

RESOLUTION NO. 959

A RESOLUTION ESTABLISHING AND IMPOSING JUST AND EQUITABLE FEES AND CHARGES FOR CONNECTION TO AND USE OF THE SEWAGE DISPOSAL SYSTEM OF THE CITY OF WILSONVILLE; PROVIDING FOR THE MANNER OF PAYMENT COLLECTION, ENFORCEMENT AND DISBURSEMENT OF SUCH FEES AND CHARGES AND REPEALING RESOLUTION NO. 840.

ARTICLE I
DEFINITIONS

SECTION 1. Unless otherwise defined herein, applicable definitions are set forth in Wilsonville Code, Chapter 3, Section 3.112 and Chapter 8, Section 8.104.

SECTION 2. "Convalescent or Nursing Facilities" shall mean the structures which are constructed for purposes of continuous care or convalescence of person(s) who may be ambulatory or handicapped but, in any event, are in need of continuous care. The structure must meet applicable codes as required by the State of Oregon, the City of Wilsonville and other appurtenant ordinances or resolutions; and as the structure is designed for the intended use thereof.

SECTION 3. "Director" for the purposes of Article IV, shall be defined as Community Development Director.

SECTION 4. "Dwelling Unit" shall mean a building, mobile or manufactured home, designed for residential occupancy.

SECTION 5. "Hotel and Motel" shall mean any building which is designed or used to offer lodging for rent or hire, with or without meals for four or more people or containing six or more guest rooms.

SECTION 6. "Individual Connections" shall mean a single building drain and building sewer from a structure which is connected to a service connection.

SECTION 7. "Manufactured Residential Unit" shall mean a structure which is intended for human occupancy by one or more persons, that has sleeping, eating, cooking and plumbing-sanitation facilities and which is constructed off-site in compliance with the Uniform Building Code (Oregon State Structural Speciality Code) and designed to be transported to a site for installation and/or assembly of modular components to form a permanent structure.

SECTION 8. "Meeting Halls" shall mean a structure which is constructed for the purpose of conducting meetings which may or may not be open for public use. The structure must meet applicable codes as required by the State of Oregon, the City of Wilsonville and other appurtenant ordinances or resolutions and as the structure is designed for the intended use.

SECTION 9. "Mobile Home Residential Unit" shall mean a structure which is intended for human occupancy by one or more persons, that has sleeping, eating, cooking and plumbing-sanitation facilities, and which is constructed off-site in compliance with the Oregon Department of Commerce standards for mobile homes, and designed to be transported to a site to be used as a permanent residence.

SECTION 10. "Multi-Family Residential Unit" shall mean a residential structure which is occupied by one or more persons of which there is more than one dwelling structure per lot, according to approved zoning requirements and which provides complete independent living facilities for each dwelling structure including, but not limited to, permanent provisions for living, sleeping, eating, cooking and sanitation.

SECTION 11. "Office Complexes" shall mean a structure in which more than one unit is constructed for commercial office use and is separate from each unit by intended use.

SECTION 12. "Residential Unit" - In cases where apartment complexes are involved, a residential unit is designated as one residential unit of a dwelling.

SECTION 13. "Restaurants" shall mean a structure which is constructed for the purpose of preparation and serving of food to one or more persons in return for payment by those persons. The structure must meet all applicable codes as required by the State of Oregon or the City of Wilsonville and other appurtenant ordinances or resolutions and as the structure is designed or occupied for the individual use thereof.

SECTION 14. "Single Family Dwelling Unit" shall mean a residential structure which is occupied by one or more persons of which there shall be only one dwelling structure per lot and which provides complete, independent living facilities for one or more persons including, but not limited to, permanent provisions for living, sleeping, eating, cooking and sanitation.

SECTION 15. "Upset" shall mean an exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the industrial user excluding such factors as operational error, improperly designed or inadequate treatment facilities or improper operation and maintenance or lack thereof.

SECTION 16. "NPDES" shall be defined as the National Pollution Discharge Elimination System.

ARTICLE II
PERMIT AND PERMIT FEES

SECTION 1. Sewer Permit and Wastewater Discharge Permit Fees

To provide for the cost of processing a building sewer service connection permit, and a wastewater discharge permit, the following fees will be charged. The permit fees below shall be reviewed annually by the City Council. The Council may, from time to time, including, but not limited to, its annual review, increase fees giving due consideration to the increase in the consumers price index (CPI) for the Portland metropolitan tri-county area from the month of the last increase to the month preceding the date of the review. The Council may take action not to make such increase in permit fees any year it is deemed appropriate to do so.

