

ORDINANCE NO. 1451

AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, RELATING TO CHARGES FOR SANITARY SEWER SERVICES WITHIN THE CITY OF RUSTON, AMENDING SECTION 21.02.010 OF THE RUSTON MUNICIPAL CODE TO INCREASE SANITARY SEWER FIXED MONTHLY RATES IN TWO INCREMENTS AS FOLLOWS: IN MARCH 2015 BY \$1.22 PER MONTH PER HOUSEHOLD FOR BOTH SINGLE-FAMILY AND MULTI-FAMILY HOMES AND A SECOND INCREASE OF \$1.29 PER MONTH STARTING IN OCTOBER 2015, INCREASING RATES BASED ON CONSUMPTION BY \$0.23 PER 100 CUBIC FEET OF WATER CONSUMPTION PER MONTH IN MARCH 2015 AND BY \$0.25 PER 100 CUBIC FEET IN OCTOBER, INCREASING THE FIXED MONTHLY RATE FOR EACH COMMERCIAL/INDUSTRIAL USER BY \$1.22 PER MONTH IN MARCH AND \$0.61 IN OCTOBER, INCREASING COMMERCIAL RATES BASED ON CONSUMPTION PER 100 CUBIC FEET OF WATER CONSUMPTION PER MONTH BY USER TYPE IN THE FOLLOWING AMOUNTS \$0.31 (MARCH) \$0.33 (OCTOBER) (CATEGORY 1), \$0.33 (MARCH) \$0.35 (OCTOBER) (CATEGORY 2); \$0.41 (MARCH), \$0.44 (OCTOBER) (CATEGORY 3), \$0.51 (MARCH) \$0.54 (OCTOBER) (CATEGORIES 4 & 5), \$0.60 (MARCH) \$0.64 (OCTOBER) (CATEGORY 6), \$0.68 (MARCH) \$0.72 (OCTOBER) (CATEGORY 7), \$0.70 (MARCH) \$0.75 (OCTOBER) (CATEGORY 8), \$0.23 (MARCH) \$0.25 (OCTOBER) FOR UNCATEGORIZED COMMERCIAL USERS, SUCH INCREASES ARE IMPOSED FOR THE PURPOSES OF PASSING THROUGH INCREASES FOR SEWER SERVICES CHARGED BY THE CITY OF TACOMA, 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; and

WHEREAS, the City is charged for sanitary sewer services from the City of Tacoma; and

WHEREAS, the City of Tacoma raised its sanitary sewer rates effective January 1, 2015 by a fixed rate of \$1.22 per month, with an additional increase to take effect on January 2, 2016 in the amount of \$1.29 for residential and \$0.61 for all commercial; and

WHEREAS, each of the fixed rate increases described above were accompanied by flow rate increase for each type of uses in both 2015 and 2016 as shown below; and

Flow Charge Type	Tacoma Increase for 2015	Tacoma Increase for 2016
Flow Charge - Commercial Not Categorized	\$ 0.23	\$ 0.25
Flow Charge – Residential per 100 CCF	\$ 0.23	\$ 0.25
Flow Charges Commercial Category		
8	\$ 0.70	\$ 0.75
7	\$ 0.68	\$ 0.72
6	\$ 0.60	\$ 0.64
5	\$ 0.51	\$ 0.54
4	\$ 0.51	\$ 0.54
3	\$ 0.41	\$ 0.44
2	\$ 0.33	\$ 0.35
1	\$ 0.31	\$ 0.33

WHEREAS, the City of Ruston's rates for the water consumption portion of the sanitary sewer rates were based on Tacoma's rates for January 2014, which Tacoma has adopted a two-step increase first on January 1, 2015 and again on January 1, 2016; and

WHEREAS, in order to pass through these increases and be consistent with Tacoma's consumption rates, Ruston must increase its rates that are based on each one hundred cubic feet (100 CCF) of water consumption by as shown above; and

WHEREAS, in order to ensure that the City's sanitary sewer services are born by the rate-payers, these increased rates must be passed through to the Ruston rate-payers; and

WHEREAS, Ruston has been paying the higher rates since January 1, 2015 and is not passing these rates through to its customers until March 21, 2015 which results in Ruston not recouping the expense; and

WHEREAS, in order to recover the three months of not recouping the higher Tacoma rates, Ruston will take the second step increase in October of 2015; and

WHEREAS, on February 17, 2014, the City Council held the first reading of this Ordinance and held a public hearing on these rate increases; and

WHEREAS, on March 3, 2014, the City Council adopted this Ordinance during its regular meeting; **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 City 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 21, 2014~~ March 21, 2015 a fixed charge of ~~\$58.99~~\$60.21 plus a flow charge calculated at ~~\$3.824.05~~ per hundred cubic feet (ccf) of water consumption. Effective October 21, 2015, a fixed charge of \$61.50 plus a flow charge calculated at \$4.30 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 21, 2014~~ March 21, 2015 a fixed charge of ~~\$48.70~~ \$49.92.
Effective October 21, 2015 a fixed charge of \$50.53.

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: ~~\$5.09~~ \$5.40/ccf (effective March 21, 2015) and \$5.73/ccf (effective October 21, 2015)
(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: ~~\$5.395.72~~/ccf (effective March 21, 2015) and \$6.07/ccf (effective October 21, 2015)

(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: ~~\$6.79~~7.20/ccf (effective March 21, 2015) and ~~\$7.64~~/ccf (effective October 21, 2015)

(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: ~~\$8.34~~8.85/ccf (effective March 21, 2015) and ~~\$9.39~~/ccf (effective October 21, 2015)

(BOD 301-500 mg/l) (SS 450 mg/l)

User Group Names:

- Hotels and Motels - With Restaurant

Category V: ~~\$8.34~~8.85/ccf (effective March 21, 2015) and ~~\$9.39~~/ccf (effective October 21, 2015)

(BOD 501-700 mg/l)

User Group Names:

- Commercial Laundries
- Bakeries (Manufacturers)

Category VI: ~~\$9.91~~10.51/ccf (effective March 21, 2015) and ~~\$11.15~~/ccf (effective October 21, 2015)

(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: ~~\$11.26~~11.94/ccf (effective March 21, 2015) and ~~\$12.66~~/ccf (effective October 21, 2015)

(BOD 701-900 mg/l) (SS 700 mg/l)

User Group Names:

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

Category VIII: ~~\$11.65~~12.35/ccf (effective March 21, 2015) and ~~\$13.10~~/ccf (effective October 21, 2015)

(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: ~~March 21, 2014~~March 1, 2015—a fixed charge of ~~\$59.02~~59.02 plus a flow charge calculated at ~~\$3.82~~3.82 per hundred cubic feet (ccf) of water consumption.
- (f) The City will not charge for sanitary sewer for property in the City 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 City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 3rd day of March, 2015.

APPROVED by the Mayor this 3rd day of March, 2015.



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: _____
ORDINANCE NO: _____ 1451