



## Legislation Details (With Text)

**File #:** ORD. 2023-071 **Version:** 1 **Name:**

**Type:** Ordinance **Status:** Adopted

**File created:** 3/6/2023 **In control:** City Council

**On agenda:** 5/8/2023 **Final action:** 5/8/2023

**Title:** To adopt the annual budget, which includes all of the separate current expense budgets for the general operation of the City government and for each utility as defined in ch. 13 of the City Charter, for the fiscal year commencing Jul.1. 2023, and ending Jun. 30, 2024, and to appropriate the estimated revenues for such fiscal year for the objects and purposes stated in such budget. (As Amended)

**Sponsors:** Mayor Stoney

### Indexes:

### Code sections:

**Attachments:** 1. Ord. No. 2023-071 - Amended 20230424, 2. 20230424 Amendment of Ord. No. 2023-071

Date	Ver.	Action By	Action	Result
5/8/2023	1	City Council	adopted	Pass
4/24/2023	1	City Council	amended and continued	
3/27/2023	1	City Council	continued	
3/6/2023	1	City Council	introduced and referred	

To adopt the annual budget, which includes all of the separate current expense budgets for the general operation of the City government and for each utility as defined in ch. 13 of the City Charter, for the fiscal year commencing Jul.1. 2023, and ending Jun. 30, 2024, and to appropriate the estimated revenues for such fiscal year for the objects and purposes stated in such budget. (As Amended)

WHEREAS, (i) the Mayor submitted to the Council a proposed annual budget for the City for the fiscal year beginning July 1, 2023, and ending June 30, 2024, and it is necessary to make appropriations sufficient to fund said budget and to regulate the payment of money from the City treasury, and (ii) the recommended budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, is as set out in the attachment to this ordinance entitled "General Fund Budget, July 1, 2023, to June 30, 2024, As Amended," and the Non-Departmental programs are set forth on the attachment to this ordinance entitled "General Fund Budget, Non-Departmental Appropriations - As Amended, July 1, 2023, to June 30, 2024."

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

**I. Budgets and Appropriations.**

**§ 1. General Fund.**

(a) The budget designated as the General Fund Budget in the total amount of [~~\$948,923,789~~] \$951,923,789 for the fiscal year commencing July 1, 2023, and ending June 30, 2024, set forth on the attachment to this ordinance entitled “General Fund Budget, July 1, 2023, to June 30, 2024, As Amended,” including the budget for Non-Departmental programs set forth on the attachment to this ordinance entitled “General Fund Budget, Non-Departmental Appropriations - As Amended, July 1, 2023, to June 30, 2024,” which is incorporated into this ordinance, is hereby adopted and made part of this ordinance.

(b) The sum of [~~\$948,923,789~~] \$951,923,789 of the estimated revenue for the fiscal year commencing July 1, 2023, be and is hereby appropriated from the estimated receipts from all existing sources of revenue during the fiscal year commencing July 1, 2023, except estimated receipts from the gas, water, wastewater, electric, and stormwater utilities and the School Board, and shall be used by the respective departments and major operating units thereof and by the courts, bureaus, commissions, offices, and agencies of the City, hereinafter collectively referred to as “agencies,” in the sums itemized in said budget, hereby adopted and made a part of this ordinance, for the principal objectives and purposes thereof. The total sum of the funds herein provided for the respective agencies are as set out opposite each of them in the attachment to this ordinance entitled “General Fund Budget, July 1, 2023, to June 30, 2024, As Amended,” as supplemented by the attachments to this ordinance entitled “General Fund Budget, Non-Departmental Appropriations - As Amended, July 1, 2023, to June 30, 2024.”

(c) In accordance with section 6.18 of the Charter of the City of Richmond (2020) as amended,

every appropriation made by ordinances adopting or amending the general fund budget and appropriations thereto for the fiscal year commencing July 1, 2023, and ending June 30, 2024, lapses as of the last moment of June 30, 2024. All unexpended and unencumbered funds for which the appropriation lapses as of the last moment of June 30, 2024, shall become part of the undesignated fund balance at the time such appropriation lapses unless expressly appropriated for the fiscal year commencing July 1, 2024, and ending June 30, 2025.

§ 2. **Special Fund.** The designated Special Fund Budgets for the fiscal year commencing July 1, 2023, and ending June 30, 2024, set forth on the attachment to this ordinance entitled “Special Fund Budget, July 1, 2023, to June 30, 2024,” are hereby adopted and made a part of this ordinance. The sum of \$162,613,061 of the estimated revenue for the period commencing July 1, 2023, is hereby appropriated from the receipts of all Special Revenue funds.

§ 3. **Debt Service Fund Budget.** The designated Debt Service Fund Budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, set forth on the attachment to this ordinance entitled “Debt Service Fund Budget, July 1, 2023, to June 30, 2024,” is hereby adopted and made part of this ordinance. The sum of \$92,877,754 is hereby appropriated from the receipts of the Debt Service Fund to pay the estimated debt service costs.

§ 4. **Internal Service Fund Budgets.** The designated Internal Service Fund Budgets for the fiscal year commencing July 1, 2023, and ending June 30, 2024, set forth on the attachment to this ordinance entitled “Internal Service Fund Budget, July 1, 2023, to June 30, 2024,” are hereby adopted and made a part of this ordinance. The sum of \$74,921,447 of the estimated revenue for the period commencing July 1, 2023, is hereby appropriated from the receipts of all Internal Service Funds.

§ 5. **Department of Public Utilities’ Stores Internal Service Fund Budgets.** The designated Department of Public Utilities’ Stores Internal Service Fund Budgets for the fiscal year

commencing July 1, 2023, and ending June 30, 2024, set forth on the attachment to this ordinance entitled “Department of Public Utilities’ Stores Internal Service Fund Budget, July 1, 2023 to June 30, 2024,”, are hereby adopted and made a part of this ordinance. The sum of \$842,111 be and is hereby appropriated from the estimated receipts of all Department of Public Utilities’ Stores Internal Service Funds for the fiscal year commencing July 1, 2023, and ending June 30, 2024.

**§ 6. Department of Parks, Recreation and Community Facilities’ Richmond Cemeteries Budget.**

The budget designated the Department of Parks, Recreation and Community Facilities’ Richmond Cemeteries Budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, is hereby adopted. The sum of \$2,108,777 be and is hereby appropriated from the estimated receipts of the Richmond Cemeteries for the fiscal year commencing July 1, 2023, and ending June 30, 2024, for the purposes as set forth in the Department of Parks, Recreation and Community Facilities’ Richmond Cemeteries Budget.

**§ 7. Department of Public Works’ Parking Enterprise Fund Budget.**

The budget designated the Department of Public Works’ Parking Enterprise Fund Budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, is hereby adopted. The sum of \$17,000,000 be and is hereby appropriated from the estimated receipts of the Department of Public Works’ Parking Enterprise Fund for the fiscal year commencing July 1, 2023, and ending June 30, 2024,

for the purposes as set forth in the Department of Public Works’ Parking Enterprise Fund Budget.

**§ 8. Electric Utility Budget.**

The budget designated the Electric Utility Budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, is hereby adopted. The sum of \$9,976,459 be and is hereby appropriated from the estimated receipts of the electric utility for the fiscal year commencing July 1, 2023, and ending June 30, 2024, for the purposes as set forth in the Electric Utility Budget. The sum of \$0 be and is hereby appropriated from the electric utility renewal fund or operating fund for renewing, rebuilding and extending the utility and for purchasing vehicles as set forth in the Utility Budget, the said appropriation

having been recommended by the Mayor.

§ 9. **Gas Utility Budget.** The budget designated the Gas Utility Budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, is hereby adopted. The sum of \$231,750,120 for the fiscal year commencing July 1, 2023, and ending June 30, 2024, be and is hereby appropriated from the estimated receipts of the gas utility for the fiscal year commencing July 1, 2023, and ending June 30, 2024, for the purposes as set forth in the Gas Utility Budget. The sum of \$0 be and is hereby appropriated from the gas utility renewal fund or operating fund for renewing, rebuilding and extending the utility and for purchasing vehicles as set forth in the Gas Utility Budget, the said appropriation having been recommended by the Mayor.

§ 10. **Stormwater Utility Budget.** The budget designated the Stormwater Utility Budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, is hereby adopted. The sum of \$14,417,543 be and is hereby appropriated from the estimated receipts of the Stormwater Utility for the fiscal year commencing July 1, 2023, and ending June 30, 2024, for the purposes as set forth in the Stormwater Utility Budget. The sum of \$0 be and is hereby appropriated from the stormwater utility renewal fund or operating fund for renewing, rebuilding and extending the utility and for purchasing vehicles as set forth in the Stormwater Utility Budget, the said appropriation having been recommended by the Mayor.

§ 11. **Wastewater Utility Budget.** The budget designated the Wastewater Utility Budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, is hereby adopted. The sum of \$98,008,560 be and is hereby appropriated from the estimated receipts of the wastewater utility for the fiscal year commencing July 1, 2023, and ending June 30, 2024, for the purposes as set forth in the Wastewater Utility Budget. The sum of \$0 be and is hereby appropriated from the wastewater utility renewal fund or operating fund for renewing, rebuilding and extending the utility and for purchasing vehicles as set forth in the Wastewater Utility Budget, the said appropriation having been recommended by the Mayor.

§ 12. **Water Utility Budget.** The budget designated the Water Utility Budget for the fiscal year commencing July 1, 2023, and ending June 30, 2024, is hereby adopted. The sum of \$82,028,727 be and is hereby appropriated from the estimated receipts of the water utility for the fiscal year commencing July 1, 2023, and ending June 30, 2024, for the purposes as set forth in the Water Utility Budget. The sum of \$0 be and is hereby appropriated from the water utility renewal fund or operating fund for renewing, rebuilding and extending the utility and for purchasing vehicles as set forth in the Water Utility Budget, the said appropriation having been recommended by the Mayor.

II. **Fees and Rates.**

§ 1. **Cemeteries Fees.** Sections 7-6, 7-92, and 7-119 of the Code of the City of Richmond (2020) be and hereby are amended as follows:

**Sec. 7-6. Service charges for interments, disinterments, reinterments and entombments.**

(a) Services in connection with or incident to interments, disinterments and reinterments shall be provided by the Director upon payment of the charges prescribed therefor as set out in this section, which may be increased or decreased or otherwise modified at any time or from time to time by the Council, provided that the Director may provide such services without payment of such charges when the payment is guaranteed, in writing, by a licensed funeral director or monument dealer having a place of business in the City, in the City of Petersburg, or in the counties of Hanover, Henrico and Chesterfield, and when so guaranteed, the funeral director or monument dealer shall pay the charges to the City at such time not exceeding ten days after such charge is presented to the funeral director or monument dealer, unless such charges have theretofore been paid. Failure to pay service charges for interments, disinterments, reinterments and entombments when due shall be subject to the penalties and interest provided for in Code of Virginia, § 15.2-105. The service charges for the preparation of space for interments or entombments shall be as follows:

(1)	Adult grave prepa- ration:	
	a.	Weekday [\$1,255.00] <u>\$1,300.00</u>
	b.	Saturday [\$1,460.00] <u>\$1,500.00</u>
	c.	Holiday [\$1,585.00] <u>\$1,650.00</u>
(2)	Preparation of burial space for an adult grave eside service, in addition to the applicable charge in subsection (1) of this table	\$250.00

(3)	Preparation of child grave, children or baby section:	
	a.	Weekday \$550.00
	b.	Saturday \$660.00
	c.	Holiday \$770.00
(4)	Cremated remains:	
	a.	Weekday [ <del>\$600.00</del> ] <u>\$650.00</u>
	b.	Saturday [ <del>\$725.00</del> ] <u>\$775.00</u>
	c.	Holiday [ <del>\$770.00</del> ] <u>\$800.00</u>
(5)	Rate for record keeping, not otherwise covered	\$100.00



(6)	Hourly rate for labor not covered by schedule of charges	\$100.00
(7)	Charge for extra tent	\$100.00
(8)	Charge for extra chairs (six)	\$30.00

(b) The charges for disinterment and for reinterment shall be as follows:

For a person over the age of 12 years	<del>[\$1,200.00]</del> <u>\$1,300.00</u>
In all other cases	\$800.00
Reinterment, in all cases	\$800.00

(c) The charge for the admission of a funeral procession to a cemetery on any day shall be as follows:

After 3:30 p.m. and until 4:00 p.m.	\$360.00
After 4:00 p.m. and until 4:30 p.m.	\$410.00
After 4:30 p.m. and until 5:00 p.m.	\$440.00

(d) No funeral procession shall be admitted to a cemetery after 5:00 p.m.

(e) The time referred to in this section is Eastern Standard Time or Daylight Savings Time, as

appropriate.

(f) Charges for preparation of burial spaces for the interment of persons interred at the expense of the City shall be the same as those herein prescribed for the interment of others. Such charges shall be paid by the Department of Social Services.

(g) The charges for the preparation of burial space for a double-depth interment shall be in addition to the foregoing applicable charge in this section and shall be [~~\$1,200.00~~] \$1,300.00.

(h) The holidays referred to in this schedule are holidays falling on January 1 (New Year's Day), the third Monday in January (birthday of Martin Luther King, Jr.), third Monday in February [~~(Washington's birthday)~~] (President's Day), March 8 (International Women's Day), Good Friday, Easter Monday, the last Monday in May (Memorial Day [~~observance~~]), June 19 (Juneteenth), July 4 (Independence Day), the first Monday in September (Labor Day), the second Monday in October (Indigenous Peoples' Day), the first Tuesday following the first Monday in November (Election Day), November 11 (Veteran's Day), the fourth Thursday and Friday [following] in November (Thanksgiving), the time observed as Christmas Eve, and the day observed as the Christmas holiday, if other than December 25. Whenever any of such days shall fall on Sunday, the Monday next following such day shall be the holiday.