(a) Building Sewer Service Connections

<u>SERVICE CLASS</u>	<u>FEE</u>
(1) Residential	
(a) Single Family	\$50.00
(b) Multi-Family	\$75.00
(2) Commercial	\$360.00
(3) Industrial	\$360.00

(b) Wastewater Discharge Permit

(1) The initial pretreatment wastewater discharge permit fee shall be included in the fee charge for building sewer service connection.

(2) Each subsequent pretreatment wastewater discharge permit fee shall be as follows:

Commercial and Industrial Permit \$360.00

SECTION 2. Owner(s) Responsibility

(A) The owner(s) of a property in which a building sewer is then connected to the public sewer shall be responsible for:

1. Repair of all known sewer breaks, leaks, cracks, and similar problems in all pipes, manholes, clean-outs and appurtenances to the building sewer which would cause ground or surface water to infiltrate or to flow into the building sewer either directly or indirectly. All costs involved in making repairs shall be borne by the owner(s).

(B) The City shall have the specific right to inspect and test all building sewers to determine compliance with City, State and Federal requirements and the owner shall cooperate and not hinder the City's right to inspect and test.

ARTICLE III

USER FEES FOR SEWER SERVICE

SECTION 1. A sewer user fee is hereby imposed upon the user(s) of any the City's wastewater collection, pumping, disposing and treating system.

SECTION 2. Buildings that are served by pumping units shall be subject to the user fees provided by this resolution.

SECTION 3. When sewer service is initially provided to any building(s), a sewer user fee shall be charged for each month a building sewer is connected to or discharged into the public sewer.

SECTION 4. Sewer user fees are hereby charged to the user(s) of the property connected to the sanitary sewer. Users of the property shall include owners as well as occupants. Such charges are to begin at the time the connection has been accepted by the Community Development Department according to standards set forth in the Construction Standards for the City of Wilsonville.

SECTION 5. Sewer user fees shall be billed to an occupant unless otherwise notified in writing by owner of the serviced property. However, in the event of a delinquent account, the sewer service may be discontinued under the provisions of Section 411 of this Resolution.

SECTION 6. Sewer user fees shall be reviewed annually by the City Council. The City Council may, from time to time, including but not limited to its annual review, increase fees giving due consideration to the increase in the consumers price index (CPI) for the Portland metropolitan tri-county area from the month of the last increase to the month preceding the date of the review. The Council may take action not to increase fees in any year it is deemed appropriate to do so.

SECTION 7 (A) The calculation methodology for implementing a sewer user fee schedule during the 1992-93 fiscal year is presented as follows:

The 1991-92 fiscal year values:

Average Daily Flow:	0.973 MGD
Average LB BOD per day:	2001
Average LB TSS per day:	1607
Average dwelling unit count served:	4608
Average Residential Du flow rate:	211 GPD
Average Comm/Ind. DU Equipment:	2.25 DU
Average wastewater characteristic value:	240 MG/L

The 1992-93 adopted sewer operating fund budgeted expenditures: Personnel, \$265,748; Supplies and Services, \$203,500; Interfund Services, \$276,378; Capital Outlay, \$61,000; Operating Contingency (10%), \$80,663. Total Amount...\$887,289.

Calculated factors:

Average 3 year DU growth:	18 per cent
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1992-93 forecast average daily flow: 1.148 MGD
 Forecast average pounds BOD per day: 2373
 Forecast average pounds TSS per day: 1896
 Forecast average DU served: 5438
 Cost/gallon = \$887,289/419,020,000 gallons treated per year = \$0.0021
 per gallon or \$0.21 per 100 gallons.

Residential DU Calculation

(211 GPD per DU) (30) (\$0.0021) = \$13.29 per month. However, City Council previously adopted \$9.37 per month. (See below.)

Commercial/Industrial DUE Calculation

(2.25 DUE per water meter connection) (211 GPD per DU) (30) (\$0.0021) = 29.92 per month. However, City Council previously adopted \$17.17 per month. See below.

(2.25) (211) (60)/7.48 gallons per cubic foot - 3810 cubic feet per bimonth billing.

