

AN ORDINANCE ADOPTING THE MASTER UTILITIES PLAN AND ITS IMPLEMENTING FINANCE PLAN.

WHEREAS, The City contracted for and generated a report regarding the Master Utilities Plan For The City Of Stayton, prepared by James M. Montgomery Consulting Engineers and which was adopted by City Council by Resolution No. 286 in 1981: and

WHEREAS, the City developed the City of Stayton Capital Improvements Program based upon the Master Utilities Plan in order to carry out the terms of the Master Plan and is referred to herein;

NOW THEREFORE,

THE CITY OF STAYTON ORDAINS AS FOLLOWS:

Section 1. Stayton City Code Sections 5.025 thru 5.110, Sections 5.120 thru 5.133, 5.160, 5.165, Sections 5.425 thru 5.427, Sections 5.431, 5.432, 5.440 (2) and (3), 5.510 and 5.530 are hereby repealed,

Section 2. The Master Utilities Plan for the City of Stayton, James M. Montgomery, Consulting Engineers, December 1980, is hereby adopted.

Section 3. The Master Utilities Finance Plan, which enables the City to carry out the terms of the Master Plan is hereby adopted to read as follows:

5.001

Definitions

Capital Improvements Advisory Committee. An advisory committee consisting of nine members authorized to review, evaluate and prioritize pending public facility projects and to make recommendations to the City Council regarding the Capital Improvements Program which implements the Master Utilities Plan.

Capital Improvements Program. The Capital Improvements Program is a phased implementation program based on the Master Utilities Plan. Timing provisions for the public utilities are prioritized by a 5-year phased program which is updated on a yearly basis and are consistent with the Comprehensive Plan's projected growth estimates. Planned revenues and expenditures are also projected over the 5-year phased program. The Capital Improvements Program includes the Master Utilities Fee Schedule.

Connection Charge. Cost borne by the user to provide a utility connection at the property line.

Developer. Shall be deemed to be the individual, firm, corporation, partnership, association syndication, trust or other legal entity that is responsible for the development of land thereby creating a demand on the Public Utility Systems.

Development. Shall be any improvement which places a demand on the Public Utility Systems or other public facility.

Dwelling Unit. Shall be one or more rooms in a dwelling or portion of a dwelling designed for occupancy by one family for living purposes and having its own cooking and sanitary facilities.

Engineered Construction Plans. Drawings and specifications of proposed public utility systems to be developed bearing the stamp of a professional engineer.

Front Foot Assessment. A front foot assessment is incurred when a request for Public Utilities is approved. Such charge, as collected, is placed in a special fund designated as the Front Foot Assessment Fund. The fund will assist in financing installation and reconstruction of standard-sized public utilities and may also assist in financing over-sizing and off-site items.

Master Utilities Fee Schedule. The Capital Improvements Advisory Committee shall annually review and recommend to the City Council a comprehensive schedule of fees and charges in connection with the funding of the Capital Improvements Program. The fees and charges shall include, but not be limited to:

- (a) Systems Development Fees
- (b) Front Foot Assessments
- (c) User Fees
- (d) Connection Fees (water)
- (e) Connection Fees (sewer)
- (f) Permit Charges

Master Utilities Plan. The Master Utilities Plan, a support document to the Comprehensive Plan for the City of Stayton, describes water, sanitary sewer and storm sewer (exclusive of the Mill Creek Flood Basin) utilities which are to support the land uses designated within the Urban Growth Boundary by the Comprehensive Plan as required in OAR 660.111.045.

The Master Utilities Plan contains the following items:

- (a) An inventory and general assessment of the condition of all the significant public utility systems which support the land uses designated in the Comprehensive Plan.
- (b) A list of the significant public utility projects which are to support the land uses designated by the Comprehensive Plan. Public utility project descriptions or specifications of these projects as necessary.
- (c) Rough cost estimates of each public utility project.
- (d) A map or written description of each public utility project's general location or service area.
- (e) Policy statements regarding the urban growth management and identifying the City of Stayton as the provider of the public utility systems.
- (f) An estimate of when each utility project will be needed.

Master Utilities Finance Plan. The City of Stayton is the provider of the public utility systems identified in the Master Utilities Plan and the Master Utilities Finance Plan is the funding mechanism for the City of Stayton to fund the development of each public utility project. The funding mechanisms include:

- (a) Systems Development Fees
- (b) Front Foot Assessments
- (c) User Fees
- (d) Other means of Funding

Payment Schedule Agreement. A written agreement between the developer and the City outlining the amount to be paid and the terms of the payment.

