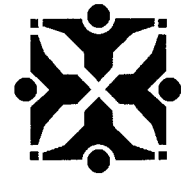


# City of Columbia

701 East Broadway, Columbia, Missouri 65201



**Agenda Item Number:** B 251-15

**Department Source:** Law 

**To:** City Council

**From:** City Manager & Staff

**Council Meeting Date:** 9/8/2015

**Re:** Amending Chapters 12A, 13, 17, 22, 25, 27 and 29 of the City Code Relating to the Creation of a Director of Utilities Position and Reorganization of Duties Associated with the Public Works Director

## Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

**Supporting documentation includes:** None

## Executive Summary

As part of the FY 2016 annual budget, the City Manager created the Director of Utilities position, who also holds the title and performs the duties of the Director of Water and Light. The Director of Utilities will now manage the solid waste, sewer and stormwater utilities as well as utility billing.

## Discussion

In connection with the FY 2016 budget adoption and departmental reorganization of duties funded in the budget, there are several City Code changes which need to occur. The proposed Code changes establishes a Director of Utilities, who will also hold the title and perform the duties of the Director of Water and Light. The amendments also provide for the duties for sanitary sewer, solid waste and stormwater to be transferred from the Public Works Director to the Utilities Director. Utility billing will move from the Finance Director to the Utilities Director.

In preparing the City Code amendments, it was noted the Public Works Director was tasked with the duty to have charge of the physical construction of parks property. Because this is a function of the Parks and Recreation Director, the ordinance moves those duties associated with parks construction contained in the City Code from Public Works to Parks and Recreation.

## Fiscal Impact

Short-Term Impact: N/A

Long-Term Impact: N/A

# City of Columbia

701 East Broadway, Columbia, Missouri 65201



## Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Community Facilities and Services, Development, Environment, Parks, Recreation and Greenways

Strategic Plan Impact: Customer Focused Government, Infrastructure, Workforce

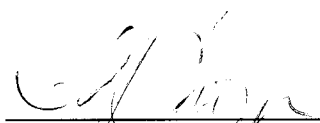
Comprehensive Plan Impact: Infrastructure

## Suggested Council Action

Passage of the ordinance.

## Legislative History

N/A

  
\_\_\_\_\_  
Department Approved

  
\_\_\_\_\_  
City Manager Approved

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 251-15

### AN ORDINANCE

amending Chapters 12A, 13, 17, 22, 25, 27 and 29 of the City Code as it relates to the creation of a utilities director position and reorganization of duties associated with the public works director; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 12A of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 12A-5. Definitions.

(a) For the purposes of this chapter, unless otherwise indicated, the following words and phrases shall have the meaning given herein.

...

*Director.* The director of ~~public works~~ utilities or the director's designee.

...

Sec. 12A-6. Administration and enforcement.

The provisions of this chapter shall be administered and enforced by the director of ~~public works~~.

...

Sec. 12A-91. Stormwater Management and Water Quality Manual.

(a) The city council approves the Stormwater Management and Water Quality Manual prepared by the public works department dated January, 2007. The director is

authorized to revise the Water Quality Manual periodically as advances in stormwater control practices evolve. All such revisions must be consistent with the provisions of this article.

...

#### Sec. 12A-151. Billing practices.

(a) General. The stormwater utility charge shall be billed by the ~~director of finance~~ city in accordance with the provisions of this section and the accounts and billings procedures set forth in chapter 27. Except as otherwise herein provided, each city utility service customer shall be billed the stormwater utility charge for the premises where the customer receives water, electric, sewage or refuse collection utility service. Where there is no city water, electric, sewage or refuse collection utility service customer for a parcel of developed land, the stormwater utility charge shall be billed to the property owner.

...

#### Sec. 12A-161. Definitions.

The following definitions apply to this article:

...

*Director.* The director of ~~public works~~ utilities or the director's designee.

...