Commercial/Industrial DUE Surcharge Calculation

(\$0.0021) (7.48) (100) = \$1.57 per 100 cubic feet. However, City Council previously adopted \$0.90./100 cubic feet. See below.

The adopted 1992-93 Budget included a ten percent (10%) increase in minimum user fees and industrial surcharges. However, based on the analysis of operating expenditures and proportional costs presented above, the currently adopted user fee structure is an average of thirty-nine percent (39%) below a level which would generate a balanced revenue. The short range budgetary compensation involves the use of working capital carryover as a sewer operating fund revenue source.

A long range solution to the user fee structure imbalance was presented to the City by the Gregor Professional Corporation. In January, 1990, in the form of a Utility Financial Projection Report. Especially regarding water and sewer rate increases, the recommendation was to systematically increase rates by ten percent (10%) per year from 1991/92 through 1993-94, in order to attempt to establish parity between operating costs and user fee revenue.

Minimum monthly sewer rates with future trending may be presented as follows:

January, 1984	Resident, \$7.50;	Comm/Ind., \$13.75
July, 1989	Resident, \$7.74;	Comm/Inc., \$13.19 (3.2 percent)
June, 1991	Resident, \$8.52;	Comm/Ind., \$15.61 (10.0 percent)
June, 1992	Resident, \$9.37	Comm/Ind., \$17.17 (10.0 percent)
Future, 1993	Resident, \$10.31;	Comm/Ind., \$18.89 (10.0 percent)
Future, 1994	Resident, \$11.34;	Comm/Ind., \$20.78 (10.0 percent)
Future, 1995	Resident, \$12.47;	Comm/Ind., \$22.86 (10.0 percent)
Future, 1996	Resident, \$13.72;	Comm/Ind., \$25.15 (10.0 percent)

Treatment plant operating costs have been increasing at a rate of 3.3 percent to 4.8 percent

per year attributed primarily to personnel and materials expenditures, and have not been accounted for in the "future" user fee structure presented above. As a result, the annual percentage of projected rate increases will require future re-examination and adjustment.

Commercial/Industrial Pretreatment Program Surcharge Calculation

allocation of 92-93 budgeted expenditures (\$887.289) based on Operation and Maintenance Manual, City of Wilsonville Wastewater Treatment Plant, Annual Task Plan, prepared by Ch2M Hill Engineering:

Flow	46.4 percent	\$411,702
TSS	31.9 percent	\$283,045
BOD	21.7 percent	\$192,542

Flow related cost: \$411,702/419,020,000 Gal per yr. = \$0.10 per 100 gallons
 TSS related cost: \$283,045/692,040 pounds per yr. = \$0.41 per pound
 BOD related cost: \$192,542/866,145 pounds per year = \$0.22 per pound

Note: Typical activated sludge wastewater treatment process differs from City's Rotating Biological Contractors (RBC) treatment process. Activated sludge treatment ratio of flow, TSS and BOD would typically be in a range of 60%, 20% and 20%.

(B) Rate Schedule:

	<u>CATEGORY</u>	<u>MONTHLY RATE</u>	<u>SURCHARGE RATE</u>
1.	Residential (Single Family and Multi-Family)	\$9.37/Dwelling Unit	\$ -0-
2.	Commercial or Industrial	\$17.17/Domestic Water Meter Connection	\$0.90/100 ft ³

(C) The Commercial or Industrial surcharge rate in Section 7(B) above shall be based on the measurement of metered domestic water consumption and shall be assessed after the first 4000 cubic feet of domestic water use during each two months billing cycle.

(D) For Commercial or Industrial sewer users whose domestic water consumption (excluding metered irrigation water consumption) is a minimum of three times greater than the measured sanitary sewer discharge rate, the surcharge fee shall be based on the flow measured from the discharge point of the building sewer into the public sanitary sewer and shall be based on the average daily gallons discharged. The measurement period shall be one week or seven consecutive days. After three billing periods, or six months, a new measurement shall be taken. Each measurement shall set the surcharge fee for the next six month period.

(E) In lieu of the surcharge rate presented in Section 7(B) above, any non-domestic pollutant discharger who is required to obtain a wastewater discharge permit shall be charged the following for wastewater characteristics as established through the monitoring requirements as set

forth within each individual discharge permit:

Flow = \$0.10 per 100 gallons

BOD = \$0.22 per pound

Total Suspended Solids = \$0.41 per pound

(F) Other sewer use charges may be established through the issuance of an industrial wastewater discharge permit in order to recover potential or actual costs incurred by the City due to wastes that adversely affect the sewer system or the environment.

