CITY OF SODAVILLE, OREGON

**ORDINANCE #17-01**

AN ORDINANCE SETTING MUNICIPAL FEES AND UTILITY SERVICE RATES AND CHARGES IN ACCORDANCE WITH THE FEES, RATES AND CHARGES ORDINANCE 02-03, 91-3 and 91-4.

Section 1. The following fees, rates and charges are hereby adopted by the City Council of the City of Sodaville in accordance with Ordinance 02-03.

Section 2. **Development Fees.**

1. Development Fees are designed to recover the direct and indirect costs of processing a request for a land use action. An application charge will be made that is intended to cover City costs in processing the application. Those fees are listed in Section 2.C. of this Resolution. City costs include, but are not limited to: hourly costs of City staff including payroll costs and benefits; publication and communication costs; related engineering, planning, accounting and legal expenses; and fees and charges of other units of government.
2. Full payment of the Development Fees is required before the City may take formal and final action on any request for a land use action.
3. The fee applicable to the following applications provided for by the Zoning, Land Division and related Ordinances of the City shall be:

**APPLICATION FEE**

 1. a. Permit Plan Review $ 60.00

 (Including building permits, septic permits,

 fill and excavation permits, driveway permits,

 and zoning and land division permits)

 1. b. Temporary Use of Recreation Vehicle $ 60.00

 ($30.00 fee to be charged for permit renewal at

 end of each 6-month permit period)

 2. Variance Application – Zoning Ordinance and

Planned Unit Development Ordinance $ 225.00

 3. Conditional Use Permit Application $ 350.00

 4. Medical Hardship Dwelling $ 150.00

 5. Medical Hardship Dwelling – Annual Renewal $ 50.00

 6. Property Line Adjustment $ 200.00

7. Amendment to Zoning Ordinance Text $ 600.00

8. Amendment to Zoning Ordinance Map $ 600.00

9. Amendment to Comprehensive Plan Text $ 500.00

10. Amendment to Comprehensive Plan Map $ 500.00

11. Planned Unit Development – Subdivision $ 2,500.00

 Tentative Plat

12. Planned Development – Subdivision $ 2,500.00 + $50.00 per lot

Final Plat

 13. Planned Unit Development – Major Partition - $ 2,500.00 + $50.00 per lot

 (combined for tentative and final plat)

 14. Planned Unit Development – Minor Partition - $ 1,500.00

 (combined for tentative and final plat)

15. Major Partition which is not a Planned $ 1,000.00

 Development (combined for tentative and final plat)

 16. Minor Partition which is not a Planned $ 850.00 Development (combined for tentative and final plat)

17. Agreement for improvements to Planned Development for costs involving inspection of improvements – Not to exceed 20 % of costs of improvements to be installed

18. Annexation Application $ 1,000.00 + $50/Acre

 19. Street Right-of-way Vacation $ 1,000.00

20. If multiple actions are involved in a request (such as a zone change, conditional use permit, and a variance) the fee shall be either (1) the total charge for each application minus 25 per cent, or (2) the most expensive of the applications plus 50% of additional applications, whichever is greater.

**ALL APPLICATIONS including those not listed:** Reimbursement for Actual Costs: Any person who makes any Land Use Application shall reimburse the City of Sodaville for the actual costs incurred by the City of Sodaville on behalf of the applicant for planning, engineering, review, inspection and/or legal services as these services may relate to the applicant’s request, application or project.

