

ORDINANCE 71683

**BOARD BILL NUMBER 49 COMMITTEE SUBSTITUTE AS AMENDED
INTRODUCED BY ALDERWOMAN ANNE SCHWEITZER**

1 An ordinance pertaining to water rates; finding, determining and declaring that an increase
2 in certain water rates is necessary for certain purposes; defining certain terms; repealing
3 **Ordinance Number 68694**, which is presently codified as Sections 23.04.220, 23.06.130,
4 23.16.020, 23.16.025, 23.16.040, 23.18.070, 23.20.020, 23.20.030, and 23.20.040, Revised
5 Code of The City of St. Louis (“*Revised Code*”) and repealing Section 3 of **Ordinance**
6 **Number 63136**, presently codified as Section 23.20.015 of the Revised Code; enacting
7 twelve new sections relating to the same subject; and containing an emergency provision.

8 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

9 **SECTION ONE.** Findings and Determinations. It is hereby found, determined and
10 declared by the Board of Aldermen of the City of St. Louis that increases in certain water
11 rates as hereinafter provided are absolutely necessary to provide revenues sufficient (a) for
12 the maintenance and operation of the City's waterworks and water facilities (b) to pay the
13 running expenses of the Water Division, (c) to pay when due the principal of, redemption
14 premium, if any, and interest on all outstanding St. Louis Water Revenue Bonds series
15 2013, as required by Article XIII Section 11 of the St. Louis City Charter, (d) to fund an
16 operating reserve fund and (e) to satisfy the requirements of the Indenture of Trust dated
17 as of April 1, 1994, by and between the City and UMB (the "*Indenture*"), as amended and
18 supplemented.

19 **SECTION TWO.** Repeals. The following ordinance provisions are hereby repealed
20 effective July 1, 2023, or on the effective date of this ordinance, whichever is later:

1 **Ordinance Number 68694** in its entirety, presently codified as Sections 23.04.220,
2 23.06.130, 23.16.020, 23.16.025, 23.16.040, 23.18.070, 23.20.020, 23.20.030, and
3 23.20.040; and Section 3 of **Ordinance Number 63136**, presently codified at Section
4 23.20.015 of the Revised Code.

5 **SECTION THREE.** There is hereby enacted a new ordinance to be codified at Sections
6 23.16.025, 23.18.15 and 23.20.015 of the Revised Code to be and read as follows:

7 Definitions and Inflation Adjustment.

8 A. "Implementation Date" shall mean the Date as of which the rates of this
9 Chapter are effective, which shall be July 1, 2023, or the effective date of this ordinance,
10 whichever is later.

11 B. "First Year" shall mean the time period beginning on the Implementation
12 Date and ending on December 31, 2023.

13 C. "Second and Third Years" shall mean the calendar years beginning on
14 January 1, 2024 and ending December 31, 2025.

15 D. "Inflation Adjustment" shall mean that notwithstanding the rates enacted
16 for the First Year and any rates enacted for the Second and Third Years, (a) on January 1
17 of each calendar year from January 1, 2026 and thereafter each water rate and service
18 charge specified in Sections 5 to 11 of this ordinance shall increase automatically by the
19 annual change in CPI-U for the preceding calendar year as published by the U.S. Bureau
20 of Labor Statistics in the event that the CPI-U for the preceding calendar year is a positive
21 number; and (b) in the event the CPI-U for the preceding calendar year is not a positive
22 number, the rate or service charge shall continue without change for another calendar year.

1 **SECTION FOUR.** There is hereby enacted a new Section 23.16.040 of the Revised Code
2 to be and read as follows:

3 Flat Rates. The following rates and charges are hereby imposed, subject to the
4 Inflation Adjustment:

5 A. Flat Rate for Domestic Use.

6 1. For the use of water for domestic family residence, flat or apartment
7 purposes, for periods of three months in advance:

8 FIRST YEAR

9 Room charge, each..... \$4.51

10 Water closet, each.....\$17.66

11 Baths, each..... \$14.82

12 Shower, separate from bath, each..... \$14.82

13 SECOND AND THIRD YEARS

14 Room charge, each..... \$5.41

15 Water closet, each.....\$21.19

16 Baths, each..... \$17.78

17 Shower, separate from bath, each..... \$17.78

18 2. Sprinkling charge of \$0.30 per front foot shall be assessed each
19 three-month billing period for lawn sprinkling and other outside uses beginning with the
20 Implementation Date of this ordinance.

