

**AN ORDINANCE AMENDING APPENDIX A OF THE BRANSON MUNICIPAL CODE PERTAINING TO UTILITIES FEE SCHEDULE WATER AND SEWER SYSTEM CONNECTION CHARGES.**

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**WHEREAS**, the Board desires residential properties that have been converted to a nightly rental with the same individual water meters will not be required to pay any new connection fees; and

**WHEREAS**, these properties will then be charged commercial usage rates due to the use being changed from residential to commercial; and

**WHEREAS**, a notice of public hearing was advertised at least thirty days in advance of the public hearing and was held during the January 23, 2024 Regular Board of Aldermen Meeting;

**WHEREAS**, the Board desires to refund only the customers that have paid water and sewer system connection charges in 2023, pursuant to Section 90-81(2)(c) and due to changing from a residential property to a nightly rental with the same individual water meter.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:**

Section 1: It is the intention of the Board of Aldermen, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Branson Municipal Code, and the sections of this ordinance may be renumbered to accomplish such intention.

Section 2: That Appendix A – FEE SCHEDULE of the Branson Municipal Code is hereby amended to read as follows:

**Appendix A - FEE SCHEDULE**

Code Section	Description	Fee
90-81	Water system connection charges:	
	• Commercial: Class I: Retail sales, office buildings, and nightly rentals with individual water meters <b><u>(Properties converting from Residential to a nightly rental will not be charged a new connection fee pursuant to 90-81(2)(c).)</u></b>	
	- 0.75-inch meter	1,700.00
	- 1.0-inch meter	2,839.00
	- 1.5-inch meter	5,661.00
	- 2.0-inch meter	9,061.00
	- 3.0-inch meter	17,000.00
	• Commercial: Class II: All commercial customers not in Class I:	

	- 0.75-inch meter	2,000.00
	- 1.0-inch meter	3,340.00
	- 1.5-inch meter	6,660.00
	- 2.0-inch meter	10,660.00
	- 3.0-inch meter	20,000.00
	- 4.0-inch meter	33,340.00
	- 6.0-inch meter	66,660.00
	Sewage system connection charges:	
	<ul style="list-style-type: none"> <li>Commercial: Class I: Retail sales, office buildings, and nightly rentals with individual water meters <b><u>(Properties converting from Residential to a nightly rental will not be charged a new connection fee pursuant to 90-81(2)(c).)</u></b></li> </ul>	
	- 0.75-inch meter	2,200.00
	- 1.0-inch meter	3,674.00
	- 1.5-inch meter	7,326.00
	- 2.0-inch meter	11,726.00
	- 3.0-inch meter	22,000.00
	<ul style="list-style-type: none"> <li>Commercial: Class II: All commercial customers not in Class I:</li> </ul>	
	- 0.75-inch meter	2,800.00
	- 1.0-inch meter	4,676.00
	- 1.5-inch meter	9,324.00
	- 2.0-inch meter	14,924.00
	- 3.0-inch meter	28,000.00
	- 4.0-inch meter	46,676.00
	- 6.0-inch meter	93,324.00
	<ul style="list-style-type: none"> <li>Non-typical meter size weighting factor:</li> </ul>	
	- 0.75-inch meter	1.00
	- 1.0-inch meter	1.67
	- 1.5-inch meter	3.33
	- 2.0-inch meter	5.33
	- 3.0-inch meter	10.00
	- 4.0-inch meter	16.67
	- 6.0-inch meter	33.33

NOTE: LANGUAGE WHICH IS **BOLD, UNDERLINED** HAS BEEN ADDED; LANGUAGE WHICH IS [BRACKETED, STRICKEN] HAS BEEN REMOVED.

Section 3: That Section 90-81 System Connection Charges of the Branson Municipal Code is hereby amended to read as follows:

**Sec. 90-81. System connection charges.**

A system connection charge (SCC) is a charge assessed to a customer as outlined in the city fee schedule for use of capacity in the city water or sewer system. All required system connection charges as described in the city fee schedule shall be based on the water meter size serving the property and the customer classification. Non-typical meter sizes not included in any classification shall be charged a system connection charge calculated for water or sewer using a weighting factor as provided in the city fee schedule.

- (1) Use, recording and deposit of funds. Funds collected in accordance with this section shall only be used for the specific purpose of water or sewer infrastructure construction, upgrades and expansions. The balance of funds shall be invested in accordance with state law to earn the maximum allowable interest.
- (2) System connection charges assessed. System connection charges for water or sewer shall be assessed when:
  - a. A new property connection is made to city water or sewer;
  - b. A property previously connected to city water or sewer requires an additional or larger water meter than previously required to accommodate demand; or
  - c. Use on a property previously connected to city water or sewer is changed to a higher classification requiring a higher system connection charge. **Properties converting from Residential to a nightly rental will not be charged a new connection fee.**
- (3) Credits for properties with existing water or sewer service. Credits shall be provided as follows:
  - a. Properties with existing city water or sewer connections will be provided a system connection charge credit based on the size of the existing water meter serving the property and the customer classification as described in this section or for an amount paid for a prior sewer capacity fee, whichever is greater.
  - b. The credit described in subsection (3)a of this section shall be subtracted from system connection charges assessed if an existing water meter is replaced with a larger size meter for a property previously connected to city water or sewer or if the use on a property previously connected to city water or sewer is changed to a higher classification requiring a higher system connection charge.

Section 4: This ordinance shall be in full force and effect from January 1, 2024, after its passage by the Board of Aldermen and approval by the Mayor.

Section 5: That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

Section 6: The Board will grant a refund to the customers that have paid water and sewer system connection charges in 2023 which were charged for properties with a change of use from residential to a nightly rental pursuant to Section 90-81(2)(c) only.

Section 7: That the City Clerk is authorized by this Ordinance to correct any scrivener's errors identified within this Ordinance.

Read, this first time on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Read, this second time, passed, and truly agreed to by the Board of Aldermen of City of Branson, Missouri this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Larry D. Milton  
Mayor

ATTEST:

APPROVED AS TO FORM:



\_\_\_\_\_  
Hillary Briand  
City Clerk

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City Attorney