21. **Fill & Excavation Ordinance Fees**. Permit fees are based on the volume of material moved as measured in cubic yards,

 ITEM FEE

1. 50 cubic yards or less: $ 15.00
2. 51 – 100 cubic yards: $ 22.50
3. 101 – 1,000 cubic yards:
4. First 100 cubic yards: $ 22.50
5. Each additional 100 cubic yards or

fraction thereof: $ 10.50

1. 1,001 to 10,000 cubic yards:
2. First 1,000 cubic yards: $ 117.00
3. Each additional 1,000 cubic yards or

fraction thereof: $ 9.00

1. 10,001 to 100,000 cubic yards:
2. First 10,000 cubic yards: $ 198.00
3. Each additional 10,000 cubic yards or

fraction thereof: $ 40.50

1. 100,001 cubic yards or more:
2. First 100,000 cubic yards: $ 562.50
3. Each additional 100,000 cubic yards or

fraction thereof: $ 22.50

1. Plans review fee: 65% of permit fee
2. Appeal of Zoning Official decision: $ 50.00
3. Water System Development Fees as described in Ordinances 91-3, and amends fee costs as stated in Ordinance 91-4.
	1. Residential Water Reimbursement and Improvement SDC

1. Gravity system $ 2,000.00

2. Pressurized System $ 3,500.00

 b. Water Service Connection and

 Inspection Fee $ 500.00

Section 3. **General Service Charges.**

 A. The applicable user charges shall be due in full prior to any activity on the following items or activities:

ITEM OR ACTIVITY CHARGE

+ Research Fee of $ 25.00 per hour with a minimum of $5.00 for each request.

 1. Package Store License Processing $ 45.00

 2. Duplication of Public Record Documents (including meeting minutes) $ .25 per page +

 3. Sale of Comprehensive Plan Text $ 30.00

 4. Sale of Ordinances $ 5.00 plus $.25 per page

 5. Lien Search $ 25.00

 6. Dishonored Check Charge $ 35.00

 7. Photocopy Charge $.25 per page

 8. Faxing Document $2 for 1st page, $1 each after

 9. Electronic $2.00 for 1st page, $1.00 each after + 10. Scanned $2.00 for 1st page, $1.00 each after +

 11. CD/DVD $5.00 +

Section 4. **Water Utility Rates and Charges**.

1. Utility Charges
2. **Customer Basic Service Charges.** Service charges for other water service activities are designed to recover the actual direct and indirect costs to the utility of providing additional services to individual customers. The first 2,500 gallons of water used are included in this charge.
3. **Commodity Charge.** Commodity charges are based on the customer’s usage of the utility’s commodity, water. The charge is designed to recover the variable operation, maintenance and customer service costs of providing potable water and fire suppression water.
4. **Commercial Fire Suppression Charg**e. The Commercial Fire Suppression Charge consists of a fixed charge per square foot for the total applicable floor area over 1,500 square feet. This charge is designed to recover the attributable fixed operating and non-operating expenses of providing the water capacity for fire suppression.
5. **Commodity Charge – Declared Water Restriction.** The City of Sodaville encourages water conservation at all times. When the City Council has determined and declared that Water Restrictions are to be put into effect, the water rates will be determined following the Commodity Charge during Water Restriction.
6. **Customer Service Charges.** Service charges for other water service activities are designed to recover the actual direct and indirect costs to the utility of providing additional services to individual customers.
7. **Water Boxes.** It is the responsibility of the customer to keep the water box servicing his or her account accessible and free of debris inside and out. A 3-foot diameter clearance from the box is required, where applicable. If a box is found to be neglected and needs attention, the City of Sodaville will contact the customer regarding the issue. This may be, but is not limited to, a note on your water billing describing the problems. If within 30 days, the issue is not resolved, and the customer has not contacted the Water Utility to make arrangements to have the problems corrected, the City of Sodaville Water Utility has the authority to correct such problems and pass the actual costs onto the customer.
8. **Facilities Charges.** Facilities charges are designed to recover the direct and indirect costs of installing, removing or repairing the utility’s facilities, as a consequence of customer request or as a consequence of actions by customers, their agents or others. The facilities charge consists of an amount that recovers the direct costs of performing utility system installations, removals and repairs plus a 20% overhead charge to cover indirect costs. Direct costs include but are not limited to: hourly cost of City staff, including payroll taxes and benefits; contract services, materials; equipment rental; publication and communication costs; related engineering, planning, accounting and legal expenses; and fees and charges to other utilities or other units of government.
9. **Penalties.** The utility levies penalties to encourage compliance with utility regulations.
10. **Deposits.** The utility may require deposits to ensure recovery of costs in the event a customer fails to pay the full balance due.
11. **Late Notice and Shutoffs.** All Accounts with a balance due over 61 days will be served a shutoff notice with amount due in 5 days. The amount due will include the fee for delivery of notice. If not paid, service will be shut off.
12. **Payment Plans.** Accounts that are over 90 days past due and subject to shut-off for non-payment are eligible for payment plans. It is the responsibility of the customer to apply for payment plan arrangements. All payment plan arrangements are to be in writing. If a payment is missed the plan becomes void, and the full amount is due and service may be disconnected for non-payment. If a penalty has been assessed to an account and after 90 days payment has not been made, a payment plan shall be required. If the customer does not apply for a payment plan, the penalty assessed will be treated as account service fees and the water rate and utility charges will apply to the penalty amount.

