

CITY OF STANWOOD

Stanwood, Washington

ORDINANCE NO. 1260

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING SECTION 12.40.040 OF THE STANWOOD MUNICIPAL CODE CONCERNING WATER, SEWER, AND DRAINAGE PLANT INVESTMENTS CHARGES.

WHEREAS, RCW 35.92.025 establishes the authority for the City to charge property owners seeking to connect to the City's utilities an equitable share of the cost, and

WHEREAS, the City has determined its net plant in service, allocable interest, and net outstanding debt for water and sewer, and

WHEREAS, the City has adopted a six year capital facilities plan as part of its comprehensive plan, and

WHEREAS, the City, by and through a qualified consultant, FCS Group, conducted a study and analysis of the City's rates and charges and the anticipated needs of the sewer and water utilities, and

WHEREAS, the SMC 12.40.050 allows for an annual adjustment to plant investment fees based upon the Engineering News-Record (ENR) Construction Cost Index (the 20-city average), for a period not to exceed five years, and

WHEREAS, on November 30, 2009, the Stanwood City Council held a public hearing to accept public comment concerning the proposed sewer, water and drainage plant investment charges,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. SMC Section 12.40.040 Plant investment charge is hereby amended to read as follows:

12.40.040 Plant investment charge.

(1) Water Plant Investment Charge.

(a) The city council hereby finds and determines that the capital cost of the city's current and future water system, including pumps, wells, distribution lines, reservoirs and rights-of-way is ~~\$23,595,125~~ \$43,820,345. The capital cost of such system has been borne by the city and its water system users. Such water system will be utilized by newly connecting properties, and the capital cost, as applied to buildings presently served, is ~~\$7,060~~ \$6,122 per each three-quarter-inch water meter.

(b) Beginning ~~June 15, 2006~~ January 1, 2010, and thereafter, in addition to other fees imposed by ordinance or pursuant to agreements, there is hereby imposed upon the owners of property seeking to provide water service to their property by connecting to the city's water system, a plant investment charge, determined by multiplying the total number of equivalent water connections proposed by ~~\$5,200~~ \$6,122. Equivalent connections and plant investment charges for all buildings shall be as follows:

Service Connection Size	Equivalent Connection	Charge	
Up to 3/4"	1.00	\$5,200	<u>\$6,122</u>
1"	1.67	\$8,684	<u>\$10,224</u>
1-1/2"	3.33	\$17,316	<u>\$20,386</u>
2"	5.33	\$27,716	<u>\$32,630</u>
3"	10.00	\$52,000	<u>\$61,220</u>
4"	16.67	\$86,684	<u>\$102,054</u>
6"	33.33	\$173,316	<u>\$204,046</u>
8"	53.33	\$277,453	<u>\$326,486</u>

(2) Sewer Plant Investment Charge.

(a) The city council hereby finds and determines that the current and future capital cost of the city's sewer system, including pumps, collection pipelines, sewer treatment plant, and rights-of-way is ~~\$23,321,044~~ \$26,745,889. The capital cost of such system has been borne by the city and its sewer system users. Such sewer system will be utilized by newly connecting properties and the capital cost, as applied to buildings presently served is ~~\$4,040~~ \$6,588 per each three-quarter-inch water meter.

(b) Beginning ~~June 15, 2006~~ January 1, 2010, and thereafter, in addition to other fees imposed by ordinance or pursuant to agreements, there is hereby imposed upon the owners of property seeking to provide sewer service to their property by connecting to the city's sewer system, a plant investment charge, determined by multiplying the total number of equivalent connections by ~~\$4,040~~ \$6,588. Equivalent connections and plant investment charges for all buildings shall be as follows:

Service Connection Size	Equivalent Connection	Charge	
Up to 3/4"	1.00	\$4,040	<u>\$6,588</u>
1"	1.67	\$6,746	<u>\$11,002</u>
1-1/2"	3.33	\$13,453	<u>\$21,938</u>
2"	5.33	\$21,533	<u>\$35,114</u>
3"	10.00	\$40,400	<u>\$65,880</u>
4"	16.67	\$67,347	<u>\$109,822</u>
6"	33.33	\$134,653	<u>\$219,578</u>
8"	53.33	\$215,453	<u>\$351,338</u>

(3) Drainage Plant Investment Charge.

(a) The city council hereby finds and determines that the capital cost of the city's drainage system, including pumps, collection pipelines and rights-of-way is \$3,270,401. The capital cost of such system has been borne by the city and its drainage system users. Such drainage system will be utilized by newly developed properties, and the capital cost, as applied to buildings presently served, is ~~\$600.00~~ \$665.00 per each equivalent unit.

(b) Beginning ~~June 15, 2006~~ January 1, 2010, and thereafter, in addition to other fees imposed by ordinance or pursuant to agreements, there is hereby imposed upon the owners of property seeking to develop within the city limits a drainage plant investment charge determined by multiplying the total number of equivalent residential units (ERU) by ~~\$600.00~~ \$665.00.

(i) Residential. An equivalent residential unit (ERU) is determined to be 3,000 square feet of impervious area. This is based on a lot size of up to 10,000 square feet. For plant investment charges for residential lots larger than 10,000 square feet, the ERUs will be calculated on the same basis as nonresidential development.

(ii) Nonresidential Development (Includes Multifamily Dwellings). Drainage plant investment charges for nonresidential development shall be calculated based on the number of equivalent residential units of impervious area of the proposed development, including fractions thereof. For example:

(A) $5,500 \text{ square feet of impervious area} / 3,000 = 1.83 \times \600.00
~~\$665.00 = \$1,199~~ \$1,217;

(B) $6,400 \text{ square feet of impervious area} / 3,000 = 2.13 \times \$600.00 = \$1,278$ \$1,416.

Section 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 3. Effective Date. This ordinance will become effective January 1, 2010.

PASSED by the City Council and APPROVED by the Mayor this 30th day of November, 2009.

CITY OF STANWOOD

By 

DIANNE WHITE, Mayor

ATTEST:

By 
MELISSA COLLINS, City Clerk

Approved as to form:

By 
GRANT K. WEED, City Attorney

Date of Publication: _____