

ORDINANCE NO. 11 FOR 1978

ORDINANCE NO. 722

AN ORDINANCE AMENDING ORDINANCE NO. 703 ESTABLISHING A SANITARY SEWER SYSTEMS DEVELOPMENT CHARGE, AND DECLARING AN EMERGENCY.

THE CITY OF SWEET SHOME DOES ORDAIN:

Section 1. Section 1 of Ordinance No. 703 is hereby amended as follows, to-wit:

Section 1. A sanitary sewer systems development charge is imposed upon all new residential and commercial sanitary sewer hookups in addition to any connection charge. Industrial users shall pay the "industrial cost recovery" fee in lieu of the systems development charge.

Section 2. Section 2 of Ordinance No. 703 is hereby amended as follows, to-wit:

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

\$500 for one unit, plus
\$250 for second unit, plus
\$200 for third unit, plus
\$150 for fourth unit, plus
\$100 for fifth and successive units.

The City Manager shall determine what living units and/or commercial units may be served by one sewer service connection to the main. Generally, a single sewer 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 sanitary sewer prior to the date of passage of this ordinance as if that structure had been charged a sanitary sewer systems development charge.

Section 3. Section 3 of Ordinance No. 703 is hereby amended as follows, to-wit:

Section 3. Collection. At the time a building permit is issued the applicant shall be notified of the amount of the sanitary sewer systems 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 sanitary sewer systems development charge at the time when connecting into the sanitary sewer 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 sanitary sewer systems 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 sanitary sewer systems development charge shall become immediately due and payable.

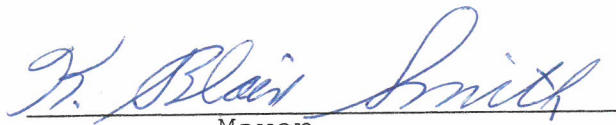
The sanitary sewer systems development charge may be paid in full prior to the initiation of service, and if not so paid, the said charge shall be docketed as a lien on the real property benefitted by the City Recorder, and the City shall have a lien for the said charge, plus interest at the rate of 7% 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 twenty semi-annual installments, plus interest at the rate of 7% per annum on the deferred balance.

Section 4. Ordinance No. 703 is hereby amended by adding Section 7a thereto, as follows, to-wit:

Section 7a. 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 5. It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety. Therefore, an emergency is declared to exist and this ordinance shall take effect and be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council and approved by the Mayor this 12th day of May, 1978.



Mayor

ATTEST:



City Manager-Exofficio City Recorder