

**RESOLUTION NO. 840**

**A RESOLUTION ESTABLISHING AND IMPOSING JUST AND EQUITABLE FEES AND CHARGES FOR CONNECTION TO AND USE OF THE SEWAGE DISPOSAL SYSTEM OF THE CITY OF WILSONVILLE; PROVIDING FOR THE MANNER OF PAYMENT COLLECTION, ENFORCEMENT AND DISBURSEMENT OF SUCH FEES AND CHARGES AND REPEALING RESOLUTION NO. 731.**

**ARTICLE I**  
**DEFINITIONS**

**Section 1.** "Appeals Board" shall be as defined in the City of Wilsonville Code Section 3.112 (1) (a).

**Section 2.** "BOD" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (b).

**Section 3.** "Building Drain" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (c).

**Section 4.** "Building Sewer" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (d).

**Section 5.** "Combined Sewer" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (e).

**Section 6.** "Commercial" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (f).

**Section 7.** "Convalescent or Nursing Facilities" shall mean the structures which are constructed for purposes of continuous care or convalescence of person(s) who may be ambulatory or handicapped but, in any event, are in need of continuous care. The structure must meet applicable codes as required by the State of Oregon, the City of Wilsonville and other appurtenant ordinances or resolutions; and as the structure is designed for the intended use thereof.

**Section 8.** "Director" shall be as defined as Community Development Director.

# Wilsonville Public Library

8200 S.W. Wilsonville Road  
Wilsonville, Oregon 97070  
Phone: 682-2744

TO: Mike Kohlhoff, Acting City Manager  
FROM: <sup>SWT</sup> Stephen W. Turner, Library Director  
SUBJECT: Gifts to the Library  
DATE: June 5, 1991

CASH GIFTS: During FY 1990-1991 the Wilsonville Public Library or the Wilsonville Friends of the Library have received significant cash gifts for the purchase of Library materials. I am pleased to list the following gifts over \$20:

\$2,000	From Lillian Ridder and Karen Lowrie for non-fiction for middle-school/young adult students
\$ 100	From Ted and Celia Brandt for books on classical music/composers
\$ 150	From Earl F. and Virginia M. Robison for unabridged talking books.
\$4,000	From Fujimi America, Inc. for library materials in English about Japan or aspects of Japanese culture
<u>\$ 100</u>	From Women of the Moose for children's books
\$6,350	TOTAL

ACTION REQUESTED:

To provide for the expenditure of these funds, the current year budget needs to be amended to include the amount of \$6,350 as a General Fund revenue (line item 4601906) and the corresponding amount for expenditure by the Library (line item 6076111).

OTHER GIFTS: In addition to the above cash gifts, many other items of value have been donated this year:

The Wilsonville Friends of the Library have acquired several items for the Library, including:

- 324 large metal bookends (Cost \$1262.91)
- 5 large framed prints featuring the work of well-known children's illustrators
- A wooden puppet stage
- A wooden dollhouse, doll furniture, puzzles and bead maze for the children's area

Many people have made substantial gifts of new and used books or other library materials to the Library, including Mr. and Mrs. Keith Mutch, Meridian Supply, Joseph and Audrey Salerno, Cheryl Marcotte, Audrey W. Puntenney, Joe Van Wormer, J. A. Connolly, John and Jean Breck, Roger Starr, Pat Swan, Nancy Andersen, Mona Mozeico, Nanci Gootee, Bruine Hack, Mrs. George Beard, the Portland UFO Group, Catherine Barry, Donald Streun, George Hibbard, R. L. Rouse, Walter Jensen, Mark Keysboe, Nathan Lawrence, Norma Eid, Mrs. E. Blake, Walter Dean, and many others.

The Library's Christmas tree (and City Hall's) were donated by Earl and Virginia Robison.

The Library is fortunate to enjoy the tremendous community support demonstrated by so many valuable gifts as well as the donated time of numerous volunteers. They are all helping to build the Library at a phenomenal pace!

cc: ✓ Ray Shorten

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Section 8. "Director" shall be as defined as Community Development Director.

Section 9. "Dwelling Unit" shall mean a building, mobile or manufactured home, designed for residential occupancy.

Section 10. "Hotel and Motel" shall mean any building which is designed or used to offer lodging for rent or hire, with or without meals for four or more people or containing six or more guest rooms.

Section 11. "Individual Connections" shall mean a single building drain and building sewer from a structure which is connected to a service connection.

Section 12. "Industrial" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (j).

Section 13. "Industrial Wastes" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (k).

Section 14. "Major Sewer Line Extension" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (l).