SECTION 2. Chapter 13 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

#### Sec. 13-186. Definitions.

The following terms are, for the purpose of this article, defined as follows:

*Acceptable liquid wastes.* Those liquid wastes which may be discharged into the city's designated disposal facilities. Acceptable liquid wastes are limited to septic tank pumpings, portable/chemical toilets, domestic holding tanks, food service grease traps, waste activated sludge from package waste activated sludge plants and liquid from stabilization ponds.

*Director.* The director of utilities, or the director's designee.

*Licensed waste hauler.* A waste hauler licensed by the City of Columbia.

*Liquid waste.* Sand trap pumpings, septic tank pumpings, portable/chemical toilet pumpings, food service or petroleum service pumpings, sludge generated from domestic wastewater treatment plants and lagoons, waste or used oils and lubricants, chemical wastes, waste from commercial or industrial treatment systems, storm drain sludges and other waste as defined by the director of public works.

...

Sec. 13-187. Supervision of waste hauling activities.

It shall be the duty of the director of public works to supervise or cause to be supervised the removal of the contents of privies, the contents of septic tanks and manure, and all persons licensed or engaging in the activities of waste hauler shall be subject to his the director's direction to time, manner and place of removal.

...

Sec. 13-189. Waste hauling vehicles—Sanitary specifications; markings.

(a) All vehicles used for the transportation of the contents of privies, contents of septic tanks or manure, shall be watertight and flytight, equipped with sanitary metal compartments and fully enclosed bodies and shall be so maintained as to prevent the escape of any of their contents. All waste hauling vehicles shall be equipped with close-fitting covers so as to prevent the escape of offensive odors, and the covers shall be kept closed except when refuse is actually being loaded or unloaded. The vehicle compartments shall be thoroughly washed and cleaned once every twenty-four (24) hours. The size of waste hauling vehicles shall meet with the approval of the director of public works. Waste hauling vehicles shall be kept in good running order and in a clean, sanitary condition at all times.

...

Sec. 13-190. Same—Parking.

(a) Adequate facilities for garaging or parking waste collection vehicles on private off-street lots located in areas zoned other than for residential use are required if vehicles are housed within the city. Parking facilities must be approved by the director of public works.

...

Sec. 13-191. Delivery of refuse to authorized areas.

(a) It shall be unlawful for any person engaged in the activities of a waste hauler to dispose of the contents of privies or manure, except at the city landfill or other solid

waste disposal facility which is licensed and approved by the Missouri Department of Natural Resources.

(b) It shall be unlawful for any person engaged in the activities of a licensed waste hauler to transport or dispose of any liquid waste, except in the manner and at locations designated by the director ~~of public works~~. The director may require the pretreatment of the contents of acceptable liquid waste loads and may require sampling and analyses of the wastes before allowing dumping, and may refuse to allow dumping if in the director's discretion allowing the dumping would violate any wastewater treatment regulations or requirements, cause damage to the treatment process or facility, or a hauler violates any regulation or ordinance regarding use of the plant.

. . .

Sec. 13-206. Required; application and examination; hearing upon denial.

All persons intending to engage in the activities of waste hauler shall first make written application to the business license administrator for a license. It shall be the duty of the business license administrator to notify the director ~~of public works~~ of such application and the director ~~of public works~~ shall make, or cause to be made, an examination of the vehicles and equipment to be used in such work by the applicant. If it shall be found that such vehicles and equipment comply with the requirements of this article, the director ~~of public works~~ shall so note his such findings on the application for the information of the business license administrator, who shall grant or deny such license, according to the recommendations of the director ~~of public works~~. Any person who shall be denied a license hereunder shall have the right of appeal to the city council, which shall afford the applicant a hearing and thereupon grant or deny such license.

. . .

Sec. 13-210. Revocation and suspension.

Whenever it shall appear to the satisfaction of the director ~~of public works~~ that any licensed waste hauler has violated any of the provisions of this article or has not complied with the reasonable instructions of the director ~~of public works~~, the director ~~of public works~~ shall notify the holder of such license and may, after a hearing as provided for in section 22-217.1 of this Code, order the license revoked and require ~~such~~ licensee to surrender his such license.

