

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, AMENDING PORT ORCHARD MUNICIPAL CODE (POMC) SECTION 13.04.025 “FEE SCHEDULE”, AND ADOPTING POMC SECTION 13.04.065 “CPI ADJUSTMENT”; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Port Orchard charges Capital Facilities Charges (CFCs), charges levied upon new connections to the City’s water and sewer utilities; and

WHEREAS, the Port Orchard City Council initiated a Sewer Capital Facilities Charge (CFC) Update analysis by Katy Isaksen & Associates, Inc. on March 23, 2020, and the findings were presented to both the City Council and the public at a duly-noticed meeting on July 21, 2020; and

WHEREAS, the Port Orchard City Council has determined that certain Sewer CFCs should be modified, and does not desire to consider of sewer rate increases; and

WHEREAS, the Port Orchard City Council has also determined that the Water and Sewer CPI shall be modified to reflect annual changes within the All Urban Consumers Price Index (CPI) for the Seattle – Tacoma – Bremerton area, provided CFCs have not been adjusted by the City Council during the previous six month period; and

WHEREAS, the Port Orchard City Council has not modified CFC’s within the past six months; and

WHEREAS, a duly noticed public hearing before the Port Orchard City Council was held regarding this Ordinance on September 22, 2020;

WHEREAS, the City Council, after careful consideration of all public comment and this Ordinance, finds that this Ordinance and the amendments herein are in the best interests of the residents of the City and further advance the public health, safety and welfare; NOW, THEREFORE,

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

SECTION 1. Section 13.04.025 of the Port Orchard Municipal Code is hereby amended to read as follows:

13.04.025 Fee Schedule.

(1) The fees set forth below are referenced in POMC 13.04.030, 13.04.033, 13.04.035 and 13.04.040.

Water Sewer Connection Fees

Water Capital Facility Charge	POMC 13.04.030(1)(a)
Residential – Per ERU	\$5,945

Water Capital Facility Charge Nonresidential – Based on Meter Size	POMC 13.04.030(1)(b)
3/4"	\$5,945
1"	\$9,928
1-1/2"	\$19,797
2"	\$31,687
3"	\$59,450
4"	\$99,103
Irrigation	No connection fee

Water Inspection Fee	POMC 13.04.030(7) and 13.04.033(3)
Per Meter	\$111.37

Connection Fees/Labor Installation Fees	POMC 13.04.033(1)
3/4"	\$1,113.73
1"	\$1,336.49
1-1/2"	\$1,670.61
2"	\$2,227.48
Larger	Estimated case by case

Water in Lieu of Assessment	POMC 13.04.035
Per Front Foot	\$111.37

Sewer Wastewater Treatment Facility Fee	POMC 13.04.040(2)
Per ERU	\$3,597.37
McCormick Land Co. Div. 1-10 Per ERU	\$881.25

Sewer Capital Facility Charge	POMC 13.04.040(2)
Per ERU	\$8,525.00

Sewer Inspection Fee	POMC 13.04.040(8)
Per Lateral Connection	\$111.37

(2) The fees set forth below are referenced in POMC 13.04.050, 13.04.055, and 13.04.120.

Billing and Miscellaneous Charges
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Billing Charges	POMC 13.04.050
Water/Sewer Delinquency Notice at Location	\$10.00
Water Shutoff Fee	\$40.00
Meter Turn-Off Violations (as Determined by City)	\$250.00

Damaging the Utility System	POMC 13.04.120
Violation Fine (as Determined by the City)	\$250.00

Miscellaneous Charges	POMC 13.04.055
After Hours Turn-On/Shutoff	\$75.00
Notification to Tenant of Water Shutoff Per Hold Harmless Agreement	\$10.00
Service Fee for Estimated or Final Billing Closing Requests	\$20.00

(3) The fees set forth below are referenced in POMC 13.04.031 and 13.04.045.

Water Plan Review Fees

Water Plan Review Fees

Review	POMC 13.04.031
Main Extension Review Per lineal foot of main	\$0.30
Pump Station Review	\$300.00
Significant Facility Review*	Consultant fee** plus 10%

Sewer Plan Review Fees

Review	POMC 13.04.045
Main Extension Review Per lineal foot of main	\$0.30
Pump Station Review	\$300.00
Significant Facility Review*	Consultant fee** plus 10%

Water Inspection Fees

Inspection	POMC 13.04.031
Main Extension Inspection Per lineal foot of main	\$1.25
Pump Station Inspection	\$600.00
Significant Facility Inspection*	Consultant fee** plus 10%

Sewer Inspection Fees

Inspection	POMC 13.04.045
Main Extension Inspection Per lineal foot of main	\$1.50
Pump Station Inspection	\$600.00
Significant Facility Inspection*	Consultant fee** plus 10%

* Significant facilities include improvements such as sewer lift station construction or enlargement, force main construction, water system storage tanks, well construction, and water treatment facilities.

** This review and inspection shall be performed by the city’s water or sewer consultant under contract with the city for services of this type.

SECTION 2. Section 13.04.065 of the Port Orchard Municipal Code is hereby adopted to read as follows:

13.04.065 CPI Adjustment.

Commencing October 1, 2021, and on October 1st of each successive year thereafter, unless otherwise adjusted by the City Council during the previous six month period, all capital facility charges, connection fees, and fees in lieu of assessment set forth in this chapter, but excluding water and sewer rates, shall be automatically adjusted based upon the All Urban Consumers Price Index for the Seattle – Tacoma – Bremerton area as published by the U.S. Department of Labor, Bureau of Labor Statistics, for the prior June; but in no event shall the adjustment be less than zero.

SECTION 3. 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 4. This ordinance shall be in full force and effect five (5) days 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 Clerk in authentication of such passage this 22nd day of September, 2020.

Robert Putaansuu, Mayor

ATTEST:

Brandy Rinearson, MMC, City Clerk

APPROVED AS TO FORM:

Charlotte A. Archer, City Attorney