#### **Sec. 7-92. Charges for care of burial spaces and lots.**

(a) Burial rights in and to burial spaces and lots shall be granted by the Director upon payment of the charges prescribed therefor as set out in this section which may be increased or decreased or otherwise modified at any time and from time to time by the City Council, provided that the Director may provide, when requested by a licensed funeral director having a place of business in the City, in the City of Petersburg, or in the counties of Hanover, Henrico and Chesterfield, for deferred payment of burial rights in lots when the

payment of such charges is guaranteed, in writing, by the funeral director and an amount not less than one-third of the charges is paid when such charge is presented to the funeral director and the balance of such charges is paid in full within 90 days. No additional interments in a lot shall be made until such charges are paid in full.

(b) Perpetual care and limited seasonal care of burial spaces and lots shall be provided by the Director upon payment of the charges prescribed therefor as set forth in this subsection, which may be increased or decreased or otherwise modified at any time and from time to time by the City Council. The prescribed charges shall be as follows:

(1)	Perpetual care:		
	a.	For a single burial space, the burial rights in and to which were acquired prior to January 5, 1951	\$90.00

	b.	For a singl e buria l spac e, inclu ding perp etual care	<del>[\$1,075.00]</del> <u>\$1,150</u>
	c.	For each lot spac e, the buria l right s in and to whic h were acqu ired prior to Janu ary 5, 1951 , per squa re foot	\$5.25

	d.	For each squa re foot of the area cont aine d ther ein, in no case less than	\$170.00
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	e.	For lot spac e bein g offer ed for sale, inclu ding perp etual care and not fron ting a drive way or road way, per squa re foot	\$34.70
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	f.	For lot space being given offer ed for sale, including perpetual care and fronting a drive way or road way and to a depth of 20 feet, per square foot	\$36.60
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	g.	Lots or burial   spaces in historic Shoc koe Hill Cem etery , includ ing perp etual care:		
		1.	For double-depth feet from the grav Governor Cabell	\$2,600.00
		2.	For a single burial site of Chief Justic	\$1,350.00
		3.	For double-depth of the grave site o Cabell	\$7,000.00
		4.	For a single burial Chief Justice John	\$5,000.00



	h.	For a singl e buria l spac e in the child ren's secti on or crem ains secti on	<del>[\$440.00]</del> \$475.00
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	i.	For a child or baby space less than 48 inches in length (Department of Social Services) in the children's section of Oakwood, Riverview and Maurycy Cemeteries	\$400.00
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	j.	Any child requiring an adult grave will be charged for the price of an adult grave	
	k.	For a single adult burial space in the Memorial Park Section	<del>[\$900.00]</del> \$950.00
(2)	Limited seasonal care:		

	a.	For a singl e adult buria l spac e (Dep artm ent of Socia l Servi ces) in the singl e grav e secti on of Oak woo d, River view and Mau ry cem eteri es	\$850.00
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	b.	Rese rvati on fee (non refu ndab le) to hold an adjoi ning singl e grav e site for up to 90 days follo wing the date of inter ment , at whic h time the reser ved grav e site will be purc hase d or the	\$100.00
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	reser vatio n will be vacat ed	
(3)	Non- refunda ble deposit fee towards the purchas e of pre- need burial spaces and lots on an installm ent plan	\$ 5 0. 0 0

(c) Charitable, eleemosynary, fraternal, philanthropic or religious organizations that make an initial purchase of 25 or more burial spaces will pay ten percent less per burial space for that initial purchase. Further, such organizations that make subsequent purchases of ten or more burial spaces at a later time than their initial purchase of 25 or more burial spaces will pay ten percent less per burial space for that subsequent purchase.

**Sec. 7-119. Where columbaria located; fees.**

The Director shall erect and maintain at least one columbarium in each of Oakwood Cemetery, Riverview Cemetery, Maury Cemetery, Mt. Olivet Cemetery, and Shockoe Hill Cemetery. The Director may erect and maintain additional columbaria in these cemeteries as needed. In order to purchase rights to a niche in a columbarium, the purchaser shall pay the applicable fee as follows:

(1)	Oakwood, Riverview, Maury, and Mt. Olivet Cemeteries:		
	a.	Upper two levels	<del>[\$1,395.00]</del> <u>\$1,495.00</u>
	b.	Middle two levels	<del>[\$1,595.00]</del> <u>\$1,695.00</u>
	c.	Lower two levels	<del>[\$1,195.00]</del> <u>\$1,295.00</u>
	d.	Inscription	<u>\$350.00</u>
	e.	Inurnment	<u>\$500.00</u>
	f.	Inurnment - Saturdays	<u>\$625.00</u>
(2)	Shockoe Hill Cemetery:		
	a.	Upper two levels	<u>\$1,795.00</u>
	b.	Middle two levels	<u>\$1,995.00</u>
	c.	Lower two levels	<u>\$1,595.00</u>
	d.	Inscription	<u>\$350.00</u>
	e.	Inurnment	<u>\$500.00</u>
	f.	Inurnment - Saturdays	<u>\$625.00</u>

§ 2. **Employee parking fund transfers.** Section 12-10 of the Code of the City of Richmond (2020) be and is hereby amended as follows:

**Sec. 12-10. Employee parking ~~[fee]~~ fund transfers.**

[The Chief Administrative Officer may cause the assessment of a fee not to exceed \$60.00 per month to be paid by all employees of the City assigned a parking space in a City-owned parking area. The Chief Administrative Officer may establish a procedure under which such fee shall be deducted from the paychecks of the employees] City department directors and other agency heads shall have the authority to transfer funds to the Department of Public Works, or any other department assigned by ordinance as responsible for employee parking management, for the cost of an assigned parking space in a City-owned parking area or facility for an employee of the City.

§ 3. **Gas Service Fees.** Sections 28-191, 28-192, 29-193, 28-194, 28-195, 28-196, 28-198, 28-199, 28-200, 28-202, 28-203, and 28-204 of the Code of the City of Richmond (2020) be and are hereby **amended** and reordained follows:

**Sec. 28-191. Residential gas service (schedule RS).**

The following rates and charges shall apply for gas provided for residential purposes in individual residences, owner-occupied duplexes or nonprofit facilities that provide transitional housing for residential use on a regular basis by homeless persons (other than residences qualifying for “residential gas peaking service”):

**SCHEDULE RS**

(1) *Application.* This section shall apply to use of service for residential purposes in individual residences, owner-occupied duplexes or nonprofit facilities that provide transitional housing for residential use on a regular basis by homeless persons served by one meter at locations within the service area where service is available.

(2) *Monthly rate.*

a. Monthly rates for gas under schedule RS shall be as follows:

Monthly rates for gas under Schedule RS:		
1	Customer charge (readiness to serve), per month	<del>[\$14.82]</del> <u>\$15.38</u>



2	Distribution charge:	
	(i)	First 50,000 cubic feet per cubic foot ) <del>[\$0.630]</del> <u>\$0.650</u>
	(ii)	For all additional cubic Ccf <del>[\$0.630]</del> <u>\$0.650</u>
	(iii)	Purchased gas cost (per As set by Director pursuant to 191(2)

b. This charge is for the costs associated with purchased gas or any gas used as a substitute for or supplement to purchased gas and is subject to monthly adjustments per hundred cubic feet for increases or decreases for any such cost. The Director of Public Utilities shall calculate the cost of natural gas each month and prepare a pro forma forecast of total gas commodity cost recovery balance for the end of the current fiscal year. The Director of Public Utilities may increase or decrease the purchased gas cost rate during the subsequent month to recover the cost of purchased gas by the end of the fiscal year. The Director of Public Utilities shall promptly notify the Chief Administrative Officer of changes to purchase gas cost rates. In addition, adjustments applicable under the weather normalization clause shall be as set forth in Section 28-106.

(3) *Minimum charge.* The monthly minimum charge shall be ~~[\$14.82]~~ \$15.38.

(4) *Utility tax.* Bills rendered under this schedule shall be subject to any applicable utility tax.

(5) *Term of contracts.* Contracts for gas service made under this schedule shall be cancellable at any time. A customer cannot resume service within one month at the same location without paying the prescribed charges during the intervening period in accordance with this section.

(6) *Special provisions.*

a. *Equal monthly and levelized payment plans.* A customer may have the option, with the consent of the Director of Public Utilities, of paying for service taken under this schedule for a limited

period in equal monthly or levelized amounts based on the application of the rate to the estimated usage during the period. The Director of Public Utilities shall establish rules and regulations for administering these plans in accordance with Section 28-26. At the discontinuance of service, the customer shall pay or be given credit for the difference between the amount paid and the charges for the actual usages under this rate. This payment or refund shall be made under such arrangements as may be agreed upon by the customer and the Director of Public Utilities.

b. *Discontinuance of service.* A customer who uses gas in accordance with this schedule for space heating exclusively, may discontinue such use. After such use is discontinued, if the customer requests that the service be restored, a charge of \$35.00 shall be paid for restoring the service if the request is made within 12 months from the date the service is discontinued.

**Sec. 28-192. Residential gas peaking service (schedule RPS).**

The following rates and charges shall apply when the City furnishes gas for residential purposes to customers eligible for “residential gas peaking service”:

**SCHEDULE RPS**

(1) *Application.* This section shall apply to the use of service for residential purposes in individual residences at locations within the service area where service is available and the customer has an electric heat pump installed in such a manner that the gas heating equipment is used for peaking or supplementary purposes.

(2) *Monthly rate.*

a. Monthly rates under schedule RPS shall be as follows:

Monthly rates for gas under the Schedule RPS:		
1.	Customer charge (readiness to serve), per month	<del>[\$14.82]</del> <u>\$15.38</u>
2.	System charge:	
	(i)	First 50,000 cubic feet per month <del>[\$0.630]</del> <u>\$0.654</u>
	(ii)	For all additional cubic feet Ccf <del>[\$0.630]</del> <u>\$0.654</u>
3.	Gas commodity charge, per 100 cubic feet	As set by Director pursuant to Ord. 192(2)

b. This charge is for the costs associated with purchased gas or any gas used as a substitute for or supplement to purchased gas, and is subject to monthly adjustments per hundred cubic feet for increases or decreases for any such cost. The Director of Public Utilities shall calculate the cost of natural gas each month and prepare a pro forma forecast of total gas commodity cost recovery balance for the end of the current fiscal year. The Director of Public Utilities may increase or decrease the purchased gas cost rate during the subsequent month to recover the cost of purchased gas by the end

of the fiscal year. The Director of Public Utilities shall promptly notify the Chief Administrative Officer of changes to purchase gas cost rates. In addition, adjustments applicable under the weather normalization clause shall be as set forth in Section 28-106.

(3) *Minimum charge.* The minimum charge for gas under Schedule RPS shall be [~~\$14.82~~] \$15.38 per month.

(4) *Utility tax.* Bills rendered under this section shall be subject to any applicable utility tax.

(5) *Term of contracts.* Contracts for gas service made under this section shall be cancelable at any time, provided that a customer cannot resume service within one month at the same location without paying the prescribed charges during the intervening period in accordance with this section.

**Sec. 28-193. General gas service (schedule GS).**

The following rates and charges shall apply to service provided locations subject to billing at the rate for general gas service:

**SCHEDULE GS**

(1) *Application.* This section shall apply to the use of service for all purposes in other than individual residences, owner-occupied duplexes or nonprofit facilities that provide transitional housing for residential use on a regular basis by homeless persons served by one meter at locations within the service area where service is available.

(2) *Monthly rate.*

a. Monthly rates under schedule GS shall be as follows:

Monthly rates for gas under the Schedule for Small Commercial Gas Sales (GS):		
1.	Customer charge (readiness to serve), per month	<del>[\$17.50]</del> <u>\$18.16</u>
2.	Distribution charge:	
	(i)	First 50,000 cubic feet per month <del>[\$0.570]</del> <u>\$0.590</u>
	(ii)	For all additional cubic feet (Ccf) <del>[\$0.570]</del> <u>\$0.590</u>
3.	Purchased gas cost (per 100 cubic feet)	As set by Director pursuant to 193(2)

b. This charge is for the costs associated with purchased gas or any gas used as a substitute for or supplement to purchased gas and is subject to increases or decreases

for any such cost. The Director of Public Utilities shall calculate the cost of natural gas each month and prepare a pro forma forecast of total gas commodity cost recovery balance for the end of the current fiscal year. The Director of Public Utilities may increase or decrease the purchased gas cost rate during

the subsequent month to recover the cost of purchased gas by the end of the fiscal year. The Director of Public Utilities shall promptly notify the Chief Administrative Officer of changes to purchase gas cost rates. In addition, adjustments applicable under the weather normalization clause shall be as set forth in Section 28-106.

(3) *Minimum charge.* The minimum charge for gas under the Schedule for Small Commercial Gas Sales (GS) shall be [~~\$17.50~~] \$18.16 per month.

(4) *Utility tax.* Bills rendered under this schedule shall be subject to any applicable utility tax.

(5) *Term of contracts.* Contracts for gas service made under this schedule shall be cancellable at any time, provided that a customer cannot resume service within one month at the same location without paying the prescribed charges during the intervening period in accordance with this schedule.