Public Facilities. Any facility which is immediately or eventually to be taken over by the City for maintenance and operation. Facilities include ,but are not limited to, public utilities, streets, sidewalks, curbs, parking lots, driveways, public buildings and properties.

Public Utility Systems. For the purpose of this section, Public Utility Systems include and are limited to the following:

(a) Water:

- (1) Sources of water
- (2) Treatment system
- (3) Storage system
- (4) Pumping system
- (5) Primary distribution system

(b) Sanitary Sewer:

- (1) Treatment facilities system
- (2) Primary collection system

(c) Storm sewer:

- (1) Primary collection system
- (2) Major drainage ways (streams, ditches, pump stations and retention basins)
- (3) Outfall locations

Public Works Project Report. A public works project report is a study and written report by the Director of Public Works for a specified utility project. The report will include the following:

- (a) A map or plat showing the general nature, location and extent of the proposed improvement and the land to be assessed for the payment of any part of the cost thereof.
- (b) Plans, specifications and estimates of the work to be done; provided, however, that when the proposed project is to be carried out in cooperation with any other governmental agency, the report may adopt the plans, specifications and estimates of such agency.
- (c) An estimate of the probable cost of the improvement, including any legal, administrative and engineering costs attributable to it.
- (d) A recommendation as to the method of assessment, if any, to be used to arrive at a fair apportionment of the whole or any portion of the cost of the improvement to the properties specially benefitted.

- (e) The description and assessed value of each lot, parcel of land, or portion to be specially benefited by the improvement, with the names of the record owners thereof and, when readily available, the names of the contract purchasers thereof.
- (f) A statement of outstanding assessments against the property to be assessed.

Request for Public Utilities. An application for water and/or sewer service by a developer. The application form provided by the City shall indicate the date of application, location of premises to be served, the size of service desired, the date the applicant desires services to begin, purpose for which service is to be used, the address for mailing the utility bills, and such other information as the City may reasonably require.

Right-of-Way Construction Permit. A document giving authority to construct, alter, modify or connect to any Public Utility System, approved by the Director of Public Works.

Service. The branch or lateral from the main to which the user is allowed to connect.

Standard Specifications. Standard specifications for facilities construction in the City of Stayton, Oregon. The Document adopted by Ordinance #446 on May 19, 1975 and revised August 30, 1976 by Ordinance #466 setting forth uniform design, material, and workmanship standards under which all public works facilities shall be constructed in the City of Stayton. Public works facilities include Public Utility Systems which are constructed to be immediately or eventually operated and maintained by the City.

Systems Development Fee. A Systems Development Fee is levied at the time engineered construction plans are approved. Such fee, as collected, is placed in a special fund designated as the Systems Development Fund. The fund will assist in financing the installation and construction of increased capacity in public facilities.

User Fee. The periodic fee charged to the customer for the use and benefit of the Public Utility System.

5.002 Master Utilities Plan.

The Director of Public Works shall prepare or have prepared a Master Utilities Plan for all public facilities within the Urban Growth Area. Such Master Utilities Plan shall include the expansion, construction or the reconstruction of the public utility systems. Master plans shall be updated as circumstances warrant.

5.003 Capital Improvements Program.

The Director of Public Works shall prepare or have prepared a Capital Improvement Program which should generally specify the time period, projects, cost, and source of revenue for public utility and facility systems. These programs are for financial planning and will be guided by the Capital Improvements Advisory Committee at the discretion of the City Council.

5.004 Authority to Order, Modify, or Prohibit Development.

The Director of Public Works has the responsibility to order, modify or prohibit development of public facilities subject to Council action whenever:

- a. The City Code, the City Charter, State or Federal Law specifies.
- b. The provisions of the subdivision regulations or other provisions of this Code would place an undue burden on the existing systems or customers.
- c. A threat to health and welfare would be created by following the standard procedure.

5.005 Special Agreements to Provide Public Utilities

In certain instances where, in the judgement of the Director of Public Works, it becomes advisable to:

1. Provide temporary service or service that is not in timing with the City's plans.
2. Provide public utilities outside of the City limits or service area.
3. Provide public utilities or services not specifically allowed by this Code.

The Director of Public Works shall make a recommendation to the City Council and the Council may approve or reject special agreements.

5.006 No Obligation to Provide Public Utilities

Neither the Director of Public Works or the City is under an obligation to extend public utilities or service.

5.007 Right of Way Construction Permits - Work Requiring Permit.

Any work involving construction, alteration, or connection to the public utilities or facilities of the City, requires a Right of Way Construction Permit.

5.008 Responsibility to Obtain a Right of Way Construction Permit.

It shall be the property owner who signs the right of way construction permit. He may designate in writing an engineer, bank, or other person to act as agent.

