

ORDINANCE 2024-15

AN ORDINANCE ADJUSTING SEWER RATES BY AMENDING SECTIONS 13.44.025, 13.44.030, 13.44.040 AND 13.44.045 OF THE TOPPENISH MUNICIPAL CODE, PROVIDING FOR SEVERABILITY, CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS the City of Toppenish received a rate study from FCS group in August of 2024, and

WHEREAS FCS group recommended rate increase scenarios of 7.5% to 25.5% depending on amount of debt financing the City of Toppenish utilizes, and

WHEREAS the sewer fund will see a significant increase in expenses due to debt service for capital improvements required to be done at the City's Wastewater Treatment Plan noted in the FCS Group utility rate study, and

WHEREAS City staff recognizes the burden a large rate increase would have on the citizens and is working on other scenarios to lower costs in the future, and

WHEREAS FCS Group suggested that the City include all expenses of the utility within the rate to be charged, and that the said rate be increased by three percent effective December 16, 2024, by amending Sections 13.44.025, 13.44.030, 13.44.040 and 13.44.045 of the Toppenish Municipal Code,

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF TOPPENISH, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1: Sections 13.44.025, 13.44.030, 13.44.040 and 13.44.045 of the Toppenish Municipal Code are amended as follows:

13.44.025 Fixed rates.

The rates to be charged monthly for residential premises, including single-family units, duplexes and apartments, shall be as follows:

| | <u>Rate Effective July 1, 2024</u> | <u>Rate Effective December 16, 2024</u> |
|------------------------------------|---|--|
| Residences, Duplexes (per unit) | <u>\$104.49</u> | <u>\$107.62</u> |
| Multi-Family (per unit) | <u>\$94.04</u> | <u>\$96.86</u> |

13.44.030 Consumption less than 2,000 cubic feet per month per unit.

For sewer service to commercial premises where water consumption in the six winter months (November through April) averages less than 2,000 cubic feet per month per unit:

| | <u>Rate Effective July 1, 2024</u> | <u>Rate Effective December 16, 2024</u> |
|---|---|--|
| Non-Residential Fixed Charge | <u>\$91.61</u> | <u>\$94.36</u> |
| Plus rate per 100 cubic feet of consumption | <u>\$1.14</u> | <u>\$1.17</u> |

13.44.040 Consumption of 2,000 cubic feet or more per month per unit.

For sewer service to commercial premises where water consumption in the six winter months (November through April) averages 2,000 cubic feet or more per month per unit, the rate of charge shall be as determined by taking the average water consumption for the previous six winter months to establish the rate of charge for the following 12 months and using the rate listed below. This shall only be applied where water consumption can be measured and this consumption is a reasonable means of determining sewer use.

| | <u>Rate Effective July 1, 2024</u> | <u>Rate Effective December 16, 2024</u> |
|---|---|--|
| Base Rate | <u>\$91.61</u> | <u>\$94.36</u> |
| Plus rate per 100 cubic feet of consumption | <u>\$4.06</u> | <u>\$4.18</u> |

13.44.045 Determination of consumption by other methods.

For sewer service to premises where water consumption cannot be measured, or where the measure of water consumption will not provide a reasonable measure of sewer use, then the director of public works shall make a determination of use based upon EPA 625/1-77-009 Process Design Manual or other reasonably accurate methods. If no reasonably accurate method can be determined and if the use is estimated to be more than 15,000 gallons per day (2,005 cubic feet per day), metering of sewage may be required as determined by the director of public works. The following methods of determining sewer use shall be utilized for the following classes of users:

- A. Processing Plants Where Separate Waste Treatment Is Being Provided. Charges for sewer service shall be determined by multiplying the average number of workers employed in the preceding year times the base rate listed below to determine the monthly charge.

| | <u>Rate Effective July 1, 2024</u> | <u>Rate Effective July 1, 2024</u> |
|------------------------|---|---|
| Base Rate per Employee | <u>\$12.43</u> | <u>\$12.80</u> |

Section 2. Severability: If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Corrections: The city clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the corrections of scriveners/clerical errors, and any references thereto.

Section 4. Effective Date: This ordinance shall become effective on December 16, 2024, which is more than five (5) days after publication of a summary thereof.

PASSED by the Toppenish City Council at its regular meeting held on November, 12, 2024.

ELPIDIA SAAVEDRA, Mayor

ATTEST:

HEIDI RIOJAS, CMC, City Clerk

APPROVED AS TO FORM:

DANIEL B. HEID, City Attorney