(6) *Special provisions.*

a. *Discontinuance of service.* A customer who uses gas in accordance with this schedule for space heating exclusively, may discontinue such use. After such use is discontinued, if the customer requests that the service be restored, a charge of \$35.00 shall be paid for restoring the service if the request is made within 12 months from the date the service is discontinued.

b. *Equal monthly and levelized payment plans.* A customer may have the option, with the consent of the Director, of paying for service taken under this schedule for a limited period in equal monthly or levelized amounts based on the application of the rate to the estimated usage during the period. The Director shall establish rules and regulations for administering these plans in accordance with Section 28-26. At the discontinuance of service, the customer shall pay or be given credit for the difference between the amount paid and the charges for the actual usages under this rate. This payment or refund shall be made under such arrangement as may be agreed upon by the customer

and the Director.

**Sec. 28-194. Large volume general gas service (schedule CIS).**

The following rates and charges shall apply for gas furnished to customers qualifying for large volume general gas service:

**SCHEDULE CIS**

(1) *Application.* This section shall apply to the use of service for all purposes at locations within the service area where service is available.

(2) *Monthly rate.*

a. Monthly rates under schedule CIS shall be as follows:

Monthly rates for gas used under Schedule CIS:		
1.	Customer charge (readiness to serve) per month	<del>[\$152.18]</del> <u>\$157.89</u>
2.	Demand charge (per month), per 100 cubic feet Ccf	<del>[\$1.50]</del> <u>\$1.56</u>
3.	Distribution charge, per Ccf	<del>[\$0.337]</del> <u>\$0.35</u>
4.	Purchased gas cost (per 100 cubic feet)	As set by Director pursuant to Sec. 28-194(2)

b. This charge is for the costs associated with purchased gas or any gas used as a substitute for or supplement to purchased gas and is subject to monthly adjustments per hundred cubic feet for increases or decreases for any such cost. The Director of Public Utilities shall calculate the cost of natural gas each month and prepare a pro forma forecast of total gas commodity cost recovery balance

for the end of the current fiscal year. The Director of Public Utilities may increase or decrease the purchased gas cost rate during the subsequent month to recover the cost of purchased gas by the end of the fiscal year. The Director of Public Utilities shall promptly notify the Chief Administrative Officer of changes to purchase gas cost rates. In addition, adjustments applicable under the weather normalization clause shall be as set forth in Section 28-106.

(3) *Determination of demand.* The demand may, at the option of the Director of Public Utilities, be determined either by measurement or by estimate.

a. *By measurement.* The demand in any month shall be the highest use of gas in ccf in any period of 24 consecutive hours as measured by a demand meter.

b. *By estimate.* The demand in any month shall be taken as 1/20 of the ccf used in such month.

(4) *Billing demand.* The demand in any month shall be the higher of:

a. The demand as determined in such month by measurement or by estimate.

b. The highest billing demand in any of the preceding months of November through April. For new customers or customers transferring from another rate schedule the highest billing demand in subsection (4)b of this section may, at the option of the Director of Public Utilities, be estimated based on the proposed use of service.

(5) *Utility tax.* Bills rendered under this section shall be subject to any applicable utility tax.

(6) *Term of contracts.* Contracts for gas service made under this schedule shall be one year and may automatically be renewed from year to year unless cancelled by the customer or the Director of Public Utilities upon 30 days' written notice to that effect. Such notice must be given before the beginning of any contract year.

(7) *Special provisions.*



- a. *Restricted use.* The use of gas by customers under this schedule may be restricted by the Director of Public Utilities whenever necessary to supply customers under schedules RS and GS.

**Sec. 28-195. Transportation service (schedule TS).**

(a) *Scope.* The gas rates, terms and conditions in this section shall apply to customers provided transportation service under schedule TS.

- (b) *Applicability.* Gas service under schedule TS is applicable as follows:

(1) This rate schedule is available throughout the service territory served by the City to all gas owned by a nonresidential customer that is transported to and on the City's gas distribution system. This service is applicable only to customers that take in excess of 120,000 ccf over a consecutive 12-month period at the delivery point set forth in the service agreement for transportation between the City and the customer (referred to as the "service agreement"). The customer must deliver its gas to the receipt point approved by the City and set forth in the service agreement. Once the City has received the customer's gas at the receipt point, the City will transport the gas, minus the lost and unaccounted for adjustment determined under subsection (g)(2) of this section to the delivery point. This service is available only to those customers who execute a service agreement for the service provided in this section.

- (2) Daily balancing service is mandatory for all customers under this rate schedule.

(3) This service requires the installation and use of telemetering equipment at the delivery point. The City shall install, own, and maintain the telemetering and other equipment at the delivery point necessary to transmit the telemetering information to the City. The customer shall provide the dedicated telephone line necessary for the reliable operation of the telemetering equipment and the transmission of the telemetering information. The City will meter the customer's takes of gas at the

delivery point. The customer shall pay for the installation of electronic measurement equipment if measurement equipment is not so equipped. Payment will be required prior to initiation of transportation service.

(c) *Character of service.* The City shall be obligated to deliver gas to the delivery point up to the lesser of the customer's transportation maximum daily quantity (TMDQ) and the daily volume of gas received by the City from the customer at the receipt, point minus the lost and unaccounted for adjustment determined under subsection (g)(2) of this section.

(d) *Service agreement.* A service agreement shall be provided in accordance with the following:

(1) The customer shall execute a service agreement with the City which specifies the TMDQ, the receipt point, the delivery point, and the pressure at the delivery point. The service agreement shall be in the form as attached to this rate schedule on file in the City offices.

(2) The service agreement shall have an initial term of one year and then shall continue in effect for additional terms of one year until terminated by the customer or the City upon at least 30 days' written notice given prior to the end of the initial term or of any additional term.

(3) If a customer takes gas from the City under this rate schedule at more than one delivery point, these delivery points will be included in one service agreement and will be treated as a single delivery point for purposes of the customer charge, the distribution charge, the daily and monthly imbalances and imbalance charges, the TMDQ, and meeting the minimum take requirement to qualify for service under this rate schedule.

(e) *Transportation maximum daily quantity (TMDQ).* After consulting with a customer, the City will assign the customer a TMDQ. This TMDQ will remain in effect for the term of the service agreement unless modified by written agreement of the City and the customer.

(f) *Rates and charges for transportation service.* The customer shall pay the rates and charges each

month for gas for transportation service under schedule TS as follows:

Gas rates and charges each month for transportation service under Schedule TS. These amounts do not include the cost of gas received at the receipt point for the customer:			
(1)	Customer charge, per month		<del>[\$809.55]</del> <u>\$839.91</u>
(2)	Distribution charge:		
	a.	For the amount taken up	<del>[\$0.204]</del> <u>\$0.212</u>
	b.	For amounts taken from	<del>[\$0.106]</del> <u>\$0.110</u>
	c.	For the amount taken down	<del>[\$0.075]</del> <u>\$0.078</u>

(3)	Charge for daily imbalance in excess of ten percent, per Ccf	<del>[\$0.062]</del> <u>\$0.064</u>
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(g) *Receipt and delivery.* Receipt and delivery shall be in accordance with the following:

(1) The receipt point shall be at a pipeline City gate station as assigned by the City and as specified in the service agreement.

(2) The City shall retain a percentage of volumes delivered to the receipt point for a lost and unaccounted for adjustment, and the City shall be obligated to deliver at the delivery point only the remainder of the volumes received. As of the effective date of this rate schedule, the percentage of volumes retained shall be 2½ percent.

(h) *Load balancing.* Load balancing shall be in accordance with the following:

(1) The City shall provide the customer with daily balancing service within the parameters set forth in this subsection.

(2) The customer shall provide the City with good faith, nonbinding nominations when requested by the City.

(3) The customer's daily imbalance shall be equal to the difference between:

a. The volume of gas actually delivered on a day to the receipt point by or on behalf of the customer, minus the lost and unaccounted for adjustment determined under subsection (g)

(2) of this section (net daily receipts); and

b. The customer's actual usage as determined from daily meter readings at the delivery point (daily deliveries). A daily underdelivery shall be deemed to occur whenever net daily receipts are less than daily deliveries. A daily overdelivery shall be deemed to occur whenever net daily receipts are greater than daily deliveries.

(4) The City's charge for daily imbalances is set forth in subsection (f) of this section and shall apply to daily deliveries in excess of 110 percent of net daily receipts or the volume by which daily deliveries are below 90 percent of net daily receipts. The imbalance charge is in addition to and not in lieu of other transportation charges established by this rate schedule.

(5) Failure of the customer's transportation gas to arrive at the City gate shall result in one of two possibilities. If enough system supply is available, the customer shall purchase all gas in excess of the customer's net daily receipts at the sum of the customer's distribution charge, the balancing charge as set forth in subsection (f) of this section and the greater of either the City WACOG or 105 percent of the highest Transco Zone 6 (non-New York) price for the current month. If enough system supply is not available, the customer shall purchase all gas in excess of the customer's net daily receipts at the sum of the customer's distribution charge, the balancing charge as set forth in subsection (f) of this section, the peak shaving price and the storage capacity price.

(6) When the customer's daily deliveries exceed the actual usage at the delivery point, the City shall purchase these "overtendered" quantities at the lower of the City WACOG or 95 percent of the Transco Zone 6 (non-New York) price for the current month.

(7) If on any day the daily imbalance, as set forth in subsection (h)(3) of this section, exceeds ten percent, the customer shall pay a pro rata share of any upstream gas pipeline penalties incurred based upon the customer's daily imbalance in the same direction as the imbalance for which the

penalty was incurred.

(i) *Utility tax.* All bills rendered under this rate schedule shall be subject to any applicable utility tax.

(j) *Force majeure.* If either the City or the customer is rendered unable, either wholly or in part, to carry out its obligations under this section because of a force majeure, the obligations of the party affected by such force majeure, other than the obligation to make payments under this section, shall be suspended during the continuance of any inability so caused, but for no longer period. Such force majeure shall, insofar as possible, be remedied with all reasonable dispatch. The term “force majeure,” as used in this subsection, shall include acts of God; strikes; lockouts; wars; riots; insurrections; terrorism; epidemics; landslides; lightning; earthquakes; fires; storms; floods; washouts; interruptions by government or court orders; civil disturbances; explosions; breakage, freezing, or accident to lines of pipe or facilities; failure of interstate or intrastate pipeline transportation, but only if caused by an event constituting force majeure curtailment or discontinuation by such pipeline of transportation or other services; and any other cause, whether of the kind defined in this subsection or otherwise, not within the control of the party claiming suspension and which, by the exercise of reasonable foresight, such party is unable to avoid and, by the exercise of due diligence, such party is unable to overcome.

**Sec. 28-196. Transportation service (schedule TS2).**

(a) *Scope.* The rates, terms and conditions in this section shall apply to gas customers provided transportation service under schedule TS2.

(b) *Applicability.* Gas service under schedule TS2 is applicable as follows:

(1) Service is available throughout the service territory served by the City to all gas owned by a customer that is transported to and on the City's gas distribution system. This service is applicable only to customers that, at the delivery point set forth in the service agreement for transportation (TS2)

between the City and the customer (referred to as the “service agreement”), take in excess of 600,000 ccf per year and receive service from a six-inch or larger diameter gas main. The customer must deliver its gas to the receipt point approved by the City and set forth in the service agreement. Once the City has received the customer’s gas at the receipt point, the City shall transport the gas, minus the lost and unaccounted for adjustment determined under subsection (g)(3) of this section to the delivery point. This service is available only to those customers who execute a service agreement for the service provided in this section.

(2) Daily balancing service is mandatory for all customers under this rate schedule.

(3) This service requires the installation and use of telemetering equipment at the delivery point. The City shall install, own, and maintain the telemetering and other equipment at the delivery point necessary to transmit the telemetering information to the City. The customer shall provide the dedicated telephone line necessary for the reliable operation of the telemetering equipment and the transmission of the telemetering information. The City shall meter the customer’s takes of gas at the delivery point. The customer shall pay for the installation of electronic measurement equipment if measurement equipment is not so equipped. Payment shall be required prior to initiation of transportation service.

(c) *Character of service.* The City shall be obligated to deliver gas to the delivery point up to the lesser of the customer’s transportation maximum daily quantity (TMDQ) and the daily volume of gas received by the City from the customer at the receipt point minus the lost and unaccounted for adjustment determined under subsection (g)(3) of this section.

(d) *Service agreement.* A service agreement shall be provided in accordance with the following:

(1) The customer shall execute a service agreement with the City which specifies the TMDQ, the receipt point, the delivery point, and the pressure at the delivery point. The service agreement

shall be in the form as attached to this rate schedule on file in the City offices.

(2) The service agreement shall have an initial term of one year and then shall continue in effect for additional terms of one year until terminated by the customer or the City upon at least 30 days' written notice given prior to the end of the initial term or of any additional term.

(3) If a customer takes gas from the City under this rate schedule at more than one delivery point, these delivery points shall be included in one service agreement and shall be treated as a single delivery point for purposes of the customer charge, the distribution charge, the daily imbalances and imbalance charges, the TMDQ, and meeting the minimum take requirement to qualify for service under this rate schedule.

(e) *Transportation maximum daily quantity (TMDQ).* After consulting with a customer, the City shall assign the customer a TMDQ. This TMDQ shall remain in effect for the term of the service agreement unless modified by written agreement of the City and the customer.

(f) *Rates and charges for transportation service.* Rates and charges for transportation service shall be as follows:

Gas rates and charges for transportation service under Schedule TS2. These amounts do not include the cost of gas received at the receipt point for the customer:		
(1)	Customer charge per month	<del>[\$809.55]</del> <u>\$839.91</u>
(2)	Distribution charge, per Ccf	<del>[\$0.072]</del> <u>\$0.075</u>
(3)	Charge for daily imbalance in ex	<del>[\$0.062]</del> <u>\$0.064</u>



(g) *Receipt and delivery.* Receipt and delivery shall be in accordance with the following:

(1) The customer shall be responsible for securing delivery of customer-owned gas to the receipt point.

