

ORDINANCE NO. 1609-08

**AN ORDINANCE AMENDING THE FEES AND CHARGES FOR CONNECTION TO AND USE OF THE CITY OF SEDRO-WOOLLEY SANITARY SEWER SYSTEM, AMENDING PORTIONS OF SEDRO-WOOLLEY MUNICIPAL CODE CHAPTER 13.16 AND CHAPTER 13.30, AND ADJUSTING THE LOW-INCOME SENIOR DISCOUNT**

WHEREAS, the City Council of the City of Sedro-Woolley is updating its Sanitary Sewer Capital Facilities Plan, and

WHEREAS, the work identified by the City will cost about \$15,133,000, and

WHEREAS, the intended method of financing is to utilize PWTF monies to the extent possible, to achieve a lower cost of funds, and

WHEREAS, the City has hired consultants who have made recommendations concerning the allocation of the cost of construction between connection fees and charges and monthly user fees, and

WHEREAS, the City Council finds that adoption of the connection and user fees set forth in this ordinance will support the construction projects in the Sanitary Sewer Capital Facilities Plan if anticipated financing is realized, and

WHEREAS, the City Council finds that it is in the interests of the public health, safety and welfare to adopt the fee schedules set forth below, now therefore,

THE CITY COUNCIL OF THE CITY OF SEDRO-WOOLLEY DO HEREBY ORDAIN AS FOLLOWS:

**Section 1:** SWMC Section 13.16.035 is hereby amended to read as follows:

*13.16.035 General facilities charge—Separate fund.*

In addition to any permit fees and other charges required by city ordinance or regulation, and not in lieu thereof, at the time of building permit issuance, (or if no building permit, then at time of connection or commencement of use,) there shall be a general facilities charge, for connection to the city sewer system which shall be paid in the sum of ~~seven thousand two hundred sixty six dollars (\$7,266.00)~~ eight thousand nine hundred twenty six dollars (\$8,926.00) per equivalent residential unit (ERU), to be determined as set forth in this section.

A. “Equivalent residential unit (ERU)” is defined as a common measure for all types of users to put them on an equivalent basis with a single-family residential user. The ERU is determined by the anticipated water consumption from a connection. One ERU is equal to seven hundred fifty cubic feet of water consumption per month.

B. Single-Family Residential. Each single-family dwelling unit, including single family (one unit), duplexes (two units), triplexes (three units), condominium unit, and

each mobile or manufactured home (one unit) whether on an individual lot or in a mobile home park, is equal to one ERU per dwelling unit.

C. Multiple Residential. Each dwelling unit in a multiple residential structure consisting of four or more dwelling units is equal to one ERU per dwelling unit.

D. Nonresidential, Including Commercial and Industrial Users. The following provisions shall govern the assessment and collection of general facilities charges for nonresidential users, including commercial and industrial units:

1. For each nonresidential unit, there shall be a general facilities charge equal to the sum of:

a. For plumbing fixtures, ~~four hundred five dollars (\$405.00)~~ four hundred ninety eight dollars (\$498.00) per plumbing fixture unit as described in Table 1 set out at the end of this section, titled Equivalent Fixture Units, plus applicable state sales tax; and

b. For use other than plumbing fixtures, ~~four hundred five dollars (\$405.00)~~ four hundred ninety eight dollars (\$498.00) per three hundred eleven gallons of water consumption per month, as determined by the superintendent or his designee. In making this determination, the superintendent may rely upon industry standards, scientific and engineering data, sewage flow meter data, qualified professional opinions, and any other basis which is in his or her opinion appropriate. The superintendent may adjust this charge based upon evidence that the metered water usage does not accurately reflect the volume of discharge disposed of through the sewer system.

2. If the city enters into a written agreement with users allowing the discharge into the sanitary sewer system of materials set forth in Section 13.30.080(A) (1) through (4), the superintendent shall determine the general facilities charge for the user, in order that such property owners shall bear their equitable share of the cost of such system. In making this determination, the superintendent may rely upon industry standards, scientific and engineering data, sewage flow meter data, qualified professional opinions, and any other basis which is in his or her opinion appropriate. The superintendent may consider the quality of effluent, that the metered water usage does not accurately reflect the capacity of the capital facilities, including treatment plant capacity, utilized by the connection, and all other relevant information. Nothing in this section shall require the city to accept wastes or waters described in Section 13.30.080 (A) (1) through (4) from any user.

3. An additional general facilities charge shall be assessed and due as provided in this subsection for an existing connection if, in the determination of the superintendent:

a. The number of plumbing fixture units is increased; or

b. The user applies for a permit for improvements which will result in an increase in the average monthly water usage for reason other than an increase in the number of plumbing fixture units; or

c. The user, by agreement with the city, changes the quality of the discharge or wastewater discharged into the sewer system so as to cause the discharge into the sewer system of materials set forth in Section 13.30.080 (A)(1) through (4); or

d. The user converts an existing connection to a different use which increases the demand on the treatment plant or sewer system capacity utilized to transport or treat said discharge.

In making the determination that an additional general facilities charge is due, the superintendent may rely upon industry standards, scientific and engineering data, sewage

flow meter data, qualified professional opinions, and any other basis which is in his or her opinion appropriate.

E. In making a determination of the amount of the general facilities charge, an adjustment against the charge may be allowed by the superintendent for a level of previous use of sewer system capacity, as defined by the highest average twelve consecutive months of the preceding sixty months, unless a general facilities charge, or its equivalent was due for such use under this section which was not paid. Any adjustment shall be determined by the superintendent as set forth in this section, who may rely upon industry standards, scientific and engineering data, sewage flow meter data, qualified professional opinions, the billing for the previous sixty months, and any other basis which is in his or her opinion appropriate. No adjustment shall be allowed if the sewer bill has not been paid for the preceding sixty months, which shall constitute abandonment of the right to use the previous sewer capacity without paying the initial or additional general facilities charge. This adjustment shall apply only to the parcel or lot to which service was provided, and may not be assigned or transferred to other property.