21 Sprinkling charge of \$0.36 per front foot shall be assessed each three-month
22 billing period for lawn sprinkling and other outside uses for the Second and Third Years.

1 B. Temporary Use of Flat Rate. In those cases where users are not eligible for
2 flat rates as enumerated in Section 23.16.060, Revised Code, and where existing water
3 service is unmetered as of the effective date of this ordinance, it shall be the duty of the
4 Water Commissioner, as soon as possible, to cause the installation or setting of the required
5 meter. In the interim, bills shall be rendered to these customers on the basis of the
6 appropriate flat rates imposed by this ordinance.

7 C. Swimming Pool Charge.

8 1. A flat water rate shall be applied where a swimming pool, pond or
9 other pool is found on the premises having a capacity of more than one hundred (100) cubic
10 feet and less than two thousand (2,000) cubic feet which are not metered under Section
11 23.16.060, Revised Code. Said flat rate shall be payable for periods of three (3) months in
12 advance as follows:

13 Swimming pool, pond or other pool having a capacity of more than 100 but less
14 than 501 cubic feet--\$33.34

15 Swimming pool, pond or other pool having a capacity of 501 but less than 1,001
16 cubic feet--\$46.66

17 Swimming pool, pond or other pool having a capacity of 1,001 but less than 1,501
18 cubic feet--\$60.02

19 Swimming pool, pond or other pool having a capacity of 1,501 but less than 2,000
20 cubic feet--\$73.34

21 2. After paying the flat rates imposed under the foregoing Subsection
22 5(c)1 or Section 5(c)1 of **Ordinance Number 68694**, or both, for a minimum of one (1)

1 year, the user making said payments shall have the option to pay at meter rates as provided
2 by Chapter 23.18, Revised Code. Such options shall be exercised in writing on forms
3 supplied by the Water Commissioner. The user shall provide for the meter by having a
4 meter box and set up installed on the service in accordance with Section 23.04.210, Revised
5 Code, at the user's own expense.

6 **SECTION FIVE.** There is hereby enacted a new Section 23.18.070 to be and read as
7 follows:

8 Metered Rates. The following rates are hereby imposed, subject to the Inflation
9 Adjustment:

10 A. Water furnished to all metered connections shall be assessed for use per
11 three-month billing period, or less, at rates equal to the combined sum of a readiness-to-
12 serve charge and a quantity charge.

13 B. The readiness-to-serve charge shall be determined by the size of the meter
14 and shall be as follows:

15 FIRST YEAR

16 METER

17	5/8"	\$28.61
18	3/4"	\$33.34
19	1"	\$42.26
20	1½"	\$61.12
21	2"	\$88.82
22	3"	\$172.21

1	4".....	\$305.46
2	6".....	\$583.19
3	8".....	\$888.64
4	10".....	\$1,221.90

5 SECOND AND THIRD YEARS

6 METER

7	5/8".....	\$34.33
8	3/4".....	\$40.01
9	1".....	\$50.71
10	1½".....	\$73.34
11	2".....	\$106.58
12	3".....	\$206.65
13	4".....	\$366.55
14	6".....	\$699.83
15	8".....	\$1066.37
16	10".....	\$1466.28

17 C. Should water be furnished through two (2) or more separate meters, the
 18 readiness-to-serve charge shall be the combined total of the readiness-to-serve charge for
 19 each meter. Should water be furnished through a single meter containing two (2) or more
 20 metering elements, the readiness-to-serve charge shall be that for a single meter the size of
 21 the largest metering element.

22 D. The quantity charge shall be at the following rates:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

FIRST YEAR

- (i) For first 25,000 cubic feet per billing, per 100 cubic feet, \$2.12
- (ii) For next 1,975,000 cubic feet per billing, per 100 cubic feet, \$1.66
- (iii) Over 2,000,000 cubic feet per billing, per 100 cubic feet, \$1.25

SECOND AND THIRD YEARS

- (i) For first 25,000 cubic feet per billing, per 100 cubic feet, \$2.54
- (ii) For next 1,975,000 cubic feet per billing, per 100 cubic feet, \$1.99
- (iii) Over 2,000,000 cubic feet per billing, per 100 cubic feet, \$1.50

E. Should water be furnished through two (2) or more meters or through a single meter with two (2) or more metering elements, the quantity charge shall be based on the combined total of all water used as indicated by all registers.

