

ORDINANCE 854

CITY OF LACEY

AN ORDINANCE RELATING TO SEWERAGE RATES, AMENDING THE DEFINITION OF EQUIVALENT RESIDENTIAL UNIT AS THAT UNIT OF MEASUREMENT RELATES BOTH TO THE RESERVE CAPACITY CHARGE AND MONTHLY SERVICE CHARGES, REPEALING THE SEWERAGE EXTENSION CAPACITY CHARGE, ENACTING A GENERAL FACILITIES CHARGE AND A CHARGE FOR DIRECT CONNECTION TO SEWER INTERCEPTORS, INCREASING THE MONTHLY SEWER SERVICE CHARGE, AMENDING SECTIONS 13.16.025, 13.16.030 AND 13.16.060, REPEALING SECTION 13.16.027 AND ENACTING NEW SECTIONS 13.16.027 AND 13.16.028, ALL OF THE LACEY MUNICIPAL CODE

WHEREAS, it is necessary to increase that portion of sewerage rates levied by LOTT in order to meet the significant costs to be incurred to comply with the conditions of the National Pollution Discharge Elimination System Permit, and

WHEREAS, upon the basis of actual use, it would be more equitable to redefine the equivalent residential unit of measurement as the same relates to mobile homes and apartment units, and

WHEREAS, it is necessary for the City of Lacey to levy a general facilities charge in order to pay for Lacey's cost of the construction of sewer interceptors and other major sewerage facilities improvements directly associated with said interceptors such as lift stations; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Section 13.16.025 of the Lacey Municipal Code is hereby amended to read as follows:

"Unless there has been assessed against a particular parcel of real property a reserve capacity charge as part of the assessment under a city utility local improvement district there shall be paid for every structure, prior to the connection of such structure to the sewerage system or upon the first billing for sewerage service charges, whichever occurs first, a reserve capacity charge for each whole calendar month between March 1, 1977, and such beginning date. The reserve capacity charge for residential uses shall be ~~three-dollars~~ \$3.00 for each of the whole calendar months for single-family structures, including mobile homes, ~~six-dollars~~ \$6.00 for each of the whole calendar months for two-family structures and ~~three-dollars~~ \$2.40 for each ~~of-the-first-two-living-units-and-one-dollar~~ fifty-cents-for-each-additional living unit for each of the whole calendar months for those residential structures containing more than two living units. The reserve capacity charge for nonresidential structures shall be ~~three-dollars~~ \$3.00 per ERU for each whole calendar month between the dates determined in accordance with an ERU value established by the joint sewerage facilities advisory committee. If the use of any structure changes subsequent to March 1, 1977, resulting in a significant increase of sewage discharge therefrom, there shall be a reserve capacity charge paid upon the first billing subsequent to the change at the rate of ~~three-dollars~~ \$3.00 per ERU for each whole calendar month between March 1, 1977, and the date of the change for the increased monthly ERUs determined in accordance with an ERU value established by the advisory committee

as set out in this section."

Section 2. Section 13.16.027 of the Lacey Municipal Code is hereby repealed.

Section 3. There is hereby added to the Lacey Municipal Code a new section, 13.16.027, to read as follows:

"A. There is levied a general facilities charge on all properties proposed to be connected for service by the Lacey sewerage system. The amount of the sewerage general facilities charge levied on a particular piece of property shall be equal to the number of equivalent residential units estimated to be used by said property multiplied by the rate per equivalent residential unit determined as set forth in subsection B of this section. The term 'equivalent residential unit' or 'ERU' for purposes of this section shall be as follows:

"1. Single-family residence, including mobile homes: one ERU per living unit.

"2. Duplex (two-family residence): two ERUs.

"3. Residential buildings containing more than two living units: 8/10 of an ERU per living unit.

"4. Commercial, industrial or other customers not readily identified as a residential customer, including but not limited to, hotels, motels, boarding or rooming houses, nursing homes and transient (overnight) trailer parks: One ERU for each estimated 900 cubic feet of water to be consumed per month.