F. All proceeds of the general facilities charge shall be placed in the sewer capital improvements fund for the following uses: construction of new sewer facilities, repair, replacement, and maintenance of existing sewer facilities, and debt service of the same.

TABLE 1  
Equivalent Fixture Units

<b>Kinds of Fixture</b>	<b>Units</b>
Bathtubs	2
Bidets	2
Clothes washers, private	2
Clothes washers, commercial	6
Dental units or cuspidors	1
Drinking fountains	1
Floor drains	2
Interceptors for grease, oil, solids, etc.	3
Interceptors for sand, auto wash, etc.	6
Laundry tubs	2
Receptors (floor sinks), indirect waste receptors for refrigerators, coffee urns, water stations, etc.	1
Receptors, indirect waste receptors for commercial sinks, dishwashers, air-washers, etc.	3
Showers, single stalls	2
Showers, gang (per head)	1
Sinks, and/or dishwashers (residential) (2" min. waste)	2
Sinks, bar, commercial	2
Sinks, bar, private	1
Sinks, commercial or industrial, schools, etc., including dishwashers, wash up sinks and wash fountains	3

Sinks, flushing rim, clinic	6
Sinks, service	3
Sinks, service (3" trap)	6
Urinals, pedestal, trap arm only	6
Urinals, stall, separate trap	2
Urinals, wall-mounted, blowout, integral trap 2" trap arm only	3
Urinals, wall-mounted, blowout, integral trap 3" trap arm only	6
Urinals, wall-mounted, washdown or siphon jet, integral trap, trap arm only	2
Urinals, wall-mounted, washdown, separate trap (2" min. waste)	2
Wash basins, in sets	2
Wash basins (lavatories) single	1
Water closet, private installation	4
Water closet, public installation	6

**Section 2:** SWMC Section 13.30.010 is hereby amended to read as follows:

*13.30.010 Effective date.*

Commencing on ~~May 1, 2005~~ June 1, 2008, the sewer service charges specified in this chapter shall take effect. For buildings which have a public sewer available after that date, a sewer service charge shall commence thirty days after such public sewer has been available and notice of such availability is given.

**Section 3:** SWMC Section 13.30.020 is hereby amended to read as follows:

*13.30.020 Residential rates.*

Unless exempt from connection to the sewer, there shall be charged to each single residential dwelling unit (including mobile or manufactured homes on individual lots or in a mobile home park), and to each unit of a residential duplex (two units) or triplex (three units) dwelling, to which sewer service is available a basic monthly sewer service charge as follows:

<del>May 1, 2005 through December 31, 2006:</del>	<del>\$41.75</del>
<del>January 1, 2007 and thereafter:</del>	<del>\$45.75</del>
June 1, 2008 and thereafter:	\$48.50

**Section 4:** SWMC Section 13.30.040 is hereby amended to read as follows:

*13.30.040 Nonresidential schedule and other provisions.*

Unless otherwise provided by written agreement, there shall be charged to each nonresidential unit (including commercial and industrial units) to which sewer service is available a monthly sewer service charge as follows:

A. A base rate per connection per month plus a volume rate (in cubic feet) for all volume of discharge over seven hundred fifty cubic feet per month. The base rate shall be equal to the single residential rate set forth in this chapter. The volume rate charge shall be determined by the water consumption records provided by the Skagit County PUD No. 1 meter readings and records, or as otherwise determined as provided in this chapter.

B. The superintendent may adjust this charge based upon evidence that the metered water usage does not accurately reflect the volume of discharge disposed of through the sewer system. In making this adjustment, the superintendent may rely upon industry standards, scientific and engineering data, sewage flow meter data, qualified professional opinions, and any other basis which is in his or her opinion appropriate.

C. The superintendent may require the installation of any measuring devices to measure the flow of water or sewage at the owner's expense.

D. The volume rate charge shall be based upon the monthly (or average monthly) water volume for the most recently available water billing period preceding the sewer billing period.

E. The volume rate shall be as follows:

<del>May 1, 2005 through December 31, 2006:</del>	<del>\$3.05</del>
June 1, 2008 and thereafter	\$ _____ per 100 cubic feet
<del>January 1, 1999 2007 through December 31, 1999 and thereafter:</del>	<del>2.70 \$3.55</del> <del>per 100</del> <del>cubic feet</del>
<del>Beginning January 1, 2000 and thereafter:</del>	<del>2.88 per 100</del> <del>cubic feet</del>

F. For purposes of this section, the term "unit" shall mean any lot, structure or sanitary sewer connection served by or associated with a water meter, or any other lot, structure or sanitary sewer connection which the superintendent shall deem a separate unit for billing purposes.

**Section 5.** SWMC 13.30. \_\_\_\_A is amended as follows:

*Senior Citizen Discount*

*A. Maximum charge.*

The maximum charge for sanitary sewer service under SWMC Ch. 13.30 at a single family residence owned and occupied by an eligible head of household, as defined in subsection B of this section, shall be ~~\$37.75~~ \$39.75 per month, provided however, that no more than one sanitary sewer connection shall be made at such residential parcel without additional charge being made at the regular rate. This discount will not apply to rentals or units of multi-family structures that not owner-occupied.

**Section 6.** The effective date of this Section 1 of this ordinance shall be five days after passage and publication. The effective date of Sections 2 through 5 inclusive shall be June 1, 2008, more than 5 days after passage and publication.

Passed and approved this 23rd day of April, 2008.

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Mayor

Attest:

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City Clerk

Approved as to form:

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City Attorney