B. All receipts of the following charges, penalties and deposits listed in Section 4.C. shall be deposited in the Water Utility Enterprise Fund.

C. The applicable user charges for the following commodities, demands, services, activities and penalties shall be:

 NATURE OF CHARGE AMOUNT OF CHARGE

1. **Customer Basic Service Charge $ 45.00**
2. **Commodity Charges**

Water consumption[[1]](#footnote-1)

a. First 2,500 gallons in a month Included in Customer Basic Service Charge

 b. 2,501 to 5,000 gallons in a month $16.12 per 1,000 gallons

 c. 5,001 to 10,000 gallons in a month $17.50 per 1,000 gallons

 d. 10,001 to 15,000 gallons in a month $18.86 per 1,000 gallons

 e. 15,001 to 20,000 gallons in a month $20.70 per 1,000 gallons

f. 20,001gallons or more in a month $22.98 per 1,000 gallons

~~g. Surcharge on water over 2,500 gallons $ 0.00853 per gallon~~

1. **Commodity Charge during water restriction**[[2]](#footnote-2)
2. First 5,000 gallons same as in Section 2.
3. 5,001 to 10,000 gallons in a month $16.12 per 1,000 gallons
4. 10,0001 to 15,000 gallons in a month $23.91 per 1,000 gallons
5. 15,0001 to 20,000 gallons in a month $26.65 per 1,000 gallons
6. 20,001 gallons or more in a month $30.32 per 1,000 gallons
7. ~~Surcharge on water over 2,500 gallons $ 0.00853 per gallon~~
8. **Commercial Fire Suppression Charge**  $ .0033 per sq. ft.

floor area

 **5. Customer Service Charges**

a. New account set-up and turn-on charge. $ 25.00

 b. Account termination and turn-off charge. $ 25.00

 c. Late fee - rebilling charge on past due accounts. $ 15.00

 d. Turn-off warning notice delivery charge. $ 25.00

 e. Turn-off charge during normal business hours. $ 25.00

 f. Charge for temporary discontinuance of service - $ 30.00

 covering both turn-off and turn-on (inactive).

 g. Special charge for City assistance Actual cost plus 20%

 h. Turn-on charge during normal business hours. $ 25.00

 i. Turn-on charge after normal business hours. $100.00

 j. Restoration of service after discontinuance $ 30.00

for nonpayment.

k. Re-reading water meter at the request of $ 25.00

the customer, if the previous reading was

correct.

 l. Calibrating or re-installing a water meter $250.00

at the request of the customer, if the previous

meter was registering correctly.

**6. Facilities Charges**

a. New service installation charge – for $ 250.00installation of water meter

b. Installation of all facilities Actual cost plus 20%

 necessary to furnish service.

 c. Change in size of meter. Actual cost plus 20%

 d. Change in size of service connection for Actual cost plus 20% convenience of the customer.

 e. Relocation of service connection for Actual cost plus 20% convenience of the customer.

 f. Repair to meter damaged by tampering. Actual cost plus 20%

 g. Repairs to mains, service pipes, meters, Actual cost plus 20%

 and/or, meter boxes, installed at proper grade,

 when damaged by contractors or others.

h. Emergency repairs to mains and service To be determined by

pipe that result in considerable loss of City Council, based

water, when caused by homeowner or actual costs plus 20% of

contractor hired by homeowner. detection and repair, and

 cost on the amount of water

 that was lost.

