

**RESOLUTION NO. 908**

**A RESOLUTION APPROVING A STORM DRAINAGE UTILITY FEE  
AND SETTING RATES**

WHEREAS, SMC Chapter 13.32 requires rates to be established to cover the costs of operating and maintaining the City of Stayton storm drainage utility;

WHEREAS, the adopted *Storm Drainage Facilities Master Plan* identifies recommended storm drainage facility improvements which are needed to serve the property with the Stayton urban growth boundary by the year 2030;

WHEREAS, the estimated cost of the proposed storm drainage facility improvements is \$25.9 million;

WHEREAS, the *Storm Drainage Facilities Master Plan* recommends the city enact a storm drainage utility fee, a storm drainage systems development charge and also seek outside grant funding to finance the recommended storm drainage facility improvements;

WHEREAS, the City Council has concluded that the City needs to adopt a storm drainage utility fee to guarantee the City has sufficient funds to pay for on-going operations and maintenance, capital improvements and debt service for the storm drainage utility;

WHEREAS, in December 2013, the City Council adopted Ordinance 964 to establish a storm water utility and directed staff to prepare a rate resolution to implement a monthly storm drainage utility fee;

WHEREAS, such the storm drainage utility fee rates are to be adopted by resolution;

WHEREAS, the Stayton City Council agreed that at the time of the implementation of the storm drainage utility fee, the City should phase in storm drainage utility fee rates over a three-year period in order to guarantee the City has sufficient revenue to cover anticipated expenditures for the storm drainage utility; and

WHEREAS, the drainage fee authorized by this SMC Chapter 13.32 is not subject to the property tax limitations of Section 11(b), Article XI, of the Oregon Constitution.

NOW THEREFORE, BE IT RESOLVED by the Stayton City Council hereby adopts monthly rates for the storm drainage utility fee as follows:

**SECTION 1. STORM DRAINAGE UTILITY FEE (2014-2015)**

Effective April 1, 2014 a storm drainage utility fee is imposed and levied upon the responsible party for all developed property within the City and will be collected with the monthly utility bills. The storm drainage utility fee shall be based on the direct and indirect use of or benefit derived from the use of city's public storm drainage utility generated by the developed property.

The monthly storm drainage utility fee is hereby established and imposed for the following residential and non-residential use classifications as follows:

Class	Category	\$/Month
Residential		
1	Single family residential dwelling unit	4.00
2	Duplexes (per dwelling unit)	4.00
3	Mobile Home or Manufactured Home Park (per MH)	4.00
4	Multi-family residential (per dwelling unit)	2.40
Non Residential		
1	Category 1: up to 2,500 square feet (sf) impervious surface	4.00
2	Category 2: 2,501 to 5,000 sf impervious surface	6.00
3	Category 3: 5,001 to 10,000 sf impervious surface	12.00
4	Category 4: 10,001 to 15,000 sf impervious surface	20.00
5	Category 5: 15,001 to 20,000 sf impervious surface	28.00
6	Category 6: 20,000 to 30,000 sf impervious surface	40.00
7	Category 7: 30,000 to 40,000 sf impervious surface	56.00
8	Category 8: 40,000 or more sf impervious surface	72.00

## SECTION 2. STORM DRAINAGE USER FEES (2015-2016)

Effective April 1, 2015 the monthly storm drainage utility fee is hereby established and imposed for the following residential and non-residential use classifications as follows:

Class	Category	\$/Month
Residential		
1	Single family residential dwelling unit	4.50
2	Duplexes (per dwelling unit)	4.50
3	Mobile Home or Manufactured Home Park (per MH)	4.50
4	Multi-family residential (per dwelling unit)	2.70
Non Residential		
1	Category 1: up to 2,500 square feet (sf) impervious surface	4.50
2	Category 2: 2,501 to 5,000 sf impervious surface	6.75
3	Category 3: 5,001 to 10,000 sf impervious surface	13.50
4	Category 4: 10,001 to 15,000 sf impervious surface	22.50
5	Category 5: 15,001 to 20,000 sf impervious surface	31.50
6	Category 6: 20,000 to 30,000 sf impervious surface	45.00
7	Category 7: 30,000 to 40,000 sf impervious surface	63.00
8	Category 8: 40,000 or more sf impervious surface	81.00