(G) All sewer users whose sewer connection is outside the city limits, shall be billed two (2) times the rate mentioned below.

SECTION 8. Applications for City sanitary sewer services shall be by such forms and in such manner as provided by the Department of Finance. The applicant shall designate the property to be served and the user thereof. If a deposit is deemed prudent and cost effective by the Finance Director, a deposit shall be required in a sum which shall not be greater than an amount equal to an estimated 3 months' bill as determined by the Finance Department. However, any resident of Wilsonville (a person who has established credit with the City of Wilsonville by having water and/or sewer service in his/her own name) will be allowed to move from one location within the city limits without having to pay a deposit if that resident has lived in Wilsonville for at least three (3) years, has City of Wilsonville water and/or sewer service in his/her name and has not been delinquent in paying for water and/or sewer service within the past three years.

SECTION 9.

(A) A refund of the user sewer service deposit will occur when a customer shows a satisfactory credit performance for three years. If it becomes necessary to make one or more visits to enforce collection and/or shut-off for non-payment during the three year period, the City shall retain the deposit. The deposit will be held for an additional three years from the date of the last visit to the customer's premise for collection for non-payment of a bill. (Definition of visit - hand delivery of shut-off notice to the customer's premise. Definition of satisfactory credit - no water shut-off notices hand delivered and/or temporary shut-off of service for non-payment during a three year period.)

(B) A refund of the deposit will occur upon the applicant's requesting discontinuance of service provided that all outstanding bills are paid in full. The deposit may be applied to the final bill.

(C) If an account is shut-off for non-payment, the deposit shall be held as security until the outstanding balance is paid. The deposit will only be applied to the outstanding balance when the account is closed and no further sewer service is required by the customer. The remaining

balance of the deposit not used to pay the outstanding bill will be refunded to the customer.

(D) Upon refund of the cash deposit to the applicant for satisfactory credit performance or upon termination of service, the deposit shall be refunded together with interest thereon at the rate of one-half percent (1/2%) below the average annual interest rate received by the City. However, no interest shall be allowed or paid by the City of Wilsonville on deposits which have been deposited with the City for less than 30 days. All cash deposits so paid to the City of Wilsonville by sewer users shall be credited by the Finance Department into a special account to be known as "Sewer Deposit Trust Account".

SECTION 10. All charges for sanitary sewer service furnished or rendered by the City of Wilsonville shall be chargeable to the current user of the property where sanitary sewer service is supplied and, in addition, all persons signing an application for the use of sanitary sewer service shall be personally liable for all charges accrued against the property designated within the application. The City reserves the right to cut off and disconnect sanitary sewer service to the premises without further notice when charges for sanitary sewer service have not been paid within 30 days after the due date, and the expense thereof shall be borne by the user to which such service has been supplied. The City shall provide a minimum of 3 days notice by a door hanger or by mail prior to sewer service disconnection.

ARTICLE IV

SEWER SYSTEMS DEVELOPMENT CHARGES

SECTION 1. The purpose of this Article is to impose the capital cost of sewage treatment facility improvements upon those developments that create the need for or increase the demands for such capital improvements and prescribe the methodology for calculating the SDC.

The SDC imposed by this Article is separate from and in addition to any applicable taxes, assessments, charges, or fees otherwise provided by or imposed as a condition of development.

The total fees required for connection to the sanitary sewer shall be a revenue source to the City and shall entitle the owner(s) of the structure or property or persons paying the fee to a service connection to the sanitary sewer system.

SECTION 2. The City shall maintain a dedicated fund entitled "Sewer Expansion and Capital Improvement Fund", herein "fund". All moneys derived from the Sewer SDC shall be placed in the fund. Sewer SDC revenue, including interest earned on balances in the fund, shall be used for no purpose other than those activities described as, or for the benefit of, extra capacity facilities as designated in Table No. 1.

In addition, the reasonable and customary costs of administering this fee and projects funded hereunder, including repayment of debt, may be paid from SDC revenues.

SECTION 3. As presented in the 1990 Facilities Plan Report and shown in Table No. 2,

based on projected population growth, the capacity of the existing treatment plant organic waste load unit processes will be exceeded before 1995. The Wilsonville Comprehensive Plan indicates that land development shall not be permitted unless adequate capital facilities exist or are assured. Therefore, the City is required to increase wastewater treatment capacity in order to meet the demands of new growth.

