

ORDINANCE NO. 2392

AN ORDINANCE adopting a new chapter of the Camas Municipal Code establishing storm water utility service charges.

WHEREAS, the City has heretofore adopted a comprehensive storm water drainage utility plan, and

WHEREAS, the City has commissioned Financial Consulting Solutions Group, Inc., to undertake a storm water utility rate study to establish a monthly charge for storm water services, and

WHEREAS, Financial Consulting Solutions Group, Inc., has submitted its technical memorandum and recommendations,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMAS AS FOLLOWS:

Section I

There is hereby added to the Camas Municipal Code a new section to provide as follows:

13.89.010 - Definitions

- A. "City" shall mean the City of Camas, Washington, or as indicated by the context, may mean any official, officer, employee or agency representing the City in the discharge of his or her duties.
- B. "Developed Parcel" shall mean a parcel of real property, which has been altered by construction of improvements or impervious surfaces that affect the hydraulic properties of the parcel.
- C. "Equivalent Service Unit (ESU)" shall mean a configuration of impervious surface estimated to contribute an amount of runoff to the City's stormwater management system which is approximately equal to that created by the average single family residential developed parcel in Camas. One equivalent service unit shall be equal to 3,218 square feet of impervious surfaces for the purpose of calculating service charges, the number of equivalent service units shall be rounded to the nearest tenth.
- D. "Parcel" shall mean the smallest separately segregated unit or plot of land having an identified owner, boundaries, and surface area which constitutes a separate lot or tract capable of being conveyed without further subdivision.
- E. "Service Charges" shall mean the amount owed after applying the appropriate rate to a particular parcel of real property based upon factors established by this ordinance.
- F. "Single Family Residence" shall mean a residential structure accommodating one dwelling unit, including mobile homes, as defined by the City of Camas land use codes.

- G. “Undeveloped Land” shall mean unimproved land and open space as defined by the City of Camas land use codes.
- H. “Undeveloped Parcel” means any parcel of real property which has not been altered by grading or filling of the ground surface, or by construction of any improvement or other impervious surface area which affects the hydraulic properties of the parcel.
- I. “Unit Rate” shall mean the dollar amount charged per ESU.

Section II

There is hereby added to the Camas Municipal Code a new section to provide as follows:

13.89.020 - Applicability

The requirements of this ordinance shall apply to all parcels of real property in the City of Camas, including publicly and privately owned property. City, county, and state streets/highways are exempt from the provisions of this ordinance.

Section III

There is hereby added to the Camas Municipal Code a new section to provide as follows:

13.89.030 - Rate Structure

The rates and service charges shall be based on the service provided and the relative contribution of stormwater runoff from a given parcel to the stormwater control facilities. The estimated or measured impervious surface area will be used to determine the relative contribution of stormwater runoff from the parcel.

Service charges shall be determined as described below:

- 1. Undeveloped Parcels — Undeveloped parcels shall not be charged.
- 2. Single Family Residential Parcels — The monthly service charge for each single-family residential parcel shall be the unit rate for one equivalent service unit.
- 3. Other Developed Parcels — The monthly service charge for all other developed parcels, including publicly-owned properties, shall be computed by multiplying the unit rate times the number of equivalent service units applicable to the parcel minus any approved rate adjustment.

Section IV

There is hereby added to the Camas Municipal Code a new section to provide as follows:

13.89.040 - Unit Rate Established

A unit rate is established at \$4.71 per equivalent service unit. The unit rate consists of an operation and maintenance component equal to \$3.76 per month and a capital facilities component equal to \$0.95 per month.

Section V

There is hereby added to the Camas Municipal Code a new section to provide as follows:

13.89.050 - Operation and Maintenance Credits

A non-residential customer billed for service charges may file a "Request for Credit" on the operations and maintenance (O&M) portion of the charge with the Public Works Director. A request of full credit on the O&M portion of the charge, excluding the sweeping portion of the charge, may be granted or approved by the Public Works Director only for non-residential customers when one or more of the following conditions exist:

1. The parcel includes a constructed or natural on-site stormwater mitigation facility that exceeds the City's requirements, and operates under an NPDES permit, and discharges directly to a stream, and is maintained by the property owner, and therefore provides a benefit to the system as a whole. The facility shall be available for inspection by the utility at any time.
2. The parcel is owned by a school, which provides in-kind services, which reduces utility costs and is approved by the City. Minimum in-kind services shall be the inclusion of formal curriculum falling under the definition of watershed management with detail provided to the Public Works Director.

Section VI

There is hereby added to the Camas Municipal Code a new section to provide as follows:

13.89.060 - Capital Credits

- A. Those properties in the Fisher Basin Drainage area established by Chapter 13.88 of the Camas Municipal Code that have been assessed and have paid a Fisher Basin stormwater development charge shall be exempt from paying the capital facilities component of the unit rate.
- B. A non-residential customer billed for service charges may file a "Request for Credit" on the capital portion of the charge with the Public Works Director. A request of full credit on the capital portion of the charge, may be granted or approved by the Public Works Director only for non-residential customers when the parcel includes a constructed or natural on-site stormwater mitigation facility that exceeds the City's requirements, and operates under an NPDES permit, and receives stormwater from a significant portion of the City's system, and discharges directly to a stream, and is maintained by the property owner, and therefore provides a benefit to the system as a whole. The facility shall be available for inspection by the utility at any time.

Section VII

There is hereby added to the Camas Municipal Code a new section to provide as follows:

13.89.070 - Billing and Collection

- A. Customers shall be billed for stormwater utility charges at the same time and in the same manner as the customer is billed for water, sewer, garbage and recycling services pursuant to Section 13.44.010 of the Camas Municipal Code.
- B. Stormwater utility charges shall be payable at the same time payment for other utility services is due pursuant to Section 13.88.010 of the Camas Municipal Code.

Section VIII

There is hereby added to the Camas Municipal Code a new section to provide as follows:

13.89.080 - Disposition of Revenue

All stormwater utility charges collected pursuant to this chapter shall be paid into the Stormwater Drainage Utility Fund and used for the purpose of operating and maintaining stormwater drainage facilities, for financing capital improvements to the stormwater drainage system, and for paying costs of administering the stormwater utility.

Section IX

There is hereby added to the Camas Municipal Code a new section to provide as follows:

13.89.090 - Appeal

Any person aggrieved by the amount of the stormwater utility charge assessed may appeal such determination to the Board of Adjustment. The procedures of Section 13.44.020 of the Camas Municipal Code shall apply to any such appeal.

Section X

There is hereby added to the Camas Municipal Code a new section to provide as follows:

13.89.100 - Lien for Delinquent Charges

There shall be a penalty on all delinquent accounts assessed at the rate of five percent (5%) of the outstanding balance.

The City shall have a lien for delinquent service charges, including interest thereon, against any property subject to service charges. The lien shall be superior to all other liens and encumbrances except general taxes and local and special assessments. Such liens shall be effective and shall be enforced and foreclosed in the manner provided by RCW 35.67.200 and RCW 35.67.210 as now in effect or as may be subsequently amended.

Section XI

This ordinance shall be effective on January 16, 2005, and after publication according to law.

PASSED by the Council and APPROVED by the Mayor this 13th day of December, 2004.

SIGNED: Paul Dennis
Mayor

ATTEST: John M. Augin
Clerk

APPROVED as to form:
[Signature]
City Attorney