. . .

SECTION 3. Chapter 17 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 17-27. Same—Powers and duties.

The director of parks and recreation shall be responsible to the city manager for an adequate and progressive recreational program. To that end, ~~he~~ the director shall have the power and be required to:

- (1) Manage and control all recreation programs in all places and buildings owned or controlled by, or available to the city.

...

- (5) Formulate, with the advice of the parks and recreation commission, proposed rules and regulations for submission to the council by the city manager for the proper use and protection of all property under the jurisdiction of the department.

- (6) Manage the physical construction and improvement of all parks, playgrounds, golf courses, recreational centers, camps, swimming pools and all other city-owned land and buildings to be used for recreational purposes.

...

SECTION 4. Chapter 22 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Chapter 22  
PUBLIC WORKS AND IMPROVEMENTS

...

Sec. 22-16. Director—Appointment and qualifications.

The city manager shall appoint the director of the department of public works, who shall be an engineer registered under the laws of Missouri and qualified to perform the duties required ~~of him~~ by the charter and ordinances of the city.

Sec. 22-17. Same—Powers and duties.

(a) The director of public works shall serve as city engineer and shall have charge of:

- (1) The designing, construction, reconstruction, supervision and repair of all municipal buildings, bridges, viaducts, ~~waterways, sewers, drains, levees,~~ airports, public market facilities, tunnels and structures, including alterations,

replacements, additions and appurtenances thereto, and maintenance of the same.

- ~~(2) The physical construction and improvement of all parks, parkways, playgrounds, golf courses, recreational centers, camps, swimming pools and all other city-owned land and buildings to be used for recreational purposes.~~
- (3-2) The grading and improvement of all streets, alleys, highways, sidewalk spaces and public ways, and keeping the same open and in a safe and clean condition.
- (4-3) The construction, reconstruction, repair and maintenance of all pavements, curbs and sidewalks.
- ~~(5) The collection and disposal of garbage, ashes and refuse and disposal of sewage.~~
- (6-4) The lighting of public grounds and highways, the laying of conduits, the location, erection and construction of poles and all structures in, on or over public grounds and highways, the granting of all permits to excavate into or disturb any highway or public property or to make any special use thereof; provided that, with respect to such functions, the duties of the department of public works and the water and light department shall be coordinated by the city manager.
- (7-5) The supervision and control, as far as the city can exercise it, over use of the city's rights-of-way by all privately owned or operated public utilities in the city, and the enforcement of the terms of all franchises and ordinances relating to such utilities.
- (8-6) The making and keeping of records of all necessary plats, surveys, drawings and estimates, and the furnishing of all information and reports relating to public works or the public works department as may be required by the city manager.
- ~~(9) The making and keeping of records of location, direction, depth and connection of all underground equipment.~~

(b) As director of public works and as city engineer, ~~he~~ the director shall perform such additional duties not herein specifically set out as may be required of such director ~~him~~ by charter, by law, by ordinance or by the city manager.

...



Sec. 22-26. Created.

There is hereby created within the department of public works a division of transportation which shall be under the supervision and control of the director of ~~public works~~.

...

Sec. 22-28. Superintendent.

There is hereby created within the classified service of the city, the position of superintendent of the division of transportation, department of public works, and such other subordinate employees of the division of transportation as may be authorized by the city manager, who shall be under the direction, supervision and control of the director of ~~public works~~.

...

Sec. 22-105. Maintenance policy.

(a) The city will maintain and repair, without charge to abutting property, all streets that are designated to be permanently improved streets by the council upon recommendation of the director of ~~public works~~. All streets hereinafter constructed or reconstructed shall be constructed or reconstructed in accordance with the street construction standards and specifications set forth in the transportation plan and subdivision regulations.

(b) The city will maintain unimproved streets only to the extent of keeping such streets in a safe and passable condition. Unimproved streets shall be those which have been heretofore constructed or improved but are not designated by the council as having been permanently improved. No dust control measures will be initiated by the city for unimproved streets. Residents or owners of property abutting unimproved streets may provide, at their expense, such dust control measures as may be approved by the director of ~~public works~~.