(2) The receipt point shall be at a pipeline City gate station as assigned by the City and as specified in the service agreement.

(3) The City shall retain a percentage of volumes delivered to the receipt point for a lost and unaccounted for adjustment, and the City shall be obligated to deliver at the delivery point only the remainder of the volumes received. As of the effective date of this rate schedule, the percentage of volumes retained shall be 2½ percent.

(h) *Load balancing.* Load balancing shall be in accordance with the following:

(1) The City shall provide the customer with daily balancing services within the parameters set forth in this section.

(2) The customer shall provide the City with good faith, nonbinding nominations when requested by the City.

(3) The customer's daily imbalance shall be equal to the difference between:

a. The volume of gas actually delivered on a day to the receipt point by or on behalf of the customer minus the lost and unaccounted for adjustment determined under subsection (g) (3) of this section ("net daily receipts"); and

b. The customer's actual usage as determined from daily meter readings at the delivery point ("daily deliveries").

A daily underdelivery shall be deemed to occur whenever net daily receipts are less than daily deliveries. A daily overdelivery shall be deemed to occur whenever net daily receipts are greater than daily deliveries.

(4) The City's charges for daily imbalances are set forth in subsection (f) of this section and shall apply to daily deliveries. The imbalance charges are in addition to and not in lieu of other transportation charges established by this rate schedule.

(5) Failure of the customer's transportation gas to arrive at the City gate will result in one of two possibilities. If enough system supply is available, the customer will purchase all gas in excess of the customer's receipts at the sum of the customer's delivery price, balancing charge as set forth in subsection (f) of this section and the greater of either the City WACOG or 105 percent of the highest Transco Zone 6 (non-New York) price for the current month. If enough system supply is not available, the customer will purchase all gas in excess of the customer's receipts at the sum of the customer's delivery price, balancing charge as set forth in subsection (f) of this section, the peak shaving price and the storage capacity price.

(6) When the customer's daily deliveries exceed the actual usage at the delivery point, the City will purchase these "overtendered" quantities at the lower of the City WACOG or 95 percent of the Transco Zone 6 (non-New York) price for the current month.

(7) If on any day the daily imbalance, as set forth in subsection (h)(3) of this section, exceeds ten percent, the customer pays a pro rata share of any interstate gas pipeline penalties incurred based upon the customer's daily imbalance in the same direction as the imbalance for which the penalty was incurred.

(i) *Utility tax.* Bills rendered under this schedule shall be subject to any applicable utility tax.

(j) *Force majeure.* If either the City or the customer is rendered unable, either wholly or in part, to carry out its obligations under this section because of a force majeure, the obligations of the party affected by such force majeure, other than the obligation to make payments under this section, shall be suspended during the continuance of any inability so caused, but for no longer period. Such force majeure shall, insofar as

possible, be remedied with all reasonable dispatch. The term “force majeure,” as used in this subsection, shall include: acts of God; strikes; lockouts; wars; riots; insurrections; terrorism; epidemics; landslides; lightning; earthquakes; fires; storms; floods; washouts; interruptions by government or court orders; civil disturbances; explosions; breakage, freezing, or accident to lines of pipe or facilities; failure of interstate or intrastate pipeline transportation, but only if caused by an event constituting force majeure curtailment or discontinuation by such pipeline of transportation or other services; and any other cause, whether of the kind defined in this subsection or otherwise, not within the control of the party claiming suspension and which, by the exercise of reasonable foresight, such party is unable to avoid and, by the exercise of due diligence, such party is unable to overcome.

**Sec. 28-198. Municipal gas service (schedule MGS).**

The following rate and charges shall apply for gas provided to buildings, structures or facilities used by the City and for which the City purchases gas:

SCHEDULE MGS

(1) *Application.* This section shall apply to use of service for all purposes in buildings, structures or facilities used by the City where service is available.

(2) *Monthly rate.* Monthly system charge shall be [~~\$0.529~~] \$0.549 per 100 cubic feet (Ccf).

(3) *Gas commodity charge.* Gas commodity charge per 100 cubic feet shall be as determined by the Director pursuant to this subsection. This charge is for the costs associated with purchased gas or any gas used as a substitute for or supplement to purchased gas and is subject to monthly adjustments per hundred cubic feet for increases or decreases for any such cost. The Director of Public Utilities shall calculate the cost of natural gas each month and prepare a pro forma forecast of total gas commodity cost recovery balance for the end of the current fiscal year. The Director of Public Utilities may increase or decrease the purchased gas cost

rate during the subsequent month to recover the cost of purchased gas by the end of the fiscal year. The Director of Public Utilities shall promptly notify the Chief Administrative Officer of changes to purchase gas cost rates. In addition, adjustments applicable under the weather normalization clause shall be as set forth in Section 28-106.

**Sec. 28-199. Flexibly priced interruptible gas service (schedule FS).**

(a) *Scope.* The rates, terms and conditions in this section shall apply to customers provided flexibly priced interruptible gas sales service under schedule FS.

(b) *Applicability.* Gas service shall be supplied for any user having gas facilities with a consuming capacity of 3,000,000 Btu per hour or more at locations within the service area where facilities are available to supply the amount of gas requested by the customer, subject to the following conditions:

(1) The customer has installed and in regular use equipment, which shall be described in the contract, having a gas consuming capacity of not less than 3,000,000 Btu per hour and agrees to use the gas supplied under this section only in the operation of such equipment.

(2) Gas delivered under this section shall be separately metered and shall not be used interchangeably with gas supplied under any other schedule.

(3) The maximum daily quantity of gas to be delivered under this section, expressed in cubic feet, shall be specified in the contract and may be increased only by the execution of a new contract.

(4) The customer has standby equipment installed and maintained in operating condition and a fuel supply adequate for its operations when gas service is interrupted.

(5) This service requires the installation and use of telemetering equipment at the delivery point. The City shall install, own and maintain the telemetering and other equipment necessary to transmit the telemetering information to the City. The customer shall provide a telephone line necessary for the reliable operation of the telemetering equipment and the

transmission of the telemetering information. Customers who do not provide the City a phone line will be charged a monthly surcharge for alternative communications equipment. This equipment will be owned and maintained by the City. A day shall be a period of 24 consecutive hours, beginning as near as practical at 8:00 a.m. or as otherwise agreed upon by the customer and the Director.

(c) *Monthly commodity rate.* The Director shall establish by regulation procedures for setting a flexibly based monthly commodity charge for interruptible sales service for each category of alternative fuel, including, but not limited to, no. 2 oil, no. 4 oil, no. 6 oil and propane. In establishing such procedures and in setting the commodity charge, the Director shall consider the cost of the alternative fuel, the cost of gas necessary to supply customers under this schedule and the competitive advantages and disadvantages of gas. The Director may adjust the commodity charge monthly and shall keep available for public inspection the currently effective commodity charge in each alternative fuel category. The commodity charge shall be subject to the following price floor and ceiling. The commodity charge shall not be less than the cost of gas purchased by the Department for sale to customers receiving this service, plus the amount of \$0.01 per Ccf. The commodity charge shall be no higher than the sum of:

- (1) The average distribution charge for the quantities consumed under rate schedule CIS fixed rate, nontemporary purchase;
  - (2) The average cost per ccf of the CIS demand charge calculated at a 100 percent load factor; plus
  - (3) The purchased gas charge. In no case shall the commodity charge be less than the cost of gas plus the amount set forth in subsection (c) of this section.
- (d) *Minimum monthly charge.* The minimum monthly charge for gas under schedule FS shall be as

follows:

- (1) For customers having facilities with a consuming capacity of 3,000,000 Btu per hour or more, and not having installed no. 6 oil alternate fuel capability, each monthly bill for gas shall not be less than ~~[\$508.86]~~ \$527.94, except in months when the City delivers less than 500 ccf as provided in this subsection. When less than 500 ccf of gas is delivered in any month by reason of interruption or curtailment of service by the City, the monthly bill shall be computed on the basis of actual gas delivered at the monthly rate as set forth in this subsection. The term “month,” as used in this subsection, shall be deemed to mean the period between any two consecutive readings of meters by the City, such readings to be made as near as practicable every 30 days.
- (2) For customers having gas facilities with a consuming capacity of 3,000,000 Btu per hour and having installed no. 6 oil alternate fuel capability, each monthly bill shall be not less than ~~[\$1,102.93]~~ \$1,144.29, except in months when the City delivers less than 1,500 ccf as provided in this subsection. When less than 1,500 ccf of gas is delivered in any month by reason of interruption or curtailment of service by the City, the monthly bill shall be computed on the basis of actual gas delivered at the monthly commodity rate per ccf as set forth in this subsection. The term “month,” as used in this subsection, shall be deemed to mean the period between any two consecutive readings of meters by the City, such readings to be made as near as practicable every 30 days.
  - (e) *Utility tax.* Bills rendered under this schedule shall be subject to any applicable utility tax.
  - (f) *Term of contracts.* Contracts for gas service made under this schedule shall be for one year and may automatically be renewed from year to year unless cancelled by the customer or the Director upon 30 days’ written notice to that effect given before the beginning of any contract year.
  - (g) *Special provisions.* Special provisions for discontinuance of use and unauthorized use of gas shall

be as follows:

(1) *Discontinuance of use at request of Director.* A customer may use gas at any time, provided that the customer shall curtail or discontinue the use of service when requested by the Director, in the Director's sole discretion, on 30 minutes' notice.

(2) *Unauthorized use of gas.* All gas taken by a customer on any day during a period of interruption without the express permission of the Director and all gas taken by a customer on any day during a curtailment period in excess of the volume of gas authorized by the Director shall be paid for by the customer at the rate of [~~\$2.94~~] \$3.05 per Ccf, in addition to all other charges payable under this rate schedule. The Director may waive any such additional charges for unauthorized use of gas if the City's cost of gas is not affected by such unauthorized use by the customer.

#### **Sec. 28-200. Unmetered gaslight service (schedule GL).**

The following rates and charges shall apply for providing gas for ornamental gas lights having a manufacturer's rated gas consuming capacity of 1,400 cubic feet per month or less:

##### **SCHEDULE GL**

(1) *Application.* Unmetered gas service under this schedule may be furnished to all customers within the service area who have installed ornamental gas lights having a manufacturer's rated gas consuming capacity of 1,400 cubic feet per month or less when the Director determines that such service is available at places where such lights are installed.

(2) *Monthly rate.* Monthly system charge shall be [~~\$0.506~~] \$0.525 per 100 cubic feet (Ccf).

(3) *Gas commodity charge.* Gas commodity charge per 100 cubic feet (Ccf) shall be as determined by the Director pursuant to this subsection. This charge is for the costs associated with purchased gas or any gas used as a substitute for or supplement to purchased gas and is subject to monthly adjustments per hundred cubic feet for increases or decreases for any such cost. The Director of Public Utilities shall calculate the cost of

natural gas each month and prepare a pro forma forecast of total gas commodity cost recovery balance for the end of the current fiscal year. The Director of Public Utilities may increase or decrease the purchased gas cost rate during the subsequent month to recover the cost of purchased gas by the end of the fiscal year. The Director of Public Utilities shall promptly notify the Chief Administrative Officer of changes to purchase gas cost rates. In addition, adjustments applicable under the weather normalization clause shall be as set forth in Section 28-106.

(4) *Minimum charge.* The minimum charge shall be [~~\$15.44~~] \$16.02 per month for each gaslight.

(5) *Utility tax.* Bills rendered under this schedule shall be subject to any applicable utility tax.

(6) *Term of contracts.* Contracts for gas service made under this schedule shall be cancellable at any time.

**Sec. 28-202. Large volume gas sales service (schedule LVS).**

(a) *Scope.* The rates, terms, and conditions in this section shall apply to customers provided firm, nonresidential large volume gas sales service under schedule LVS.

(b) *Applicability.* Service is available throughout the service territory served by the City to all firm, nonresidential gas sales customers that take in excess of 120,000 ccf of gas over a consecutive 12-month period. This service requires the installation and use of telemetering equipment at the delivery point. The City shall install, own and maintain the telemetering and other equipment necessary to transmit the telemetering information to the City. The customer shall provide a telephone line necessary for the reliable operation of the telemetering equipment and the transmission of the telemetering information. Customers who do not provide the City a phone line will be charged a monthly surcharge for alternative communications equipment. This equipment will be owned and maintained by the City.



(c) *Monthly rates and charges.* The customer shall pay the rates and charges for gas under the schedule for large volume gas sales service (LVS), per month, as follows:

Monthly rates and charges for large volume gas sales service under Schedule LVS:			
(1)	Customer charge, per month		<del>[\$736.51]</del> <u>\$764.13</u>
(2)	Demand charge, per Ccf of billing demand		<del>[\$1.50]</del> <u>\$1.56</u>
(3)	Distribution charge:		
	a.	For the amount taken	<del>[\$0.204]</del> <u>\$0.212</u>
	b.	For amounts taken from	<del>[\$0.106]</del> <u>\$0.110</u>
	c.	For the amount taken from	<del>[\$0.075]</del> <u>\$0.078</u>

(4)	Purchased gas cost, for large volume of gas sales service under Schedule LVS, determined per month. Purchase gas cost charge (weighted average commodity cost of gas (WACCOG)) includes all commodity charges, surcharges, tracking adjustments, and other non-fixed charges of pipelines and gas supplies incurred by the City. The charge also includes gas bought by the City at a fixed cost to serve a customer or group of customers approved by the Director. Any agreement to fix such costs shall be specified in the service agreement (addendum)
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(d) *Determination of demand.* The demand may, at the option of the Director, be determined either by measurement, by estimate or by agreement in accordance with the following:

(1) *By measurement.* The demand in any month shall be the highest use of gas in ccf in any period of 24 consecutive hours as measured by the demand meter.

