

ORDINANCE NO. 760

AN ORDINANCE ESTABLISHING A WATER SYSTEM DEVELOPMENT CHARGE: AND DECLARING AN EMERGENCY.

The City of Sweet Home does ordain as follows:

Section 1. A water system development charge is imposed upon all new water hookups in addition to any connection or construction charges assessments that may be levied by any other policy or ordinance of the City.

Section 2. Rates per living unit or commercial unit per service connection to the main:

\$500.00 fee one unit, plus
250.00 for second unit, plus
200.00 for third unit; plus
150.00 for fourth unit, plus
100.00 for fifth and successive units.

The City Manager shall determine what living units and/or commercial units may be served by one water service connection to the main. Generally, a single water service connection may serve an individual home, duplex, apartment building, mobile home park (or a part thereof), or other closely related units.

When the character of a structure is changed so as to require a higher charge, credit shall be given for the amount paid for the prior use. Credit shall be given to structures that have been connected to the water system prior to the date of passage of this ordinance as if that structure had been charged a water system development charge.

Section 3. Collection. At the time a building permit is issued, the applicant shall be notified of the amount of the water system development charge payable to the City. The amount shall be due when the owner and/or contractor calls for a final inspection of the structure and prior to occupancy of the structure.

All structures annexed into the City after the date of passage of this ordinance shall be charged a water system development charge at the time when connecting into the water system.

Any structure on any parcel of land that is exempt from having to acquire a building permit or who fails to secure a valid building permit when required is not thereby exempt from paying any part of the water system development charge. The owner of said structure, prior to the commencement of any construction, shall notify the City that such construction is imminent, and the building official shall issue to the owner a fee-exempt building permit for such construction. Upon that occasion, or as soon as the building official learns that construction has commenced, the water system development charge shall become immediately due and payable.

The water system development charge may be paid in full prior to the initiation of service, and if not so paid, the said charge shall be docketed as a lien on the real property benefited by the City Recorder, and the City shall have a lien for the said charge, plus interest at the rate of 7 per cent per annum. The lien shall be enforced in the manner provided in ORS Chapter 223. The owner of the real property may execute an agreement with the City to pay said lien over a term of 10 years, payable in 20 semi-annual installments, plus interest at the rate of 7 per cent per annum on the deferred balance.

Section 4. Exemptions.

(1) All structures existing within the City and connected to the water system at the time of passage of this ordinance, on which alterations, additions and/or repairs are performed (except when a new dwelling unit is created), shall be exempt from paying any water system development charge.

(2) All existing and future structures which contain no plumbing fixtures shall be exempt from paying any water system development charge. Structures accessed to already-existing structures which contain plumbing fixtures shall not be exempt from paying the water system development charge.

(3) All temporary structures connected to the water system for no longer than 30 days shall be exempt from paying any water system development charge.

(4) All structures that have been either voluntarily or involuntarily burned, demolished or otherwise destroyed and that have paid or been credited with payment of the water system development charge shall not be levied a second water system development charge for reconstruction or reconnection to the water system provided that a building permit for the reconstruction is issued within one year from the date of the destruction of the structure.

Section 5. Disposition of Collected Revenues. All funds derived from the water system development charge shall be placed in the sewer and water development fund.

Section 6. Rate Review. The rates imposed by Section 2 of this ordinance shall be submitted for reconsideration by the City Council annually to reflect the increase or decrease of construction costs.

Section 7. Appeals. Any person who is aggrieved by any decision required or permitted to be made by the City Manager under this ordinance may appeal that decision to the City Council by filing a written request with the City Recorder, describing with particularity the decision of the City Manager from which the person appeals. In determining the appeal, the Council shall determine whether the City Manager's decision is correct and may affirm, modify, extend or overrule that decision.


Section 8. Emergency Clause. An emergency is hereby declared to exist, and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval thereof by the Mayor.

PASSED by the Council and approved by the Mayor this 27 day of March, 1979.



Mayor

ATTEST:



City Manager-Exofficio City Recorder