Sec. 22-106. Classification of streets; design standards and specifications.

(a) For the purpose of planning the orderly extension, construction and reconstruction of streets, all public streets and rights-of-way are classified in the transportation plan as follows:

...

(c) The council may, upon the recommendation of the director of ~~public works~~, grant a variance or exception to the minimum street widths required by the standards and specifications.

. . .

Sec. 22-108. City participation in street construction or reconstruction.

(a) Definitions. "Local residential street portion of costs" shall mean an amount not to exceed ninety (90) percent of the city's average cost of constructing the pavement portion of local residential streets and of constructing the local residential pavement portion of collector and arterial streets during the two (2) calendar years prior to the year in which the ordinance is passed approving the engineer's final report for a particular street construction project.

. . .

(g) Collector and arterial streets outside of new subdivisions.

. . .

(2) The criteria for determining the part of the local residential street portion of costs which shall be charged by levying special assessments and issuance of tax bills shall be the cost of curbs and gutters, improved drainage, overlay, or such other criteria as approved by the council upon the recommendation of the director of public works.

Sec. 22-109. Through lots.

In levying assessments for streets outside of new subdivisions on through lots, tracts or parcels of land, zoned for single-family residential or agricultural use, which front and back on a street, the rear footage may, within the discretion of the council upon the recommendation of the director of public works, be assessed at seventy (70) percent of the applicable footage rate if right of access from the property to the street being constructed or reconstructed is retained. No assessments shall be made if rights of access from the property to the street being constructed or reconstructed are transferred to the city or if the right of access is denied by reason of zoning restrictions or other regulatory requirements. This section shall not apply to streets being constructed within new subdivisions.

. . .

Sec. 22-156. Definitions.

For the purpose of this article, the following words and terms shall have the meanings respectively ascribed:

. . .

*Director.* The director of utilities, or the director's designee ~~public works or his designated representative.~~

. . .

Sec. 22-157. Provision of service by city.

(a) Generally; powers and duties of director. The city shall provide refuse collection and disposal within the city in accordance with the provisions of this article and may provide contract services to other governmental units as further described in this article. The city shall encourage reclaiming and recycling of materials as an alternative to disposal in the city landfill. The director is authorized to make arrangements for the sale, in accordance with city ordinance, of recyclable or reclaimed items collected and of mulch and compost produced by city operations. The director shall have charge and supervision of the collection and disposal of refuse pursuant to this chapter and shall have the power to establish rules and regulations governing keeping, collection, removing and disposition of refuse not inconsistent with the provisions of this article. The director is authorized to negotiate terms and submit bids for providing solid waste transportation, processing or disposal services to other governmental units. Agreements for these services must be authorized by the city council. The director is authorized to establish rates equal to the actual costs to the city of collection and disposal of materials and objects which, by their nature or composition, require unusual or special treatment and handling.

. . .

(b) Requirement of service; waiver. Every owner, occupant, tenant or lessee within the city limits shall receive refuse service and tender payment therefor in accordance with the fees herein provided for, unless a waiver of service is authorized by the director ~~or his authorized agent~~, after special investigation of the conditions upon which the waiver is requested.

. . .

Sec. 22-158. Prohibitions.

(a) Unlawful items. The city shall not collect for disposal at its sanitary landfill, nor shall it accept for disposal at its sanitary landfill, the following items:

. . .

(b) Unlawful acts.

. . .

(7) Except as otherwise provided in this subsection, it shall be unlawful for any person to take, open or remove the contents of, commingled recycling bag

placed near the street for collection by the city. This subsection ~~(b)(8)~~ shall not apply to city refuse collectors performing their job duties.

. . .