5.009 Work Must Meet Standard.

Work done under a Right of Way Construction Permit must meet or exceed the requirements of the "Standard Specifications For Public Works Construction" in the City of Stayton, Oregon, or such other standards as required by the permit. The Director of Public Works shall have the authority to alter and prescribe standards when necessary and which are consistent with established engineering practices.

5.010 Inspection.

It is the responsibility of the property owner to ensure that there is adequate inspection, testing, and documentation of the work prior to requesting acceptance by the Department of Public Works.

5.011 Department Approval and Acceptance.

Prior to acceptance for maintenance the Director shall determine that the work meets standard specifications, that the regulations have been met, and that all permit fees and other fees have been arranged. Acceptance by the City must be by Resolution.

5.012 Public Works Project Report.

Prior to construction of any public works project the Director shall submit to City Council a public works project report.

5.013 Systems Development Charge \* Purpose.

A Systems Development Charge is imposed for the purpose of creating a source of funds to assist in paying for the installation and construction of increased capacity in public utilities and facilities.

5.014 Systems Development Charge.

The following Systems Development Charge is imposed on all development in accordance with the current Master Utilities Fee Schedule.

5.015 Payment of Fee.

1. The Systems Development Charge is incurred on the recorded date of approval of either the request for public utilities or the approval of the the engineered construction plans by the Department of Public Works.
2. When engineered construction plans are submitted to the Department of Public Works, approval of the plans will be subject to an executed payment schedule agreement. No permit to connect a property to any of the public utilities shall be approved until a payment schedule agreement regarding the Systems Development Charge has been executed.
3. Developments which received approval for either a request for public utilities or approval of their engineered construction plans by the Department of Public Works prior to the effective date of this Ordinance shall be responsible for the Systems Development charge in effect on the recorded date of such approval.

5.017 Use of Revenue.

The revenue received from the Systems Development Charge shall be placed in a separate designated account and used only for the cost of extra capacity utilities and facilities scheduled for construction or installation under the City's Capital Improvements Program as recommended by the Capital Improvements Advisory Committee or for payment on debt due to construction or installation of extra capacity utilities and facilities.



5.018 Front Foot Assessment + Purpose.

A front foot assessment is imposed for the purpose of creating a source of funds to assist in paying for the installation and reconstruction of standard-sized public utilities and facilities fronting property.

5.019 Front Foot Assessment

The front foot assessment will be imposed on all development in accordance with the current Master Utilities Fee Schedule.

5.020 Payment of Fee.

1. The front foot assessment is incurred when a Request for Public Utilities is approved.
2. When a request for public utilities is submitted to the Department of Public Works, approval of the request will be subject to an executed payment schedule agreement regarding the front foot assessment.

5.021 Exemptions.

1. Property that has previously paid through assessment or some other documented means, for connection to public utilities shall be relieved of that documented portion of the front foot assessment.
2. Land within a subdivision fronting on fully improved right-of-way are relieved of the front foot assessment.
3. Additional connections or additions on a property may be relieved of a portion of the front foot assessment as directed by Council.

5.022 Use of Revenue.

The revenue received from the front foot assessment shall be used only for the construction or reconstruction of the standard size utilities and facilities.

5.023 Request for Public Utilities + Water

1. Each applicant for water service shall sign an application form provided by the City. The application is a written request for service and does not bind the City to serve.
2. Any changes in the above-mentioned service shall require a new Request for Public Utilities.

5.024 Ownership, Installation and Maintenance.

The City shall own, install and maintain all water service connections up to and including the water meter. The installation and maintenance shall be performed by authorized employees of the City. The customer shall own, install, and maintain the private service line from the water meter into the development.

5.025 Water Service Charge#Purpose.

A water service charge is imposed for the purpose of paying the cost for the installation and reconstruction of services between the water main and water meter at the property line.

5.026 Payment of Fee

The minimum service charge is payable when the request for Public Utilities is submitted in accordance with the current Master Utilities Fee Schedule. Actual costs exceeding the minimum charge will be calculated and paid by the customer prior to use.

5.027 Service Materials

The City shall furnish and install water service consistent with the standard specifications of the City of Stayton.

5.028 Standard Water Service .

1. Where the water main is in the public right-of-way, the meter shall be placed at the right-of-way line nearest the property to be served for the standard service fee, provided that the length of service line does not exceed the width of the right-of-way.
2. Where the water main is on an easement or publicly owned property other than a designated right-of-way, the services shall be installed to the boundary of the easement or public property by the City, provided that the length of service does not exceed 60 feet.
3. If, in either case cited above, the length of service line to the meter location exceeds the maximum stated, the applicant shall pay the extra cost of the line on the basis of actual cost to the City.