**7. Penalties**

a. Penalty for unauthorized use of water $ 500.00 Plus Cost of Water Used

 including but not limited to turning water on

once the City turns it off, and (2) misuse of

water during water restriction periods.

 b. Penalty for unauthorized use of fire hydrant. $ 1,000.00 Plus Cost of Water Used

 c Penalty for meter tampering. $ 1,000.00

 .

**8. Deposits**

 a. Residential and non-residential customers. $ 125.00

 b. Temporary or special water service. $ 125.00

c. Additional deposits may be required upon approval by the City Council, when deemed necessary.

Section 5. **Validity.** The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance that can be given effect without such invalid part or parts.

Section 6. **Effective Date.** This resolution shall go into effect on October 1, 2017, after adoption by the City Council and signature of the Mayor.

PASSED by the Council and approved by the Mayor this 21st day of September, 2017.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mayor

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City Administrator

**TABLE A**

**EXAMPLES OF MONTHLY CHARGES**

**DURING NON-WATER RESTRICTION PERIODS**

**BASED ON GALLONS USED**

|  |  |  |
| --- | --- | --- |
| **NUMBER  OF GALLONS USED       PER MONTH** | **RATE** | **MONTHLY CHARGE** |
| Up to 2,500 gallons | Included in basic charge. | $   45.00 |
| 5,000 gallons  | Basic charge – first 2,500 gallonsNext 2,500 gallons @ .0161 per gallonTotal | $   45.00$   40.25$   85.25 |
| 10,000 gallons | Basic charge & first 5,000 gallonsNext 5,000 gallons @ .0175 per gallonTotal | $   85.25$  87.50   $ 172.75 |
| 15,000 gallons | Basic charge & first 10,000 gallonsNext 5,000 gallons @ .0189 per gallonTotal | $ 172.75$   94.50$ 267.25 |
| 20,000 gallons | Basic charge & first 15,000 gallonsNext 5,000 gallons @ .0207 per gallonTotal | $ 267.25$ 103.50$ 370.75  |
| 30,000 gallons | Basic charge & first 20,000 gallonsNext 10,000 gallons @ .0230 per gallonTotal | $ 370.75$ 230.00$ 600.75 |

**TABLE B**

**EXAMPLES OF MONTHLY CHARGES**

**DURING WATER RESTRICTION PERIODS**

**BASED ON GALLONS USED**

|  |  |  |
| --- | --- | --- |
| **NUMBER OF****GALLONS USED****PER MONTH** | **RATE** | **MONTHLY CHARGE** |
| Up to 2,500 gallons | Included in basic charge | $ 45.00 |
| 5,000 gallons | Basic charge – first 2,500 gallonsNext 2,500 gallons @ .0161 per gallonTotal | $ 45.00$ 40.25$ 85.25 |
| 10,000 gallons | Basic charge & first 5,000 gallonsNext 5,000 gallons @ .0239 gallonTotal | $ 85.25$ 87.49$ 172.74 |
| 15,000 gallons | Basic charge & first 10,000 gallonsNext 5,000 gallons at .0267 gallonTotal | $ 172.74$ 133.50$ 306.24 |
| 20,000 gallons | Basic charge & first 15,000 gallonsNext 5,000 gallons @ .0303 per gallonTotal | $ 306.24$ 151.50$ 457.74 |
| 30,000 gallons | Basic charge & first 20,000 gallonsNext 10,000 gallons @ .0386 per gallon Total | $ 457.74$ 386.00$ 843.74 |

1. See table A, attached to this resolution for examples of usage and fees. [↑](#footnote-ref-1)
2. See tables A & B, attached to this resolution for examples of usage and fees [↑](#footnote-ref-2)