

ORDINANCE NO. 1373

AN ORDINANCE OF THE TOWN OF RUSTON, WASHINGTON, RELATING TO UTILITY RATES; INCREASING THE MONTHLY SEWER RATE TO BE PAID FOR THE PROVISION OF SEWER SERVICES; AMENDING SECTION 21.02.010 OF THE RUSTON MUNICIPAL CODE TO IMPLEMENT THE RATE INCREASE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with Chapter 35.67 RCW, the Town is authorized to provide sanitary sewer services to properties within the Town; and

WHEREAS, in accordance with RCW 36.67.020, the Town has the authority to establish charges for the sanitary sewer facilities; and

WHEREAS, the Town has not increased its sanitary sewer rates for three years; and

WHEREAS, it is necessary to raise sewer service rates and charges to meet the increasing cost of providing sewage collection and treatment services; and

WHEREAS, on May 1, 2012, the Town Council held the first reading on this Ordinance; and

WHEREAS, on May 15, 2012, the Town Council adopted this Ordinance during its regular meeting at second reading; NOW, THEREFORE

THE TOWN COUNCIL OF THE TOWN OF RUSTON HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 21.02.010 of the Ruston Municipal Code is hereby amended to read as follows:

21.02.010 - Rate schedule.

Pursuant to the provisions of RCW 35.67.190, charges shall be made for the discharge of and the availability of the discharge of all sanitary sewage into the Ruston Municipal Sanitary Sewer System. Unless otherwise determined by the Town, no allowances will be made for vacancies or remodeling. Sewer charges shall be based upon highest class of sanitary sewer use when there is more than one type of user per premises. The charges shall be as follows:

(a) Each single-family residence (including those instances where more than one family residence is served through one water meter) shall be charged a monthly charge computed as follows:

- (1) Effective Date: ~~March 20, 2009~~ June 1, 2012 a fixed charge of \$25.06 plus a flow charge calculated at ~~\$2.95~~ \$3.47 per hundred cubic feet (ccf) of water consumption.

The water consumption for the flow charge shall be the average monthly use as measured during the most recent months of December, January, February, and March. If the average consumption results in a fractional part of a ccf, the number used for calculating the flow charge shall be the next highest whole number.

(b) Multiple-family residences (two or more units) served through one water meter shall pay a monthly charge per living unit as above, except that the water consumed during the winter months shall be divided by the total number of living units served by the account to determine the per living unit flow volume. If the average consumption per unit results in a fraction, the number used for calculating the flow charge shall be the next highest whole number.

It shall be the duty of every person in possession, charge, or control of the entire premises consisting of two or more units, served by the sanitary sewer system, or to which such service is available, to be accountable for payment of each unit.

Where units in multiple-unit residences are separately metered, each unit shall be charged the appropriate single-family residence rate as set forth in subsection (a) of this section. Rate for user generating most sanitary sewage will be used for billing purposes.

(c) In all cases other than residential charges hereinabove set forth, the sewer charge shall be computed and paid as follows:

- (1) Metered Water Supply. When charges and fees are based upon the water usage, such charges and fees shall be applied against the total amount of water used from all sources unless, in the opinion of the Director of the City of Tacoma Public Works, significant portions of water received are not discharged to a sanitary sewer. The total amount of water used from public and private sources will be determined by means of public meters or private meters, installed and maintained at the expense of the user and approved by the Director of the City of Tacoma Public Works. Where more than one commercial/industrial facility is served by one water meter, the user group shall be determined by the activities of the largest water consumption used.

(d) The charge for commercial/industrial sanitary sewer user groups shall be as follows:

- (1) Effective Date: ~~March 20, 2009~~ June 1, 2012 a fixed charge of \$15.25.

Each commercial/industrial user shall be placed in a user group and shall pay the appropriate flow rate per 100 cubic feet (ccf) as listed below as identified in Table 1. In addition, all restaurants and taverns shall be placed in the Category II Group unless the customer provides documentation that they have an approved grease retention device conforming to current uniform plumbing code and City of Tacoma Public Works guidelines, and that the customer has an adequate ongoing maintenance program in place for that device. The customer will remain in the Category I group as long as those conditions are continually met. In the event those conditions are not continually met, the customer will be placed back into the Category II group. ~~Commercial/industrial users not identified above will be billed at domestic strength.~~

NAME GROUP	Effective- 3/20/2009
Asphalt Felts and Coating	4.8659
Auto Dealers	4.8659
Auto Repair Shops	4.8659
Bakery Stores— Manufacturing	7.5720
Bakery Stores— On site	8.5022
Bowling Alleys— No Restaurant	6.1585
Bowling Alleys— Restaurant (Cat I)	8.5022
Bowling Alleys— Restaurant (Cat II)	10.1663
Business Form Printers	4.5034
Canned and Cured Fish	6.1585
Car Washes	4.5034
Chemical Processors	4.8659
Coating and Engraving	4.8659
Commercial Laundries	7.5720
Commercial Printers	4.5034
Concrete Ready Mix Suppliers	4.8659
Domestic Strength	4.8659
Fresh or Frozen Fish	6.1585
Funeral Services— No Embalming	4.8659
Funeral Services— w/Embalming	9.9518
Grocery Stores— Full Service	9.9518
Grocery Stores— Other	6.1585
Hospitals	4.8659
Hotels/Motels— No Restaurant	4.8659
Hotels/Motels— With Restaurant	7.3484
Laundromats	4.5034
Lime Manufacturers	4.5034
Manufacturers	4.8659
Meat and Fish Markets	4.8659
Meat Distributors	4.8659
Nursing Homes	4.5034
Paint Manufacturers	4.8659
Photo Finishing Laboratories	4.5034

