

## RESOLUTION NO. 1606

### A RESOLUTION ADJUSTING THE RATE FOR THE STORM SEWER UTILITY FEE AND RESCINDING RESOLUTION NO. 1115

#### THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Ordinance No. 606-94, codified as Chapter 12.06 of the Troutdale Municipal Code, established a Storm Sewer Utility Fee to be paid by the responsible party for each developed property within the City.
2. The amount of the fee is to be determined by resolution of the Council based upon the amount of impervious surface per location.
3. The amount of the fee should be sufficient to meet projected needs for operations, maintenance, repair, and a portion of new construction costs based upon the projected capital improvement needs of the City.
4. Resolution No. 1115, which is currently in effect, established the rate at \$0.00111 per square foot of impervious surface effective October 1, 1994.
5. Additional costs, primarily those associated with the NPDES Phase II discharge permit and the Underground Injection Control program, will require additional expenditures of City resources.
6. Staff recommends a rate increase of approximately eight percent, but the maximum limit of \$20.00 per month and all other terms and conditions of this storm sewer utility fee would remain the same.

#### NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE

**Section 1.** Effective July 1, 2002 the monthly Storm Sewer Utility Fee shall be \$0.0012 per square foot of impervious surface. All residential users are deemed to have 2,700 square feet of impervious surface and therefore have a monthly Storm Sewer Utility Fee of \$3.24.

**Section 2.** In no case shall the monthly Storm Sewer Utility Fee exceed \$20.00.

**Section 3.** The Storm Sewer Utility Fee shall not be imposed upon any impervious surface owned and maintained by the City nor upon the impervious surface of a public street, road, or highway nor upon the runways or taxiways of a public airport.


**Section 4.** The Storm Sewer Utility Fee may be reduced by individual mitigation efforts, as follows:

- A. The responsible party must request, in writing, a reduction in the Storm Sewer Utility Fee based upon mitigation actions taken to reduce the effect of storm water flow from the impervious surface.

- B. The request must include, under the stamp or seal of a professional engineer licensed in the State of Oregon, the following minimum information:
- (1) The calculated storm water run-off from the area in question prior to its development.
  - (2) The calculated additional storm water run-off from the area in question after its development without mitigation.
  - (3) The calculated additional storm water run-off from the area in question after its development with mitigation.
  - (4) Engineer drawings or other suitable details of the mitigation method(s) employed.
- C. In determining storm water run-off, a 100-year event of 24-hour intensity shall be used.
- D. Upon review and approval of the user's request, the Public Works Director may grant a reduction in the Storm Sewer Utility Fee equal to the percent reduction in additional storm water run-off achieved by the mitigation effort but in no event shall the reduction be more than 70% of the fee without mitigation.
- E. The full amount of the Storm Sewer Utility Fee shall be charged until a request for reduction is received and approved.
- F. The decision of the Public Works Director may be appealed to the City Administrator. Such appeal must be in writing and submitted within 30 days after the decision is made by the Director. The appeal must state the particular matter in dispute, the reason(s) for differing with the Director, and the specific relief sought.

**Section 5.** Resolution No. 1115 is rescinded effective July 1, 2002.

<b>YEAS:</b>	<u>6</u>
<b>NAYS:</b>	<u>0</u>
<b>ABSTAINED:</b>	<u>0</u>

  
 Paul Thalhofer, Mayor  
 Dated: 5-15-02

  
 Debbie Stickney, City Recorder

Adopted: May 14, 2002