

**CITY OF STEVENSON, WASHINGTON
ORDINANCE 2019-1144**

AN ORDINANCE OF THE CITY OF STEVENSON, WA RELATING TO AND PROVIDING FOR WATER AND SEWER CONNECTION CHARGES, ADDING A DISABLED CITIZEN DISCOUNT AND REPEALING ORDINANCE NO. 2017-1109.

WHEREAS, the Council has discussed at public hearings on May 16 and June 20, 2019 and studies have been made of the changes that need to be made to revise the connection and development fees for consideration of detached Accessory Dwelling Units as recently allowed by Ordinance 2019-1141; and

WHEREAS, it is necessary to incorporate the connection fees into the Stevenson Municipal Code and allow future fees to be adopted by resolution; and

WHEREAS, connection fees are authorized under RCW 35.92.025 so that property owners connecting to the system will bear an equitable share of the cost of the entire system; and

WHEREAS, there exists a need in the community for a low-income disabled citizen discount for base utility fees.

NOW, THEREFORE, the City Council of the City of Stevenson do hereby ordain as follows:

Section 1 – Repealer. Ordinance 2017-1109 is hereby repealed in its entirety.

Section 2 – Amendment. Chapter 13.10 Water and Sewer Service Charges shall be amended as follows:

Key: ~~Strikethrough~~ means repealed. Underlined means new.

Chapter 13.10 - WATER AND SEWER SERVICE CHARGES

13.10.010 - Definitions.

As used in this chapter, the following terms are defined as follows:

A. "Customer" means the person responsible for paying any water and/or sewer service charges established pursuant to the provisions of this chapter as shown on the records of the city water department.

B. "Equivalent dwelling unit" or "EDU" means any residential or nonresidential use which has been reasonably found by the director of public works to place a demand on the City's sewage system approximately equal to the demands thereon by a single-family dwelling.

CB. "Metered service charges" means charges for delivery of an amount of water in excess of that included in minimum monthly service.

~~DE~~. "Minimum monthly service charge" means a minimum monthly charge for sewer and/or water services which shall be paid for any period of time during which the premises served are connected to sewer and/or water facilities of the city, irrespective of whether the premises are occupied. The minimum monthly service charge will include the charge for delivery of a set number of cubic feet of water as established by the city council from time to time as it deems necessary or appropriate.

~~ED~~. "Person" means and includes individuals, partnerships, corporations, governmental units and any other natural or legal entity competent, as matter of law, to enter into contractual relations.

13.10.020 - Minimum monthly service charges.

- A. Minimum monthly service charges in such amounts as shall from time to time be determined necessary or appropriate by the city council shall be paid by all customers for water and sewer services furnished by the city. Such charges shall be paid for any period of time during which the premises served are connected to water or sewer facilities of the city.
- B. Minimum monthly service charges may vary among different classes of service. Classes of service shall be defined by the city council from time to time as the council deems necessary or appropriate.

13.10.030 - Metered service charges.

- A. Metered service charges for such volumes and at such rates as shall from time to time be determined necessary or appropriate by the city council shall be paid by all customers for water service in excess of that included in minimum monthly service.
- B. Metered service charges may vary among different classes of service. Classes of service shall be defined by the city council from time to time as the council deems necessary or appropriate.

13.10.070 – Water Connection Fees

- A. Water connection and new service fees for all services except multifamily or mixed commercial/residential units shall be assessed according to the fee schedule as adopted by Resolution. The fees are fully due and payable prior to the installation.
- B. The City will not accept a connection fee unless it is accompanied by a valid building permit, unless it is a connection fee associated with an existing permanent structure.
- C. Connections to the system shall be made within six months of the time the permit to connect is issued. If connection to the system is not made within six months, the permit shall be void and the connection fee shall be forfeited to the city except that one six-month extension may be granted by the city council due to circumstances judged to be beyond the applicant's control.
- D. Each dwelling unit within a multi-family, which includes single-family residences with Accessory Dwelling Units (ADUs), or mixed commercial/residential structure shall be charged fifty-seven percent (57%) of the connection fee (or system development charge)

for a single-family dwelling (3/4" or 5/8") or the cost of the size of meter, whichever is greater. Using this calculation, an ADU added on to an existing residence will be charged fourteen percent (14%) of the connection fee for a single-family dwelling (3/4" or 5/8").

E. Detached ADUs do not require a separate utility connection from the main. A separate connection can be installed at the request of the property owner. If it is determined that a larger meter will be required the owner is responsible for the difference in the connection fee between the current meter and the larger size in addition to the installation costs billed at time and expense.

F. The property owner shall be responsible for the cost to install the service lateral from the water main trunk line to the premises, which are billed on a time and expense basis.

G. The City does not install service larger than two-inch (2"). For larger services, the customer is responsible for submitting drawings for City approval and for installation of the service.

A.H. After the water service connection is approved and the water turned on, the property owner will be charged the minimum monthly rate as applicable to the lot, type of development and/or zoning.

13.10.080 – Wastewater Connection Fees

A. The sewer connection fee (or system development charge) shall be calculated based upon the equivalent dwelling unit (EDU) of the use of premise that is being served. The EDU rate will be set according to the fee schedule adopted by Resolution. The fees are fully due and payable prior to the installation.

B. All new sanitary sewer service installations will be completed by the customer subject to city inspection and/or testing. Inspection fees will be charged according to the fee schedule adopted by Resolution.

C. Connections to the system shall be made within six months of the time the permit to connect is issued. If connection to the system is not made within six months, the permit shall be void and the connection fee shall be forfeited to the city except that one six-month extension may be granted by the city council due to circumstances judged to be beyond the applicant's control.