Section 15. "Manufactured Residential Unit" shall mean a structure which is intended for human occupancy by one or more persons, that has sleeping, eating, cooking and plumbing-sanitation facilities and which is constructed off-site in compliance with the Uniform Building Code (Oregon State Structural Speciality Code) and designed to be transported to a site for installation and/or assembly of modular components to form a permanent structure.

Section 16. "Meeting Halls" shall mean a structure which is constructed for the purpose of conducting meetings which may or may not be open for public use. The structure must meet applicable codes as required by the State of Oregon, the City of Wilsonville and other appurtenant ordinances or resolutions and as the structure is designed for the intended use.

Section 17. "Mobile Home Residential Unit" shall mean a structure which is intended for human occupancy by one or more persons, that has sleeping, eating, cooking and plumbing-sanitation facilities, and which is constructed off-site in compliance with the Oregon Department of Commerce standards for mobile homes, and designed to be transported to a site to be used as a permanent residence.

Section 18. "Multi-Family Residential Unit" shall mean a residential structure which is occupied by one or more persons of which there is more than one dwelling structure per lot, according to approved zoning requirements and which provides complete

independent living facilities for each dwelling structure including, but not limited to, permanent provisions for living, sleeping, eating, cooking and sanitation.

Section 19. "Natural Outlet" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (m).

Section 20. "Office Complexes" shall mean a structure in which more than one unit is constructed for commercial office use and is separate from each unit by intended use.

Section 21. "Official" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (n).

Section 22. "Owner(s)" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (o).

Section 23. "Person" shall mean any individual, firm, company, association, society, corporation or group.

Section 24. "Public Sewer" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (r).

Section 25. "Residential" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (s).

Section 26. "Residential Unit" - In cases where apartment complexes are involved, a residential unit is designated as one residential unit of a dwelling.

Section 27. "Restaurants" shall mean a structure which is constructed for the purpose of preparation and serving of food to one or more persons in return for payment by those persons. The structure must meet all applicable codes as required by the State of Oregon or the City of Wilsonville and other appurtenant ordinances or resolutions and as the structure is designed or occupied for the individual use thereof.

Section 28. "Sanitary Sewer" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (t).

Section 29. "Service Connection" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (u).

Section 30. "Sewage" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (v).

Section 31. "Sewage System" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (w).

Section 32. "Sewage Treatment Plant" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (x).

Section 33. "Sewer" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (y).

Section 34. "Shall" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (z).

Section 35. "Single Family Dwelling Unit" shall mean a residential structure which is occupied by one or more persons of which there shall be only one dwelling structure per lot and which provides complete, independent living facilities for one or more persons including, but not limited to, permanent provisions for living, sleeping, eating, cooking and sanitation.

Section 36. "Slug" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (aa).

Section 37. "Storm Drain" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (bb).

Section 38. "Suspended Solids - SS" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (cc).

Section 39. "Upset" shall mean an exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the city excluding such factors as operational error, improperly designed or inadequate treatment facilities or improper operation and maintenance or lack thereof.

Section 40. "Wastewater Permit Application" shall mean the form on which a sewer connection fee and wastewater discharge permit is processed through the Building Department.

Section 41. "Watercourse" shall be as defined in the City of Wilsonville Code, Section 3.112 (1) (dd).

Section 42. "NPDES" shall be defined as the National Pollution Discharge Elimination System.

## ARTICLE II

### PERMIT AND PERMIT FEES

Section 1. Building Sewer Permits and Wastewater Discharge Permits.

There shall be three classes of building sewer permits for which application shall be filed with the Official on forms provided by his office for (1) residential service;

(2) commercial service; (3) industrial service.

Section 2. Sewer Permit and Wastewater Discharge Permit Fees.

To provide for the cost of processing a wastewater sewer connection permit, and a wastewater discharge permit, the following fees will be charged. The permit fee below shall be reviewed annually by the City Council. The Council may, from time to time, including but not limited to its annual review, increase fees giving due consideration to the increase in the consumers price index (CPI) for the Portland metropolitan tri-county area from the month of the last increase to the month preceding the date of the review. The Council may take action not to make such increase in permit fees any year it is deemed appropriate to do so.

<u>TYPE</u>	<u>FEE</u>
(1) (a) Single Family	\$50.00
(b) Multi-Family	\$75.00
(2) Commercial	\$100.00
(3) Industrial	\$200.00

Section 3. Owner(s) Responsibility.