(2) *By estimate.* The demand in any month shall be taken as 1/20 of the ccfs used in such month.

(3) *By agreement.* At a level to recover the upstream demand charges used to serve the customer. Such level shall be specified in the service agreement. Customer usage above this firm daily demand level shall be regarded as interruptible and will be subject to the terms in Section 28-199(g), which pertains to flexibly priced interruptible gas sales service.

(e) *Billing demand.* The billing demand in any month shall be the higher of:

(1) The demand as determined in such month under subsection (d) of this section; or

(2) The highest billing demand in any of the preceding months of November through April; provided, however, that for new customers or customers transferring from another rate schedule, the highest billing demand may, at the Director's option, be estimated based on the proposed use of the service under this rate schedule.

(f) *Utility tax.* All bills rendered under this rate schedule shall be subject to any applicable utility tax.

(g) *Service agreement.* If a customer takes gas from the City under this rate schedule at more than one

delivery point and if all such delivery points are located at one plant or facility or are located at physically contiguous plants or facilities, these delivery points will be included in one service agreement and will be treated as a single delivery point for purposes of the customer charge, the distribution charge, and meeting the minimum take requirement to qualify for service under this rate schedule. In all other instances, each delivery point will require a separate service agreement and will be treated as a separate customer for all purposes.

(h) *Force majeure*. If either the City or the customer is rendered unable, either wholly or in part, to carry out its obligations under this section because of a force majeure, the obligations of the party affected by such force majeure, other than the obligation to make payments under this section, shall be suspended during the continuance of any inability so caused, but for no longer period. Such force majeure shall, insofar as possible, be remedied with all reasonable dispatch. The term “force majeure,” as used in this subsection, shall include acts of God; strikes; lockouts; wars; riots; insurrections; epidemics; landslides; lightning; earthquakes; fires; storms; floods; washouts; interruptions by government or court orders; civil disturbances; explosions; breakage, freezing, or accident to lines of pipe or facilities; failure of interstate or intrastate pipeline transportation, but only if caused by an event constituting force majeure curtailment or discontinuation by such pipeline of transportation or other services; and any other cause, whether of the kind defined in this subsection or otherwise, not within the control of the party claiming suspension and which, by the exercise of reasonable foresight, such party is unable to avoid and, by the exercise of due diligence, such party is unable to overcome.

**Sec. 28-203. Large volume, high load factor, gas sales services (schedule LVS-2).**

(a) *Scope*. The rates, terms and conditions in this section shall apply to customers who are provided large volume, high load factor firm, and gas sales services under schedule LVS-2.

(b) *Availability.* Service is available throughout the service territory served by the City to all gas sales nonresidential customers that take in excess of 600,000 ccf per year of gas.

(c) *Monthly rates and charges.* The customer shall pay the rates and charges for gas under the schedule for large volume, high factor, gas sales services (LVS-2), per month, as follows:

Monthly rates and charges for large volume, high load factor, gas sales services under Schedule LVS-2:		
(1)	Customer charge, per month	<del>[\$736.51]</del> <u>\$764.13</u>
(2)	Demand charge, if applicable, per month	<del>[\$1.50]</del> <u>\$1.56</u>
(3)	Distribution charge, all gas, per ccf	<del>[\$0.072]</del> <u>\$0.075</u>
(4)	Purchased gas cost, for high load factor gas sales service under average commodity cost of gas (WACCOG)), includes all commodity charges of pipelines and gas supplies incurred by the City. The cost shall be determined by the City or a customer or group of customers approved by the Director. Any agreement (addendum)	

(d) *Determination of demand.* The demand may, at the option of the Director, be determined by measurement, by estimate or by agreement with the Director in accordance with the following:

(1) *By measurement.* The demand in any month shall be the highest use of gas in ccf in any period of 24 consecutive hours as measured by the demand meter.

(2) *By estimate.* The demand in any month shall be taken as 1/20 or 1/30 of the ccfs used in such month.

(3) *By agreement.* At a level to recover the upstream demand charges used to serve the

customer. Such level shall be specified in the service agreement. Customer usage above this firm daily demand level shall be regarded as interruptible and will be subject to the terms in Section 28-199(g), which pertains to flexibly priced interruptible gas sales service.

(e) *Billing demand.* The billing demand in any month shall be the higher of:

(1) The demand as determined in such month under subsection (d) of this section; or

(2) The highest billing demand in any of the preceding months of November through April; provided, however, that for new customers or customers transferring from another rate schedule, the highest billing demand may, at the option of the Director, be estimated based on the proposed use of service under this rate schedule.

(f) *Utility tax.* All bills rendered under this schedule shall be subject to any applicable utility tax.

(g) *Service agreement.* The customer shall execute a service agreement with the City in the form attached to this rate schedule on file in City offices and in accordance with the following:

(1) Service agreements for gas service made under this schedule shall be one year and may automatically be renewed from year to year unless canceled by the customer or the Director upon 30 days' written notice to that effect. Such notice must be given before the beginning of any contract year.

(2) If a customer takes gas from the City under this rate schedule at more than one delivery point and if all such delivery points are located at one plant or facility or are located at physically contiguous plants or facilities, these delivery points will be included in one service agreement and will be treated as a single delivery point for purposes of the customer charge, the distribution charge, and meeting the minimum take requirement to qualify for service under this rate schedule. In all other instances, each delivery point will require a separate service agreement and will be treated as a separate customer for all purposes.

(3) This service requires the installation and use of telemetering equipment at the delivery

point. The City shall install, own and maintain the telemetering and other equipment necessary to transmit the telemetering information to the City. The customer shall provide a telephone line necessary for the reliable operation of the telemetering equipment and the transmission of the telemetering information. Customers who do not provide the City a phone line will be charged a monthly surcharge for alternative communications equipment. This equipment will be owned and maintained by the City.

(h) *Force majeure*. If either the City or the customer is rendered unable, either wholly or in part, to carry out its obligations under this section because of a force majeure, the obligations of the party affected by such force majeure, other than the obligation to make payments under this section, shall be suspended during the continuance of any inability so caused, but for no longer period. Such force majeure shall, insofar as possible, be remedied with all reasonable dispatch. The term “force majeure,” as used in this subsection, shall include acts of God; strikes; lockouts; wars; riots; insurrections; epidemics; landslides; lightning; earthquakes; fires; storms; floods; washouts; interruptions by government or court orders; civil disturbances; explosions; breakage, freezing, or accident to lines of pipe or facilities; failure of interstate or intrastate pipeline transportation, but only if caused by an event constituting force majeure curtailment or discontinuation of such pipeline of transportation or other services; and any other cause, whether of the kind defined in this subsection or otherwise, not within the control of the party claiming suspension and which, by the exercise of reasonable foresight, such party is unable to avoid and, by the exercise of due diligence, such party is unable to overcome.

**Sec. 28-204. Natural gas vehicle gas service.**

(a) *Application*. This section shall apply to use of service for all natural gas vehicle refueling facilities where service is available. Such service shall be separately metered.

(b) *Monthly rate.* The monthly system charge is [~~\$0.200~~] \$0.208 per 100 cubic feet Ccf.

(c) *Gas commodity charge.* Gas commodity charge per 100 cubic feet Ccf is as determined by the Director pursuant to this subsection, plus \$0.35 for the 100 percent load factor demand charge as shown in Section 28-202 for large volume gas service. This charge is for the costs associated with purchased gas or any gas used as a substitute for or supplement to purchased gas and is subject to monthly adjustments per hundred cubic feet for increases or decreases for any such cost. The Director of Public Utilities shall calculate the cost of natural gas each month and prepare a pro forma forecast of total gas commodity cost recovery balance for the end of the current fiscal year. The Director of Public Utilities may increase or decrease the purchased gas cost rate during the subsequent month to recover the cost of purchased gas by the end of the fiscal year. The Director of Public Utilities shall promptly notify the Chief Administrative Officer of changes to purchase gas cost rates. In addition, adjustments applicable under the weather normalization clause shall be as set forth in Section 28-106.

§ 4. **Water Fees.** Sections 28-326, 28-327, 28-328, 28-329, 28-330, 28-458, and 28-549 of the Code of the City of Richmond (2020) be and are hereby amended as follows:

**Sec. 28-326. Residential water service.**

(a) *Application.* This section shall apply to the use of service for residential purposes in individual residences, owner-occupied duplexes or nonprofit facilities that provide transitional housing for residential use on a regular basis by homeless persons where service is available.

(b) *Minimum charge for water.* The monthly minimum charge is the service charge.

(c) <i>Service charges (readiness to serve).</i> Monthly water service charges shall be as set forth in this subsection. Each residential water service customer shall pay the service charge determined by meter size, unless the customer is eligible to receive a discount to the service charge for installing fire suppression equipment. The service charges set forth in this subsection shall be paid in addition to the charges for the quantity of water which passes through the meters. The Director shall, pursuant to Section 28-26, issue rules and regulations to establish the parameters for such a discount. <i>Meter Size (inches)</i>	
$\frac{5}{8}$	[ <del>\$16.06</del> ] <u>\$16.70</u>
$\frac{3}{4}$	[ <del>\$22.82</del> ] <u>\$23.73</u>
1	[ <del>\$36.32</del> ] <u>\$37.77</u>
1½	[ <del>\$70.04</del> ] <u>\$72.84</u>
2	[ <del>\$110.52</del> ] <u>\$114.94</u>
3	[ <del>\$218.47</del> ] <u>\$227.21</u>
4	[ <del>\$339.90</del> ] <u>\$353.50</u>
6	[ <del>\$677.24</del> ] <u>\$704.33</u>
8	[ <del>\$1,082.05</del> ] <u>\$1,125.33</u>
10	[ <del>\$1,554.32</del> ] <u>\$1,616.49</u>

(d) *Volume charge.* Monthly charges for the quantity of water which passes through the meters shall be as follows:

<i>Quantity (ccf):</i>	<i>Charge Per 100 Cubic Feet (ccf)</i>
Single-Family Residential Tier 1 0-4	[ <del>\$2.85</del> ] <u>\$2.96</u>
Single-Family Residential Tier 2 more than 4	[ <del>\$5.63</del> ] <u>\$5.86</u>
Multifamily Residential	[ <del>\$4.75</del> ] <u>\$4.94</u>

(e) *Term of contracts.* Contracts for water service for customers within the corporate City limits under this schedule shall be cancelable at any time, provided that such a consumer cannot resume service within one month at the same location without paying the prescribed service charges and charges for water supplied during the intervening period in accordance with this schedule. Contracts for water service for customers not within the



corporate City limits shall be cancelable as discussed hereinafter in this chapter.

(f) *Special provisions (cost of water adjustment).*

(1) *Cost adjustment clause.* The charge specified in the monthly volume charge may be subject to an adjustment per 100 ccf for increases or decreases in the costs associated with the cost of electric energy, water treatment chemicals and purchased water.

(2) *Residential water service charges for meters having a capacity greater than five-eighths inch; special provision.* The monthly service charge for each residential water customer, with service established on or before the adoption of the ordinance from which this subsection is derived and having a water meter capacity greater than five-eighths inch, shall be equal to the monthly service charge for a five-eighths inch meter size as set forth in this section. The monthly service charge for each residential water customer, with service established after the adoption of the ordinance from which this subsection is derived and having a water meter capacity greater than five-eighths inch, shall be based upon the meter capacity as set forth in this section.

#### **Sec. 28-327. Commercial water service.**

(a) *Application.* This schedule shall apply to the use of water service for places of business, such as hotels, restaurants, office buildings, commercial businesses or other places of commerce and for multifamily residences at locations where service is available; provided, however, that this schedule shall not apply to contracts heretofore or hereafter entered into between the City and a county.

(b) *Minimum charge for water.* The monthly minimum charge is the service charge shown below, determined by meter size.

(c) *Service charges (readiness to serve).* Monthly water service charges shall be paid by consumers based upon the sizes of meters. The service charges as set forth below shall be paid in addition to the charges for the quantity of water which passes through the meters. When a consumer is supplied with water through

more than one meter, the service charges shall be as set forth below for each meter.