Photo Studios	4.5034
Platers	4.8659
Repair and Paint Shops	4.8659
Restaurants (Cat I)	8.5022
Restaurants (Cat II)	10.1663
Soft Drink Beverage	4.8659
Tavern – No Food Preparation	4.5034
Tavern – Food Prep (Cat I)	8.5022
Tavern – Food Prep (Cat II)	10.1663
Top and Body Repair Shops	4.8659
Vehicle Part Manufacturers	4.8659

Category 1: \$4.7612/ccf
(BOD 0-250 mg/l) (SS 0-150)

User Group Names:

- Nursing Homes
- Photo Finish Laboratories
- Taverns – No Food Preparation
- Commercial Printers
- Business Form Printers
- Laundromats
- Photo Studios
- Car Washes
- Lime Manufacturers

Category 2: \$5.1326/ccf
(BOD 200-300 mg/l) (SS 150-400)

User Group Names:

- Hotels and Motels – No Restaurant
- Hospitals
- Auto Dealers
- Top and Body Repair Shops
- Repair and Paint Shops
- Auto Repair Shops
- Asphalt Felts and Coating
- Domestic Strength
- Chemical Processors
- Coating and Engraving
- Concrete Ready Mix Suppliers
- Funeral Services – No embalming
- Manufacturers
- Meat Distributors
- Meat and Fish Markets
- Paint Manufacturers

- Platers
- Soft Drink Beverage
- Vehicle Parts Manufacturers

Category 3: \$6.4827/ccf
(BOD 301-500 mg/l) (SS 0-400)

User Group Names:

- Canned and Cured Fish
- Fresh or Frozen Fish
- Grocery Stores – Others
- Bowling Alleys – No Restaurant

Category 4: \$7.7148/ccf
(BOD 301-500 mg/l) (SS 450 mg/l)

User Group Names:

- Hotels and Motels – With Restaurant

Category 5: \$7.9566/ccf
(BOD 501-700 mg/l)

User Group Names:

- Commercial Laundries
- Bakeries (Manufacturers)

Category 6: \$8.9354/ccf
(BOD 701-900 mg/l) (SS 400 mg/l)

User Group Names:

- Bakery Stores – On-Site Baking
- Restaurants (Category I)
- Taverns – With Food Preparation (Category I)
- Bowling Alleys – With Restaurant (Category I)

Category 7: \$10.4209/ccf
(BOD 701-900 mg/l) (SS 700 mg/l)

User Group Names:

- Grocery Stores – Full Service
- Funeral Services – With Embalming

Category 8: \$10.6598/ccf
(BOD 901+ mg/l)

User Group Names:

- Restaurants (Category II)
- Taverns – With Food Preparation (Category II)
- Bowling Alleys – With Food Preparation (Category II)

Commercial/industrial users not identified above will be billed at domestic strength.

(e) Every premises to which sanitary sewerage is furnished by sanitary sewers, and every premises to which there is availability for such service shall be charged for such service in accordance with the rates and charges herein placed in effect; provided, however, that in no event shall any such charge be less than as provided below:

(1) Effective Date: June 1, 2012 ~~March 20, 2009~~—a fixed charge of \$25.09 plus a flow charge calculated at \$3.47~~\$2.95~~ per hundred cubic feet (ccf) of water consumption.

(f) The town will not charge for sanitary sewer for property in the town that is vacant or unimproved when such land is not connected to the sanitary sewer system.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional 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 3. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 4. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the Town Council of the Town of Ruston, signed by the Mayor and attested by the Town Clerk in authentication of such passage on this 15th day of May, 2012.



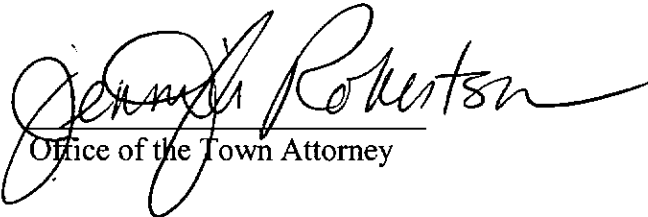
Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams, Town Clerk

APPROVED AS TO FORM:



Office of the Town Attorney

FILED WITH THE TOWN CLERK: _____
PASSED BY THE TOWN COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO: 1373

Subject: Ordinance #1373 amending RMC 21.02.010 to update the charges for sanitary Sewer to pass through Tacoma's increases; increasing the monthly rate from \$2.95 to \$3.47 per hundred cubic feet of water consumption (CCF) and increasing commercial sewer rates by an average of 5.15% per CCF.