A. The owner(s) of a property in which a building sewer is then connected to the public sewer shall be responsible for:

1. Repair of all known sewer breaks, leaks, cracks, and similar problems in all pipes, manholes, clean-outs and appurtenances to the building sewer which would cause ground or surface water to infiltrate or to flow into the building sewer either directly or indirectly. All costs involved in making repairs shall be borne by the owner(s).

B. The city shall have the specific right to test and check all building sewers to determine compliance with city, state and EPA requirements as necessary upon written notification to the owner(s) that such tests are to be taken. Written notification may be by newspaper advertisement or article.

ARTICLE III

WASTEWATER DISCHARGE PERMIT

Section 1. General.

Each nonresidential user discharging, proposing to discharge or having the potential to discharge contributions of wastewater into the city sewerage system, which meet any of the following criteria, shall secure a Wastewater Discharge Permit from the city:

(a) is subject to national categorical pretreatment standards promulgated by EPA under Section 307(b) or (c) of the Clean Water Act (CWA);



(b) has in its waste toxic pollutants as defined pursuant to Section 307 and Section 502 of the CWA;

(c) has a non-domestic flow of 25,000 gallons or more per average work day;

(d) contributes more than 5 per cent of the actual daily average dry weather hydraulic, organic or solids handling load to the city's wastewater treatment plant;

(e) is determined by the state or city to have a significant impact or potential for significant impact to adversely affect the city sewerage system by either upset, inhibition, pass through of pollutants, sludge contamination or other means.

Section 2. Application.

Existing nonresidential users shall apply for a Wastewater Discharge Permit within thirty (30) days after becoming subject to the requirements of Article III, Section 1. New nonresidential users subject to the requirements of Article III, Section 1 shall apply at least ninety (90) days prior to connecting to or discharging to the city sewerage system.

Section 3. Modification of Permit.

A. Discharge conditions included in a Wastewater Discharge Permit shall remain in effect for that permit until it expires, except that they may be revised from time to time as the Director deems necessary to effectively manage industrial waste discharge. The nonresidential user shall be informed of any proposed changes in its permit at least thirty (30) days prior to the effective date of change except in the event of an emergency.

B. Any nonresidential user with a valid permit and proposing to make a change in its existing discharge which will substantially change the volume of flow or the characteristics of the discharge or establish a new point of discharge, shall apply for an amended permit at least sixty (60) days before making such change.

Section 4. Duration.

Permits shall be issued for a specified time period, not to exceed three (3) years. The nonresidential user shall apply for permit reissuance a minimum of ninety (90) days prior to the expiration of this existing permit if it desires to continue the uninterrupted discharge of restricted substances.

Section 5. Transfer.

A Wastewater Discharge Permit will be issued to a specific nonresidential user for a

specific operation. A Wastewater Discharge Permit shall not be assigned, transferred or sold without the approval of the Director. Any succeeding nonresidential user shall agree to comply with the terms and conditions of the existing permit as a condition precedent to the approval by the Director of a transfer sale or assignment of the permit.

Section 6. Inspection and Sampling.

The city shall have the right to inspect the facilities of any nonresidential use subject to Article III, Section 1 as necessary to determine compliance with pretreatment standards. These inspections shall take place whether or not the provisions of this ordinance are being complied with. The owner, operator or agent in charge of premises where wastewater is created or discharged shall allow authorized representatives of the city state, and EPA, upon presentation of their credentials, access at all reasonable times to all parts of the premises for the purpose of the performance of any of their duties, including but not limited to, inspection, observation, sampling, and/or records copying and examination. The city, state, and EPA shall have the right to set up on the nonresidential user's property such devices as may be necessary or proper to conduct sampling, observation, inspection, compliance monitoring and/or metering operations. The nonresidential user shall make arrangements with its employees so that upon presentation of their credentials, representatives from the city, state, or EPA will be permitted to enter, without delay, for the purpose of performing their responsibilities.

Section 7. Confidential Information.

Information and data obtained by the city from reports, questionnaires, permit applications, permits and monitoring programs shall be available to the public and other governmental agencies without restriction unless the permit holder requests in writing that it be confidential and demonstrates to the satisfaction of the Director that such records are exempt from disclosure under ORS 192.500 (1)(b), (e) or (2)(g). Notwithstanding anything herein to the contrary, all such data shall be available at least to the extent necessary so that the Director can ensure compliance with the requirements of 40 CFR 2.302 and to state and federal agencies as required during judicial or enforcement proceedings involving the nonresidential user.

When confidentiality is requested and the right thereto is established by the permit holder, the confidential information shall not be made available for inspection by the public but may be made available upon written request to governmental agencies for uses related to this resolution, the NPDES permit, or pretreatment programs. However, all portions of a report shall be available for use by the city, state or any state agency in judicial or

enforcement proceedings involving the person furnishing the report.

