaged/Frozen/Vandalized Meter	Actual Cost	Actual Cost
Repeat Frozen Meter Calls	\$66.00	\$63.00
Jumper Installation/Removal Fee	\$66.00	\$63.00
Construction Fire Hydrant Equipment Deposit *	\$2,770.00	\$2,770.00
* (Damage to a Fire hydrant, water main or meter or backflow device and equipment and / or failure to report water consumption will result in forfeiture of all or part of the above deposits)		
Spanner Wrench	Actual Cost	Actual Cost
Hydrant Meter	Actual Cost	Actual Cost
Hydrant Meter Unitized Measuring Element Repair (UME)	Actual Cost	Actual Cost
Fire Hose ( 2 1/2 X 6)	Actual Cost	Actual Cost
2" Auxiliary Valves & Adapters	Actual Cost	Actual Cost
2" Back Flow Device & Adapters	Actual Cost	Actual Cost
2" Back Flow Device Check Valve Repair Kit	Actual Cost	Actual Cost
Permit and Handling Fee	\$45.00	\$45.00
Meter Rental Per Day	\$11.00	\$11.00
Hydrant Meter- Treated Water (per thousand gallons)	\$7.17	\$6.52
Penalty for improper use of hydrant and/or meter assembly	\$300.00	\$300.00
Penalty for taking water from Hydrant w/o Hydrant Meter/Backflow or proper Hydrant Permit	\$750.00	\$740.00
<b>Water Reclamation:</b>		
Inspection Fee - Per Hour	\$76.00/hour	\$72.00/hour
Inspection Fee - Per Hour- Overtime	\$114.00/hour	\$108.00/hour

	<u>Effective</u> <u>January 1, 2025</u>	<u>Effective</u> <u>January 1, 2024</u>
Testing/Laboratory Fee	Actual Cost	Actual Cost
Industrial Pretreatment Program (IPP) Application	\$420.00	\$400.00
Industrial Pretreatment Program (IPP) Renewal Fee	\$210.00	\$200.00
 <b>Water Treatment:</b>		
Testing/Laboratory Fee	Actual Cost	Actual Cost

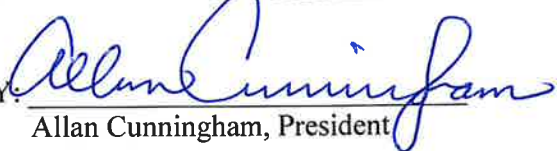
The fee schedule for administrative fees, service charges and penalties will be 1.5 times the above amounts for outside-city customers.

BE IT FURTHER RESOLVED that the Board is authorized to negotiate contracts with water and sewer system users based upon the above rates and any revision of the above rates shall be subject to Governing Body review, modification, and approval.

BE IT FURTHER RESOLVED that the foregoing fee schedule for administrative fees, service charges and penalties established by the Board shall be submitted to the Governing Body for approval and filing as provided by Code of the City of Cheyenne.

ADOPTED this 29th day of April, 2024.

BOARD OF PUBLIC UTILITIES

BY:   
Allan Cunningham, President

(SEAL)

ATTEST:

BY:   
Keith Zabka, Secretary

Approved as to  
form only:



Date: 04/22/2024

BOPU RESOLUTION NO. 2024-05

ENTITLED: "A RESOLUTION ADOPTING REVISIONS TO THE SEPTIC WASTE DUMP AND COMMERCIAL WASTE RATES TO BE CHARGED TO USERS OF THE CHEYENNE WATER AND SEWER SYSTEMS."

WHEREAS, the Board of Public Utilities ("Board") is authorized by State Statute and City Code to fix rates, fees and penalties for water and sanitary sewer services furnished to customers and any revision thereof is subject to the local governing body's review, modification and approval;

WHEREAS, the rates shall secure an income sufficient to:

- (a) Pay interest charges and principal payments on all outstanding sewer loans and bonds as they are due;
- (b) Pay for the operation and maintenance of the sewer system, including salaries, wages and benefits, and the cost of all materials and supplies necessary for repairs, replacements and upgrades to the system;
- (c) Cover all miscellaneous expenses;
- (d) Cover all usual extensions and enlargements, together with a reasonable allowance for emergency and unforeseen expenses; and
- (e) Provide and maintain a depreciation fund for the sewer department;

