

**ORDINANCE NO. 4573**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**FIRST READING:**

\_\_\_\_\_ May 13, 2024 \_\_\_\_\_

**SECOND READING:**

\_\_\_\_\_ May 28, 2024 \_\_\_\_\_

**THIRD AND FINAL READING:** June 10, 2024



PATRICK COLLINS, MAYOR

(SEAL)

ATTEST:

  
KRISTINA F. JONES, CITY CLERK

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