Section 8. Violations.

A. A violation shall have occurred when:

1. any requirement of this resolution, Wilsonville Code, (Chapter 3 and Chapter 8), or specific requirements of the industrial waste discharge permit has not been met;
2. false information has been provided by the discharger.

B. Upon determination by the Director that a violation has occurred or is occurring, the Director shall, except in an emergency, issue a Notice of Violation to the discharger which outlines the violation and the potential liability as well as any proposed enforcement actions. The Notice may further require correction of the violation within a specified period of time, and may require written confirmation of the correction and a description of the efforts made to correct the violation. The Notice shall be personally delivered to the user's premises or be delivered by certified mail. In an emergency, notice may be given orally, but shall be confirmed in writing at the earliest practical time. Notice by mail is presumed to be received by the addressee on the third day after mailing.

C. In the event a User shall fail to correct any violation within the time specified by the Director, the Director may initiate monetary penalties. The penalties may be initiated with or without the initiation of judicial proceedings. When in the opinion of the Director, it is necessary to initiate monetary penalties, the following shall apply:

1. For the first, second, third, and fourth calendar months a violation continues beyond the time limit provided for correction thereof, the User shall be assessed the graduated penalties listed below. Any violation occurrence within the calendar month is considered a continuing violation.

2. The first calendar month beyond the time limit for correction shall be \$300 per violation per day.

3. The second calendar month beyond the time limit for correction shall be \$600 per violation per day.

4. The third calendar month beyond the time limit for correction shall be \$1,200 per violation per day.

5. The fourth calendar month beyond the time limit for correction and thereafter shall be \$2,400 per violation per day.

D. In the event of any actual or threatened discharge into the city sewerage system in violation of this resolution or the conditions of a Wastewater Discharge Permit,

which discharge presents an imminent or existing danger to the health or welfare of persons, property or the environment or which has caused or will cause damage to or interference with the operation of the city sewerage system, the Director may issue an order to cease and desist and direct that those nonresidential users responsible for such violation:

1. Comply forthwith;
2. Comply in accordance with the time schedule set forth by the Director; or
3. Take appropriate remedial or preventive action.

If the nonresidential user in noncompliance fails to comply with the order, the city shall take such steps as are deemed necessary or proper including immediate severance of the sewer connection. The city shall reinstate the wastewater treatment service upon proof of the elimination of the actual or threatened violation. The filing of an appeal pursuant to Article VI shall not stay enforcement of the Director.

Section 9. Severability.

If any provision of this resolution or its application to any person or circumstances is held, in whole or in part, to be invalid, the remainder of this resolution or provision or its application to other persons or circumstances shall not be affected.

ARTICLE IV

USER FEES FOR SEWER SERVICE

Section 1. User fees are hereby imposed upon the user(s) of any building(s) connected to a sanitary sewer.

Section 2. Buildings that are served by pumping units shall be subject to the user fees provided by this resolution.

Section 3. When sewer service is initially provided to any building(s), a sewer user fee shall be charged for each month a building sewer is connected to or discharged into the public sewer.

Section 4. Sewer user fees are hereby charged to the user(s) of the property connected to the sanitary sewer. Such charges are to begin at the time the connection has been accepted by the Community Development Department according to standards set forth in the Construction Standards for the City of Wilsonville.

Section 5. Sewer user fees shall be billed to an occupant; however, in the event of a delinquent account, the sewer service may be discontinued under the provisions of Article VI, Section 4(c) of this Resolution.

Section 6. Sewer user fees shall be reviewed annually by the City Council.

The City Council may, from time to time, including but not limited to its annual review, increase fees giving due consideration to the increase in the consumers price index (CPI) for the Portland metropolitan tri-county area from the month of the last increase to the month preceding the date of the review. The Council may take action not to increase fees in any year it is deemed appropriate to do so.

Section 7. All sewer users whose sewer connection is outside the city limits, shall be billed two (2) times the rate mentioned below.