To meet treatment capacity demands through 2010, new design parameters have been established for a wastewater treatment plant expansion.

Average Daily Domestic BOD (lbs/day)	3,000
Average Daily TSS (lbs/day)	<u>4,500</u>
Average Daily Industrial BOD (lbs/day)	2,700
Total Average Daily Design BOD (lbs/day)	<u>5,700</u>
Peak Day/Month Industrial BOD (lbs/day)	4,050
Maximum Day BOD (lbs/day)	<u>10,250</u>

Based on the design parameters presented above, the construction costs for sewage treatment plant capacity improvements are presented in Table No. 1.

SECTION 4. Methodology for calculating the value of the Sewer SDC is obtained by dividing the total cost of the capital improvement necessary to provide capacity for new development (\$6,622,402) by the design capacity of the sewage treatment plant (2,250,000 gallons per day).

$$\frac{\text{Cost}}{\text{Capacity}} = \$2.94 \text{ per gallon}$$

WASTEWATER CONTRIBUTIONS

Year	Population	Summer Daily Average	Per Capita Contrib.
		<u>MGD</u>	<u>gpcd</u>
1987	4,285	0.518	121
1988	5,025	0.506	101
1989	5,800	0.631	109

*gpcd = gallons per capita per day **Total Average gpcd = 105**

Given that the average sewage flow rate per capita has been measured at an average of 126.5 gallons per day and each dwelling unit factor has a population equivalent value of 2.4, the contribution of sewage flow per day per dwelling unit is obtained by multiplying the population equivalent (2.4) times the per capita flow rate (105).

$$P.E. \times \text{Capita Flow} = 252 \text{ total gallons per DU per day}$$

The value of the impact of sewage generated by each dwelling unit is obtained by multiplying the total gallons per DU per day (252) times the cost per gallon (\$2.94) of the extra-capacity capital improvement.

$$\text{Total Gallons/DU/Day} \times \text{Cost/Gallon} = \$741/\text{DU}$$

SECTION 5. Schedule of Sewer SDC

A dwelling unit (DU) is defined as a residential dwelling and is equivalent to a minimum of sixteen (16) fixture units.

For the purpose of determining equivalent fixture units, the following will be used:

<u>FIXTURE</u>	<u>EQUIVALENT FIXTURE UNIT</u>
1 toilet	6
1 urinal	5
1 lavatory, sink or laundry tray	2
1 floor drain 2" max outlet	4
3" max outlet	6
4" max outlet	8
1 dishwasher 2" max outlet	3
3" max outlet	9
4" max outlet	12
1 bathtub or shower	2
1 drinking fountain	1
1 garbage grinder	4
1 commercial washer	
0 to 5 pound capacity	2
over 5 to 10 pound capacity	4
over 10 to 15 pound capacity	6
over 15 to 20 pound capacity	7
over 20 to 25 pound capacity	8
over 25 to 35 pound capacity	9
over 35 pound capacity	1-1/2 EFU per 5 pounds capacity

All those equivalent fixture units not shown herein shall be as specified in the most recent issue of the Uniform Plumbing Code.

SEWER SDC SCHEDULE

<u>CLASS OF SERVICE</u>	<u>SDC</u>
<u>Residential</u>	
1. Single-family Dwelling Unit	\$741 per each DU

- | | | |
|----|-------------------------------|-------------------|
| 2. | Multi-family Residential Unit | \$741 per each DU |
| 3. | Mobile Home Residential Unit | \$741 per each DU |
| 4. | Manufactured Residential Unit | \$741 per each DU |

Commercial

Includes, but is not limited to: \$741 per each DU

hotels, motels, restaurants, drive-in
 restaurants, commercial warehouses
 meeting halls, churches, schools,
 hospitals, convalescent and nursing
 facilities, hardware stores and office
 complexes

Hotels & Motels

\$741 per 25 fixture units

Industrial

Director shall make the determination \$741 per each DU
 as to the industrial status of a sanitary
 sewer user.

SECTION 6. As set forth in Ordinance No. 386, Article IV, the City shall annually review the sewer SDC to determine whether additional fee revenues should be generated to provide extra-capacity improvements needed to address new development or to ensure that revenues do not exceed identified demands. In so doing, the City shall consider:

1. Construction of facilities by federal, state or other revenue sources;
2. Receipt of unanticipated funds from other sources for construction of facilities.

