

## **ORDINANCE NO. 898**

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF BURLINGTON, KANSAS, AMENDING THE CODE OF THE CITY OF BURLINGTON, KANSAS:

CHAPTER XV UTILITIES, ARTICLE 2. WATER; REPEALING ORDINANCE 854; REPEALING ORDINANCE 860; PROVIDING WATER USAGE RATES AND PROVIDING FOR THE ANNUAL REASSESSMENT OF WATER RATES.

**BE IT ORDAINED BY THE GOVERNING BODY OF BURLINGTON, KANSAS:**

### **SECTION 1.** AMENDING SECTION 15-228

Section 15-228 RATES. of CHAPTER XV. UTILITIES, ARTICLE 2. WATER. of the Code of the City of Burlington, Kansas is hereby amended in its entirety to read:

15-228 RATES. The rates per month for the use of water in the city shall be as follows:

(a) Usage Rates – Residential Inside the City Limits, excluding wholesale water contracts. The following monthly rates shall be charged and collected for water sold to residential consumers inside the city limits and furnished by the Department:

(1) An Access to Capacity Charge (ACC) of \$25.00 per month shall be charged.

(2) Each 1,000 gallons shall be charged \$6.75.

(b) Usage Rates – Residential Multi-Family Equivalent Dwelling Units.

(1) An Equivalent Dwelling Unit (EDU) charge of \$25.00 shall be charged per month for each unit in a multi-family Equivalent Dwelling structure.

(2) Each 1,000 gallons shall be charged \$6.75.

(c) Usage Rates – City Commercial Customers Inside the City Limits, excluding wholesale water contracts. The following monthly rates shall be charged and collected for water sold to city users, consumed inside the city limits and furnished by the Department:

(1) An Access to Capacity Charge (ACC) of \$30.00. per month shall be charged.

(2) Each 1,000 gallons shall be charged \$6.75.

(d) Usage Rates – Residential and Commercial Customers, Living Outside the City Limits, excluding wholesale water contracts. The following monthly rates shall be charged and collected for water sold to residential and commercial customers, living outside the city limits and furnished by the Department:

(1) An Access to Capacity Charge (ACC) of \$31.25 per month.

(2) Each 1,000 gallons shall be charged \$6.75.

(e) Base Access Charge – (excluding wholesale water contracts). All properties/lots with a water meter shall be charged a Base Access Charge (BAC), for each meter even when the meter is turned

off. The Base Access Charge is for access and availability of water and fire protection, and to meet regulatory requirements for the water system and peak demands. The BAC will be charged as follows:

(1) Lots with NO Structure(s) and Meters Turned OFF, a Base Access Charge of \$10.02 per month.

(2) Lots WITH Structure(s) and Meters Turned OFF, a Base Access Charge of \$25.00 per month.

(f) Usage Rates – Rural Water District Contracts and the Cities of Gridley, New Strawn and LeRoy. The following monthly wholesales rates shall be charged and collected for water sold to rural water district contract holders and the cities of Gridley, New Strawn and LeRoy furnished by the Department:

(1) Each 1,000 gallons shall be charged \$6.54 per month.

(g) The City shall reassess water and sewage rates each calendar year, and modify any rate or charge, on or before the second regular session of the city council in May of that year, by resolution of the governing body.

## **SECTION 2. ADDING SECTION 15-228a**

Section 15-228a is hereby added to CHAPTER XV. UTILITIES, ARTICLE 2. WATER, of the Code of the City of Burlington, Kansas as follows:

### **15-228a RECREATIONAL VEHICLES**

1. DEFINITIONS as used in this Article, the following words and terms shall have the meaning ascribed to them in this Section:

(a) **Recreational Vehicle**: Recreational Vehicle means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted to or drawn by another vehicle. The following shall be considered a recreational vehicle (RV):

(1) **Cabin**: A permanent structure mounted to a trailer or vehicle. Cabins are limited in size to 800 square feet maximum.

(2) **Camping Trailer**: A canvas (or other type of material), folding vehicle of ridged construction, mounted on wheels and designed for travel and recreation.

(3) **Motorized Home**: Motor home and /or recreational vehicle consisting of a portable, temporary dwelling to be used for travel, recreation and vacation uses, and constructed as an integral part of a self-propelled vehicle.

(4) **Pickup Coach**: A vehicle designed to be mounted on or loaded into a truck chassis for use as a temporary dwelling for travel and recreation.

(5) Travel trailer: A towable vehicle designed as a temporary dwelling for travel and recreation.

(6) Travel Trailer, self-contained: A trailer which can operate independently of connections to sewer, water and electric systems. It contains a water-flushed toilet, lavatory, shower or bath and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the trailer.

(b) Recreational Vehicle Park: Recreational Vehicle Park means a parcel of land specifically developed for locating only recreational vehicles on lots on a short-term basis. RVs may not be set on a foundation or have axles removed. Spaces can be rented daily, weekly, monthly, or annually. Spaces may not be sold as a parcel, timeshare, or fractional.

