

ORDINANCE NO. 728

AN ORDINANCE AMENDING STAYTON MUNICIPAL CODE SECTION 13.24.1190, "SEWER USER CHARGES, NON-INDUSTRIAL," AND DECLARING AN EMERGENCY.

WHEREAS, Stayton Municipal Code Title 13., "Public Services," pertains to the Master Utilities Plan; and

WHEREAS, the City of Stayton charges sanitary sewer users rates for services; and

WHEREAS, it is the intent of the City that the user charges are imposed to reimburse the City for providing those services; and

WHEREAS, the Stayton City Council finds that a sanitary sewer rate increase is needed by May 2, 1994 to cover operating expenses, debt service, and future capital expenses; and

WHEREAS, the Stayton City Council finds that an additional sanitary sewer rate increase is needed by November 1, 1994 to cover operating expenses, debt service, and future capital expenses; and

WHEREAS, the Stayton City Council has established in Resolution No. 478 that sewer charges imposed by Title 13. are not a tax as defined by Article XI., section 11-b, of the constitution of the State of Oregon; and

WHEREAS, the Stayton City Council wishes to amend certain sections of Title 13.;

NOW, THEREFORE, the Stayton City Council ordains as follows:

SECTION 1: STAYTON MUNICIPAL CODE SECTION 13.24.1190, "Sewer Rate Charges: Non-Industrial," is hereby amended to read:

13.24.1190 SEWER USER CHARGES: NON-INDUSTRIAL

Effective May 2, 1994, sanitary sewer rates for non-industrial shall be established and set by the City Council as follows:

1. Users of the sewer system are classified based on estimated loadings to the sewer system and rates are hereby established for each classification:

<u>Class</u>	<u>Loading</u>	<u>\$/Month</u>
A	Up to 4,000 gal/month	\$ 13.30
B	Up to 6,000 gal/month	\$ 20.00
C	Up to 10,000 gal/month	\$ 33.00
D	Over 10,000 gal/month (cost per thousand)	\$ 3.30

2. Water consumption for the months of October through March shall be used to classify users except that the following classes are hereby established:

Single Family Units and Manufactured Homes	Class B
Duplexes with Individual Water Meters, per unit	Class B
Apartments, per unit	Class B

3. New users to the system, other than houses and apartments, shall be billed based on actual water usage. Allowances for high summer water usage may be taken into account by the finance director for the City of Stayton.
4. Accounts in which there is no correlation between water usage and sewerage discharge, as determined above, will be individually calculated by the finance director for the City of Stayton.

SECTION 3: Effective November 1, 1994 STAYTON MUNICIPAL CODE SECTION 13.24.1190, "Sewer Rate Charges: Non-Industrial," is hereby amended to read:

13.24.1190 SEWER USER CHARGES: NON-INDUSTRIAL

Effective November 1, 1994 sanitary sewer rates for non-industrial shall be established and set by the City Council as follows:

1. Users of the sewer system are classified based on estimated loadings to the sewer system and rates are hereby established for each classification:

Class	Loading	\$/Month
A	Up to 4,000 gal/month	\$ 15.80
B	Up to 6,000 gal/month	\$ 24.00
C	Up to 10,000 gal/month	\$ 39.50
D	Over 10,000 gal/month (cost per thousand)	\$ 3.95

2. Water consumption for the months of October through March shall be used to classify users except that the following classes are hereby established:

Single Family Units and Manufactured Homes	Class B
Duplexes with Individual Water Meters, per unit	Class B
Apartments, per unit	Class B

3. New users to the system, other than houses and apartments, shall be billed based on actual water usage. Allowances for high summer water usage may be taken into account by the finance director for the City of Stayton.
4. Accounts in which there is no correlation between water usage and sewerage discharge, as determined above, will be individually calculated by the finance director for the City of Stayton.

SECTION 3: It is hereby adjudged and declared that existing conditions are such that this ordinance amending the Stayton Municipal Code Sections related to water and sewer rates is necessary to serve the public health, safety, welfare, convenience, and environmental amenities of the City of Stayton and the inhabitants thereof, and this ordinance shall be in full force and effect when executed by the mayor.

PASSED BY THE STAYTON CITY COUNCIL this 2 day of May, 1994.

Date: 5-05-94 BY: Willmer Van Vleet  
WILLMER VAN VLEET, Mayor

Date: 5-04-94 ATTEST: David W. Kinney  
DAVID W. KINNEY, City Administrator

APPROVED AS TO FORM

Date: APR 22 1994 David A. Rhoten  
DAVID A. RHOTEN, City Attorney