Upon completion of this review the City shall consider such amendments, including adjustment to the fee imposed herein, as are necessary to address changing conditions.

Notwithstanding any other provision, the dollar amounts set forth in Section 4 of this Article shall on March 1st of each year be computed to increase automatically by the Engineering News Record Northwest (Seattle, WA.) construction cost index. Notwithstanding the foregoing, all calculations shall be carried out to the hundredths place. A final product ending in .49 or less shall be rounded down to the nearest dollar, .50 or more up to the next dollar.

SECTION 7. Sewer SDC required by this resolution shall either be due and payable with the building permit fee and before connection to the public sewer, or the applicant may submit a bond or other acceptable financial reservation due and payable at the time of building occupancy.

SECTION 8. The sewer SDC is based upon existing or intended use of the property at the

time of application for connection. If the property is improved, expanded, subdivided or otherwise modified so as to increase the sewer SDC due for that property or structure, a sewer SDC shall be charged for the modified portion of the property or structure based on the sewer SDC schedule in effect at the time of the modification. The sewer SDC paid for a specific sewer service for a residential, commercial or industrial unit shall be valid for a one (1) year period from the date of issuance of the sewer connection permit. After the one (1) year period, the sewer connection permit will have expired. The Director will then, in writing, notify the permittee that the permit has expired. The written notification of sewer connection permit expiration shall state the permittee has ten (10) days from the receipt of the expiration notice to request an extension time of the sewer connection permit. If there has been no response within ten (10) days, the SDC shall be considered forfeited. The permittee shall then be required to re-apply for a sewer connection permit and pay the sewer SDC in effect at the time of re-application.

SECTION 9. Buildings that are serviced by pumping units shall be subject to the sewer SDC provided by this resolution.

SECTION 10. Sewer connections outside the city limits shall be charged at two (2) times the SDC provided herein.

SECTION 11. Any citizen or other interested person may challenge an expenditure of SDC revenues as being in violation of this resolution provided a written petition for review is filed with the Wilsonville City Council within two years of the expenditure as provided by Ordinance No. 386, Article X.

ARTICLE V

APPEALS, PAYMENT, COLLECTION, ENFORCEMENT

AND DISBURSEMENT VALIDITY

SECTION 1. Appeals Procedure

(A) Any person aggrieved by a ruling under, or interpretation of the provisions of this resolution, may submit a written appeal to the City Council of Wilsonville. The appeal shall set forth the events and circumstances leading to the appeal, the nature of the ruling or interpretation from which relief is sought, and the nature of the impact of the ruling on appellant's property or business together with any other reasons for the appeal.

(B) The City Council will consider the appeal within thirty (30) days of receipt of the appeal at the next regular council meeting and hear testimony if deemed necessary. The decision of the Council will be final.

SECTION 2. Payment

Every person subject to a charge hereunder shall pay the same, when due, to the Finance Director of the City of Wilsonville.

SECTION 3. Collection

(A) The Finance Director of the City is hereby directed to collect the sewer user fees and impact fees as provided for herein.

(B) Sewer user fees and SDC, when collected, shall be paid into a fund designated as the "Sewer Fund".

(C) Sewer user fees, as hereinbefore provided, shall be collected bimonthly and if not paid within the (10) days from billing date, said charges shall then be deemed delinquent.

(D) Delinquent sewer service and service connection accounts shall bear interest from the day of delinquency at a rate of fifteen per cent (15%) per annum.

SECTION 4. Enforcement

(A) The Finance Director of the City may use such means of collection as may be provided by the laws of the state of Oregon or permitted by the Charter and Ordinances of the City of Wilsonville.

(B) If a court suit or action is instituted to enjoin any unauthorized connection to or use of the sewage system, or for the collection of accounts, the City shall be entitled to collect, in addition to costs and disbursements provided by statute, such sum as any court, including any appellate court; may adjudge reasonable as attorney's fees in such suit of action.

(C) The City may, without notice or liability, discontinue sewer service and disconnect buildings from the City's sewerage system if sewer service charges and/or sewer impact fees, or other fees under this resolution, become delinquent; or if the safety, health or welfare of the citizens of Wilsonville may be jeopardized, and the City may continue thereafter to refuse sewer service and sewer connections to such delinquent sewer user until all such delinquencies and interest are fully paid.