#### Sec. 22-162. Billing and credit.

All service fees provided for by this article and those uniform utility charges set by chapter 27, article II, shall be billed and collected as provided for by the procedures of chapter 27, article II. All service fees collected shall be credited to the fund(s) designated by the director of finance for such purpose ~~account of the department of public works.~~

#### Sec. 22-163. Landfill and disposal areas.

(a) *Rates for landfill.* Landfill fees shall be determined by weight unless scales are temporarily out of commission. The current state solid waste tonnage fee will be added to all rates where applicable except the "per ton" rate, set forth in subsection (1) below, which includes that fee. Charges for use of the landfill shall be determined by weight or volume as follows:

. . .

(c) *Rates for material recovery facility.* Recyclable material approved by the director ~~or the director's designee~~ may be delivered to the material recovery facility at the landfill by the general public, other governmental units or private businesses, or may be transported to the material recovery facility from other governmental units or private businesses by city crews in accordance with regulations promulgated by the director. The director is authorized to establish rates that are not less than the cost of providing the services and the processing of materials.

. . .

#### Sec. 22-210. Definitions.

The following words and terms as used in this article shall be deemed to mean and be construed as follows, unless the context specifically indicates otherwise:

. . .

*Director.* The director of utilities, or the director's designee ~~Director of the Department of Public Works of the City of Columbia, Missouri, or that person's authorized representative.~~

. . .

Sec. 22-215.01. Grease traps.

(a) Every food establishment, restaurant or facility which has the potential to discharge waste water containing animal or vegetable fats, oils, grease or solids shall have installed the appropriate grease trap or interceptor device to prevent the discharge or concentration of such substances into the sewers. All such grease traps or interceptor devices shall be installed as set out in the Plumbing Code of Columbia, Missouri adopted in section 6-52 of this Code.

(b) Every food service establishment, restaurant or facility required to have a grease trap or interceptor device shall develop a cleaning schedule and shall have such devices serviced, maintained, inspected and cleaned, at the establishment's expense, as frequently as required to prevent discharge of grease into the sanitary sewers. The establishment shall maintain detailed records of such inspection and maintenance in a manner acceptable to the ~~director of public works~~. Records will remain on file for at least three (3) years.

(c) Records required to be kept by this section shall be provided to health ~~department~~ inspectors and sewer ~~public works department~~ pretreatment inspectors during their periodic inspections and during the normal business hours of the establishment.

...

Sec. 22-218.1. Notice required prior to excavation.

Any person desiring to lay pipes for water, gas, steam, or other purposes, in any street or alley upon which sewers are to be laid, shall give at least twenty-four (24) hours' notice to the ~~director of public works~~ before opening the street, and the manner of excavating and backfilling over such pipe shall be subject to the approval of the ~~director of public works~~. All such work shall be planned and executed so that no injury shall occur to any public sewer or drain or to any house sewer or drain connected therewith.

...

Sec. 22-222.2. Bypass of treatment facilities.

(a) Bypass is prohibited unless it is unavoidable to prevent loss of life, personal injury or severe property damage or no feasible alternatives exist.

...

(c) Notification of bypass:

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior written notice, at least ten days before the date

of the bypass, to: ~~Director of Public Works~~, P.O. Box 6015 Columbia, MO 65205-6015

- (2) Unanticipated bypass. The permittee shall immediately notify the City of Columbia, as listed in section 22-222.1(a), and submit a written notice to the ~~Director of Public Works~~ within 5 days. This report shall specify:

...

Sec. 22-229. Sewer extension; reimbursement of property owners from project connection fees.

(a) The city council may, by ordinance, authorize agreements allowing property owners to extend city sewers to serve their property in situations where the city would normally extend the sewers but lacks the funding to do so. Such agreements must provide that the sewer will be built in accordance with city plans and specifications. The city may agree to partially reimburse the person or persons extending a sewer from project connection fees charged to other property owners in the project drainage area.

...

