

**RESOLUTION ADOPTING THE CITY OF
LEBANON'S STORMWATER DRAINAGE
UTILITY RATES AND DECLARING AN
EMERGENCY**

) **RESOLUTION NO. 38**
)
)
) **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 citizens within the City 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 benefiting from the public Stormwater Drainage facilities should be charged the appropriate fees 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. 2810; 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:

All single family residential properties both developed and undeveloped within the City limits shall be charged \$2.75 per tax lot.

All commercial, industrial and multi-family properties including duplexes & triplexes within the City limits shall be charged at the following rates depending upon if the property is developed or undeveloped.

Developed Tax Lots

Small commercial, industrial, multi-family (1/4 AC & under)	\$10.00 per month
Medium commercial, industrial, multi-family (between 1/4 & 1/2 AC)	\$25.00 per month
Large commercial, industrial, multi-family (1/2 AC & over)	\$55.00 per month

Undeveloped Tax Lots

Small commercial, industrial, multi-family (1/4 AC & under)	\$3.00 per month
Medium commercial, industrial, multi-family (between 1/4 & 1/2 AC)	\$4.00 per month
Large commercial, industrial, mutli-family (1/2 AC & over)	\$5.00 per month

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.

SECTION 2:

Annual Inflation Rate Adjustment: Beginning July 1, 2011 and each July 1st 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_{current year} = Construction Cost Index for the current year

CCI_{last year} = Construction Cost Index for the last year the rates were updated

Stormwater Utility Rate_{current Year} = Stormwater Utility Rate for the current year

Stormwater Utility Rate_{last Year} = Stormwater Utility Rate to be updated

SECTION 3:

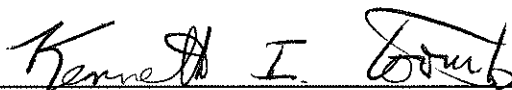
The City council finds that the changes imposed pursuant to this Resolution are not taxes subject to the provision of Article XI, Section 11b of the Oregon Constitution.

SECTION 4:

In as much as maintenance of the Stormwater Drainage Utility is in the best interest of the peace and health of the City, an emergency is declared to exist and this resolution shall become effective immediately upon its passage.

4 Passed by the Lebanon City Council on the 8th day of December, 2010 by a vote of 4 in favor and 2 against.

CITY COUNCIL OF LEBANON, OREGON




Kenneth I. Toomb, Mayor



Bob Elliott, Council President



Attested by:



Linda Kaser, City Clerk

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