<u>USER FEE SCHEDULE</u>		
<u>CATEGORY</u>	<u>MINIMUM MONTHLY CHARGE</u>	<u>USER FEE</u>
*Residential - Single Family Dwelling Unit	\$8.52/month/dwelling unit (DU)	N/A
**Residential - Multi-Family Residential Unit	\$8.52/month/residential unit	N/A
Commercial or Industrial Users connected to City Water System	\$15.61/month/unit	\$0.0082/ft <sup>3</sup> /month
Commercial or Industrial Users not connected to the City Water System	\$15.61/month/DU equivalent	\$0.0082/ft <sup>3</sup> /month
Commercial or Industrial Users whose domestic water consumption, less irrigation water use, is proportionately a minimum of three (3) times greater than the measured sanitary sewer discharged.	\$15.61/month/DU equivalent	\$0.0082/ft <sup>3</sup> /month

Section 8. Non-residential users who are required to secure a wastewater discharge permit shall, at a minimum, be additionally charged the following for wastewater characteristics established through monthly reporting requirements:

- Flow.....\$0.18 per 100 gallons discharged.
- BOD.....\$0.24 per pound discharged.
- Suspended Solids.....\$0.24 per pound discharged.

Other charges may be established through the wastewater discharge permit to recover potential or actual costs incurred by the city due to wastes that adversely affect the sewerage system or affect the environment.

\* Single-family includes condominiums.

\*\* Multi-family includes apartment complexes.

\*\*\* Cubic feet or gallons of discharge shall be measured from the discharge point of the building sewer into the public sanitary sewer and shall be based on the average daily discharge as measured. Measurement period shall be two (2) weeks, and after three (3) billing periods, or six (6) months, a new measurement shall be taken. Each measurement shall set the user fee for the next six (6) month period.

Section 9. Application for city sanitary sewer services, shall be by written application on forms provided at the Finance Director's Office. Each application will designate the property to be served and the user thereof and must be accompanied by a deposit in the sum of not less than \$40.00 or an amount equal to an estimated 3 months bill as determined by the city. However, any resident of Wilsonville (a person who has established credit with the City of Wilsonville by having water and/or sewer service in his/her own name) will be allowed to move from one location within the city limits without having to pay a deposit if that resident has lived in Wilsonville for at least three (3) years, has City of Wilsonville water and/or sewer service in his/her name and has not been delinquent in paying for water and/or sewer service within the past three years.

Section 10.

A. A refund of the sewer service deposit will occur when a customer shows a satisfactory credit performance for three years. If it becomes necessary to make one or more visits to enforce collection and/or shut-off for non-payment during the three year period, the city shall retain the deposit. The deposit will be held for an additional three years from the date of the last visit to the customer's premise for collection for non-payment of a bill. (Definition of visit - hand delivery of shut-off notice to the customer's premise. Definition of satisfactory credit - no water shut-off notices hand delivered and/or temporary shut-off of service for non-payment during a three year period.)

B. A refund of the deposit will occur upon the applicant's requesting discontinuance of service provided that all outstanding bills are paid in full. The deposit may be applied to the final bill.

C. If an account is shut-off for non-payment, the deposit shall be held as

security until the outstanding balance is paid. The deposit will only be applied to the outstanding balance when the account is closed and no further sewer service is required by the customer. The remaining balance of the deposit not used to pay the outstanding bill will be refunded to the customer.

D. Upon refund of the cash deposit to the applicant for satisfactory credit performance or upon termination of service, the deposit shall be refunded together with interest thereon at the rate of one-half percent (1/2%) below the average annual interest rate received by the city. However, no interest shall be allowed or paid by the City of Wilsonville on deposits which have been deposited with the city for less than 30 days. All cash deposits so paid to the City of Wilsonville by sewer users shall be credited by the Finance Department into a special account to be known as "Sewer Deposit Trust Account".

Section 11. All charges for sanitary sewer service furnished or rendered by the City of Wilsonville shall be chargeable to the current user of the property where sanitary sewer service is supplied and, in addition, all persons signing an application for the use of sanitary sewer service shall be personally liable for all charges accrued against the property designated within the application. The city reserves the right to cut off and disconnect sanitary sewer service to the premises without further notice when charges for sanitary sewer service have not been paid within 30 days after the due date, and the expense thereof shall be borne by the user to which such service has been supplied. The city shall provide a minimum of 3 days notice by a door hanger or by mail prior to sewer service disconnection.

## ARTICLE V

### SEWER SYSTEMS DEVELOPMENT CHARGES

Section 1. The purpose of this Article is to impose the capital cost of sewage treatment facility improvements upon those developments that create the need for or increase the demands for such capital improvements and prescribe the methodology for calculating the SDC.

The SDC imposed by this Article is separate from and in addition to any applicable taxes, assessments, charges, or fees otherwise provided by or imposed as a condition of development.

The total fees required for connection to the sanitary sewer shall be a revenue source to the city and shall entitle the owner(s) of the structure or property or persons paying the fee to a service connection to the sanitary sewer system.