SECTION 5. Disbursement

(A) The City Council, by resolution or motion duly adopted, shall from time to time and not less than once each fiscal year, direct the transfer of funds from the Sewer Fund to all or any of the following:

1. The "Sewer Expansion and Capital Improvement Fund" from which funds have been collected in the form of sewer SDC.
2. The account or accounts for the payment of principal and interest on maturing sewer bonds, from which funds have been collected in the form of sewer impact fees.
3. The account or accounts established for the operation and maintenance of the sewerage system, which funds have been collected in the form of sewer user fees.

SECTION 6. Validity

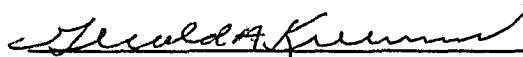
The invalidity of any section, clause, sentence or provision of this resolution shall not affect the validity of any part of this resolution which can be given effect without such invalid part or parts.

SECTION 7. Repealing Existing Resolution

By the adoption of this resolution, Resolution No. 840 is hereby repealed.

CONSIDERED by the City Council of the City of Wilsonville at a regular meeting thereof this 3rd day of August, 1992 at which time it was continued until August 17, 1992. The resolution was again continued until September 21, 1992 at which time it was further continued until October 5, 1992 commencing at the hour of 7:00 p.m. at the Community Development Hearing Room.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 5th day of October, 1992 and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST:



VERA A ROJAS, CMC/AAE, City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Chandler	<u>EXCUSED</u>
Councilor Carter	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Van Eck	<u>AYE</u>

TABLE NO. 1
CITY OF WILSONVILLE
WASTEWATER TREATMENT FACILITIES
CAPITAL IMPROVEMENT SCHEDULE

<u>ITEM</u>	<u>ESTIMATED COST</u>
<u>1991 - 1993 IMPROVEMENTS (1990 Costs)</u>	
1. Wastewater Treatment Plant Upgrading	\$2,046,000
2. Laboratory Expansion	\$200,000
<hr/>	
TOTAL COSTS	<u>\$2,246,000</u>
<u>1993 - 2000 IMPROVEMENTS (1990 Costs)</u>	
1. Wastewater Treatment Plant Expansion	\$3,400,000
2. Sludge Quantity Reduction Facilities	\$390,000
3. Effluent Reuse/Recycle	\$280,000
<hr/>	
TOTAL COSTS	<u>\$4,070,000</u>
1990 TOTAL CAPITAL IMPROVEMENT COST	<u>\$6,316,000</u>
Engineering News Record 1991 Construction Cost Index = +1.6 per cent	
1991 TOTAL CAPITAL IMPROVEMENT COST	<u>\$6,417,056</u>
Engineering News Record 1992 Construction Cost Index = +3.2 percent*	
	<u>*\$6,622,401</u>

TABLE NO. 2

Existing Wastewater Treatment Capacities and Wastewater Projections

WASTE LOAD UNIT PROCESSES/CAPACITIES

	<u>UNIT</u>	<u>CAPACITY</u>
a.	Rotating Biological Contactors:	design - 4700 lbs/day total BOD 1650 lbs/day soluble BOD measured - 2450 lb/day total BOD 1200 lbs/day soluble BOD
b.	Aerobic Digesters (2 ea.) Solids Retention Time @ 3750 VSS	67 lbs - VSS/1000 ft ³ /day 46 days
c.	Sludge Storage Pond	362,000 gallons 80 days storage @ design flow

WASTEWATER PROJECTIONS

<u>YEAR</u>	<u>POPULATION</u>	<u>SUMMER FLOW</u>	<u>WINTER FLOW</u>	<u>BOD</u>		<u>TOTAL</u>
				<u>RESIDENTIAL (lbs/day)</u>	<u>INDUSTRIAL (lbs/day)</u>	
1987	4,285	0.518	0.702	---	---	---
1988	5,025	0.506	0.706	---	---	---
1989	5,800	0.631	0.725	1,120	670	1,790
1990	6,200	0.682	0.887	1,197	400	1,597
1995	14,300	1.573	2.045	2,760	644	3,404
2000	15,000	1.650	2.145	2,895	1,037	3,932
2005	15,500	1.705	2.216	2,991	1,670	4,661
2010	15,500	1.705	2.216	2,991	2,690	5,681