(d) Agreements made under this section shall be for a period not to exceed twenty (20) years. If the person constructing the sewer is no longer in existence or cannot be located by the city, the city shall cause the reimbursement to be made available to those persons who have contributed their proportionate share of the cost of the sewers before construction began, provided such persons must file claims and prove their claims to the ~~director of public works~~ within twenty (20) years from the date of the contract. If no such claims are filed, or if the city cannot locate the person constructing the sewers within twenty (20) years after the date of the contract, all such refunds shall forever be barred, and such money shall revert to the city's sewer fund.

...

Sec. 22-261. Generally.

(a) It is the purpose of this division to provide for the recovery of costs from contributors to the city's sanitary sewer system for the implementation of the program established herein. The applicable charges or fees shall be set forth in the city's schedule of charges and fees, to be prepared by the director and approved by the city council. The city council shall adopt charges and fees which may include:

...

(b) Surcharges shall be shown on the utility bill as a separate item which shall show the amount of the surcharge and shall be payable to the city ~~finance department~~ at the same time as the utility bill and normal sewer service charge.

. . .

Sec. 22-267. Billing; payment; deposits and service charges; discontinuance of service for nonpayment.

The service fees provided for by this article shall be billed and collected by the ~~department of finance of the city~~ in accordance with the provisions of section 27-16 along with all other charges and deposits provided for by the provisions of section 27-16 et seq. The patron's sewage charges shall be billed and collected as provided for by the standard utility and billing procedures of section 27-16 et seq. All service fees shall be credited upon collection to the accounts of the sewer utility. Delinquency and shut off shall be handled in accordance with the standard provisions of section 27-16 et seq.

. . .

Sec. 22-270. Determination of extra strength.

(a) The city will perform analyses at intervals no greater than twelve (12) months to determine the strength of sewage discharged by any users who discharge an annual average volume of twenty-five thousand (25,000) gallons or more of sewage per average work day and whose wastes are subject to extra strength charges. Any users who discharge an average of less than twenty-five thousand (25,000) gallons per day and whose wastes are subject to extra strength charges shall have their wastes analyzed as often as deemed necessary by the director to obtain representative samples.

. . .

(e) ~~The director or the director's authorized representatives~~ shall have the right to enter upon all premises served by the wastewater system of the city, for the purpose of inspecting, reading or otherwise examining all meters and appurtenances involved in the recording of water received on the premises or sewage discharged therefrom, or to collect samples for analysis of sewage discharged therefrom.

Sec. 22-271. Sewer extension permit requirements.

(a) A construction permit is required for all sanitary sewer extensions. All applications for sewer extension permits shall be submitted on forms issued by the director and shall contain all information required by the director.

(b) Applications for sanitary sewer extension permits shall be accompanied by detailed construction drawings. Construction drawings for sewer extensions shall be prepared by a qualified, registered professional engineer licensed in the State of Missouri and shall be prepared in accordance with City of Columbia Sanitary Sewer Specifications and Standards, Sanitary Sewer Pump Station Design Requirements and Standard Specifications, Street and Storm Sewer Specifications and Standards, Storm Drainage

Design Manual and all other applicable state and federal regulations including those of the Missouri Department of Natural Resources. All construction drawings for sewer extensions shall be reviewed and approved by the director ~~public works staff~~ prior to construction. Easements shall be provided for all sewer extensions.

. . .

SECTION 5. Chapter 25 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 25-35. Conformance with applicable laws, rules and regulations.

The subdivider shall adhere to design standards as established in these regulations. In addition, all subdivisions shall comply with the following laws, rules and regulations:

- (1) State and federal provisions. All applicable provisions of state and federal laws and regulations;

. . .

- (4) City of Columbia regulations. The standards and regulations promulgated by the city including street and storm sewer specifications and design standards; the sanitary sewer specifications, the specification for water main construction, extensions and alterations; design standards for streets, sidewalks and bikeways; and specifications for all other public improvements and utilities which are hereafter promulgated by the city. The director of the applicable city utility ~~is public works and the director of the water and light department~~ are hereby authorized to promulgate and establish design standards and specifications for the construction of public improvements and utilities in subdivisions in the city, which shall ensure a high quality construction of such public improvements and utilities such that these public improvements and utilities will serve the public need and be suitable for acceptance and maintenance by the city. The design standards and specifications shall be in substantial conformance with design standards and specifications for construction of similar public improvements and utilities by the city. All promulgated design standards and specifications shall be on file in the office of the director who promulgated them.

