

ORDINANCE NO. 1420

AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, RELATING TO CHARGES FOR SANITARY SEWER WITHIN THE CITY OF RUSTON, AMENDING SECTION 21.02.010 OF THE RUSTON MUNICIPAL CODE TO INCREASE SANITARY SEWER RATES BY \$33.00 PER MONTH PER HOUSEHOLD FOR BOTH SINGLE-FAMILY AND MULTI-FAMILY HOMES AND INCREASING THE BASE RATE FOR EACH COMMERCIAL/INDUSTRIAL USER BY \$33.00 PER MONTH, SUCH INCREASES ARE IMPOSED FOR THE PURPOSES OF ENSURING THE CITY'S REPAYMENT OF THE LOAN WHICH FINANCED THE REPLACEMENT AND REPAIR OF THE CITY'S SANITARY SEWER SYSTEM, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with RCW 35A.11.020, 35A.21.150, and Chapter 35.67 RCW, the City is authorized to provide sanitary sewer services to properties within the City; and

WHEREAS, in accordance with RCW 35.67.020, the City has the authority to establish charges for the sanitary sewer facilities; and

WHEREAS, in accordance with RCW 35.67.190, the City has the authority to fix the rates for sanitary sewer services, including the imposing rates to cover the costs of bonds issued for the sanitary sewer system; and

WHEREAS, the City of Ruston recently completed a major upgrade and replacement of a large portion of its sanitary sewer system; and

WHEREAS, this repair and replacement project was needed due to the aging infrastructure of the City's sanitary sewer system; and

WHEREAS, by repairing and replacing most of the City's sanitary sewer system, the City will have a system that is in good condition and will serve the needs of the City residents for many years to come; and

WHEREAS, this sewer project was deemed substantially complete on February 19, 2013 and certified by the Council under Resolution #545; and

WHEREAS, the City issued bonds to cover the cost of the sanitary sewer replacement project; and

WHEREAS, on March 19, 2013, the City Council adopted Ordinance #1399 issuing Sewer Revenue Bonds, including adopting the Loan Resolution and Amortization Schedule (Resolution #547) to refinance the original debt with a loan from the USDA; and

WHEREAS, the USDA loan was at much better rates than the original loan which saved the City a substantial amount of money over the life of the loan; and

WHEREAS, the USDA loan is in the amount of \$4,120,178.21, and such loan is repaid over a 40-year period; and

WHEREAS the payments required by the terms of the USDA loan amount to a fixed amount of \$181,206.00 per year which is made in payments of \$90,603.00 every six months; and

WHEREAS, in order to make the bi-annual payments of the loan to cover the costs of the sewer system upgrade, the base sewer rates need to be increased by \$33.00 per month for every household and business within the City; and

WHEREAS, on August 6, 2013, the City Council held the first reading of this Ordinance; and

WHEREAS, on August 20, 2013, the City Council adopted this Ordinance during its regular meeting at the second reading; **NOW, THEREFORE,**

THE CITY COUNCIL OF THE CITY 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 CityTown, 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: ~~September~~June 1, 2012~~23~~ a fixed charge of ~~\$25.06~~ \$58.06 plus a flow charge calculated at \$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: ~~June~~September 1, 201223 a fixed charge of ~~\$15.25~~ \$48.25.

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. 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.

Category I: \$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 II: \$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 III: \$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 IV: \$7.7148/ccf
(BOD 301-500 mg/l) (SS 450 mg/l)

User Group Names:

- Hotels and Motels - With Restaurant

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

User Group Names:

- Commercial Laundries
- Bakeries (Manufacturers)

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

User Group Names:

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

Category VIII: \$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~~September 1, 201223—a fixed charge of ~~\$25.09~~ ~~\$58.09~~ \$58.06 plus a flow charge calculated at \$3.47 per hundred cubic feet (ccf) of water consumption.

- (f) The ~~CityTown~~ will not charge for sanitary sewer for property in the ~~CityTown~~ 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. The rate increases in Section 1 of this Ordinance shall take effect on September 1, 2013 as provided therein.

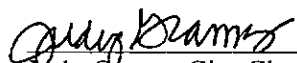
ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 20th day of August, 2013.

APPROVED by the Mayor this 20th day of August, 2013.



Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams, City Clerk

APPROVED AS TO FORM:

Office of the City Attorney

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____

EFFECTIVE DATE: _____
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