

Chapter 13.08

SANITARY SEWERS SYSTEM DEVELOPMENT CHARGES – CONNECTION FEES

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13.08.010 Permit – Required.

Prior to connection of any building sewer to any lateral sewer or any sewer main the person desiring to make such connection shall receive a permit therefore from the city building Official and shall comply with all of the requirements of Chapters [13.04](#) through [13.12](#) MMC. (Ord. 4987, 2015).

13.08.020 Permit – Application – Issuance Conditions and Enforcement.

A. All applications for sewer connections under this chapter will be made to the city Building Official. The applicant shall furnish satisfactory evidence to the Building Official supporting the proposed land use and a plot plan of the area to be served by the proposed sanitary sewer, and shall meet all the requirements of Chapters [13.04](#) through [13.12](#) MMC. The Building Official may issue the permit, or refer the application to the Director for approval or disapproval. Thereupon the Director shall make an investigation and report, with their recommendation of their approval or disapproval. In the event such an application is rejected by the Director, such application may be appealed to the city council at its next regular meeting. A building permit shall not be issued until all applicable Systems Development Charges (SDC), Frontage Development Fees (FDF), and associated charges have been paid or application for to pay in installments has been approved by the finance

department as specified in Ordinance No. [4495](#) and Ordinance No. [4585](#). It shall be the duty of the Building Official to enforce the provisions of this chapter.

B. Sewer connection charges are those charged for any and all of the following:

1. Sewer connections to the city sewer system;
2. Change in the use of an existing connection, including but not limited to, building additions or expansions which include sanitary facilities; and
3. Substantial increase(s) in the flow or alteration of the character of wastewater to an existing connection.

C. It is the responsibility of the Building Official to notify the Director in writing whenever a land parcel or a structure falls within the classifications listed in subsection [B](#) of this section. The Director shall compute and file with the Building Official their findings in regard to this matter. (Ord. 4987, 2015).

13.08.030 Connection Permit Duration and Forfeiture Upon Expiration.

A sewer connection permit expires 180 days following its date of issuance. Failure to complete the sewer connection and obtain inspection and approval of such connection by the city, or designated approval authority, within 180 day period, or within any extension of time or reinstatement period as provided below, shall result in forfeiture of all connection fees paid and the nullification of the permit.

A. *Extensions of Time.* Upon submittal of a written request and fee (to be set by resolution) to the city prior to the expiration of the 180-day period described above, the city may, in its discretion grant an extension of time up to 30 days from the expiration date for good cause. Such request shall state the building permit number and the reason for the extension request. The request shall be signed by the property owner. Only one extension of time shall be allowed; thereafter, the property owner must apply for permit reinstatement.

B. *Reinstatement of Permit.* An expired connection permit may be reinstated upon showing of good cause for an additional 90-day period, provided the request for reinstatement has been made within 90 days of the original expiration date of the permit. The 90-day reinstatement period shall begin from the expiration date of the original permit. The application for reinstatement shall state the building permit number, the reason for the need for reinstatement; shall be signed by the property owner; and shall be accompanied by the reinstatement fee (to be set by resolution). A permit may be reinstated only once.

C. Sanitary sewer permits issued prior to February 12, 1991 shall be honored. The burden of proof of prepaid sewer connection shall be on the property owner. Credit will be given for number of Equivalent Dwelling Unit (EDU) originally purchased. Any additional EDU being constructed at the site shall pay the current connection fees and rates.

D. Permit fees will be computed at the rate in force at the time a building permit has been applied for and the plan check fee paid. (Ord. 4987, 2015).

13.08.040 New Service – Payment Guarantee.

In all new subdivisions and all new areas not served by existing sewer lines where sanitary sewer service is required, the city council may require the payment or guarantee of payment of the SDC covering the construction and installation of sanitary sewers in such areas. Such payments shall be made immediately upon demand and shall be credited against SDC and charges, or the city council may create a sanitary sewer district, and after the costs have been determined and apportioned, cause the premises to be assessed and such assessments entered in the docket of city liens. (Ord. 4987, 2015).

13.08.050 System Development Charges – Designated – Method of Computation.

A. The System Development Charge (SDC) to connect to a city sanitary sewer shall be computed by unit or Equivalent Dwelling Unit (EDU). Unit charges will be computed based on classification of service at the rate and charges as follows:

1. *Residential Method.*

- a. Single family dwelling units, including manufactured homes:

CALCULATION: One EDU = One unit

- b. Duplexes, apartments, condominiums, dormitories, convalescent/residential care facilities, hotels and motels in which the units include individual kitchens:

CALCULATION: One EDU = One unit

- c. Dormitories, convalescent/residential care facilities, hotels, and motels in which the units do not include individual kitchens:

CALCULATION: One EDU = Two units (in the case of convalescent/residential care facilities, one unit=one bed)

- d. Bed and breakfast facilities and other similar commercial lodging facilities:

CALCULATION: One EDU for the first five bedrooms plus one EDU for every two bedrooms over five.

- e. Recreational vehicle park:

CALCULATION: One EDU = Two recreational vehicle spaces with sewer hookups.

The calculations for the residential method shall apply whether the dwelling unit is occupied or not. The calculated charge includes all facilities such as common laundries, kitchens and recreation areas, provided they are intended for the sole use of the residents and guests. If the structure also contains commercial operations available for use by the general public, the charges for those facilities used for commercial operations shall be calculated using the fixture count method.

An individual manufactured home located on a platted site will be charged for the SDC on the same basis as any other structure. A site for a manufactured home unit located within a manufactured home park will not be charged for each change of a manufactured home unit if the sanitary sewer connection has a trap and vent system independent of the structure.

2. *Fixture Count Method.*

a. This method shall apply to all nonresidential uses, when the Industrial Method is not required to be used. The Fixture Count Method shall apply to all commercial, nonmetered industrial uses, restaurants, laundries, Laundromats, schools, hospitals, public facilities, swimming pool filters, and all other similar nonresidential uses. The fixture unit values shall be as listed in subsection [\(A\)\(2\)\(b\)](#) of this section or to the fixture unit values in the most current version the Oregon Plumbing Specialty Code, whichever is most current.

CALCULATION: One EDU = 16 fixture units.

b. Fixture unit value shall be as shown below. Any fixture unit rating not addressed in this table shall be calculated pursuant to the current Oregon Plumbing Specialty Code.

| Fixture | Fixture Unit Value |
|--------------------------|---------------------------|
| Baptistery/font | 4 |
| Bath | |
| Jacuzzi/whirlpool | 3 |
| Tub/shower combination | 3 |
| Car Wash | |
| Each Stall | 6 |
| Drive Through | 16 |
| Cuspidor/water aspirator | 1 |
| Dishwasher | |
| Commercial | 4 |
| Residential | 2 |
| Drinking Fountain | 1 |

| Fixture | Fixture Unit Value |
|-------------------------------------|--------------------|
| Floor Drain, Mop Sink or Floor Sink | |
| 2-inch | 4 |
| 3-inch | 6 |
| 4-inch | 8 |
| Garbage Disposal | |
| Residential 3/4 horsepower | 0/16 ¹ |
| Commercial 3/4-5 horsepower | 32 |
| Industrial more than 5 | 48 |
| Ice Machine/Refrigerator Drains | 1 |
| Oil separator (gas stations) | 6 |
| Recreational Vehicle Dump Station | 16 |
| Shower | 2 per head |
| Sink | |
| Bar or Lavatory | 2 |
| Commercial | 3 |
| Service | 3 |
| Wash fountain | 3 |
| Swimming Pool Filter | 3 |
| Washer, Clothes | 6 |
| Water Extractor | 6 |
| Water closet, toilet | 6 |
| Urinal | 6 |

1 Fixture unit values for garbage disposals of 3/4 horsepower or less, installed in nonresidential applications, shall be based on the proposed use of the facility. Uses associated with commercial food processing, preparation, handling, or group food service (cafeterias) shall be charged 16 fixture units. Uses for individual employee support (e.g. employee lunchrooms) shall not be separately charged.

Note that a separate water meter is required for car washes, and that adjustments to the SDC for car washes may be made based on actual water use after six months of operation.

c. *Industrial Method.* Industrial connections are for those structures used primarily for manufacturing. Minor and major industrial connection and sewer service charges cover only the industrial waste/wastewater portion of the Industrial User's discharge. The minor and major Industrial User must also pay connection and sewer service charges, based upon fixture units, for its nonindustrial wastewater discharge. There are three industrial categories as follows:

i. *Category I.* Dry Industrial User does not generate or discharge any industrial waste or wastewater. Industrial Users that discharge less than 50 gallons of industrial wastewater on any one day may be included in this category with the approval of the Director.

CALCULATION: One EDU = 16 fixture units or fraction thereof.

ii. *Category II.* Minor metered water use or wastewater discharge is less than 25,000 gallons per day (gpd).