. . .

Sec. 25-55. Drainage and storm sewers.

(a) Flood-prone areas. Any portion of land being subdivided which is located within the limits of maximum flooding of the 100-year flood, as determined by December 1,



1981, flood insurance rate maps and amendments thereto on file with the director of community development~~public works~~, shall be developed so as not to endanger the health, safety and general welfare of the inhabitants thereof, and in compliance with the provisions of the zoning ordinance related thereto.

(b) Storm sewers. Storm sewers with curbs and gutters shall be provided for lots; however, open channels may be allowed where deemed appropriate and when design features, such as vegetated swales and check dams, are used to reduce runoff velocity and allow infiltration. Sidewalks and pedways shall not be located between the street and open channel. Improvements shall conform to standards contained in the city street and storm sewer specifications and design standards, and the city storm drainage standards, and all applicable design standards and specifications now or hereafter promulgated by the applicable city utility~~director of public works~~ or adopted by the council.

...

SECTION 6. Chapter 27 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

## Chapter 27 UTILITIES

### ARTICLE I. IN GENERAL

#### Secs. 27-1. Director of utilities – appointment and qualifications.

The city manager shall appoint a director of utilities, who shall be trained and experienced in the operation and management of public utilities and qualified to perform the duties required by the charter and ordinances of the city.

#### Secs. 27-2. Director of utilities – powers and duties.

(a) The director of utilities shall also serve as the director of the water and light department and shall have the following additional duties:

- (1) The collection and disposal of garbage, ashes and refuse;
- (2) The provision of sanitary sewer services, disposal and treatment of sewage;
- (3) The construction and maintenance of stormwater management and drainage facilities; and
- (4) The making and keeping of records of location, direction, depth and connector of all underground equipment and facilities.

Secs. ~~27-1-27-3~~—27-15. Reserved.

. . .

Sec. 27-37. Director—Appointment and qualifications.

There shall be a director of the water and light department, who shall be ~~an engineer registered under the laws of the state~~, trained and experienced in the operation and management of public utilities, and qualified to perform the duties required of the director ~~him~~ by the charter and ordinances of the city. ~~He~~ The director shall be appointed by the city manager.

. . .

Sec. 27-52. Water service lines—Ownership; application; fees.

(c) Water service lines to previously unserved properties or to properties previously served by an inadequate or non-city-owned service line within the water utility service area shall be installed upon application and only after all requirements for water main extension and payment have been met. The required fees for connection, tap and meter installation, where applicable, shall be paid at the time of application or may be billed during the normal billing cycle in the month subsequent to the date of application, at the city's option. The city may demand payment in cash.

. . .

- (2) Tap fee. This fee shall be in addition to the system equity charge and meter fee and shall be assessed for each tap made by the department on public water mains. The tap fee will be waived when the only purpose of the tap is for installing a sprinkler system in a structure built before the requirement of fire sprinklers. On each tap, the customer shall be assessed as follows:

. . .

For all commercial services or connections larger than one (1) inch, the customer shall be responsible for supplying all materials to department specifications, all necessary permits, preparation of the water main so that the tap may be made (including saw cutting of pavement, if required), site excavation, installation of the service line across the street (if required), and all applicable site restoration costs. All excavations under pavement must be restored per ~~city public works department~~ City of Columbia, Boone County Public Works, or Missouri Department of Transportation specifications as determined applicable by the director.

. . .

Sec. 27-57. Cross connections.

. . .

(d) Those facilities classified as actual or potential Class I backflow hazards (by the Missouri Department of Natural Resources ~~or the director, the director of public works or the director of water and light department~~) shall be equipped, at a minimum, with an air gap separation or reduced pressure principle backflow prevention assembly. Those facilities classified as actual or potential Class II backflow hazards shall be equipped, at a minimum, with a double-check valve assembly.