Section 2. The city shall maintain a dedicated fund entitled "Sewer Expansion and Capital Improvement Fund", herein "fund". All moneys derived from the Sewer SDC shall be placed in the fund. Sewer SDC revenue, including interest earned on balances in the fund, shall be used for no purpose other than those activities described as, or for the benefit of, extra capacity facilities as designated in Table No. 1.

In addition, the reasonable and customary costs of administering this fee and projects funded hereunder, including repayment of debt, may be paid from SDC revenues.

Section 3. As presented in the 1990 Facilities Plan Report and shown in Table No. 2, based on projected population growth, the capacity of the existing treatment plant organic waste load unit processes will be exceeded before 1995. The Wilsonville Comprehensive Plan indicates that land development shall not be permitted unless adequate capital facilities exist or are assured. Therefore, the city is required to increase wastewater treatment capacity in order to meet the demands of new growth.

To meet treatment capacity demands through 2010, and comply with a level of wastewater treatment as defined by the DEQ NPDES discharge permit, new design parameters have been established for a wastewater treatment plant expansion.

Average Daily Domestic BOD (lbs/day)	3,000
Average Daily TSS (lbs/day)	<u>4,500</u>
Average Daily Industrial BOD (lbs/day)	2,700
Total Average Daily Design BOD (lbs/day)	<u>5,700</u>
Peak Day/Month Industrial BOD (lbs/day)	4,050
Maximum Day BOD (lbs/day)	<u>10,250</u>

Based on the design parameters presented above, the construction costs for sewage treatment plant capacity improvements are presented in Table No. 1.

Section 4. The methodology for calculating the value of the Sewer SDC is obtained by dividing the total cost of the capital improvement necessary to provide capacity for new development (\$6,417,056) by the hydraulic design capacity of the sewage treatment plant (2,250,000 gallons per day).

$$\frac{\text{Cost}}{\text{Capacity}} = \$2.85 \text{ per gallon}$$



WASTEWATER CONTRIBUTIONS

Year	Population	Summer	Per Capita
		Daily Average	Contribution
		<u>MGD</u>	<u>gpcd*</u>
1987	4,285	0.52	121
1988	5,025	0.51	101
1989	5,800	0.63	109
1990	7,075	0.67	89

\*gpcd = gallons per capita per day

Total Average gpcd = 105

Given that the average dry weather sewage flow rate per capita has been measured at an average of 105 gallons per day and each dwelling unit factor has a population equivalent value of 2.4, the contribution of sewage flow per day per dwelling unit is obtained by multiplying the population equivalent (2.4) times the per capita flow rate (105).

P.E. X Capita Flow = 252 gallons per DU per day

The cost of the impact of sewage generated by each dwelling unit is obtained by multiplying the gallons per DU per day (252) times the cost per gallon (\$2.85) of the extra-capacity capital improvement.

Total Gallons/DU/Day X Cost/Gallon = \$718/DU

Section 5. Schedule of Sewer SDC.

A dwelling unit (DU) is defined as a residential dwelling and is equivalent to a minimum of sixteen (16) fixture units.

For the purpose of determining equivalent fixture units, the following will be used:

<u>FIXTURE</u>	<u>EQUIVALENT FIXTURE UNIT</u>
1 toilet	6
1 urinal	5
1 lavatory, sink or laundry tray	2
1 floor drain 2" max outlet	4
3" max outlet	6
4" max outlet	8

1 dishwasher 2" max outlet	3
3" max outlet	9
4" max outlet	12
1 bathtub or shower	2
1 drinking fountain	1
1 garbage grinder	4
1 commercial washer	
0 to 5 pound capacity	2
over 5 to 10 pound capacity	4
over 10 to 15 pound capacity	6
over 15 to 20 pound capacity	7
over 20 to 25 pound capacity	8
over 25 to 35 pound capacity	9
over 35 pound capacity	1-1/2 EFU per 5 pounds capacity

All those equivalent fixture units not shown herein shall be as specified in the most recent issue of the Uniform Plumbing Code.