Meter Size (inches)	
$\frac{5}{8}$	<del>[\$16.06]</del> <u>\$16.70</u>
$\frac{3}{4}$	<del>[\$22.82]</del> <u>\$23.73</u>
1	<del>[\$36.32]</del> <u>\$37.77</u>
1½	<del>[\$70.04]</del> <u>\$72.84</u>
2	<del>[\$110.52]</del> <u>\$114.94</u>
3	<del>[\$218.47]</del> <u>\$227.21</u>
4	<del>[\$339.90]</del> <u>\$353.50</u>
6	<del>[\$677.24]</del> <u>\$704.33</u>
8	<del>[\$1,082.05]</del> <u>\$1,125.33</u>
10	<del>[\$1,554.32]</del> <u>\$1,616.49</u>
12	<del>[\$3,565.80]</del> <u>\$3,708.43</u>

(d) *Volume charge.* Monthly rates for the quantity of water shall be as follows

Monthly water volume charges for commercial class, per 100 cubic feet (ccf) of the quantity of water that passes through the meters:Quantity (ccf):	
1-100	<del>[\$4.75]</del> <u>\$4.94</u>
101-2,000	<del>[\$4.75]</del> <u>\$4.94</u>
Over 2,000	<del>[\$4.75]</del> <u>\$4.94</u>

(e) *Metered fire protection (firelines).* When water is supplied for fire protection which is metered, through pipes used or which are available for use exclusively for that purpose, the service charges shall be based on the meter size, as follows:

Meter Size (inches)	
$\frac{5}{8}$	<del>[\$8.32]</del> <u>\$8.65</u>
$\frac{3}{4}$	<del>[\$8.32]</del> <u>\$8.65</u>
1	<del>[\$8.32]</del> <u>\$8.65</u>
1½	<del>[\$8.32]</del> <u>\$8.65</u>
2	<del>[\$13.28]</del> <u>\$13.81</u>
3	<del>[\$26.58]</del> <u>\$27.64</u>
4	<del>[\$41.51]</del> <u>\$43.17</u>
6	<del>[\$83.02]</del> <u>\$86.34</u>
8	<del>[\$132.83]</del> <u>\$138.14</u>
10	<del>[\$190.93]</del> <u>\$198.57</u>

12	<del>[\$358.63]</del> <u>\$372.98</u>
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(f) *Term of contracts.* Contracts for water service for customers within the corporate City limits shall be cancelable at any time, provided that a consumer cannot resume service within one month at the same location without paying the prescribed service charges and charges for water supplied during the intervening period in accordance with this schedule. Contracts for water service not within the corporate City limits shall be cancelable as discussed hereinafter in this chapter.

(g) *Special provisions (cost of water adjustment).* The charge specified in the monthly volume charge may be subject to an adjustment per 100 ccf for increases or decreases in the costs associated with the cost of electric energy, water treatment chemicals and purchased water.

#### **Sec. 28-328. Industrial water service.**

(a) *Application.* This section shall apply to the use of water service for places that are primarily manufacturers or processors of materials; provided, however, that this schedule shall not apply to contracts heretofore or hereafter entered into between the City and a county.

(b) *Minimum charge for water.* The monthly minimum charge is the service charge shown below, determined by meter size.

(c) *Service charges (readiness to serve).* Monthly service charges shall be based on the size of the meter and shall be paid by consumers as provided below. The service charges shall be paid in addition to the charges for the quantity of water which passes through the meters. When a consumer is supplied with water through more than one meter, the service charges shall be as set forth below for each meter.

Meter size (inches):

$\frac{5}{8}$	<del>[\$16.06]</del> <u>\$16.70</u>
$\frac{3}{4}$	<del>[\$22.82]</del> <u>\$23.73</u>
1	<del>[\$36.32]</del> <u>\$37.77</u>
1½	<del>[\$70.04]</del> <u>\$72.84</u>
2	<del>[\$110.52]</del> <u>\$114.94</u>
3	<del>[\$218.47]</del> <u>\$227.21</u>

4	<del>[\$339.90]</del> <u>\$353.50</u>
6	<del>[\$677.24]</del> <u>\$704.33</u>
8	<del>[\$1,082.05]</del> <u>\$1,125.33</u>
10	{ <del>[\$1,554.32]</del> <u>\$1,616.49</u>
12	<del>[\$3,565.80]</del> <u>\$3,708.43</u>

(d) *Volume charge*. Monthly rates for the quantity of water shall be as follows:

Monthly water volume charges for industrial class, per 100 cubic feet (ccf) of the quantity of water that passes through the meters: Quantity (ccf):	
1-100	<del>[\$4.75]</del> <u>\$4.94</u>
101-2,000	<del>[\$4.75]</del> <u>\$4.94</u>
Over 2,000	<del>[\$4.75]</del> <u>\$4.94</u>

(e) *Metered fire protection (firelines)*. When water is supplied for fire protection which is metered, through pipes used or which are available for use exclusively for that purpose, the service charges shall be as follows:

Meter Size (inches)	
$\frac{5}{8}$	<del>[\$8.32]</del> <u>\$8.65</u>
$\frac{3}{4}$	<del>[\$8.32]</del> <u>\$8.65</u>
1	<del>[\$8.32]</del> <u>\$8.65</u>
1½	<del>[\$8.32]</del> <u>\$8.65</u>
2	<del>[\$13.28]</del> <u>\$13.81</u>
3	<del>[\$26.58]</del> <u>\$27.64</u>
4	<del>[\$41.51]</del> <u>\$43.17</u>
6	<del>[\$83.02]</del> <u>\$86.34</u>
8	<del>[\$132.83]</del> <u>\$138.14</u>
10	<del>[\$190.93]</del> <u>\$198.57</u>
12	<del>[\$358.63]</del> <u>\$372.98</u>

(f) *Term of contracts*. Contracts for water service within the corporate City limits under this schedule shall be cancelable at any time, provided that a consumer cannot resume service within one month at the same location without paying the prescribed service charges and charges for water supplied during the intervening period in accordance with this schedule. Contracts for water service without the corporate City

limits shall be cancelable as discussed hereinafter in this chapter.

(g) *Special provisions (cost of water adjustment)*. The charge specified in the monthly volume charge may be subject to an adjustment per 100 ccf for increases or decreases in the costs associated with the cost of electric energy, water treatment chemicals and purchased water.

#### **Sec. 28-329. Municipal water service.**

(a) *Application*. This section shall apply to the use of water service for governments that are not Federal or State agencies or departments or authorities; provided, however, that this schedule shall not apply to contracts heretofore or hereinafter entered into between the City and a county.

(b) *Minimum charge for water*. The monthly minimum charge is the service charge shown below, determined by meter size.

(c) *Service charges (readiness to serve)*. Monthly service charges shall be based on the size of the meter and shall be paid by consumers as provided below. The service charges shall be paid in addition to the charges for the quantity of water which passes through the meters. When a consumer is supplied with water through more than one meter, the service charges shall be as set forth below for each meter.

<i>Meter Size (inches)</i>	
$\frac{5}{8}$	<del>[\$16.06]</del> <u>\$16.70</u>
$\frac{3}{4}$	<del>[\$22.82]</del> <u>\$23.73</u>
1	<del>[\$36.32]</del> <u>\$37.77</u>
1½	<del>[\$70.04]</del> <u>\$72.84</u>
2	<del>[\$110.52]</del> <u>\$114.94</u>
3	<del>[\$218.47]</del> <u>\$227.21</u>
4	<del>[\$339.90]</del> <u>\$353.50</u>
6	<del>[\$677.24]</del> <u>\$704.33</u>
8	<del>[\$1,082.05]</del> <u>\$1,125.33</u>
10	<del>[\$1,554.32]</del> <u>\$1,616.49</u>
12	<del>[\$3,565.80]</del> <u>\$3,708.43</u>

(d) *Volume charge*. Monthly rates for the quantity of water shall be as follows:

Monthly water volume charges for Municipal class, per 100 cubic feet (ccf) of the quantity of water that passes through the meters:	
Quantity (ccf):	
1-100	<del>[\$4.75]</del> <u>\$4.94</u>
101-2,000	<del>[\$4.75]</del> <u>\$4.94</u>
Over 2,000	<del>[\$4.75]</del> <u>\$4.94</u>

(e) *Metered fire protection (firelines)*. When water is supplied for fire protection which is metered, through pipes used or which are available for use exclusively for that purpose, the service charges shall be as follows:

Meter Size (inches)	
$\frac{5}{8}$	<del>[\$8.32]</del> <u>\$8.65</u>
$\frac{3}{4}$	<del>[\$8.32]</del> <u>\$8.65</u>
1	<del>[\$8.32]</del> <u>\$8.65</u>
1½	<del>[\$8.32]</del> <u>\$8.65</u>
2	<del>[\$13.28]</del> <u>\$13.81</u>
3	<del>[\$26.58]</del> <u>\$27.64</u>
4	<del>[\$41.51]</del> <u>\$43.17</u>
6	<del>[\$83.02]</del> <u>\$86.34</u>
8	<del>[\$132.83]</del> <u>\$138.14</u>
10	<del>[\$190.93]</del> <u>\$198.57</u>
12	<del>[\$358.63]</del> <u>\$372.98</u>

(f) *Term of contracts*. Contracts for water service within the corporate City limits under this schedule shall be cancelable at any time, provided that a consumer cannot resume service within one month at the same location without paying the prescribed service charges and charges for water supplied during the intervening period in accordance with this schedule. Contracts for water service without the corporate City limits under this schedule shall be cancelable as provided hereinafter in this chapter.

(g) *Special provisions (cost of water adjustment)*. The charge specified in the monthly volume charge

may be subject to an adjustment per 100 ccf for increases or decreases in the costs associated with the cost of electric energy, water treatment chemicals and purchased water.

### Sec. 28-330. State and Federal service.

(a) *Application.* This section shall apply to the use of water for State or Federal agencies and departments or authorities; provided, however, that this schedule shall not apply to contracts heretofore or hereafter entered into between the City and a county.

(b) *Minimum charge for water.* The monthly minimum charge is the service charge shown below, determined by meter size.

(c) *Service charges (readiness to serve).* Monthly service charges shall be based on the size of the meter and shall be paid by consumers as provided below. The service charges shall be paid in addition to the charges for the quantity of water which passes through the meters. When a consumer is supplied with water through more than one meter, the service charges shall be as set forth below for each meter.

Meter Size (inches)	
$\frac{5}{8}$	[ <del>\$16.06</del> ] <u>\$16.70</u>
$\frac{3}{4}$	[ <del>\$22.82</del> ] <u>\$23.73</u>
1	[ <del>\$36.32</del> ] <u>\$37.77</u>
1½	[ <del>\$70.04</del> ] <u>\$72.84</u>
2	[ <del>\$110.52</del> ] <u>\$114.94</u>
3	[ <del>\$218.47</del> ] <u>\$227.21</u>
4	[ <del>\$339.90</del> ] <u>\$353.50</u>
6	[ <del>\$677.24</del> ] <u>\$704.33</u>
8	[ <del>\$1,082.05</del> ] <u>\$1,125.33</u>
10	[ <del>\$1,554.32</del> ] <u>\$1,616.49</u>
12	[ <del>\$3,565.80</del> ] <u>\$3,708.43</u>

(d) *Volume charge.* Monthly rates for the quantity of water shall be as follows:

Monthly water volume charges for State and Federal class, per 100 cubic feet (ccf) of the quantity of water that passes through the meters:	
Quantity (ccf):	

1-100	<del>[\$4.75]</del> <u>\$4.94</u>
101-2,000	<del>[\$4.75]</del> <u>\$4.94</u>
Over 2,000	<del>[\$4.75]</del> <u>\$4.94</u>

(e) *Metered fire protection (firelines).* When water is supplied for fire protection which is metered, through pipes used or which are available for use exclusively for that purpose, the service charges shall be as follows:

<i>Meter Size (inches)</i>	
$\frac{5}{8}$	<del>[\$8.32]</del> <u>\$8.65</u>
$\frac{3}{4}$	<del>[\$8.32]</del> <u>\$8.65</u>
1	<del>[\$8.32]</del> <u>\$8.65</u>
1½	<del>[\$8.32]</del> <u>\$8.65</u>
2	<del>[\$13.28]</del> <u>\$13.81</u>
3	<del>[\$26.58]</del> <u>\$27.64</u>
4	<del>[\$41.51]</del> <u>\$43.17</u>
6	<del>[\$83.02]</del> <u>\$86.34</u>
8	<del>[\$132.83]</del> <u>\$138.14</u>
10	<del>[\$190.93]</del> <u>\$198.57</u>
12	<del>[\$358.63]</del> <u>\$372.98</u>

(f) *Term of contracts.* Contracts for water service within the corporate City limits under this schedule shall be cancelable at any time, provided that a consumer cannot resume service within one month at the same location without paying the prescribed service charges and charges for water supplied during the intervening period in accordance with this schedule. Contracts for

water service without the corporate City limits shall be cancelable as discussed hereinafter in this chapter.

(g) *Special provisions (cost of water adjustment).* The charge specified in the monthly volume charge may be subject to an adjustment per 100 ccf for increases or decreases in the costs associated with the cost of electric energy, water treatment chemicals and purchased water.

#### **Sec. 28-458. Charges for water for fire protection.**



No charge shall be made for water used for testing private fire protection systems or equipment or for the extinguishment of fire when services are installed with detecting devices in accordance with Section 28-457. The owners or occupants of such property shall pay for fire protection service at the rates prescribed in this section. Should water in such systems be wasted or used for any purpose other than for testing such systems or equipment or for the extinguishment of fire, the Director may immediately require the private fire protection system to be metered at the entire cost and expense of the owners or occupants of premises served, and after the meters have been installed the owners or occupants of premises served shall pay for all water used on such premises at the appropriate class rate, including water used for testing such systems or equipment and for the extinguishment of fire. In addition, any property with direct fireline service that remains in service after the water meter for such property is removed shall be responsible to pay a minimum monthly service charge as follows:

<i>Meter Size (inches)</i>	
$\frac{5}{8}$	<del>[\$8.32]</del> <u>\$8.65</u>
$\frac{3}{4}$	<del>[\$8.32]</del> <u>\$8.65</u>
1	<del>[\$8.32]</del> <u>\$8.65</u>
1½	<del>[\$8.32]</del> <u>\$8.65</u>
2	<del>[\$13.28]</del> <u>\$13.81</u>
3	<del>[\$26.58]</del> <u>\$27.64</u>
4	<del>[\$41.51]</del> <u>\$43.17</u>
6	<del>[\$83.02]</del> <u>\$86.34</u>
8	<del>[\$132.83]</del> <u>\$138.14</u>
10	<del>[\$190.93]</del> <u>\$198.57</u>
12	<del>[\$358.63]</del> <u>\$372.98</u>

**Sec. 28-549. Additional charge for water use during conservation periods.**

During any period when mandatory or voluntary water conservation measures are in place in the City,

any customer who uses more than 140 percent of the amount of water used on a monthly average basis during the previous winter period (defined to include December to February), shall be required to pay a higher rate for water per ccf, as stated below, for each additional ccf used above that historic level. The Director will not charge the water rate if the person using more than 140 percent of the monthly average water usage, as defined above, used any portion of the water for fighting a fire. The Director will only charge the higher ccf rate for those additional volumes above the calculated levels.