The director, at ~~his~~ the director's discretion, may require a device at other facilities dangerous to public health.

. . .

SECTION 7. Chapter 29 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 29-2. Definitions.

For the purpose of this chapter, the following words and terms as used are defined to mean the following:

. . .

*Stormwater management plan.* A detailed design in conformance with the standards on file with the ~~public works~~ applicable city utility department signed and sealed by an engineer licensed to practice in the State of Missouri.

. . .

Sec. 29-22. – District F-1, floodplain overlay district.

(a) *Authority, findings of fact and purposes.*

. . .

(b) *General provisions.*

(1) *Lands to which ordinance applies.* This section shall apply to all lands within the jurisdiction of the City of Columbia identified on the flood insurance rate map (FIRM) for Boone County, Missouri on map panels 29019C0165D,

29019C0170D, 29019C0190D, 29019C0260D, 29019C270D, 29019C0280D, 29019C0285D, 29019C0290D, 29019C0295D, 29019C0325D, 29019C0335D and 29019C0355D as A zones (including AE, AO and AH zones) dated March 17, 2011 as amended and any future revisions thereto, and that portion of the X zone shaded, other flood areas, which is in the upper square mile of a flood drainage area. In all areas covered by this section, no development shall be permitted except upon the issuance of a floodplain permit to develop granted ~~by the director of public works~~ under such safeguards and restriction as ~~the director of public works~~ may reasonably be imposed for the promotion and maintenance of the general welfare and health of the inhabitants of the community and where specifically noted in this section.

- (2) *The enforcement officer.* The director of ~~public works~~ community development is hereby designated as the duly designated local floodplain administrator under this section. In this section, the term "director" when used shall mean the director of community development, or such director's designee.
- (3) *Rules for interpretation of district boundaries.* The boundaries of the floodway, flood fringe, and flood drainage area shall be determined by scaling distances on the official zoning map or on the flood insurance rate map or floodway map. Where interpretation is needed to the exact location of the boundaries of the district as shown on the official zoning map, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the director of ~~public works~~ shall make the necessary interpretation. In such cases where the interpretation is contested, the board of adjustment will resolve the dispute. The regulatory flood elevation for the point in question shall be the governing factor in locating the district boundary on the land. The person contesting the location of the district boundary shall be given a reasonable opportunity to present ~~his~~ the case to the board and to submit ~~his own~~ technical evidence, if ~~he so desires~~ desired.
- ...
- (9) *Appeal.* Where a request for a floodplain development permit to develop or for a variance is denied by the director of ~~public works~~ the applicant may apply for such floodplain development permit or variance to these regulations directly to the board of adjustment.
- (c) *Administration.*
- (1) *Permit required.* No person, firm or corporation shall initiate any development or substantial improvement or cause the same to be done without first

obtaining a separate floodplain development permit for development as defined in subsection (h).

(2) *Administration.*

- a. The director as defined in subsection (b)(2) hereof ~~of public works~~ is hereby appointed to administer and implement the provisions of this section.
- b. Duties of the director ~~of public works~~ shall include, but not be limited to:

...

8. When floodproofing is utilized for a particular non-residential structure, the director ~~of public works~~ shall be presented certification from a registered professional engineer or architect.

...

- (3) *Application for permit.* To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:

...

- f. Give such other information as reasonably may be required by the director ~~of public works~~.

...

(e) *Variance procedures.*

- (1) The board of adjustment shall hear and decide appeals and requests for variances from the requirements of this section.
- (2) The board shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the director ~~of public works~~ in the enforcement or administration of this section.

...

(h) *Definitions.* Unless specifically defined below, words or phrases used in this section shall be interpreted so as to give them the meaning they have in common usage and to give this section its most reasonable application. These definitions are for the purpose of this section only and may differ from those in section 29-2.

. . .

*Appeal* means a request for a review of the interpretation of the director of public works of any provision of this section or a request for a variance.

. . .

SECTION 8. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor