

Ordinance 2018 – 02

AN ORDINANCE OF THE CITY OF MOLALLA CREATING THE MOLALLA MUNICIPAL CODE CHAPTER 12.22., STREET MANAGEMENT SYSTEM.

WHEREAS, the Molalla City Council in an effort to maintain the city streets of Molalla directed staff to research and develop a Street Management System; and

WHEREAS, upon completion of Town Hall meetings, data was compiled and developed into the Street Management System; and

WHEREAS, the City has posted this Ordinance in compliance with the Molalla Municipal Code and notification requirements.

THE CITY OF MOLALLA ORDAINS AS FOLLOWS:

SECTION 1, TITLE 12 STREET, SIDEWALKS AND PUBLIC PLACES be amended to include:

Chapter 12.22 STREET MANAGEMENT SYSTEM

12.22.010 Definitions.

- A. “City” means the City of Molalla.
- B. “Customer” means the person in whose name service is rendered, as evidenced by a request for service, receipt of service, signature on an application for service, or by receipt and payment of bills for service.
- C. “Developed” means any property which has been altered by grading, filling of the ground surface, or by construction of any improvement or impervious surface area, which could affect the hydraulic or hydrologic properties of the property.
- D. “Equivalent dwelling unit (EDU)” is a unit of measurement. One EDU is equal to one single family home, town home, apartment, commercial business, industrial business. A duplex constitutes two EDUs, tri-plex is three EDUs, etc.
- E. “Person” means any individual, group or legal entity.
- F. “Single-family residential” means any service location which is improved with a dwelling unit for occupancy by a single family or a similar group of persons.
- G. “Street management system” means all facilities, both natural and constructed, used by the City to regulate the conveyance of traffic, including pavement, curbs, gutters, and sidewalks.
- H. “Undeveloped” means any location which has not been altered by grading or filling of the ground surface, or by construction of any improvements or other impervious area, which could have a traffic impact to the street system.

12.22.020 Exclusive control of system and services by City.

The street management system within the City limits, including all connections and contributions to the system, shall be under the exclusive control of the City. No person shall install or connect to any part of the system, make improvements to the system, or otherwise interfere with any part of the system without authorization of the City.

12.22.030 Street maintenance utility user charge.

A. Establishment—Setting of Rate. There is hereby established a Street Maintenance Utility User Charge, which shall be set by the City Council by resolution. The rate shall be in an amount reasonable and necessary to fund the administration, planning, design, construction, operation,

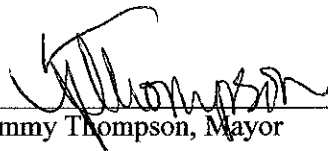
maintenance and repair of the street management system.

B. Application of Charge. The street maintenance utility user charge shall be based upon the number of equivalent development units EDUs owned by a customer. Owners of undeveloped and unoccupied property shall not be charged. Each customer using a location for one single-family residential use shall be charged a uniform rate based upon one (EDU). For multifamily residential uses, the charge shall be one EDU per each residential unit. The charge for all other uses shall be based upon the total number of businesses per property. The total service charge shall be computed by multiplying the number of EDUs measured for each use by the rate established for each EDU.


ADOPTED by the City Council on this 10th day of January, by the following votes:

AYES: 5
NAYES: 0
ABSENT: 2
ABSTAIN: 0

APPROVED and signed by the Mayor this 10th day of January 2018.


Jimmy Thompson, Mayor

ATTEST this 10th day of January,
2018


Kelly Richardson, CMC
City Recorder