"B. The general facilities charge for each equivalent

residential unit during 1989 shall be \$800.00. The rate of said charge shall be increased annually on January 1 of each calendar year by an amount equal to the increase in the Engineering News Record Construction Cost Index or by 6 percent, whichever rate of increase is higher.

"C. The general facilities charge levied herein shall be due and payable for each individual service prior to the connection of such service to the Lacey sewerage system unless such general facilities charge is included as part of the assessment levied against a parcel of property as part of a local improvement district or utility local improvement district.

"D. If the land use of a property is proposed to be changed to a use which will increase the equivalent residential unit use of sewerage capacity and said proposed change in use is after charges levied herein have been computed and paid, a condition of allowing said increased use shall be that the owner of said property will pay to the city an additional general facilities charge in accordance with this section equal to the increase in the contemplated equivalent residential unit use.

"E. The charges established and levied by this section shall be in addition to any and all charges for reserve capacity of joint sewerage facilities under Section 13.16.025 and any and all charges for sewerage collection system or other sewerage facilities not covered by the reserve capacity charge or the general facilities charge whether such charges are by latecomers agreement or otherwise."

Section 4. There is hereby added to the Lacey Municipal Code a new section, 13.16.028, to read as follows:

"There is levied a special connection charge on all properties proposed to be connected directly to a sewer interceptor. The amount of such charge during 1989 shall be equal to the number of front feet abutting such interceptor times \$19.00. On January 1 of each subsequent year, the rate per front foot shall be increased by the increase in the Engineering News Record Construction Cost Index, or six percent, whichever is higher."

Section 5. Section 13.16.030 of the Lacey Municipal Code is hereby amended to read as follows:

"The definition of an 'equivalent resident unit' (ERU) for the various classes of customers for purposes of monthly service charges is as follows:

"~~(1)~~ A. Single-family residence, including mobile homes which upon the date of this ordinance are served by individual water meters and the occupants or owners of which are billed directly not in-mobile-home-parks-as-described-in-subsection-(3)-below: One ERU per month. Each mobile home located in a mobile home park where service is through a master water meter or if served by individual water meters, where the sewer service charges are, upon the date of this ordinance, being billed to and paid by the owners of the mobile home park, shall, commencing April 1, 1989, and until January 1, 1990, be considered equivalent to 6/10 of an ERU; from January 1, 1990, until January 1, 1991, equivalent to 8/10 of an ERU; and

commencing January 1, 1991, and thereafter, equivalent to one ERU per month;

"(2) B. Duplex (two-family) residence: Two ERUs per month;

"(3) C. Triplexes, apartments, ~~mobile-home-parks~~ and other multiple family residential customers: ~~One-ERU-for-each-of-the-first-two-living-units-or-spaces-available-for-occupaney-and one-half-ERU-for-each-additional-unit-or-space~~ From April 1, 1989, to January 1, 1990, 6/10 ERU per living unit, and commencing January 1, 1990, and thereafter, 8/10 ERU per living unit;

"(4) D. Commercial or industrial customers not readily identified as a residential customer including, but not limited to, hotels, motels, boarding or rooming houses, nursing homes and transient (overnight) trailer parks: One ERU for each ~~nine-hundred~~ 900 cubic feet of water consumed with a minimum monthly charge of one ERU."

Section 6. Section 13.16.060 of the Lacey Municipal Code is hereby amended to read as follows:

"The 'basic sewer service charge' of Lacey shall be ~~\$18.40~~ \$21.90 per month per equivalent residential unit. In addition to any future increases for other purposes, said rate or charge shall be increased by the sum of \$0.25 for services rendered in ~~1989-and~~ by-an-additional-\$0.25-for-services-rendered 1990."

Section 7. The summary of this ordinance, which is attached hereto, is approved for publication.

Section 8. This ordinance shall be effective as of April 1, 1989; provided, however, that the service charge rates set forth herein and the definitions applicable thereto shall only apply to those billing periods which commence after the effective date of this ordinance.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,  
WASHINGTON, this 23<sup>rd</sup> day of March, 1989.

CITY COUNCIL

By Kay M. Boyd  
Mayor

Attest:

Timothy McGuire  
City Clerk

Approved as to form:

[Signature]  
City Attorney

Published: March 27, 1989