

RESOLUTION NO. 05-07

A RESOLUTION REPEALING RESOLUTION NO. 97-57 AND ADOPTING REVISED AMOUNTS OF WASTEWATER SYSTEM DEVELOPMENT CHARGES AND SETTING FORTH THE METHODOLOGY USED TO DETERMINE THE REVISED AMOUNTS

WHEREAS, Chapter 223 of the Oregon Revised Statutes (ORS) authorizes Oregon City to charge system development charges (SDCs) for increased usage of capital facilities; and

WHEREAS, ORS 223.304 establishes requirements for determination of the amounts of system development charges; and

WHEREAS, Oregon City Municipal Code (OCMC) 13.20 implements the statutory authority to impose system development charges and addresses the requirements of ORS 223.304 with the exception of specifically defining the amounts of the SDCs and the methodology that determines those amounts; and

WHEREAS, OCMC 13.20.030 authorizes the City Commission to establish and modify from time to time by resolution an SDC for any capital improvement; and

WHEREAS, the City Commission adopted a new capital improvement plan as described in ORS 223.309 for the City's sanitary sewer collection system that resulted in new projected capital improvement costs to be funded with wastewater SDCs; and

WHEREAS, OCMC 13.20.030C requires that any resolution establishing or modifying reimbursement SDCs shall contain a methodology that considers the cost of existing facilities, prior contributions by existing users, the value of unused capacity, rate making principles employed to finance publicly owned capital improvements, and any other factors deemed relevant by the City Commission; and

WHEREAS, OCMC 13.20.030C requires that any resolution establishing or modifying improvement SDCs shall contain a methodology which considers the cost of projected capital improvements needed to increase the capacity of the systems to which the fee is related in order to accommodate new development; and

WHEREAS, the City has met the procedural requirements of ORS 223.304(5) to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Commission that:

Section 1 – Repeal of Previous Resolution

- 1) Oregon City Resolution No. 97-57, enacted on November 19, 1997 that previously established wastewater SDC amounts, is hereby repealed.

Section 2 - Methodology

- 1) The March 2005 HDR/EES report (engineer's report) is adopted and incorporated herein by reference as though set forth in its entirety (see Exhibit A).
- 2) The methodology for establishing revised reimbursement and improvement SDCs for funding Oregon City's sanitary sewer collection system capital improvements, which includes costs of pump stations and collection lines and compliance costs (improvement SDC only), as presented in the engineer's report is hereby adopted by this resolution to determine the wastewater SDC.

Section 3 – Amounts of Wastewater System Development Charge

- 1) The calculations for determining the amounts of the wastewater SDC are set forth in the engineer's report.
- 2) Based on those calculations in the engineer's report, the adopted wastewater SDC for a single family residential unit or one (1) EDU shall be \$1,600.00 of which \$1,020.00 shall be considered a reimbursement fee and \$580.00 shall be considered an improvement fee. The following schedule of wastewater SDC charges shall apply:

Residential:

Single Family Residential	1 EDU
Duplex	0.8 EDU per dwelling unit
Triplex	0.8 EDU per dwelling unit
Multi-family (4-plex and up)	0.8 EDU per dwelling unit
Trailer space in mobile home park	0.8 EDU per rental space with sewer

Institutional:

High school	1 EDU per 29 students (ADA)*
Junior high school	1 EDU per 29 students (ADA)*
Elementary school & pre-school	1 EDU per 29 students (ADA)*
Community college	1 EDU per 29 students (ADA)*
Church	1 EDU per 180 seats
With parsonage	1 additional EDU
With weekday child care	
Or church school	1 EDU per 65 students additional
With full-time business office	1 EDU per 1,900 sf office additional
With evening programs conducted 3 nights	
or more per week	1 EDU per 1,900 sf meeting area additional
Hospitals (general)	1 EDU per bed
Convalescent or rest home	1 EDU per 2 beds

*means Average Daily Attendance

Commercial:

Hotels & Motels	1 EDU per 2 rooms
With quality restaurant	1 EDU per 10 seats additional
Quality Restaurant.....	1 EDU per 10 seats
Fast Food/Deli.....	1 EDU per 11 seats
Tavern, Lounge	1 EDU per 18 seats
Service Stations (without car wash)	1.7 EDUs
Car Wash (wand)	1.2 EDUs per stall
Rollover (with service station).....	5.6 EDUs
Tunnel (with service station)	16 EDUs
Laundromat	1.6 EDU per machine

Other commercial

(i.e., any commercial use not included on this table)..... The lesser of:

- (a) 1 EDU per 1,900 sf or less of interior floor space
- (b) 1 EDU per quarter acre or fraction thereof of land area, but not less than 50% of the maximum charge resulting from (a) or (b) above

Industrial:

Light industrial waste with:

- a) 30 to 200 lbs. of suspended solids per day
- b) 30 to 200 lbs. of biochemical oxygen demand per day or
- c) Less than 10,000 gallons of effluent per day The lesser of
 - (i) 1 EDU per 1,900 sf or less of interior floor space
 - (ii) 1 EDU per quarter acre or fraction thereof of land area, but not less than 50% of the maximum charge resulting from (i) or (ii) above

Heavy industrial waste with more than:

- a) 200 lbs of suspended solids per day
- b) 200 lbs of biochemical oxygen demand per day or
- c) Less than 10,000 gallons of effluent per day
 - (i) 1 EDU per 1,900 sf or less of interior floor space
 - (ii) 1 EDU per quarter acre or fraction thereof of land area, but not less than 50% of the maximum charge resulting from (i) or (ii) above

Governmental:

All governmental uses..... The lesser of:

- (a) 1 EDU per 1,900 sf or less of interior floor space
- (b) 1 EDU per quarter acre or fraction thereof of land area, but not less than 50 % of the maximum charge resulting from (a) or (b) above

- 3) The City Engineer may use alternative data when estimating the actual sewer flow of a development when, in the City Engineer's opinion, the alternative data are more reliable and realistic for a particular development than those set forth in this resolution.

4) This schedule shall become effective 30 days after adoption of this resolution by the City Commission and shall apply to all building permit applications received and deemed complete by the Building Official after that effective date.

Section 4 – Annual Adjustment of SDC Amount

The SDC reflected in this resolution shall be automatically adjusted on January 1 of each year following the adoption year of this resolution based on changes in the Engineering News Record Construction Cost Index (CCI) for Seattle, Washington. The SDC shall be adjusted from those stated in this resolution by multiplying the SDC amounts by the Seattle area CCI for the month preceding the adjustment (for example, December 2005) divided by the Seattle area CCI for December 2004.

Adopted, signed, and approved this 16th day of March 2005.

Alice Morris
Mayor

Q. Bailey
Commissioner

Thomas F. Lewis
Commissioner

Dawn Wallace
Commissioner

Trot L. Howell
Commissioner

Comprising the City Commission of Oregon
City, Oregon

RESOLUTION NO. 05-07
April 15, 2005
Effective Date: March 16, 2005, upon approval of the City Commission