5.029 Fire Protection Service.

Fire protection facilities may be allowed inside and/or outside of a building. When a building has a fire protection service which is separate from the regular service to the building, an approved proportional meter or detector check shall be used in place of a service meter. The owner of the building shall agree in writing that water supplied through this service will not be used for any purpose except for extinguishing fire. If use is recorded on the proportioned meter or detector check, the installation of a service meter or the removal of the fire service may be required at the expense of the property owner.

5.030 Request for Public Utilities # Sewer

1. Each applicant for sewer service shall sign an application form provided by the City. The application is a written request for service and does not bind the City to serve.
2. Any changes in the above-mentioned service shall require a new Request for Public Utilities.

5.031 Ownership Installation and Maintenance.

The City shall install and maintain for one year from the date of final inspection all sewer service connections. Maintenance after this date becomes the responsibility of the user.

5.032 Sewer Service Charge #Purpose

A sewer service charge is imposed for the purpose of paying the cost for the installation and reconstruction of sewer services between the sewer main and the property line.

5.033 Payment of Fee.

The minimum service charge is payable when the request for public utilities is submitted in accordance with the current Master Utilities Fee Schedule. Actual costs exceeding the minimum charge will be calculated and paid by the customer prior to use.

5.034 Service Materials

The City shall furnish and install sewer service consistent with the Standard Specifications of the City of Stayton.

5.035 Standard Sewer Service.

1. Where the sewer main is in the public right-of-way, the standard service shall extend to the right-of-way line nearest the property to be served for the standard fee, provided that the length of service line does not exceed the width of the right-of-way.
2. Where the sewer main is on an easement or publicly owned property other than designated right-of-way, the services shall be installed to the boundary of the easement or public property by the City, provided that the length of service does not exceed 30 feet.

5.040 Appeals

Any person aggrieved by the imposition of a development fee may request a hearing before the City Council by filing a written request with the City Administrator setting forth his particular circumstances. The Council may, at its discretion, alter the charge or the manner of payment thereof if unusual or exceptional circumstances justify such alteration.

APPROVED BY THE COMMON COUNCIL THIS 1st DAY OF December, 1986.

Signed by the Mayor this 7<sup>th</sup> day of January, 1987 *ew*

*Clare L. ...*  
Mayor

ATTEST:

*Ellen Vandenberg*  
City Administrator

(ord.doc # Diane)

MASTER UTILITIES FEE SCHEDULE

<u>FEE/CHARGE</u>	<u>WATER</u>	<u>SEWER</u>	<u>STREET</u>	<u>STORM</u>
a) Systems Development				
by Zone				
LD	\$0.0229/sq. ft	\$0.0321/sq. ft.	\$0.00/sq. ft.	\$0.00/sq. ft.
MD	\$0.0457/sq. ft	\$0.0641/sq. ft.	\$0.00/sq. ft.	\$0.00/sq. ft.
HD	\$0.0686/sq. ft	\$0.0855/sq. ft.	\$0.00/sq. ft.	\$0.00/sq. ft.
C	\$0.0915/sq. ft	\$0.0223/sq. ft.	\$0.00/sq. ft.	\$0.00/sq. ft.
I	\$0.1143/sq. ft	\$0.0223/sq. ft.	\$0.00/sq. ft.	\$0.00/sq. ft.
b) Front Foot Assessment	\$8.00/ff*	\$15.00/ff	\$0.00/sq. ft.	\$0.00/sq. ft.
c) User Fees	\$2.00 per account, plus \$1.50 per meter equivalent \$0.32 per 1000 gallons variable fire standby	Class A \$ 6.68 Class B \$10.02 Class C \$16.70 Class D \$ 1.67/1000	\$0.00/sq. ft. \$0.00/sq. ft. \$0.00/sq. ft. \$0.00/sq. ft.	\$0.00/sq. ft. \$0.00/sq. ft. \$0.00/sq. ft. \$0.00/sq. ft.
d) Connections Fees	\$200 per minimum plus actual costs over base minimum	\$500 minimum plus actual costs over minimum	\$0.00/sq. ft.	\$0.00/sq. ft.
Service connection				
Meter only	\$50.00 minimum; actual cost if over minimum	N/A	N/A	N/A
e) Permit Fees	as calculated	as calculated	as calculated	as calculated
Plan Review Fees	\$0.00	\$0.00	\$0.00	\$0.00
Construction Inspections Fees	\$0.00	\$0.00	\$0.00	\$0.00

EFFECTIVE DATE January 1, 1987

\*Front Foot