

**RESOLUTION ADOPTING THE CITY OF  
LEBANON'S STORMWATER DRAINAGE  
UTILITY RATES**

) **RESOLUTION NO. 24**  
)  
) **For 2010**

**WHEREAS**, the City of Lebanon provides a valuable public service by providing Stormwater Drainage facilities for the collection and disposal of Stormwater discharged from properties and public rights-of-way within the City; and

**WHEREAS**, the utility exists for the benefit of any person within the City who wants to have the public Stormwater Drainage facilities available for the diversion, collection, and/or disposal of Stormwater Drainage and other runoff water from the person's property and represents a municipal service in a developed urban environment which is essential to the public health, safety and welfare; and

**WHEREAS**, persons who use the public Stormwater Drainage facilities need the appropriate charges that reflect the cost of the management, maintenance, extension and construction of the public Stormwater Drainage facility as a public utility in the City; and

**WHEREAS**, the City of Lebanon Council has provided that Stormwater Drainage Utility Fees should be established by resolution in accordance with Ordinance No. 2797; and

**NOW, THEREFORE**, be it resolved by the Council of the City of Lebanon as follows.

The Stormwater Drainage Utility Rates shall be:

**SECTION 1:** Equivalent Residential Unit (ERU): The amount of impervious surface that shall constitute one (1) ERU is 3,200 square feet.

Each Single Family Residential property shall equal one (1) ERU regardless of the actual amount of impervious surface. The monthly charge per each ERU of impervious surface that drains directly or indirectly into public infrastructure shall be \$2.00 per ERU.

All properties other than Single Family Residential, (i.e. multi family properties such as duplex, tri-plex, commercial properties, industrial properties, school, etc.) shall be considered to be furnished service a 16.275 ERU for total charge of \$32.55 (16.275 x \$2.00 = \$32.55).

Special Rate for Low Income Senior Citizens and Disabled: Senior and disabled citizens who qualify for the State of Oregon Low Income Energy Assistance Program will be entitled to a discount of 10% for residential service. To be eligible, applicants must present a copy of the State of Oregon approved income verification form to the Finance Department. Duration of eligibility is for 12 months from the date the application is approved and must be resubmitted annually. Discounts will begin for the billing received on or about the first of the month following presentation of the form at the Finance Department.

Reduction Fee Application: Properties applying for a Stormwater Drainage Utility fee reduction shall submit the required application and pay a \$50.00 non-refundable application fee.

**SECTION 2: Annual Inflation Rate Adjustment:** Beginning July 1, 2011 and each July 1<sup>st</sup> thereafter, the Stormwater Drainage Utility rate shall be adjusted for inflation using the 12-month change in the Seattle Engineering News Record Construction Cost Index (CCI) published by McGraw Hill, Inc., based on the published April data. The annual inflation adjustment minimum is set at two and one-half percent (2.5%) and the maximum at six percent (6%).

The formula for updating the rate each year within the above noted minimum/maximum range is as follows:

$$\text{Stormwater Utility Rate}_{\text{Current Year}} = \text{Stormwater Utility Rate}_{\text{last Year}} \times \left( \frac{\text{CCI}_{\text{current year}}}{\text{CCI}_{\text{last year}}} \right)$$

Where:

CCI<sub>current year</sub> = Construction Cost Index for the current year

CCI<sub>last year</sub> = Construction Cost Index for the last year the rates were updated

Stormwater Utility Rate<sub>Current Year</sub> = Stormwater Utility Rate for the current year

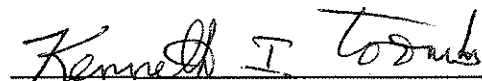
Stormwater Utility Rate<sub>last Year</sub> = Stormwater Utility Rate to be updated

**SECTION 3:** The City council finds that the changes imposed pursuant to this Resolution are not taxes subject to the provision of Article XI, Section 11b of the Oregon Constitution.

**SECTION 4:** This Resolution shall be effective July 1, 2010.

Passed by the Council by a vote of 4 for and 0 against and approved by the Mayor this 9th day of June, 2010.

CITY COUNCIL OF LEBANON, OREGON

  
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Kenneth I. Toomb, Mayor   
Bob Elliott, Council President

ATTESTED:

  
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Linda Kaser, City Clerk