CALCULATION: One EDU = 300 gpd. If waste discharged is not known, then the fixture unit rates will be used. Any adjustment in connection charge will be made after six months of operation.

iii. *Category III.* Major metered water use or wastewater discharge is equal to or greater than 25,000 gpd or strength of waste discharged is more than:

- 700 mg/l Chemical Oxygen Demand (COD);
- 300 mg/l Biochemical Oxygen Demand (BOD);
- 350 mg/l Total Suspended Solids (TSS);
- 8 mg/l Total Phosphorus (TP);
- 25 mg/l Ammonia (NH₃)

CALCULATIONS: The Director shall select one or more of the following calculations for determining the connection charge:

- One EDU = 300 gpd average value;
- One EDU = 0.70 pounds BOD per day average value;
- One EDU = 1.4 pounds COD per day average value;
- One EDU = 0.70 pounds TSS per day average value;
- One EDU = .11 pounds NH₃ per day average value;
- One EDU = .028 pounds TP per day average value.

Such selection shall be made on the basis of the impact the Industrial User's discharge is anticipated to have upon the sewerage system and shall be aimed at ensuring that the Industrial User in question pays his/her fair share in light of the impact of its discharge, as determined by the city. The city may, in its discretion, require the user to separate its industrial wastewater discharge from its nonindustrial waste discharge.

- B. Large parcel depth over 120 feet or one-half block shall be subject to additional unit charges for any units lying therein and the cost of sewer line extensions required to service same.
- C. Where a sewer is financed and constructed by a developer for city ownership and operation, the facility development fee will be waived and only the SDC will be levied.
- D. All construction will conform to the applicable city and Oregon Plumbing Specialty Code standards. The city reserves the right to reject any sewer constructed for connection to the sewer main. (Ord. 4987, 2015).

13.08.055 System Development Charge (SDC) – Credits.

Whenever a SDC is computed on property for which the SDC has been previously paid, a credit may, in the discretion of the Director, be allowed. The amount of credit shall be determined by the Director by taking into consideration the SDC calculation method at the time of the payment of the earlier SDC along with the number of existing and proposed Equivalent Dwelling Unit or EDUs and then computing the extent and amount of the credit, if any. If records of such previous charges are not available, the burden of proof shall be on the property owner to establish the amount of the earlier charges. The exact manner of calculation of any credit allowed shall be in the discretion of the Director. SDC credits resulting from change of use are issued to the parcel associated with the permit for use with future SDC fees. (Ord. 4987, 2015).

13.08.060 Facility Development Fees – Designated – Method of Computation.

- A. Owners of property applying to connect facilities directly to the city sanitary sewer system who will receive special and peculiar benefit from such connection, but who have not directly contributed to the cost of the line to which they will make connection shall, in addition to the regular sewer connection charge, be charged and assessed for the special and peculiar benefit the property received, as determined by the city. This charge shall be called the Facilities Development Fee (FDF) and shall be set by resolution.
- B. The FDF is derived from a frontage rate multiplied by the number of front feet. The minimum frontage assessment will be for 75 lineal feet.
- C. Frontage of large tracts (unplatted residential, commercial, and industrial) shall be measured as the amount of developed portion along the actual sewer line in cases where the sewer line crosses through the tract and measured as street frontage of the developed portion where the sewer service is from a street location.
- D. Corner lots where street frontage dimensions do not exceed 120 feet or one-half block shall have frontage equal to one-half the sum of the street frontages. (Ord. 4987, 2015).

13.08.070 Sewer Construction plan Approval Required.

Notwithstanding the provisions of this chapter, the city council shall not be obligated to construct and install sanitary sewers to any property until the project has been approved and authorized by the city council, and the plans and specifications therefore have been approved by the City Engineer. All sanitary sewers hereafter constructed and installed in the city shall be under the direct supervision of the City Engineer, and their services shall be considered a cost of the project, and in the event any legal services are required, the cost of such services shall be considered a cost of the project. (Ord. 4987, 2015).

13.08.080 Unpaid Charges – Liens.

A. The city finance director is directed to enter all unpaid SDC, FDF, and associated charges in the docket of city liens, and thereupon said connection fees and charges shall become an assessment and lien upon individual lots and tracts of land involved. (Ord. 4987, 2015).

B. The city council may use such means of collection for all charges and fees collected under this chapter as may be provided by the laws of the state, and any delinquencies may be certified to the tax assessor of the county for collection in the manner provided in ORS [454.225](#) or any other statute subsequently enacted applicable thereto. (Ord. 4987, 2015).

13.08.100 Disposition of Moneys.

All fees and charges collected under this chapter shall be deposited by the city finance director in the sewer operations and capital funds. (Ord. 4987, 2015).

13.08.110 Violation – Penalty – City Right to Redress.

Any person, firm, or corporation violating any of the provisions of this chapter shall upon conviction be punished by a fine of not more than \$500 for each day that violation continues. Trial shall be before the court without a jury with no right to appeal. The city reserves the right to seek such other relief as is available from any court of competent jurisdiction to redress a violation of this chapter. (Ord. 4987, 2015).