Additional charge for water use during conservation period (per ccf), by customer class and volume:			
Residential	1-100	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	1-100	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
	101-2,000	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	101-2,000	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
	Over 2,000	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	Over 2,000	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
Commercial	1-100	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	1-100	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
	101-2,000	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	101-2,000	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
	Over 2,000	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	Over 2,000	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
Industrial	1-100	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	1-100	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
	101-2,000	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	101-2,000	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
	Over 2,000	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	Over 2000	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
State and Federal	1-100	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	1-100	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
	101-2,000	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	101-2,000	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
	Over 2,000	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>
	Over 2,000	During Mandatory Conserve	<del>[\$9.21]</del> <u>\$9.58</u>
Municipal	1-100	During Voluntary Conserve	<del>[\$6.90]</del> <u>\$7.18</u>

	1-100	During Mandatory Cons	<del>[\$9.21]</del> <u>\$9.58</u>
	101-2,000	During Voluntary Conse	<del>[\$6.90]</del> <u>\$7.18</u>
	101-2,000	During Mandatory Cons	<del>[\$9.21]</del> <u>\$9.58</u>
	Over 2,000	During Voluntary Conse	<del>[\$6.90]</del> <u>\$7.18</u>
	Over 2,000	During Mandatory Cons	<del>[\$9.21]</del> <u>\$9.58</u>

§ 5. **Wastewater Fees.** Sections 28-650, 28-651, 28-652, 28-653, and 28-654 of the Code of the City of Richmond (2020) be and are hereby **amended** as follows:

**Sec. 28-650. Residential wastewater service.**

(a) *Application.* This section shall apply to disposal of wastewater discharged into the City's wastewater system from individual residences, owner-occupied duplexes or nonprofit facilities that provide transitional housing for residential use on a regular basis by homeless persons that have a connection to the City's wastewater system.

(b) *Monthly minimum charge.* The monthly minimum charge is the service charge.

(c) *Monthly service charge and service charges for wastewater meters.* The monthly service charge shall be as set forth below. Each residential wastewater service customer shall pay the service charge determined by the size of the customer's water meter, unless the customer is eligible to receive a discount to the service charge for installing fire suppression equipment. The Director, pursuant to Section 28-26, shall issue rules and regulations to establish the parameters for such a discount. The service charges for wastewater meters shall be estimated in accordance with a procedure approved by the Director of Public Utilities.

(1)	Monthly service charges based on the size of each water meter located on users' premises, excluding fire line, product water and wastewater meters	
	Meter size (inches)	

	5/8	<del>[\$19.93]</del> <u>\$21.23</u>
	¾	<del>[\$28.44]</del> <u>\$30.29</u>
	1	<del>[\$45.46]</del> <u>\$48.41</u>
	1½	<del>[\$88.02]</del> <u>\$93.74</u>
	2	<del>[\$139.07]</del> <u>\$148.11</u>
	3	<del>[\$275.23]</del> <u>\$293.12</u>
	4	<del>[\$428.41]</del> <u>\$456.26</u>
	6	<del>[\$853.89]</del> <u>\$909.39</u>
	8	<del>[\$1,364.48]</del> <u>\$1,453.17</u>
	10	<del>[\$1,960.18]</del> <u>\$2,087.59</u>
(2)	Service charges for customers who receive fire line service and general wastewater service through the same meter, based on the size of each such water meter located on the users' premises, excluding product water and wastewater meter.	
	<i>Domestic and fire line meter size (inches)</i>	
	10	<del>[\$853.89]</del> <u>\$909.39</u>
	8	<del>[\$428.41]</del> <u>\$456.26</u>
	6	<del>[\$275.23]</del> <u>\$293.12</u>
	4	<del>[\$139.07]</del> <u>\$148.11</u>
	3	<del>[\$139.07]</del> <u>\$148.11</u>

(d) *Monthly volume charge.* The monthly volume charge for the quantity of water which passes through the meters for residential wastewater service for the months of December through February shall be ~~[\$7.985]~~ \$8.504 per 100 cubic feet (ccf) of water delivered as recorded on the customer's water meter. The monthly volume charge for the quantity of water which passes through the meters for residential wastewater service for the months of March through November shall be ~~[\$7.985]~~ \$8.504 per 100 cubic feet (ccf) of water based upon:

(1) The cubic feet of water delivered as recorded on the customer's water meter in such months; or

(2) The average monthly use as billed during the preceding months of December through February;

whichever is lower.

(e) *Special provisions.*

(1) *Private water supply (unmetered service).* Whenever any user obtains all or part of the user's water supply from an unmetered source other than the water distribution system of the City (i.e., a private well), such user will be billed a flat service charge of [~~\$71.80~~] \$76.47 per month.

(2) *Public water supply (metered service).* Whenever any user obtains all or part of the user's water supply from a public water supply that meters the customer, other than the water distribution system of the City, the quantity of wastewater service used by the customer may be determined either from metered water consumption or from a wastewater meter. If the wastewater usage to be billed by the City is based upon a reading of a water meter by another public body, the wastewater customer will be billed on a schedule based upon the availability of water consumption data. However, regardless of the schedule or frequency of billing, the customer will be responsible to pay the same rates as any other residential wastewater customer. For verification purposes, all water meters serving a customer receiving wastewater service under this section shall be open to inspection by the Director.

(3) *Cost adjustment clause.* The charge specified in the monthly charge may be subject to an adjustment in the rate per 100 cubic feet for increases or decreases in the cost associated with electric energy and chemicals.

(4) *No facilities physically connected to wastewater system.* The minimum monthly charge as hereinbefore set forth shall be paid by all users who have obtained a wastewater connection but have not made a physical connection to the City's wastewater system.

(5) *Residential wastewater service charges for meters having a capacity greater than five-*

*eighths inch; special provision.* The monthly service charge for each residential wastewater customer, with service established on or before the adoption of the ordinance from which this subsection is derived and having a water meter capacity greater than five-eighths inch, shall be equal to the monthly service charge for a five-eighths inch meter size as set forth in this section. The monthly service charge for each residential wastewater customer, with service established after the adoption of the ordinance from which this subsection is derived and having a water meter capacity greater than five-eighths inch, shall be based upon the meter capacity as set forth in this section.

**Sec. 28-651. Charges for disposal of sewage and wastewater-Commercial service.**

(a) *Application.* This section shall apply to the disposal of wastewater discharged into the City's wastewater system from places of business, such as hotels, restaurants, office buildings, commercial businesses or other places of commerce or multifamily residences and that have a connection to the City's wastewater system; provided, however, that this schedule shall not apply to contracts heretofore or hereafter entered into between the City and a county.

(b) *Monthly minimum charge.* The monthly minimum charge is the service charge below, determined by the size of a customer's water meter.

(c) *Monthly service charge.* The monthly service charge is as shown below, and dependent on the existence, or lack thereof, of fire line service.

(1) <i>Determination of service charge for customers who receive fire line service through a separate meter or who do not receive fire line service.</i> The service charge will be based on the size of each water meter located on users' premises, excluding fire line, product water and wastewater meters, as follows: <i>Meter Size (inches)</i>	
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$\frac{5}{8}$	<del>[\$19.93]</del> <u>\$21.23</u>
$\frac{3}{4}$	<del>[\$28.44]</del> <u>\$30.29</u>
1	<del>[\$45.46]</del> <u>\$48.41</u>
1½	<del>[\$88.02]</del> <u>\$93.74</u>
2	<del>[\$139.07]</del> <u>\$148.11</u>
3	<del>[\$275.23]</del> <u>\$293.12</u>
4	<del>[\$428.41]</del> <u>\$456.26</u>
6	<del>[\$853.89]</del> <u>\$909.39</u>
8	<del>[\$1,364.48]</del> <u>\$1,453.17</u>
10	<del>[\$1,960.18]</del> <u>\$2,087.59</u>

(2) *Determination of service charge for customers who receive fire line service and general water service through the same meter.* The service charge will be based on the size of each such water meter located on users' premises, excluding product water and wastewater meters, as follows:

<i>Domestic and Fire Line Meter Size (inches)</i>	
10	<del>[\$853.89]</del> <u>\$909.39</u>
8	<del>[\$428.41]</del> <u>\$456.26</u>
6	<del>[\$275.23]</del> <u>\$293.12</u>
4	<del>[\$139.07]</del> <u>\$148.11</u>
3	<del>[\$139.07]</del> <u>\$148.11</u>

(3) *Service charges for wastewater meters.* The service charge for wastewater meters shall be estimated in accordance with a procedure approved by the Director of Public Utilities.

(d) *Monthly volume charge.* Monthly quantity charge shall be ~~[\$7.985]~~ \$8.504 per 100 cubic feet of water delivered as recorded on water meters or wastewater meters.

(e) *Special provisions.*

(1) *Private water supply.* Whenever any user obtains all or part of the user's water supply from sources other than the water distribution system of the City, the quantities of wastewater may be determined either from the total metered water consumption, both City and private supplies, or from

the metered quantities of wastewater discharged to the wastewater system. All meters on private water supplies and all wastewater meters shall be provided and maintained to produce an accurate record of the true quantities of water and wastewater discharged to the wastewater system. All costs of meter installation, calibration and maintenance shall be borne by the user at the user's own expense. The type of meters shall be acceptable to the Director of Public Utilities, and the meters shall be accessible at all times for inspection by the Director.

(2) <i>Strong wastewater charge.</i> In addition to the foregoing charges, the monthly charges shall apply for the treatment of strong wastewater discharged into the City's wastewater system as follows:a.	Suspended solids in excess of 275 milligrams per liter when the concentrations of suspended solids exceed 275 milligrams per liter, per pound	<del>[\$0.45]</del> <u>\$0.48</u>
b.	BOD of those concentrations of BOD in excess of 250 milligrams per liter, when the concentrations of BOD exceed 250 milligrams per liter, per pound; provided, however, for places of business classified in either Industry 312120 or Industry 312130 pursuant to the North American Industry Classification System (NAICS), the mass used for calculating the charge shall be computed by subtracting SBOD from BOD and using the difference	<del>[\$0.43]</del> <u>\$0.46</u>
c.	Total nitrogen in excess of 30 milligrams per liter, when the concentrations of total nitrogen exceed 30 milligrams per liter, per pound	<del>[\$1.82]</del> <u>\$1.94</u>
d.	Total phosphorous in excess of 12 milligrams per liter, when the concentrations of total phosphorous exceed 12 milligrams per liter, per pound	<del>[\$2.57]</del> <u>\$2.74</u>

(3) *Cost adjustment clause.* The charge specified in the monthly volume charge may be subject to an adjustment in the rate per 100 cubic feet for increases or decreases in the cost associated with



electric energy and chemicals.

**Sec. 28-652. Charges for disposal of sewage and wastewater-Industrial service.**

(a) *Application.* This section shall apply to the disposal of wastewater discharged into the City's wastewater system from places that are primarily manufacturers or processors of materials, and that have a connection to the City's wastewater system; provided, however, that this schedule shall not apply to contracts heretofore or hereafter entered into between the City and a county.

(b) *Monthly minimum charge.* The monthly minimum charge is the service charge below, determined by the size of a customer's water meter.

(c) *Monthly service charge.* The monthly service charge is as shown below by meter size, and dependent on the existence, or lack thereof, of fire line service.

(1) *Determination of service charge for customers who receive fire line service through a separate meter or who do not receive fire line service.* The service charge will be based on the size of each water meter located on users' premises, excluding fire line, product water and wastewater meters, as follows:

Meter Size (inches)	
$\frac{5}{8}$	<del>[\$19.93]</del> <u>\$21.23</u>
$\frac{3}{4}$	<del>[\$28.44]</del> <u>\$30.29</u>
1	<del>[\$45.46]</del> <u>\$48.41</u>
1½	<del>[\$88.02]</del> <u>\$93.74</u>
2	<del>[\$139.07]</del> <u>\$148.11</u>
3	<del>[\$275.23]</del> <u>\$293.12</u>
4	<del>[\$428.41]</del> <u>\$456.26</u>
6	<del>[\$853.89]</del> <u>\$909.39</u>
8	<del>[\$1,364.48]</del> <u>\$1,453.17</u>
10	<del>[\$1,960.18]</del> <u>\$2,087.59</u>

12	<del>[\$3,009.90]</del> <u>\$3,205.54</u>
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(2) *Determination of service charge for customers who receive fire line service and general water service through the same meter.* The service charge will be based on the size of each such water meter located on users' premises, excluding product water and wastewater meters, as follows:

<i>Domestic and Fire Line Meter Size (inches)</i>	
10	<del>[\$853.89]</del> <u>\$909.39</u>
8	<del>[\$428.41]</del> <u>\$456.26</u>
6	<del>[\$275.23]</del> <u>\$293.12</u>
4	<del>[\$139.07]</del> <u>\$148.11</u>
3	<del>[\$139.07]</del> <u>\$148.11</u>

(3) *Service charges for wastewater meters.* The service charge for wastewater meters shall be estimated in accordance with a procedure approved by the Director of Public Utilities.

(d) *Monthly volume charge.* The monthly volume charge shall be ~~[\$7.985]~~ \$8.504 per 100 cubic feet of water delivered as recorded on water meters or wastewater meters.

