

ORDINANCE NO. 758

AN ORDINANCE OF THE CITY OF TENINO, WASHINGTON, RELATING TO CITY UTILITIES; AMENDING SECTION 5 OF ORDINANCE 744 AND SECTION 13.06.310 OF TENINO MUNICIPAL CODE; ESTABLISHING ONE-TIME CAPACITY CHARGES FOR ALL USE AND OCCUPANCY CLASSIFICATIONS FOR CONNECTION TO THE SANITARY SEWER SYSTEM AND PAYMENT OF FEES AND CHARGES RELATED THERETO;

THE CITY COUNCIL OF THE CITY OF TENINO, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

13.06.310 Capacity Charge – Payment

- A. 1) As a condition of connection to the sewer system each property that is occupied and/or served by a private waste water system within city limits as of June 1, 2009, as shown in the initial sewer service area of the General Sewer Plan/Facilities Plan dated April 2008, except as exempted by RCW, shall pay an initial, one-time capacity charge in the amount of \$3,500 per ERU. Any previously plotted vacant lot within the city limits that existed on or before May 31, 2009, whose owner wishes to prepay the \$3,500.00 capacity charge will satisfy the capacity charge for future development but the owner will still be responsible for all development costs of grinder pump installation, including work necessary to connect to the main line, prior to issuance of occupancy of a building permit.
- 2) For the calculation of the initial capacity charge average water use is based on the monthly average use during October, November, December 2008 and January 2009. As per City Engineer, one ERU is equal to 200 gallons per day.
- 3) Occupancy and use of buildings shall be determined by Chapter 3 of the International Building Code as adopted by the City of Tenino.
- 4) **Single Family Residence** shall be 1 ERU
- 5) **Multi-family** shall be as follows: Duplex = 0.75 ERU per unit; Triplex and Fourplex = 0.7 ERU per unit; greater than four unit apartment = water usage [based on 200 gal/day = 1 ERU] rounded to the nearest whole ERU [min 1 ERU].
- 6) **Commercial** shall be as follows: less than 5,000 Square feet = 1 ERU, provided the business does not include a commercial kitchen, laundry mat, tavern, bar, hair salon, or mercantile; 5,000 square feet and greater and all commercial kitchens, laundry mats, taverns, bars, hair salons, and mercantile shall = water usage [based on 200 gallons/ day = 1 ERU] rounded to the nearest whole ERU [min 1 ERU].

- 7) **Schools, Churches, Medical, and Government facilities** are calculated using Commercial standards.
- 8) **Mixed Use** shall be as follows: combination of residential and commercial less than 5,000 square feet = 2 ERU (1 ERU commercial and 1 ERU residential), greater than 5,000 square feet = water usage [based on 200 gallons/day = 1 ERU] addition ERU rounded to the nearest whole ERU [minimum 2 ERU].
- 9) Property owners signing up for pumping and abandonment of their own septic systems will enter into an agreement with the City of Tenino for \$800.00. This \$800.00 will be deducted from their one time capacity charge but will be filed as a lien against the property. If the septic systems are abandoned to the satisfaction of the City of Tenino within two (2) years of connection to the sewer system the agreement will be forgiven and voided. If the property owner fails to abandon their existing on site septic system within the two years allowable by State law, the City of Tenino will pump and abandon the onsite septic system and will invoice the property owner for all costs plus the \$800.00 agreement. This debt will be due and payable in full with interest accruing from the date of the agreement at the rate established in Washington State Statute.
- 10) A one-time capacity charge for existing development shall be due and payable to the City on June 1, 2009. Hardships to timely payment of this capacity charge can be outlined and submitted in writing to the Development Services Director at City Hall City of Tenino. Each application will be addressed based on circumstances outlined in that request. Approved extensions exceeding three (3) months shall require a contractual agreement between the City of Tenino and the property owner. This agreement will be filed as a lien against the property and shall collect interest at the current amount allowable under Washington State Statute.
- 11) As a condition of permit and development of property, and as a condition of connection to the sewer system, each property developed after January 1, 2010 shall pay a capacity charge in the amount of \$7,000 per ERU or such amounts subsequently adopted by Tenino City Council Resolution. In addition the property owner shall be responsible for the cost of grinder pump installation and work required to connect to the main sewer line prior to issuance of a development permit.

- B. Change in occupancy use within a building constitutes a change in established capacity. When a change in capacity results in an increased use of the sewer system, the capacity charge for the new use shall be applied, however, capacity charges collected for prior use will be credited against the subsequent use. Any changes to the existing sewerage system required because of this change in use must be paid by the property owner prior to issuance of a development/building permit. Capacity charges and/or rates are subject to change and shall be established by Tenino City Council Resolution.

Section 2. Effective Date. This ordinance shall be published in the official newspaper of the city, and shall take effect and be in full force 5 days after date of publication as required by law.

PASSED AND ADOPTED by the City Council of the City of Tenino, Washington, and approved by its Mayor, at a regularly scheduled open public meeting this ____ day of _____, 2009.

Kenneth A. Jones, Mayor

ATTEST:

Betty J. Garrison, CMC, CPFA
Clerk/Treasurer