SEWER ISDC SCHEDULE

<u>CLASS OF SERVICE</u>	<u>SDC</u>
<u>Residential</u>	
1. Single-family Dwelling Unit	\$718 per each DU
2. Multi-family Residential Unit	\$718 per each DU
3. Mobile Home Residential Unit	\$718 per each DU
4. Manufactured Residential Unit	\$718 per each DU
<u>Commercial</u>	
Includes, but is not limited to: hotels, motels, restaurants, drive-in restaurants, commercial warehouses meeting halls, churches, schools, hospitals, convalescent and nursing facilities, hardware stores and office complexes	\$718 per each DU
<u>Hotels &amp; Motels</u>	\$718 per 25 fixture units
<u>Industrial</u>	
Director shall make the determination as to the industrial status of a sanitary sewer user.	\$718 per each DU

Section 6. As set forth in Ordinance No. CB-O-156-91, Article IV, the city shall annually review the sewer SDC to determine whether additional fee revenues should be generated to provide extra-capacity improvements needed to address new development or to ensure that revenues do not exceed identified demands. In so doing, the city shall consider:

1. Construction of facilities by federal, state or other revenue sources;
2. Receipt of unanticipated funds from other sources for construction of facilities.

Upon completion of this review the city shall consider such amendments, including adjustment to the fee imposed herein, as are necessary to address changing conditions.

Notwithstanding any other provision, the dollar amounts set forth in Section 4 of this Article shall on March 1st of each year be computed to increase automatically by the Engineering News Record Northwest (Seattle, WA.) construction cost index. Notwithstanding the foregoing, all calculations shall be carried out to the hundredths place. A final product ending in .49 or less shall be rounded down to the nearest dollar, .50 or more up to the next dollar.

Section 7. Sewer SDC required by this resolution shall either be due and payable with the building permit fee and before connection to the public sewer, or the applicant may submit a bond or other acceptable financial reservation due and payable at the time of building occupancy.

Section 8. The sewer SDC is based upon existing or intended use of the property at the time of application for connection. If the property is improved, expanded, subdivided or otherwise modified so as to increase the sewer SDC due for that property or structure, a sewer SDC shall be charged for the modified portion of the property or structure based on the sewer SDC schedule in effect at the time of the modification. The sewer SDC paid for a specific sewer service for a residential, commercial or industrial unit shall be valid for a one (1) year period from the date of issuance of the sewer connection permit. After the one (1) year period, the sewer connection permit will have expired. The Director will then, in writing, notify the permittee that the permit has expired. The written notification of sewer connection permit expiration shall state the permittee has ten (10) days from the receipt of the expiration notice to request an extension time of the sewer connection permit. If there has been no response within ten (10) days, the SDC shall be considered forfeited. The permittee shall then be required to re-apply for a sewer connection permit and pay the sewer SDC in effect at the time of re-application.

Section 9. Buildings that are serviced by pumping units shall be subject to the sewer SDC provided by this resolution.

Section 10. Sewer connections outside the city limits shall be charged at two (2) times the SDC provided herein.

Section 11. Any citizen or other interested person may challenge an expenditure of SDC revenues as being in violation of this resolution provided a written petition for review is filed with the Wilsonville City Council within two years of the expenditure as provided by Ordinance No. CB-O-156-91, Article X.

#### ARTICLE VI

#### APPEALS, PAYMENT, COLLECTION, ENFORCEMENT AND DISBURSEMENT VALIDITY

Section 1. Appeals Procedure.

A. Any person aggrieved by a ruling under, or interpretation of the provisions of this resolution, may submit a written appeal to the City Council of Wilsonville. The appeal shall set forth the events and circumstances leading to the appeal, the nature of the ruling or interpretation from which relief is sought, and the nature of the impact of the ruling on appellant's property or business together with any other reasons for the appeal.

B. The City Council will consider the appeal within thirty (30) days of receipt of the appeal at the next regular council meeting and hear testimony if deemed necessary. The decision of the Council will be final.

Section 2. Payment.

Every person subject to a charge hereunder shall pay the same, when due, to the Finance Director of the City of Wilsonville.

Section 3. Collection.

A. The Finance Director of the city is hereby directed to collect the sewer user fees and impact fees as provided for herein.

B. Sewer user fees and SDC, when collected, shall be paid into a fund designated as the "Sewer Fund".

C. Sewer user fees, as hereinbefore provided, shall be collected bi-monthly and if not paid within the (10) days from billing date, said charges shall then be deemed delinquent.

D. Delinquent sewer service and service connection accounts shall bear interest from the day of delinquency at a rate of fifteen per cent (15%) per annum.

Section 4. Enforcement.

A. The Finance Director of the city may use such means of collection as may be provided by the laws of the state of Oregon or permitted by the Charter and Ordinances of the City of Wilsonville.

B. If a court suit or action is instituted to enjoin any unauthorized connection to or use of the sewage system, or for the collection of accounts, the city shall be entitled to collect, in addition to costs and disbursements provided by statute, such sum as any court, including any appellate court; may adjudge reasonable as attorney's fees in such suit of action.

