

Chapter 9.25
PUBLIC UTILITY FEE

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9.25.010 Definitions.

- (1) Gross revenue. As used in this Chapter "gross revenue" includes any revenue earned within the City (after adjustment for the write-off of uncollectable accounts) from the sale of water, sanitary or storm water disposal and/or treatment services and for use, rental, or lease of operating facilities of the utility engaged in such enterprise. The term "Gross Revenues" does not include proceeds from the sale of bonds or other evidence of indebtedness.

- (2) Public utility. As used in this Chapter, "public utility" means City-owned utilities that supply water, sewage and storm water disposal and treatment.

9.25.015 Fees and Payment.

Those City owned and/or operated entities or City departments charged with the responsibility of operating a public utility (as defined in this Chapter) shall pay a fee to the City for the privilege of operating within City-owned rights-of-way measured by a percentage of the gross revenues received by the public utility for each quarter-year period of operation. The percentage for each public utility shall be set forth in a separate resolution adopted by the City Council.

The utility shall compute the fee by multiplying the applicable percentage by the gross revenues received during the preceding quarter. The resultant fee shall be paid to the City Manager on the following basis:

- (1) on or before May 15 the fee for the period extending from January 1 through March 31, inclusive, of the same calendar year;

- (2) on or before August 15 the fee for the period extending from April 1 through June 30, inclusive, of the same calendar year; and

- (3) on or before November 15 the fee for the period extending from July 1 through September 30, inclusive, of the same calendar year;
- (4) on or before February 15 the fee for the period extending from October 1 through December 31, inclusive, of the preceding calendar year.

All such payments shall be subject to the deductions set forth in Section 9.25.020.

9.25.020 Deductions.

The utility may deduct from the franchise fee required in this Chapter the amount of any payments made or accrued to the City for the period upon which the fee is computed under provision of franchise, permit or ordinance-in-lieu-of-franchise.

9.25.025 Report of Gross Revenues.

Concurrent with payment of the fee, the public utility shall file with the City Manager a report of the gross revenues of the utility setting forth the revenues according to their accounting subdivisions and any deductions claimed for the period upon which the fee is computed. Within 30 days from the date such report is filed (or such additional time as the Council may allow) the City Manager or designee may investigate the report and determine the accuracy of the amount reported. For purposes of such investigation, the public utility shall make available all records and books for verification of the reports and fees paid.