

ORDINANCE NO. 038-16

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO DAYCARE SEWERAGE FEES AND AMENDING CHAPTER 13.04.020 OF THE PORT ORCHARD MUNICIPAL CODE TO THE SAME EFFECT; PROVIDING FOR SEVERABILITY AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orchard Utility Billing Department has received several requests to reconsider the current Bimonthly Sewerage Rates for Day Care Facilities, being Class 17, Chapter 13.04.020 POMC, and specifically addressing day care facilities serving less than 6 children; and

WHEREAS, at the August 5, 2016 Utility Committee Meeting, and upon receipt of a recent and specific request from a local small day care facility, the Utility Committee discussed the rationale behind the current Bimonthly Sewerage Rates for Day Care Facilities and agreed that the sewerage fees for a day care facility serving less than 6 children should be amended as proposed by Staff; and

WHEREAS, at the October 18, 2016 Work Study Session, the matter was discussed further, upon which the Port Orchard City Council directed Staff to bring forth the proposed amendment to Chapter 13.04.020 POMC at a future Regular Council Meeting for action; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Findings. The City Council adopts all of the "Whereas" sections of this Ordinance as findings in support of this Ordinance.

SECTION 2. Amended Chapter 13.04.020 POMC Adopted. Amendments to Chapter 13.04.020 of the Port Orchard Municipal Code (POMC) are hereby adopted as follows:

SEWER RATES			2015	2016	2017	2018	2019	2020
Class No.	Class Description	Description						
1	Single-family residences and mobile home on single parcel	for each dwelling unit	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
2	Business and professional	for each business with a fixture	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		for each business with an employee present, without a fixture	\$19.90	\$22.20	\$24.80	\$27.40	\$30.00	\$32.60
		for each floor of an office building or retail complex that has a public or community bathroom	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		Plus the following surcharge, based on the store/office interior size:	\$0.00					
		Small, less than 15,000 sf, or	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		Medium, 15,000 to 30,000 sf, or	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		Large, More than 30,000 sf	\$196.00	\$222.00	\$248.00	\$274.00	\$300.00	\$326.00
3	Churches	for the church, plus *	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		for the rectory, plus *	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		for the annex	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		*Class 6 for educational parochial schools						
4	Hotels & motels, rest homes & care centers, and Kitsap County jail	base fee, plus	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		per unit	\$19.90	\$22.20	\$24.80	\$27.40	\$30.00	\$32.60
5	Apartments and mobile home parks	per dwelling unit	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
6	Schools	for each pupil, teacher, maintenance and	\$3.00	\$3.30	\$3.70	\$4.10	\$4.50	\$4.90

		administrative person						
7	Kitsap County courthouse (main complex)		\$3,822.00	\$4,329.00	\$4,836.00	\$5,343.00	\$5,850.00	\$6,357.00
8	Restaurants	Based on the seating capacity as determined by the building official						
	Espresso Bar	Seating not applicable. Classification includes similar food preparation businesses which do not require the cooking of food or the maintenance of kitchen equipment.	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
	Deli	No seating	\$147.00	\$166.50	\$186.00	\$205.50	\$225.00	\$244.50
	Small	Seating for 1 to 50	\$294.00	\$333.00	\$372.00	\$411.00	\$450.00	\$489.00
	Medium	Seating for 51 to 150	\$441.00	\$499.50	\$558.00	\$616.50	\$675.00	\$733.50
	Large	Seating for more than 150	\$586.53	\$666.00	\$744.00	\$822.00	\$900.00	\$978.00
9	Laundromats	base fee, plus	\$49.00	\$55.50	\$62.00	\$68.50	\$75.00	\$81.50
		per washing machine	\$19.90	\$22.20	\$24.80	\$27.40	\$30.00	\$32.60
		Laundromats with less than four washing machines are considered Class 2. Dry Cleaners without washing machines are Class 2.						
10	Taverns		\$245.31	\$277.50	\$310.00	\$342.50	\$375.00	\$407.50
11	Car dealerships	for sales and administrative office, plus	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		for service department, plus	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		for car washing when the water is used to determine cost sharing for the sewer treatment plant.	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
12	Post office		\$343.00	\$388.50	\$434.00	\$479.50	\$525.00	\$570.50
13	Grocery stores	Basic fee, plus the following surcharges	\$49.00	\$55.50	\$62.00	\$68.50	\$75.00	\$81.50
		Basic Store	\$49.00	\$55.50	\$62.00	\$68.50	\$75.00	\$81.50
		Bakery	\$49.00	\$55.50	\$62.00	\$68.50	\$75.00	\$81.50