(e) Special provisions.

(1) *Private water supply.* Whenever any user obtains all or part of the user's water supply from sources other than the water distribution system of the City, the quantities of wastewater may be determined either from the total metered water consumption, both City and private supplies, or from the metered quantities of wastewater discharged to the wastewater system. All meters on private water supplies and all wastewater meters shall be provided and maintained to produce an accurate record of the true quantities of water and wastewater discharged to the wastewater system. All costs of meter installation, calibration and maintenance shall be borne by the user at the user's own expense. The type of meters shall be acceptable to the Director of Public Utilities, and the meters shall be accessible at all times for inspection by the Director.

(2) *Strong wastewater charge.* In addition to the foregoing charges, the monthly charges shall apply for the treatment of strong wastewater discharged into the City's wastewater system as follows:

a.	Suspended solids in excess of 275 milligrams per liter when the concentrations of suspended solids exceed 275 milligrams per liter, per pound	<del>[\$0.45]</del> <u>\$0.48</u>
b.	BOD of those concentrations of BOD in excess of 250 milligrams per liter, when the concentrations of BOD exceed 250 milligrams per liter, per pound	<del>[\$0.43]</del> <u>\$0.46</u>
c.	Total nitrogen in excess of 30 milligrams per liter, when the concentrations of total nitrogen exceed 30 milligrams per liter, per pound	<del>[\$1.82]</del> <u>\$1.94</u>
d.	Total phosphorous in excess of 12 milligrams per liter, when the concentrations of total phosphorous exceed 12 milligrams per liter, per pound	<del>[\$2.57]</del> <u>\$2.74</u>

(3) *Cost adjustment clause.* The charge specified in the monthly volume charge may be subject to an adjustment in the rate per 100 cubic feet for increases or decreases in the cost associated with electric energy and chemicals.

**Sec. 28-653. Charges for disposal of sewage and wastewater-State and Federal service.**

(a) *Application.* This section shall apply to the disposal of wastewater discharged into the City's wastewater system from State or Federal agencies and departments or authorities, and that have a connection to the City's wastewater system; provided, however, that this schedule shall not apply to contracts heretofore or hereafter entered into between the City and any adjoining county.

(b) *Monthly minimum charge.* The monthly minimum charge is the service charge below, determined by the size of a customer's water meter.

(c) *Monthly service charge.* The monthly service charge is as shown below by meter size, and dependent on the existence, or lack thereof, of fire line service.

(1) *Determination of service charge for customers who receive fire line service through a separate meter or who do not receive fire line service.* The service charge will

be based on the size of each water meter located on users' premises, excluding fire line, product water and wastewater meters, as follows:

<i>Meter Size (inches)</i>	
$\frac{5}{8}$	<del>[\$19.93]</del> <u>\$21.23</u>
$\frac{3}{4}$	<del>[\$28.44]</del> <u>\$30.29</u>
1	<del>[\$45.46]</del> <u>\$48.41</u>
1½	<del>[\$88.02]</del> <u>\$93.74</u>
2	<del>[\$139.07]</del> <u>\$148.11</u>
3	<del>[\$275.23]</del> <u>\$293.12</u>
4	<del>[\$428.41]</del> <u>\$456.26</u>
6	<del>[\$853.89]</del> <u>\$909.39</u>
8	<del>[\$1,364.48]</del> <u>\$1,453.17</u>
10	<del>[\$1,960.18]</del> <u>\$2,087.59</u>
12	<del>[\$3,009.90]</del> <u>\$3,205.54</u>

(2) *Determination of service charge for customers who receive fire line service and general water service through the same meter.* The service charge will be based on the size of each such water meter located on users' premises, excluding product water and wastewater meters, as follows:

<i>Domestic and Fire Line Meter Size (inches)</i>	
10	<del>[\$853.89]</del> <u>\$909.39</u>
8	<del>[\$428.41]</del> <u>\$456.26</u>
6	<del>[\$275.23]</del> <u>\$293.12</u>
4	<del>[\$139.07]</del> <u>\$148.11</u>
3	<del>[\$139.07]</del> <u>\$148.11</u>

(3) *Service charges for wastewater meters.* The service charge for wastewater meters shall be estimated in accordance with a procedure approved by the Director of Public Utilities.

(d) *Monthly volume charge.* The monthly volume charge shall be ~~[\$7.985]~~ \$8.504 per 100 cubic feet of water delivered as recorded on water meters or wastewater meters.

(e) *Special provisions.*

(1) *Private water supply.* Whenever any user obtains all or part of the user's water supply from sources other than the water distribution system of the City, the quantities of wastewater may be determined either from the total metered water consumption, both City and private supplies, or from the metered quantities of wastewater discharged to the wastewater system. All meters on private water supplies and all wastewater meters shall be provided and maintained to produce an accurate record of the true quantities of water and wastewater discharged to the wastewater system. All costs of meter installation, calibration and maintenance shall be borne by the user at the user's own expense. The type of meters shall be acceptable to the Director of Public Utilities, and the meters shall be accessible at all times for inspection by the Director.

(2) *Strong wastewater charge.* In addition to the foregoing charges, the monthly charges shall apply for the treatment of strong wastewater discharged into the City's wastewater system as follows:

a.	Suspended solids in excess of 275 milligrams per liter when the concentrations of suspended solids exceed 275 milligrams per liter, per pound	<del>[\$0.45]</del> \$0.48
b.	BOD of those concentrations of BOD in excess of 250 milligrams per liter, when the concentrations of BOD exceed 250 milligrams per liter, per pound	<del>[\$0.43]</del> \$0.46
c.	Total nitrogen in excess of 30 milligrams per liter, when the concentrations of total nitrogen exceed 30 milligrams per liter, per pound	<del>[\$1.82]</del> \$1.94
d.	Total phosphorous in excess of 12 milligrams per liter, when the concentrations of total phosphorous exceed 12 milligrams per liter, per pound	<del>[\$2.57]</del> \$2.74

(3) *Cost adjustment clause.* The charge specified in the monthly quantity charge may be subject to an adjustment in the rate per 100 cubic feet for increases or decreases in the cost associated with electric energy and chemicals.

#### **Sec. 28-654. Charges for disposal of sewage and wastewater-Municipal service.**

(a) *Application.* This section shall apply to the disposal of wastewater discharged into the City's

wastewater system from governments that are not Federal or State agencies or departments or authorities, and that have a connection to the City's wastewater system; provided, however, that this schedule shall not apply to contracts heretofore or hereinafter entered into between the City and a county.

(b) *Monthly minimum charge.* The monthly minimum charge is the service charge below, determined by the size of a customer's water meter.

(c) *Monthly service charge.* The monthly service charge is as shown below by meter size, and dependent on the existence, or lack thereof, of fire line service.

(1) *Determination of service charge for customers who receive fire line service through a separate meter or who do not receive fire line service.* The service charge will

be based on the size of each water meter located on users' premises, excluding fire line, product water and wastewater meters, as follows:

<i>Meter Size (inches)</i>	
$\frac{5}{8}$	<del>[\$19.93]</del> <u>\$21.23</u>
$\frac{3}{4}$	<del>[\$28.44]</del> <u>\$30.29</u>
1	<del>[\$45.46]</del> <u>\$48.41</u>
1½	<del>[\$88.02]</del> <u>\$93.74</u>
2	<del>[\$139.07]</del> <u>\$148.11</u>
3	<del>[\$275.23]</del> <u>\$293.12</u>
4	<del>[\$428.41]</del> <u>\$456.26</u>
6	<del>[\$853.89]</del> <u>\$909.39</u>
8	<del>[\$1,364.48]</del> <u>\$1,453.17</u>
10	<del>[\$1,960.18]</del> <u>\$2,087.59</u>
12	<del>[\$3,009.90]</del> <u>\$3,205.54</u>

(2) *Determination of service charge for customers who receive fire line service and general water service through the same meter.* The service charge will be based on the size of each such water meter located

on users' premises, excluding product water and wastewater meters, as follows:

<i>Domestic and Fire Line Meter Size (inches)</i>	
10	<del>[\$853.89]</del> <u>\$909.39</u>
8	<del>[\$428.41]</del> <u>\$456.26</u>
6	<del>[\$275.23]</del> <u>\$293.12</u>
4	<del>[\$139.07]</del> <u>\$148.11</u>
3	<del>[\$139.07]</del> <u>\$148.11</u>

(3) *Service charges for wastewater meters.* The service charge for wastewater meters shall be estimated in accordance with a procedure approved by the Director of Public Utilities.

(d) *Monthly volume charge.* The monthly volume charge shall be ~~[\$7.985]~~ \$8.504 per 100 cubic feet of water delivered as recorded on water meters or wastewater meters.

(e) *Special provisions.*

(1) *Private water supply.* Whenever any user obtains all or part of the user's water supply from sources other than the water distribution system of the City, the quantities of wastewater may be determined either from the total metered water consumption, both City and private supplies, or from the metered quantities of wastewater discharged to the wastewater system. All meters on private water supplies and all wastewater meters shall be provided and maintained to produce an accurate record of the true quantities of water and wastewater discharged to the wastewater system. All costs of meter installation, calibration and maintenance shall be borne by the user at the user's own expense. The type of meters shall be acceptable to the Director of Public Utilities, and the meters shall be accessible at all times for inspection by the Director.

(2) *Strong wastewater charge.* In addition to the foregoing charges, the monthly charges shall apply for the treatment of strong wastewater discharged into the City's wastewater system as follows:

a.	Suspended solids in excess of 275 milligrams per liter when the concentrations of suspended solids exceed 275 milligrams per liter, per pound	<del>[\$0.45]</del> <u>\$0.48</u>
b.	BOD of those concentrations of BOD in excess of 250 milligrams per liter, when the concentrations of BOD exceed 250 milligrams per liter, per pound	<del>[\$0.43]</del> <u>\$0.46</u>
c.	Total nitrogen in excess of 30 milligrams per liter, when the concentrations of total nitrogen exceed 30 milligrams per liter, per pound	<del>[\$1.82]</del> <u>\$1.94</u>
d.	Total phosphorous in excess of 12 milligrams per liter, when the concentrations of total phosphorous exceed 12 milligrams per liter, per pound	<del>[\$2.57]</del> <u>\$2.74</u>

(3) *Cost adjustment clause.* The charge specified in the monthly volume charge may be subject to an adjustment in the rate per 100 cubic feet for increases or decreases in the cost associated with electric energy and chemicals.

§ 6. **Stormwater Fees.** Sections 28-923 and 28-924 of the Code of the City of Richmond (2020) be and are hereby **amended** as follows:

**Sec. 28-923. Developed single-family residential property.**

All owners of developed single-family residential property in the City, whether the subject property is occupied or unoccupied, shall be responsible for paying a total annual charge equal to the applicable base charge amount stated below:

	<i>Per Month</i>	<i>Per Year</i>
(1) For property owners with homes that have impervious area measuring less than or equal to 1,000 square feet (Tier 1)	<del>[\$2.64]</del> <u>\$2.92</u>	<del>[\$31.68]</del> <u>\$35.04</u>
(2) For property owners with homes that have impervious area measuring greater than 1,000 square feet and less than or equal to 2,000 square feet (Tier 2)	<del>[\$4.85]</del> <u>\$5.36</u>	<del>[\$58.20]</del> <u>\$64.32</u>
(3) For property owners with homes that have impervious area measuring greater than 2,000 square feet and less than or equal to 3,000 square feet (Tier 3)	<del>[\$7.88]</del> <u>\$8.71</u>	<del>[\$94.56]</del> <u>\$104.52</u>



- |     |  |                      |                |                       |                 |
|-----|--|----------------------|----------------|-----------------------|-----------------|
| (4) | For property owners with homes that have impervious area measuring greater than 3,000 square feet and less than or equal to 4,000 square feet (Tier 4) | <del>[\$11.24]</del> | <u>\$12.42</u> | <del>[\$134.88]</del> | <u>\$149.04</u> |
| (5) | For property owners with homes that have impervious area measuring greater than 4,000 square feet (Tier 5)   | <del>[\$16.30]</del> | <u>\$18.01</u> | <del>[\$195.60]</del> | <u>\$216.12</u> |

**Sec. 28-924. Developed nonresidential and non-single-family residential property.**

All owners of developed nonresidential and non-single-family residential property, whether the subject property is occupied or unoccupied, shall be responsible for paying the applicable base charge by a numeric factor associated with the impervious surface on the property. The base charge is applied per 1,000 square feet. Pursuant to Section 28-26, the Director shall issue a regulation providing the detailed calculation that will be used to calculate the total annual charge for developed nonresidential property or non-single-family residential property shall be ~~[\$3.26]~~ \$3.60 per month and ~~[\$39.12]~~ \$43.20 per year.

III. **General Terms and Conditions.** The payment and settlement of (i) claims of any kind heretofore or hereafter asserted against the City, (ii) final judgments heretofore or hereafter asserted or obtained against the City, (iii) all costs, interest, fees for legal services, and other costs, expenses, and fees incident to such claims and judgments, and (iv) all costs, expenses, and fees incurred in providing legal and other services pursuant to section 2-57 of the Code of the City of Richmond (2020), as amended, shall be paid upon the approval and order of the City Attorney from the funds herein appropriated for the operation of the agency or enterprise that is the subject of such claim, judgment, or costs, expenses, fees, or interest, except that in the case of judgments against the City, payment thereof shall be limited to the extent of funds available in the appropriation.

IV. **Effective Date.** This ordinance shall be in force and effect at the first moment of July 1, 2023, and shall constitute the annual budget and appropriation ordinance for the funds identified