

ORDINANCE NO. 318-0

AN ORDINANCE ESTABLISHING A SYSTEM FOR ALLOCATING THE UNCOMMITTED SEWAGE TREATMENT PLANT CAPACITY, AND REPEALING ORDINANCE NO'S. 244 and 293.

WHEREAS, The total capacity of the City of Troutdale Sewage Treatment Phase I Plant is 1.6 million gallons per day (MGD); and

WHEREAS, Prior to the allocations made under Ordinance No. 293 there were approximately 1,500 Equivalent Residential Units (ERU'S) left to allocate before reaching treatment plant capacity; and

WHEREAS, Ordinance No. 293 established certain classes and ranges of allocation, including "Industrial and Commercial" 500 ERU'S, "Community Service" 400 ERU'S, and "Residential" 600 ERU'S; and

WHEREAS, Under the provisions of Ordinance No. 293, 325 ERU's were allocated out of the "Residential" class, leaving a remainder of 275 out of the 600 originally established; and

WHEREAS, Under the provisions of Ordinance No. 293, 1 ERU was allocated out of the "Industrial and Commercial" class, leaving a remainder of 499 out of the total 500 originally established, and no allocations were made from the "Community Service" class, leaving a total of 400 ERU's; and

WHEREAS, The City desires to use its remaining "Residential" class sewer capacity to help implement the Comprehensive Plan and related documents, including but not limited to the "Troutdale Parks Plan", "The Housing Report", the "Downtown Troutdale Report", the "Capital Improvements Plan", as well as the Comprehensive Plan itself; and

WHEREAS, The demand for the reserve "Residential" class sewer capacity appears to be greater than the available ERU'S left to allocate; and

WHEREAS, This creates a need for an allocation system which will distribute the remaining "Residential" class reserve capacity in a fair and equitable manner while still carrying out the goals and policies of the Comprehensive Plan and related documents;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

A reserve capacity allocation system and program be adopted as follows:

SECTION 1: Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as those defined in the Waste Water Regulations Ordinance No. 280.

SECTION 2: Classes And Ranges Of Allocation

ERU'S may be allocated up to a total of 1174 as follows:

1. Industrial and Commercial uses may receive up to 400 ERU'S with the approval of the City Administrator, or up to a total of 499 with the approval of the Mayor.
2. Community Service uses may receive up to 130 ERU'S with the approval of the City Administrator, or up to a total of 400 with the approval of the Mayor.
3. Residential uses may receive up to a total of 275 ERU'S as per the following sections of this Ordinance.

SECTION 3: Emergency Uses And Lots Of Record

Emergency uses and lots of record may receive up to 25 ERU'S with the approval of the City Administrator. Emergency uses shall include: (1) City Council requirements to connect to the City sewer system, or (2) connections resulting from septic tank failure, or (3) individual lots of records created prior to the adoption of this Ordinance. Any exception to the above three categories will be by City Council authorization only.

SECTION 4: Point System

A point system shall be established as follows in order to establish priority projects for the reserve "Residential" capacity:

	<u>MAXIMUM POINTS</u>
1. Capital Improvements Program --	
Project helps provide a City-wide system improvement beyond direct on-site requirements for City water, sewer, storm drainage or street systems.	5 each system 20 maximum
2. Parks Plan --	
Project includes dedication of park land desired for "City-wide" parks as defined and illustrated in the "Troutdale Parks Plan".	25
3. Downtown Report --	
a. Project is wholly within the downtown area borders as defined in the Downtown Report;	20

MAXIMUM POINTS

- b. or, project is adjacent to (within 400') of the downtown area. 5
4. Housing Policies --
- a. Project uses passive or active solar orientation, or techniques that place more dependence upon alternate or renewal sources of energy rather than non-renewable sources. 15
- b. Project serves primarily low and moderate income families. 10
- c. Project density is ten units per gross acre and above. 10
- d. Project is a "Planned Development" with cluster housing, mixtures of dwelling types, and open/recreational space. 10
- e. Projects serve primarily senior citizens. 10
5. Project Readiness --
- a. Project will be initiated (construction commenced) before September 1, 1980. 10
- b. Project will be initiated prior to September 1, 1982. 5
6. Completion of a project already in process --
- Project is part of a development that has already been commenced, such as a phase of a larger development. 10
7. Participation in previous sewer programs --
- Property owner participated in the Sewage Treatment Plant expansion program under Ordinance No's. 244 or 293 including participation by lottery. 5

SECTION 5: Allocation Procedure

1. Notification of the availability of residential sewer connections and the proposed allocation system and program will be made by letter to owners of all undeveloped residential lands within the current City limits. In addition, notice will be placed in at least two newspapers of general circulation at least 10 days prior to any allocation taking place.

2. An application form will accompany the notification letter; those applications currently on file will remain valid as to property and number requested unless a change is requested by the property owner.

3. All applications must be submitted in writing on the forms provided by the City to the Director of Community Development no later than 5:00 p.m., March 14, 1980.

4. Based upon the information provided on the application and information available at ~~the~~ City offices, the Director of Community Development will tentatively rate the proposed projects based upon the point system established in SECTION 2 of this Ordinance.

5. The Director of Community Development will submit his findings and tentative ratings to the City Council.

6. The City Council will tentatively reserve sewer capacity for those proposed projects which receive at least 50 points on the rating system. Such reservation shall be held for a period of not more than one year from the date of the initial reservation.

7. All property owners who submitted an application will be advised of the preliminary allocation adopted by the Council, and advised of the procedures to follow in order to receive a final allocation of sewer capacity.

8. Such projects must be formally approved by the Planning Commission and Council, and the number of points verified by an actual approved project, before a final allocation of reserve capacity is committed to the project by the City Council.

9. Those projects that do not receive their final allocation prior to February, 1981, shall lose their tentative reserve and said reserve may be reallocated to projects that can meet the required number of points.

SECTION 6: System Development Charge Per ERU

A system development charge per ERU shall be paid in accordance with Ordinance No. 317-0. The base prepayment shall be paid in full within 30 days after final allocation of the reserve capacity to the approved project. The balance payment on a per unit basis shall be due and payable at the time of the building permit application.

Failure to pay the required amount within the required time period shall result in forfeiture of the right to connect to the sewer system, and the allocation so forfeited will be returned to the reserve capacity to be reallocated.

SECTION 7: Administration

The City Administrator shall establish such administrative rules and procedures as necessary for the administration of this program. Such administrative rules and procedures may include methods of payment, further definitions of the criteria for points, and record keeping.

SECTION 8: Severability Clause

If any clause, sentence, paragraph, section, or portion of this Ordinance for any reason shall be adjudged invalid by a court of competent jurisdiction, such judgement shall not affect, impair, or invalidate the remainder of this Ordinance, but shall be confined in its operation to the clause, sentence, paragraph, section, or portion of this Ordinance directly involved in the controversy in which the judgement is rendered.

SECTION 9: Repealing A Previous Ordinance


Ordinance No. 244, passed April 12, 1977, is hereby repealed.

Ordinance No. 293, passed June 12, 1979 is hereby repealed.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 11th
DAY OF March, 1980.


YEAS: 5

NAYS: 0



R. M. Sturges, Mayor

ATTEST:



Jerri Widner
Finance Director/City Recorder