		Wetted-Down Produce	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		Food Disposal	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		Meat Cutting Area	\$196.00	\$222.00	\$248.00	\$274.00	\$300.00	\$326.00
14	Bowling alley, boat marina, health maintenance organizations and work release & juvenile facilities	base fee, plus	\$49.00	\$55.50	\$62.00	\$68.50	\$75.00	\$81.50
		for each equivalent residential unit (ERU) as determined for the cost-sharing formula for the sewer treatment plant	\$49.00	\$55.50	\$62.00	\$68.50	\$75.00	\$81.50
15	Car washes	base fee, plus	\$49.00	\$55.50	\$62.00	\$68.50	\$75.00	\$81.50
		per car washing bay	\$147.00	\$166.50	\$186.00	\$205.50	\$225.00	\$244.50
16	Beauty shops and barber shops		\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
17	Day care	Basic fee, plus	\$196.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		for less than or equal to 6 children	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		for 7 to 25 children	\$98.00	\$222.00	\$248.00	\$274.00	\$300.00	\$326.00
		for more than 25 children, use Class 6 rates						
18	Gas stations	for gasoline retail, which could include service bay	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		for non-automotive retail	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
19	Assisted living units	base fee, plus	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		per unit with private kitchen	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		per unit without private kitchen or studio apartment	\$19.90	\$22.20	\$24.80	\$27.40	\$30.00	\$32.60
20	Bed and breakfasts	base fee, plus	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00
		per rentable bedroom	\$7.95	\$8.90	\$9.90	\$11.00	\$12.00	\$13.00
21	Public Market	basic fee, plus the	\$196.00	\$222.00	\$248.00	\$274.00	\$300.00	\$326.00

	following surcharges							
	Nonfood retail	\$24.50	\$27.80	\$31.00	\$34.30	\$37.50	\$40.80	
	Nonfood service business	\$24.50	\$27.80	\$31.00	\$34.30	\$37.50	\$40.80	
	Juice/Soda/Ice Cream/Espresso Bar	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00	
	Restaurant (consume and buy on premises)	\$196.00	\$222.00	\$248.00	\$274.00	\$300.00	\$326.00	
	Delicatessen (counter sales takeout ready-to-eat food products)	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00	
	Retail Meat/Seafood	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00	
	Retail Bakery	\$98.00	\$111.00	\$124.00	\$137.00	\$150.00	\$163.00	
Special notes:	a) Home occupations will not be charged additional sewer fees.							
	b) For a combination of classes in one business, the highest rate will be selected							
	c) In the event that an established rate class does not accurately reflect the impact on the sewer system, the city engineer may determine the specific monthly rate.							
	d) Water accounts which serve a marina pier and do not have a connection to the sewer shall not be charged a sewer bill. A sewer bill will be charged and based on winter consumption if the water meter serves both the marina pier and any facility or pump station that is connected to the sewer system. For billing purposes, live-aboards will not be considered as a dwelling unit.							
	e) Properties served which are outside the city limits shall have a 50 percent surcharge on the bimonthly rates.							

SECTION 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

SECTION 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

SECTION 5. Effective Date. This Ordinance shall take effect and be in full force and effect five days after publication, as provided by law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the Clerk in authentication of such passage this 8th day of November, 2016.



Robert Putaansuu, Mayor

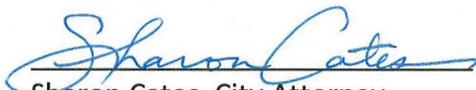
ATTEST:



Brandy Rinearson, CMC, City Clerk



APPROVED AS TO FORM:



Sharon Cates, City Attorney

Sponsored by:



Cindy Lucarelli, Councilmember

PUBLISHED: November 18, 2016
EFFECTIVE DATE: November 23, 2016