

A RESOLUTION FOR ESTABLISHING)
A SURCHARGE ON WATER)
SERVICE PROVIDED TO WATER USERS)
OUTSIDE THE CITY LIMITS)

Resolution Number 44
for 1996

WHEREAS, the City of Lebanon provides water service for customers outside of the City limits; and

WHEREAS, water revenue bonds issued for the improvement of the City water system are supported by property taxes paid by residents of the City and said taxes are not paid by customers who reside outside of the City limits; and

WHEREAS, the City Council has determined that in order to equitably spread the financial burden of maintaining the water system throughout all customers of the water system it must establish an extra charge to be paid by customers outside of the City limits who do not pay property taxes levied by the City for the use of said water system; and

WHEREAS, the Lebanon Municipal Code, Section 13.04.390 authorizes the City Council to set rates for water user fees by resolution of the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LEBANON AS FOLLOWS:

Section 1. There is hereby established a surcharge for water users who purchase water from the City of Lebanon for service addresses which are located outside of the City limits of Lebanon. This surcharge shall be paid by the water user in addition to the user's monthly fee. The surcharge shall equal the additional sum of 15% of the monthly charges calculated for the user pursuant to the provisions of the Lebanon Municipal Code, and any Resolutions adopted the City Council of the City of Lebanon pursuant to the Code in setting water rates for water user fees.

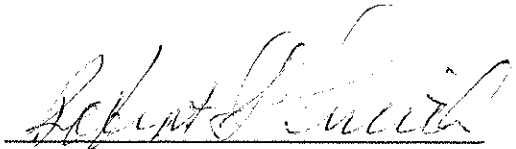
Section 2. The surcharge fee established in Section 1 of this Resolution shall be paid on a monthly basis as otherwise required by the Lebanon Municipal Code. The failure of a user to pay said additional surcharge fee shall constitute grounds for the institution of collection procedures and/or termination of water service as otherwise provided by ordinance.

Section 3. This Resolution shall effective upon its passage, shall supersede any previously adopted resolutions which may otherwise contradict the provisions of this

Resolution, and shall remain in effect until further resolution of the City Council.

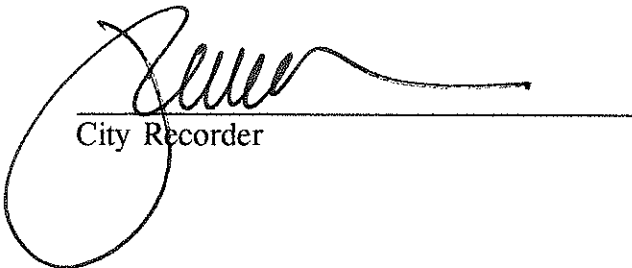
Section 4. The City Council hereby determines that the surcharge imposed upon water users outside of the Lebanon City Limits is not subject to the Constitutional limitations of Oregon Constitution Article XI, Section 11(b) because such charge is an incurred charge for the purchase of water from the City.

THIS RESOLUTION was passed by the City Council for the City of Lebanon by a vote of 4 for and 0 against this 13th day of November, 1996.



Mayor

ATTEST:



City Recorder