

ORDINANCE NO. 2558

AN ORDINANCE permitting the City to enter into Development Agreements for the reservation of water capacity in the municipal water system when such agreement will promote the public good and general welfare.

The Council of the City of Camas do ordain as follows:

Section I

The Council makes the following findings:

- A. The City operates a municipal water system providing water to residential, commercial, industrial and public customers.
- B. The City has adopted capital facility plans and water utility plans that project the anticipated capacity requirements and infrastructure needs resulting from new development.
- C. The anticipated capacity requirements for water may require the construction of additional infrastructure including new transmission lines, pump stations, and treatment and storage facilities.
- D. There may be insufficient capacity in the water system to serve new development until new infrastructure is designed and constructed.
- E. The City Council desires to adopt a process whereby water capacity may be reserved by prospective customers if such reservation of capacity will promote the public good and benefit the general welfare. Examples of promoting the public good and benefiting the general welfare include, but are not limited to, the siting of public schools or other public facilities, and industrial and commercial development that provides some combination of increased tax base, additional employment opportunities, or economic diversification.

Section II

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

Section 13.12.085 Reservation of Water Capacity.

- (A) The City Council may enter into a Development Agreement pursuant to RCW 36.70(b).170 whereby it agrees to set aside and reserve capacity in the municipal water system for a prospective development. Such Development Agreement shall be permitted only if the City Council makes a specific finding that the public good and general welfare will be benefited by such Agreement.
- (B) Any Development Agreement entered into under this section shall require the prepayment to the City of water system development charges prior to the Agreement being effective, and shall further require that at the time of connection the City shall be paid the difference between the amount

of the water system development charge that would be due under the rates in effect at the time of connection and the amount of the water system development charge prepaid at the time of the Development Agreement. In no event shall the City be required to refund any prepaid water system development charge.

Section III

This Ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED BY the Council and APPROVED by the Mayor this 21 day of September, 2009.

SIGNED: Paul Di  
Mayor

ATTEST: John M. Duggan  
Clerk

APPROVED as to form:  
[Signature]  
City Attorney