SECTION SIX. There is hereby enacted a new Section 23.20.020 to be and read as follows: Special Rates in Hospitals or Charitable Institutions.

The following rates are hereby imposed, subject to the Inflation Adjustment:

A. The quantity charge for the use of water by any hospital or charitable institution in the City which shall make written application to the Water Commissioner, signed by its president, secretary or managing officer, asking for a special charity rate, and stating that free service is furnished to not less than ten (10) percent of its patients, members or inmates, and giving special details of the management as are necessary to show the philanthropic nature of the institution shall, if approved by the Water Commissioner, be

1 assessed for the water used in the institution at a special rate of \$1.12 per 100 cubic feet
2 for the First Year, \$1.34 per 100 cubic feet for the Second and Third Years.

3 B. In addition to the quantity charge, there shall be assessed each billing
4 period a readiness-to-serve charge for each meter in accordance with the schedule set forth
5 in Section Five of this ordinance.

6 **SECTION SEVEN.** There is hereby enacted a new Section 23.20.030 to be and read as
7 follows:

8 School Rates.

9 The following rates are hereby imposed, subject to the Inflation Adjustment:

10 A. The quantity charge for the use of water by any public, parochial, inter-
11 parochial schools, public libraries, and art museum of the Art Museum subdistrict of the
12 Metropolitan Zoological Park and Museum District of the City of St. Louis and the County
13 of St. Louis shall be assessed for the water used in the institution at a special rate of \$1.25
14 per 100 cubic feet for the First Year, \$1.50 per 100 cubic feet for the Second and Third
15 Years.

16 B. In addition to the quantity charge, there shall be assessed each billing period
17 a readiness-to-serve charge for each meter in accordance with the schedule set forth in
18 Section Five of this ordinance.

19 **SECTION EIGHT.** There is hereby enacted a new Section 23.20.040 to be and read as
20 follows:

21 Zoological Parks.

22 The following rates are hereby imposed, subject to the Inflation Adjustment:

1 A. The quantity charge for the use of water by zoological parks of the
2 Zoological subdistrict of the Metropolitan Zoological Park and Museum District of the City
3 of St. Louis and the County of St. Louis shall be assessed for the water used in the
4 institution at a special rate of \$1.12 per 100 cubic feet for the First Year, \$1.34 per 100
5 cubic feet for the Second and Third Years.

6 B. In addition to the quantity charge, there shall be assessed each billing period
7 a readiness-to-serve charge for each meter in accordance with the schedule set forth in
8 Section Five of this ordinance.

9 **SECTION NINE.** There is hereby enacted a new Section 23.16.020 to be and read as
10 follows:

11 Water turn-on Service Charge. A service charge equal to \$40.00 shall be collected in
12 advance for turning on water to new flat rate and meter accounts, subject to the Inflation
13 Adjustment.

14 **SECTION TEN.** There is hereby enacted a new Section 23.16.130 to be and read as
15 follows:

16 Shutoff for Delinquency. The Collector of Revenue shall furnish the Water Commissioner
17 a written list each day of all water bills paid the previous day. The Water Commissioner
18 shall shut off the water from all premises for the nonpayment of delinquent bills. Water
19 shall not again be furnished thereto until all outstanding obligations for water supplied to
20 such premises shall have been paid in full and a charge of \$50.00 has been paid in advance
21 for turning on such water, subject to the Inflation Adjustment.