D. Distribution of EDUs shall be as follows:

<u>Type of Use</u>	<u>Unit</u>	<u>Per Unit</u>
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I. Residential

<u>1. Single family residential</u>	<u>Each</u>	<u>1.00</u>
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2. Multifamily dwelling	each	1.00
3. Mobile Home Park	each space	1.00
4. Living Groups with Shared	each bed	.33

II. Nonresidential

<u>5. Hotel, Motel, Resort</u>		
a. Without kitchen	Room	.40
b. With kitchen	Room	.60

<u>6. Schools</u>		
a. <u>Day (nonresidential)</u>		
i. Grades 9-12	12.5 students	1.00
ii. Grades K-8	12.5 students	1.00

<u>7. Churches, Lodges, Clubhouses, Theaters</u>		
a. W/O kitchen facilities	100 seats	.90
b. W/kitchen facilities	each	.60
(added to amount calculated for seating)		

<u>8. Institutions</u>		
a. Convalescent/Rest Home	each bed	.30

<u>9. Restaurant, Lounge, Tavern</u>		
a. Full-service restaurant	every 6 seats	1.00
& card room (indoor seating)		
b. Fast food or tavern	every 12 seats	1.00
c. Fast food w/o seats		* (2)

<u>10. Commercial and Industrial</u>		
a. Commercial and "dry" industry		* (2)
b. <u>Special commercials</u>		
i. Laundries (commercial)		* (3)
ii. Car wash		* (3)
iii. Laundromat (self-service)		* (3)
c. Service stations & garages		* (3)
d. "Wet" industry		* (3)

11. Irrigation Meter		* (4)
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12. Noncontact Cooling Water Systems		* (4)
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13. Determination of SDC for Other Uses:

Other establishments not defined specifically in this chapter shall be determined on a specific use basis, consistent with the criteria of this section.

*Notes to System Development Charge Schedule (SDC)

1. Restaurants, lounges or taverns located within a main commercial or industrial building shall be charged a separate SDC for the main building.
2. Fast food restaurant (9b) and commercial and industrial uses (10a through 10c) shall be charged based upon water meter equivalent size (MES).
3. System development charges for a “wet” industrial use (10d) shall be based on a separate engineering study by the director of public works. Such study shall assess the utility’s actual costs to serve the specified use, but shall not be less than if calculated as a commercial or “dry” industrial use (10a).
4. Irrigation meters (11) and noncontact cooling water (12) shall be charged system development charges for water only.

13.10.100 - ~~Low-income senior citizen~~ and low-income disabled citizen utility rate—Granted.

There is granted relief to ~~low-income senior citizens~~ who meet the qualifications and requirements of Section 13.10.110 and low-income disabled citizens who meet the qualifications and requirements of Section 13.10.120 from any municipal utility charges of the city ~~as follows: for all billings by the city after January 1st, 2018, low income senior citizens shall pay of~~ 50% of the minimum service charge for base rate for municipally operated water, sewer, and/or storm sewer service. Such reduced rate does not apply to excess water consumption or other charges beyond the base rate for the services provided. The discount will be effective with the next regular billing following the approval of an application.

13.10.110 - Low income senior citizen utility rate—Requests and Qualifications.

To qualify for the relief set forth in Section 13.10.100, a senior citizens shall:

- A. Be sixty years of age or older at time of application.
- B. ~~If a single person, h~~Have an aggregate income, from all sources whatsoever, not to exceed ~~twenty five percent of the median income for a family of four in the State of Washington, or if multiple persons, have an income, from all sources whatsoever, not to exceed 40% of the median income for a family of four in the State of Washington.~~ Median income shall be as established by Title XX of the Social Security Act and the ~~Washington State Senior Citizens Services Program, Guidelines for Income and Resources, WAC 388-17-160(1976), including any amendments thereto.~~ 200 percent of the established federal poverty level as now or hereinafter amended.
- C. Be a single occupant or the head of a household or the spouse of the head of household.
- D. Reside in the dwelling unit as the applicant’s primary residence and not rent the residence during the applicant’s absence.
- ~~E.~~ E.—File an annual claim for relief with the clerk-treasurer of the city on forms provided by the clerk-treasurer. By filing a claim, the applicant authorizes the city to refer the applicant to the appropriate entity to process the application, such as Skamania County Senior Services or Washington Gorge Action Programs

13.10.120 – Low-income disabled citizen utility rate—Requests and Qualifications.

To qualify for the relief set forth in Section 13.10.100, a disabled citizen shall:

- A. Be legally disabled, handicapped or incapacitated as defined by any existing state or federal program, qualify for special parking as defined by RCW 46.19.010(1)(a) through 46.19.010(1)(g), be blind as defined by RCW 74.18.020(4), be developmental disabled as defined in RCW 71A.10.020(5), be gravely disabled as a result of a mental disorder as defined by RCW 71.05.020(37), or qualify and receive social security benefits due to disability.
- B. Have an aggregate income, from all sources whatsoever, not to exceed 200 percent of the established federal poverty level as now or hereinafter amended.
- C. Be a single occupant or the head of a household or the spouse of the head of household.
- D. Reside in the dwelling unit as the applicant’s primary residence and not rent the residence during the applicant’s absence.
- E. File an annual claim for relief with the clerk-treasurer of the city on forms provided by the clerk-treasurer. By filing a claim, the applicant authorizes the city to refer the applicant to the appropriate entity to process the application, such as Skamania County Senior Services or Washington Gorge Action Programs

Section 3 – Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4 – Effective Date. This ordinance shall become effective following passage and publication as provided by law.

PASSED by the City Council of the City of Stevenson and approved by the Mayor this ____ day of _____, 2019.

Mayor of the City of Stevenson

ATTEST:

Clerk of the City of Stevenson

APPROVED AS TO FORM:

Attorney for the City of Stevenson