ORDINANCE NO. 015-14

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO STORM DRAINAGE RATES, ESTABLISHING A NEW STORM DRAINAGE RATE SCHEDULE TO BE IN EFFECT BEGINNING JANUARY 1, 2015, AMENDING SECTION 13.06.080, 13.06.100 AND REPEALING SECTION 13.06.150 OF THE PORT ORCHARD MUNICIPAL CODE AND SETTING AN EFFECTIVE DATE.

WHEREAS, in 2012, the Port Orchard Public Works Department began the Stormwater GAP Analysis in order to review the Storm Drainage Utility and identify areas where improvements were needed;

WHEREAS, the Stormwater GAP Analysis identified areas in need of improvement and identified a need for a Capital Improvement Program;

WHEREAS, the Stormwater GAP analysis also included a rate study designed to determine an appropriate rate structure to support necessary improvements to the Storm Drainage Utility and fund the Capital Improvement Program;

WHEREAS, the results of the Stormwater GAP rate study demonstrated a need for increased storm drainage service rates in order to support necessary improvements to the Storm Drainage Utility and the Capital Improvement Program; and

WHEREAS, beginning in 2015, portions of the fees collected will be contributed to the Capital Improvement Program;

WHEREAS, on October 28, 2014, the City Council held a public hearing and considered this Ordinance; and

WHEREAS, the City Council’s decision to adopt this ordinance included a condition that some of the issues raised during the public hearing, such as credit for the storm water charges for property owners with existing storm water detention systems and exemption (or reduction) of the charges for low-income persons would be resolved prior to June 1, 2015; now, therefore,
THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Port Orchard Municipal Code Section 13.06.080 is hereby amended as follows:

13.06.080 Storm drainage service charge calculation.

(1) Three thousand square feet of impervious ground cover shall be equal to one impervious surface unit (ISU).

(2) All single-family residential accounts (including mobile homes) are deemed to contain one equivalent ISU for purposes of the monthly storm drainage utility service charge.

(3) The utility shall determine the actual number of ISUs contained on multifamily and commercial properties and these accounts shall pay a service charge to be calculated as follows: actual impervious ground cover/3,000 square feet x single-family rate. In making the calculation, fractions shall be rounded to the nearest whole number but not less than one.

SECTION 2. Port Orchard Municipal Code Section 13.06.100 is hereby amended as follows:

13.06.100 Storm drainage service charges.

In accordance with the bases for a rate structure set forth in POMC 13.06.070 and 13.06.080, there is levied upon all developed real property within the boundaries of the utility the following service charges which shall be collected from the owners of such properties:

(1) Effective January 1, 2009, the storm drainage charges are shown below:

(a) For all single-family residential accounts, including mobile homes, the monthly service charge shall be $7.00.

(b) For all duplexes and triplexes, the monthly service charge shall be $7.00 for each residential unit.
(c) For all other developed property, including but not limited to multifamily and commercial accounts, the monthly service charge shall be $7.00, multiplies by the number of ISUs determined by the utility to be contained in such parcel pursuant to POMC 13.06.080.

(2) Effective January 1, 2015, the storm drainage charges are shown below:

(a) For all single-family residential accounts, including mobile homes, the monthly service charge shall be $9.70.

(b) For all duplexes and triplices, the monthly service charge shall be $9.70 for each residential unit.

(c) For all other developed property, including but not limited to multifamily and commercial accounts, the monthly service charge shall be $9.70, multiplied by the number of ISUs determined by the utility to be contained in such parcel pursuant to POMC 13.06.080.

(2) Effective June 1, 2015, the storm drainage charges are shown below:

(a) For all single-family residential accounts, including mobile homes, the monthly service charge shall be $14.00.

(b) For all duplexes and triplices, the monthly service charge shall be $14.00 for each residential unit.

(c) For all other developed property, including but not limited to multifamily and commercial accounts, the monthly service charge shall be $14.00, multiplies by the number of ISUs determined by the utility to be contained in such parcel pursuant to POMC 13.06.080.

SECTION 3. Port Orchard Municipal Code Section 13.06.140 is hereby repealed in its entirety:

SECTION 4. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phrase of this ordinance.
SECTION 5. This ordinance shall be in full force and effect January 1, 2015 after posting and publication as required by law. A summary of this Ordinance may be published in lieu of the entire ordinance, as authorized by State Law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the City Clerk in authentication of such passage this 28th day of October 2014.

Timothy C. Matthes, Mayor

ATTEST:

Brandy Rinearson, CMC, City Clerk

APPROVED AS TO FORM:

Carol Morris, Interim City Attorney

Sponsored by:

Rob Putaansuu, Councilmember
SECTION 5. This ordinance shall be in full force and effect January 1, 2015 after posting and publication as required by law. A summary of this Ordinance may be published in lieu of the entire ordinance, as authorized by State Law.

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APPROVED AS TO FORM:

Carol Morris, Interim City Attorney

Sponsored by:

Rob Putaansuu, Councilmember
NOTICE OF CITY OF PORT ORCHARD
ORDINANCE

The following is a summary of an Ordinance approved by the Port Orchard City Council at their regular Council meeting held October 28, 2014.

ORDINANCE NO. 015-14

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO STORM DRAINAGE RATES, ESTABLISHING A NEW STORM DRAINAGE RATE SCHEDULE TO BE IN EFFECT BEGINNING JANUARY 1, 2015, AMENDING SECTION 13.06.080, 13.06.100 AND REPEALING SECTION 13.06.150 OF THE PORT ORCHARD MUNICIPAL CODE AND SETTING AN EFFECTIVE DATE.

Copies of Ordinance No. 015-14 are available for review at the office of the City Clerk of the City of Port Orchard. Upon written request a statement of the full text of the Ordinance will be mailed to any interested person without charge. Thirty days after publication, copies of Ordinance No. 015-14 will be provided at a nominal charge.

City of Port Orchard

Brandy Rinearson
City Clerk

Publish: Port Orchard Independent
December 5, 2014