Dept. Origin: Mayor's Office
Prepared by: Jennifer Robertson
 Assistant Town Attorney
For Agenda of: May 15, 2012
Exhibits: Attached ordinance

Proposed Council Action:

Adopt Ordinance #1373.

*Amended
 Group User Name*

Concurred by Mayor: _____ Initial & Date
Approved/form by Town Atty: JSR 5/2/12
Approved by _____ Director: _____
Approved by Department Head: _____

Expenditure	Amount	Appropriation
Required \$0	Budgeted \$0	Required \$0

INFORMATION / BACKGROUND

Chapter 21.02 of the Ruston Municipal Code governs rates for the Town sanitary sewer utility. The current rates are contained in RMC 21.02.010. The monthly rates are set, in part, based upon the rate of water consumption. The current rate of \$2.95 per hundred cubic feet (CCF) was established in 2009. There has been no rate increase since that time.

Due to increased costs, the Mayor recommends increasing the rate to \$3.47 per CCF to pass through the Tacoma rate increase. This rate is consistent with the rate charged by the City of Tacoma.

In addition, the Mayor recommends amending and increasing the Commercial rates, including re-organizing the rate categories to be consistent with the City of Tacoma. The revisions are set forth as follows:

NAME GROUP	Rate from 3/20/2009	Proposed New Rate
Asphalt Felts and Coating	4.8659	5.1326
Auto Dealers	4.8659	5.1326
Auto Repair Shops	4.8659	5.1326
Bakery Stores— Manufacturing	7.5720	7.9566
Bakery Stores—On site	8.5022	8.9354
Bowling Alleys—No	6.1585	6.4827

Restaurant		
Bowling Alleys—Restaurant (Cat I)	8.5022	8.9354
Bowling Alleys—Restaurant (Cat II)	10.1663	10.6598
Business Form Printers	4.5034	4.7612
Canned and Cured Fish	6.1585	6.4827
Car Washes	4.5034	4.7612
Chemical Processors	4.8659	5.1326
Coating and Engraving	4.8659	5.1326
Commercial Laundries	7.5720	7.9566
Commercial Printers	4.5034	4.7612
Concrete Ready Mix Suppliers	4.8659	5.1326
Domestic Strength	4.8659	5.1326
Fresh or Frozen Fish	6.1585	6.4827
Funeral Services—No Embalming	4.8659	5.1326
Funeral Services—w/Embalming	9.9518	10.4209
Grocery Stores—Full Service	9.9518	10.4209
Grocery Stores—Other	6.1585	6.4827
Hospitals	4.8659	5.1326
Hotels/Motels—No Restaurant	4.8659	5.1326
Hotels/Motels—With Restaurant	7.3484	7.7148
Laundromats	4.5034	4.7612
Lime Manufacturers	4.5034	4.7612
Manufacturers	4.8659	5.1326
Meat and Fish Markets	4.8659	5.1326
Meat Distributors	4.8659	5.1326
Nursing Homes	4.5034	4.7612
Paint Manufacturers	4.8659	5.1326
Photo Finishing Laboratories	4.5034	4.7612
Photo Studios	4.5034	4.7612
Platers	4.8659	5.1326
Repair and Paint Shops	4.8659	5.1326
Restaurants (Cat I)	8.5022	8.9354
Restaurants (Cat II)	10.1663	10.6598
Soft Drink Beverage	4.8659	5.1326
Tavern—No Food Preparation	4.5034	4.7612
Tavern—Food Prep (Cat I)	8.5022	8.9354
Tavern—Food Prep (Cat II)	10.1663	10.6598
Top and Body Repair Shops	4.8659	5.1326
Vehicle Part Manufacturers	4.8659	5.1326

Please note, some of these categories are not in the Tacoma code, including Chemical Processors, Coating and Engraving, Concrete Ready Mix Suppliers, Funeral Services – No

Embalming, Manufacturers, Meat Distributors, Meat and Fish Markets, Paint Manufacturers, Platers, Soft Drink Beverage, and Vehicle Parts Manufacturers. We can remove these from the Ruston code or leave them in with the rate listed above. Additionally, one category that is in the Tacoma code (Correctional Institutions) is not listed in the Ordinance as inapplicable to Ruston.

Per the ordinance, if Ordinance 1373 is passed on May 15, 2012, the rates will go into effect on June 1, 2012.

FISCAL CONSIDERATION

This ordinance increases the residential sewer rates from \$2.95 per CCF to \$3.47 per CCF which is a 17.9 % increase in the CCF rate.

This ordinance increases commercial rates by category with an average rate increase of 5.15% (the lowest increase is 4.7%, the highest increase is 5.7%).

This results in the Town covering its increased costs.

BOARD OR COMMITTEE RECOMMENDATION

N/A

RECOMMENDATION / MOTION

Adopt Ordinance #1373.

MOTION: I move to adopt Ordinance #1373 to amending Section 21.02.010 of the Ruston Municipal Code to increase the monthly sewer rates.