



ORDINANCE 2009-010

AN ORDINANCE REPEALING AND REPLACING CHAPTER 13.08 OF THE SHERWOOD MUNICIPAL CODE; CODIFYING THE ADOPTION OF PERTINENT PROVISIONS OF CLEAN WATER SERVICES (CWS) REGULATION FOR SANITARY SEWER, SURFACE AND STORM WATER SYSTEMS IN THE CITY OF SHERWOOD

WHEREAS, the regulation as to the use of the sanitary sewer system, surface water and storm water systems within the boundaries of Sherwood is controlled by Clean Water Services (CWS), a service district of Washington County; and

WHEREAS, in order to minimize regulatory as to the use of the aforementioned systems, the City Council believes it appropriate to amend the Sherwood Municipal Code (SMC) to reflect the primacy of CWS regulation in those three topic areas by formally adopting pertinent provisions of CWS regulation and repealing competing or otherwise inconsistent provisions of the Sherwood Municipal Code.

WHEREAS, SMC Chapter 13.16 is outdated, unnecessary and does not reflect the current status of the relationship between the City and CWS which relationship is currently embodied in an Intergovernmental Agreement by and between CWS and the City of Sherwood and thus should be repealed.

NOW, THEREFORE THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1.

Chapter 13.08 ("Sewer Service Use Regulations") is hereby repealed and replaced with a new Chapter 13.08 ("Clean Water Services Regulations") shown on Exhibit "A" attached hereto.

Section 2.

Chapter 13.12 ("Sewer Service Rates and Charges") is hereby repealed.

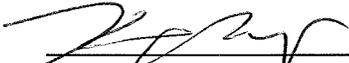
Section 3.

Chapter 13.16 ("Unified Sewerage Agency of Washington County") is hereby repealed.

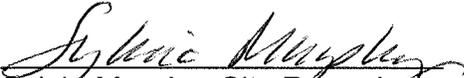
Section 4.

This ordinance shall be effective 30 days after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 4th day of August 2009.


Keith S. Mays, Mayor

ATTEST:


Sylvia Murphy, City Recorder

	<u>AYE</u>	<u>NAY</u>
Folsom	<u>Absent</u>	_____
Clark	<u>✓</u>	_____
Weislogel	<u>✓</u>	_____
Henderson	<u>✓</u>	_____
Grant	<u>✓</u>	_____
Heironimus	<u>✓</u>	_____
Mays	<u>✓</u>	_____

Exhibit "A"

Clean Water Services Regulations

13.08.010	Definitions
13.08.015	Purpose
13.08.020	Clean Water Services Rules and Regulations adopted
13.08.025	Copies of Regulations

13.08.010 Definitions

As used in this Chapter, the following terms shall, unless the context in which it is used mandates differently, mean the following:

- A. "City". The City of Sherwood, Oregon.
- B. "Clean Water Services" or "CWS". The Washington County Service District responsible for management and regulation of storm water, surface water and sanitary sewerage issues within the City.

13.08.015 Purpose

This Chapter represents the City's adoption of the regulatory scheme of Clean Water Services pertaining to the operation and use of CWS sanitary, storm and surface water systems within the City as well as the City's imposition of Systems Development Charges (SDCs) for the aforementioned systems under control of CWS. This Chapter does not regulate or otherwise affect collection of user fees for CWS' systems.

13.08.020 Clean Water Services Rules and Regulations adopted

The City hereby adopts the following and they shall be effective and applicable within the City:

- A. CWS Resolution and Order No. 91-47 (excluding Chapter 2) as the same has been amended from time to time until June 15, 2009.
- B. CWS Construction Standards and Regulations pertaining to the aforementioned systems adopted as of June 15, 2009.
- C. CWS Ordinances Nos. 26, 27 and 28 as they may each have been amended from time to time until June 15, 2009.
- D. CWS Resolution and Order No. 93-33 as the same has been amended from time to time until June 15, 2009.
- E. CWS Resolution and Order No. 92-60 as the same has been amended from time to time until June 15, 2009.

13.08.025 Copies of Regulations

Three (3) copies of the regulations, rules and standards adopted pursuant to the terms of 13.08.020 shall be kept in the City offices, with one (1) kept on file in the offices of the Public Works Director.