C. The city may, without notice or liability, discontinue sewer service and disconnect buildings from the city's sewerage system if sewer service charges and/or sewer impact fees, or other fees under this resolution, become delinquent; or if the safety, health or welfare of the citizens of Wilsonville may be jeopardized, and the city may continue thereafter to refuse sewer service and sewer connections to such delinquent sewer user until all such delinquencies and interest are fully paid.

Section 5. Disbursement.

A. The City Council, by resolution or motion duly adopted, shall from time to time and not less than once each fiscal year, direct the transfer of funds from the Sewer Fund to all or any of the following:

1. The "Sewer Expansion and Capital Improvement Fund" from which funds have been collected in the form of sewer SDC.

2. The account or accounts for the payment of principal and interest on maturing sewer bonds, from which funds have been collected in the form of sewer impact fees.

3. The account or accounts established for the operation and maintenance of the sewerage system, which funds have been collected in the form of sewer user fees.

Section 6. Validity.

The invalidity of any section, clause, sentence or provision of this resolution shall not affect the validity of any part of this resolution which can be given effect without such invalid part or parts.

Section 7. Repealing Existing Resolution.

By the adoption of this resolution, Resolution No. 731 is hereby repealed.

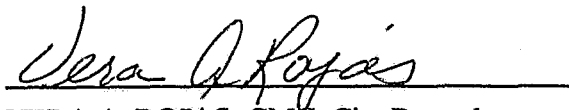
CONSIDERED by the City Council of the City of Wilsonville at a regular meeting thereof this 17th day of June, 1991 at which time the resolution was continued until June 27, 1991.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 27th day of June, 1991 and filed with the Wilsonville City Recorder this same date.



GERALD A. KRUMMEL, Mayor

ATTEST:



VERA A. ROJAS, CMC, City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Chandler	<u>AYE</u>
Councilor Carter	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Van Eck	<u>AYE</u>

**TABLE NO. 1**  
**CITY OF WILSONVILLE**  
**WASTEWATER TREATMENT FACILITIES**  
**CAPITAL IMPROVEMENT SCHEDULE**

<u>ITEM</u>	<u>ESTIMATED COST</u>
<u>1991 - 1993 IMPROVEMENTS (1990 Costs)</u>	
1. Wastewater Treatment Plant Upgrading	\$2,046,000
2. Laboratory Expansion	\$200,000
<hr/>	
TOTAL COSTS	<u>\$2,246,000</u>
<u>1993 - 2000 IMPROVEMENTS (1990 Costs)</u>	
1. Wastewater Treatment Plant Expansion	\$3,400,000
2. Sludge Quantity Reduction Facilities	\$390,000
3. Effluent Reuse/Recycle	\$280,000
<hr/>	
TOTAL COSTS	<u>\$4,070,000</u>
1990 TOTAL CAPITAL IMPROVEMENT COST	<u>\$6,316,000</u>
Engineering News Record 1991 Construction Cost Index = +1.6 per cent	
1991 TOTAL CAPITAL IMPROVEMENT COST	<u>\$6,417,056</u>

TABLE NO. 2

**Existing Wastewater Treatment Capacities and Wastewater Projections**

**WASTE LOAD UNIT PROCESSES/CAPACITIES**

	<u>UNIT</u>	<u>CAPACITY</u>
a.	Rotating Biological Contactors:	design - 4700 lbs/day total BOD 1650 lbs/day soluble BOD measured - 2450 lb/day total BOD 1200 lbs/day soluble BOD
b.	Aerobic Digesters (2 ea.) Solids Retention Time @ 3750 VSS	67 lbs - VSS/1000 ft <sup>3</sup> /day 46 days
c.	Sludge Storage Pond	362,000 gallons 80 days storage @ design flow

**WASTEWATER PROJECTIONS**

<u>YEAR</u>	<u>POPULATION</u>	<u>SUMMER FLOW</u>	<u>WINTER FLOW</u>	<u>BOD</u>		<u>TOTAL</u>
				<u>RESIDENTIAL</u> (lbs/day)	<u>INDUSTRIAL</u> (lbs/day)	
1987	4,285	0.518	0.702	---	---	---
1988	5,025	0.506	0.706	---	---	---
1989	5,800	0.631	0.725	1,120	670	1,790
1990	6,200	0.682	0.887	1,197	400	1,597
1995	14,300	1.573	2.045	2,760	644	3,404
2000	15,000	1.650	2.145	2,895	1,037	3,932
2005	15,500	1.705	2.216	2,991	1,670	4,661
2010	15,500	1.705	2.216	2,991	2,690	5,681