(c) Recreational Vehicle Site: Recreational Vehicle Site means a plot of ground within a Recreational Vehicle Park for recreational vehicles.

## 2. RECREATIONAL VEHICLE PARK DEVELOPMENT

(a) The application, review, and approval process for RV Parks shall follow all Zoning Regulations set forth by the City of Burlington.

## 3. SEWER CONNECTION FOR RV PARKS IS REQUIRED

(a) City Code Chapter XV, Article 4, Sewers shall apply to Recreational Vehicle Parks.

(b) Sewage Disposal Facilities shall be provided and properly maintained for the collection and disposal, or treatment and disposal, of sewage.

(c) Solid and liquid wastes shall not be discharged or otherwise disposed of on the surface of the ground or into open ditches, or streams.

## 4. SEWER COLLECTION FOR RV PARKS

(a) Sewage collection lines shall meet all Uniform Plumbing Codes and City of Burlington's utility ordinances.

(b) Individual sewer connections shall meet the following requirements: A four (4) inch inside diameter sewer lateral and riser pipe with the surrounding ground graded to drain from the rim of the riser pipe. The sewer lateral shall be properly trapped and vented if camping vehicles without individually trapped and vented plumbing fixtures are accommodated.

(c) When the campsite is not occupied, the sewer riser pipe shall be adequately capped.

## 5. WATER CONNECTION FOR RV PARKS IS REQUIRED

(a) Recommended water meter size will be based upon how many lot units will be available. Calculation of meter size will be determined upon the applicable plumbing code.

(b) The water supply system, fixtures and other equipment must be installed in accordance with applicable codes adopted by the city.

- (c) A master water meter shall be installed to serve the RV park.
- (d) A reduced pressure principal backflow preventer will be required to be placed at the property line on the discharge side of the master meter.
- (e) The owner/operator shall have complete maintenance responsibility for the water system within the RV park.
- (f) City of Burlington has no maintenance responsibility for service lines within the RV park. The responsibility of the city stops at the property line.

**6. RATES FOR WATER AND SEWER UTILITIES**

- (a) Collection of revenue from water and sewer will be based upon the American Water Works Association (AWWA) meter size chart. Multi Family Dwelling current charge times the size of the master meter supplying water to the Recreational Vehicle Park.
- (b) Both Water Rates and Sewer Rates for an RV Park are based on multi-family dwelling rates, times the meter size.

**AWWA explained per unit, using a one inch meter as an example**

Based on AWWA recommendation

Sewer charge of \$14.00 X 1.67 (1" meter) = \$23.38  
 Water charge of \$25.00 X 1.67 (1" meter) = \$41.75  
 1" water meter \$23.38 + \$41.75 = \$65.13 (Plus water usage)

<b>AMERICAN WATER WORKS ASSOCIATION</b>				
<b>Meter Size</b>	<b>AWWA</b>	<b>FACTOR</b>	<b>FACTOR</b>	<b>FACTOR BASED</b>
		<b>capacity based on 5/8</b>	<b>based on 3/4</b>	<b>on 1</b>
5/8 Inch	20	1.0	0.67	0.4
3/4 Inch	30	1.5	1.00	0.6
1 Inch	50	2.5	1.67	1.0
1 1/2 Inch	100	5.0	3.33	2.0
2 Inch	160	8.0	5.33	3.2
3 Inch	300	15.0	10.00	6.0
4 Inch	500	25.0	16.67	10.0
6 Inch	1,000	50.0	33.33	20.0
8 Inch	1,600	80.0	53.33	32.0
10 Inch	2,300	115.0	76.67	46.0

**SECTION 4. REPEAL**

Ordinance 854 is hereby repealed. Ordinance 860 is hereby repealed. This ordinance shall supersede any other provision in any ordinance in conflict with any of the provisions herein.

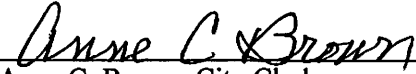
**SECTION 5. EFFECTIVE DATE**

This ordinance shall take effect and be in full force and effect upon its passage and publication of a summary of the ordinance in the official city newspaper and on the City's website in its entirety (burlingtonkansas.gov), but not before November 13, 2023.

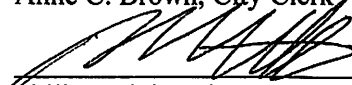
ADOPTED AND PASSED by the governing body and APPROVED by the Mayor of the City of Burlington, Kansas, September 6, 2023.

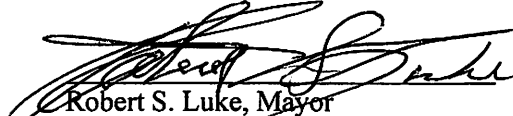


ATTEST.

  
Anne C. Brown, City Clerk

Approved as to form:

  
Philip Wright, City Attorney

  
Robert S. Luke, Mayor