WHEREAS, the Board has determined that an increase in the Septic Waste Dump and Commercial Waste rates are justified to ensure adequate revenue is generated in order to pay for costs associated with those services rendered;

WHEREAS, the Governing Body of the City of Cheyenne, pursuant to Ordinance 4505, adopted June 12, 2023, requires that prior to the beginning of each fiscal year, the Board will calculate new rates for Water and Sewer services based on the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance, and the Wyoming Cost of Living Index – Southeast Region and prepare new rate schedules for Water and Sewer services that shall be presented in the form of an ordinance to the Governing Body; and

WHEREAS, the Bureau of Labor Statistics, Consumer Price Index, All Urban Consumers, Water and Sewer Maintenance for the calendar year 2023 was 4.7% and the Wyoming Cost of Living Index – Southeast Region for the second quarter of 2023 was 4.3%; and the Engineering News Record Construction Cost Index (ENR CCI) for calendar year 2023, was 4.2%;

NOW, THEREFORE, BE IT RESOLVED that the septic waste dump and commercial waste rate schedule will be adjusted by approximately 8.0%, effective January 1, 2025.

BE IT FURTHER RESOLVED that the following Rate Schedule for septic waste dump and commercial waste is adopted by the Board, and that it be presented in the form of an ordinance to the Governing Body of the City of Cheyenne for approval, and will become effective on statements rendered, tickets purchased, and on septic and commercial waste delivered on or after the dates indicated:

**RATE SCHEDULES**

Effective with all tickets purchased and all septic waste and commercial waste dumped on account on or after the dates indicated:

**Septic Waste Dump Rates:** For dumping Septic tanks, port-a-pots, holding tank wastes, and from domestic uses such as toilets, sinks, showers, etc.

For the dumping of zero (0) to one hundred (100) gallons of septic tank waste.

	Price Per		Price Per
<u>Effective Date:</u>	<u>Ticket</u>	<u>Effective Date:</u>	<u>Ticket</u>
January 1, 2025	\$ 13.76	January 1, 2024	\$ 12.74

For the dumping of zero (0) to five hundred (500) gallons of septic tank waste.

	Price Per		Price Per
<u>Effective Date:</u>	<u>Ticket</u>	<u>Effective Date:</u>	<u>Ticket</u>
January 1, 2025	\$ 62.87	January 1, 2024	\$ 58.21

Septic Dump tickets are sold in books of ten based upon the above rates, and are non-refundable. Tickets are for dumping of 0 to 500 gallons or for 0 to 100 gallons of septic tank waste.

**Liquid Commercial Waste Tickets:** Non-hazardous commercial waste, such as sand trap and oil water separator wastes.

For dumping zero (0) to one hundred (100) pounds of liquid commercial waste.

	Price Per		Price Per
<u>Effective Date:</u>	<u>Ticket</u>	<u>Effective Date:</u>	<u>Ticket</u>
January 1, 2025	\$ 15.07	January 1, 2024	\$ 13.95

Liquid commercial waste tickets are sold individually based upon the above rates and are non-refundable. One ticket is for dumping of 0 to 100 pounds of liquid commercial waste.

BE IT FURTHER RESOLVED that the Board is authorized to negotiate contracts with septic waste dump and commercial waste users, based upon the above rates, and any revision of the above rates shall be subject to Governing Body review, modification, and approval.

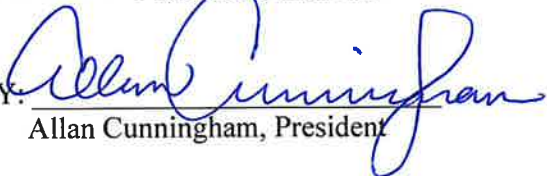
BE IT FURTHER RESOLVED that the rates for Septic Waste Dump Tickets and/or Commercial Waste Tickets for outside City users will be 1.5 times the above rates.

BE IT FURTHER RESOLVED that the Board has the option of either billing septic tank haulers or requiring them to purchase septic waste dump tickets.

BE IT FURTHER RESOLVED that the septic waste dump and commercial waste rates established by the Board be submitted to the Governing Body of the City of Cheyenne for approval and filing as provided by the Code of the City of Cheyenne, Wyoming.

ADOPTED this 29th day of April, 2024

BOARD OF PUBLIC UTILITIES

BY:   
Allan Cunningham, President

(SEAL)

ATTEST:

BY:   
Keith Zabka, Secretary