SECTION 3. STORM DRAINAGE USER FEES (2016-2017)

Effective April 1, 2016 the monthly storm drainage utility fee is hereby established and imposed for the following residential and non-residential use classifications as follows:

Class	Category	\$/Month
Residential		
1	Single family residential dwelling unit	5.00
2	Duplexes (per dwelling unit)	5.00
3	Mobile Home or Manufactured Home Park (per MH)	5.00
4	Multi-family residential (per dwelling unit)	3.00
Non Residential		
1	Category 1: up to 2,500 square feet (sf) impervious surface	5.00
2	Category 2: 2,501 to 5,000 sf impervious surface	7.50
3	Category 3: 5,001 to 10,000 sf impervious surface	15.00
4	Category 4: 10,001 to 15,000 sf impervious surface	25.00
5	Category 5: 15,001 to 20,000 sf impervious surface	35.00
6	Category 6: 20,000 to 30,000 sf impervious surface	50.00
7	Category 7: 30,000 to 40,000 sf impervious surface	70.00
8	Category 8: 40,000 or more sf impervious surface	90.00

SECTION 4. STORM DRAINAGE USER FEES (2017-2018)

Effective April 1, 2017 the monthly storm drainage user fee is hereby established and imposed for the following residential and non-residential use classifications as follows:

Class	Category	\$/Month
Residential		
1	Single family residential dwelling unit	5.50
2	Duplexes (per dwelling unit)	5.50
3	Mobile Home or Manufactured Home Park (per MH)	5.50
4	Multi-family residential (per dwelling unit)	3.30
Non Residential		
1	Category 1: up to 2,500 square feet (sf) impervious surface	5.50
2	Category 2: 2,501 to 5,000 sf impervious surface	8.25
3	Category 3: 5,001 to 10,000 sf impervious surface	16.50
4	Category 4: 10,001 to 15,000 sf impervious surface	27.50
5	Category 5: 15,001 to 20,000 sf impervious surface	38.50
6	Category 6: 20,000 to 30,000 sf impervious surface	55.00
7	Category 7: 30,000 to 40,000 sf impervious surface	77.00
8	Category 8: 40,000 or more sf impervious surface	99.00

SECTION 5. ASSIGNMENT OF USER CLASSES

In accordance with SMC Chapter 13.32 each residential and non-residential developed property in the City shall be assigned to a category of use in proportion to the amount of impervious surface on the property. The Finance Director may review and modify the category of use assignment, either upon request of the customer or as warranted, as permitted in SMC Chapter 13.32.

SECTION 6. APPEALS

A. In accordance with SMC Chapter 13.32, any utility customer who disputes any interpretation given by the City as to the category of use assigned to such owner's property may request a review and appeal such interpretation.

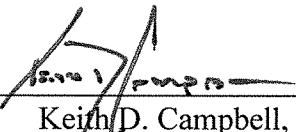
ADOPTED BY THE STAYTON CITY COUNCIL this 3<sup>rd</sup> day of February, 2014.

CITY OF STAYTON

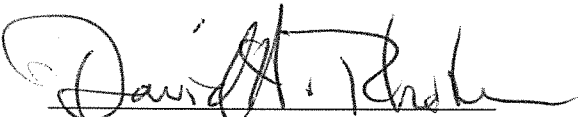
Signed: 2-12, 2014

By:   
A. Scott Vigil, Mayor

Signed: 2-5, 2014

ATTEST:   
Keith D. Campbell, City Administrator

APPROVED AS TO FORM:

  
David A. Rhoten, City Attorney