1 **SECTION ELEVEN.** There is hereby enacted a new Section 23.04.220 to be and read as
2 follows:

3 Fire Protection Connections.

4 A. All new and existing installations for private sprinkler type protection shall
5 be provided with a suitable control valve just inside the building or property line.
6 Connections serving automatic sprinkler equipment must be equipped with an approved
7 type of water flow alarm service of any of local and central station alarms, local alarms and
8 watchman with watch service, or approved outdoor local alarms where there is no
9 watchman on the premises. Water through these connections shall be used to extinguish
10 fires only and the use of water for any other purpose is expressly prohibited. No meter shall
11 be required on connections used to supply private fire protection systems with sprinkler
12 equipment only. Where new and existing connections for private fire protection supply
13 standpipe and hose rack systems or private fire hydrants are or have been installed, a
14 detector check valve with bypass meter and vault shall be installed at the expense of the
15 applicant and if it is found that water is being used for purposes other than the
16 extinguishment of fires or testing, the Water Commissioner shall install a fire service meter
17 and vault at the expense of the owner or occupant. Prior to installation the Water
18 Commissioner shall require a deposit for the estimated cost of all fire service meter and
19 vault installations within ten (10) days of notification or the water shall be shut off from
20 the water main and the Insurance Services Office of Missouri and the Fire Marshal notified
21 of this action. A service charge of Two Hundred Eighty-Eight Dollars (\$288.00), subject
22 to the Inflation Adjustment, shall be assessed against each connection made with the mains

1 of the Water Division for all new and existing private fire protection connections used to
2 supply sprinkler equipment only and against all new and existing private fire protection
3 connections regulated by detector check valves with bypass meters. Should water in excess
4 of that required for the emergency extinguishment of fires be used through any private fire
5 protection system regulated by a detector check valve with bypass meter then such water
6 use shall be assessed a quantity charge, but not the readiness-to-serve charge, at the rates
7 set forth in Section Six of this ordinance. Private fire protection connections regulated by
8 fire service meters shall be assessed the regular meter rates as set forth in Section Six of
9 this ordinance. For any private fire protection connection regulated either by a detector
10 check valve with bypass meter or by a fire meter an adjustment will be made for water used
11 for the emergency extinguishment of fire where such use is claimed and certified to the
12 Water Commissioner by the occupant or owner. In cases where these bills are not paid
13 within thirty (30) days, the Water Commissioner shall cause the connection to be shut off
14 and notify the Insurance Services Office of Missouri and the Fire Marshal of this action.

15 B. Sprinkler protection shall be considered a piping system with nationally
16 recognized testing laboratory approved sprinkler heads attached. Stand-pipe and hose racks
17 systems shall be considered any arrangements of piping whereby hoses for fighting fires
18 can be attached to the pipes and used either by the occupant or owner or the Fire
19 Department. A fire hydrant shall be considered any water connection with an outlet at least
20 two and one-half (2 1/2) inches inside diameter and provided with the same size threads
21 used by the St. Louis Fire Department. Two (2) inch or smaller fire protection connections

1 shall be used only when approved by the Fire Marshal and by the Water Commissioner and
2 no water for purposes other than fire extinguishment shall be taken from such connections.

3 C. Limited service sprinklers attached to domestic service lines shall conform
4 to the following minimum requirements. One (1) sprinkler head per fire area when supplied
5 from a one (1) inch domestic service. Two (2) sprinkler heads per fire area when supplied
6 from a one-and-one-half (1 1/2) inch domestic service. Four (4) sprinkler heads per fire
7 area when supplied from a two (2) inch domestic service. A fire area shall be a confined
8 area which may contain hazardous substances. Limited service sprinklers in any one (1)
9 building shall be limited to a maximum of twenty (20) sprinklers. No sprinkler supply lines
10 shall be attached to the domestic service before the domestic water meter.

11 **SECTION TWELVE.** The Water Division shall submit an annual update to the Clerk of
12 the Board of Aldermen no later than May 1 of each calendar year and shall present the
13 report at a meeting of the Board of Aldermen's Public Infrastructure and
14 Utilities Committee (or such other committee to which, pursuant to the rules of the Board
15 of Aldermen, bills affecting matters that are the subject of this Ordinance are assigned)
16 during that month of May. The Water Division's update shall include a list of projects with
17 their current status and progress. It shall include any other related documents as may be
18 requested by the Public Infrastructure and Utilities Committee. The report shall be posted
19 on the Water Division's website by May 1 of each calendar year.

20 **SECTION THIRTEEN.** Emergency. This being an ordinance necessary for the
21 preservation of the public peace, health, and safety, it is hereby declared to be an emergency
22 ordinance under Article IV, Sections 19 and 20 of the Charter of the City of St. Louis, and

- 1 it shall take effect and be in full force immediately upon its passage and approval by the
- 2 Mayor or its adoption over their veto.