

POULSBO DISTRIBUTION SCHEDULE

ORDINANCE NO. 2018-15

SUBJECT: Connection Fees for Commercial/Multi-Family Buildings

CONFORM AS TO DATES & SIGNATURES

- ☒ Filed with the City Clerk: 7/5/18
- ☒ Passed by the City Council: 7/11/18
- ☒ Signature of Mayor
- ☒ Signature of City Clerk
- ☒ Publication: 7/20/18
- ☒ Effective: 10/10/2018
- ☐ Recorded: _____

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- ☐ _____

Rhiannon Fernandez
City Clerk

7/12/18
Date

ORDINANCE NO. 2018-15

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING CHAPTERS 13.70 AND 3.12 OF THE POULSBO MUNICIPAL CODE IN ORDER TO CORRECT UTILITY CONNECTION FEE CALCULATION METHODOLOGY FOR MULTIFAMILY TO COMPLY WITH CITY COMPREHENSIVE PLANS AND REVISE LANGUAGE AND TERMS FOR CONSISTENCY BETWEEN CHAPTERS 13.70 AND 3.12; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE OF OCTOBER 10, 2018.

WHEREAS, Chapter 13.70 of the Poulsbo Municipal Code regulates Assessments, Rates, Fees and Charges for Utilities in the City; and

WHEREAS, Chapter 3.12 of the Poulsbo Municipal Code regulates the schedule of assessments for City utilities; and

WHEREAS, The City Municipal Code is required to be in compliance with the adopted Water Comprehensive Plan and the adopted Sewer Comprehensive Plan; and

WHEREAS, The method of calculation for water and sewer connection fees is incorrectly stated in Chapter 13.70 for multifamily developments; and

WHEREAS, Chapter 13.70 is required to be modified to be compliance with the Comprehensive plans; and

WHEREAS, Chapter 3.12 is required to be modified to revise language and terms for consistency between Chapters 13.70 and 3.12; and

WHEREAS, Public Works Committee reviewed and recommended approval of the modifications on June 13, 2018; and

WHEREAS, City Council held a Public Hearing on the proposed modifications to Chapters 13.70 and 3.12 and moved to approve the modifications on July 11, 2018, NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF POULSBO, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adoption of Findings. The recitals set forth above are hereby adopted as the Poulsbo City Council's findings justifying the revisions to the chapter of code adopted by this ordinance.

Section 2. Adoption of PMC 13.70 and PMC 3.12. Chapters 13.70 and 3.12 of the Poulsbo Municipal Code is hereby amended as shown in Attachment A.

Section 3. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 4. Effective Date. This ordinance shall take effect and be in full force October 10, 2018 after publication of the attached summary, which is hereby approved.

APPROVED:



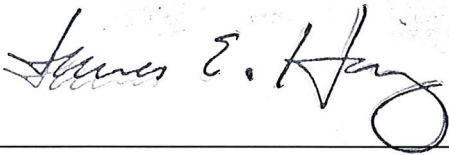
MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:



CITY CLERK RHIANNON FERNANDEZ

APPROVED AS TO FORM:



CITY ATTORNEY JAMES E. HANEY

FILED WITH THE CITY CLERK: 07/05/2018
PASSED BY THE CITY COUNCIL: 07/11/2018
PUBLISHED: 07/20/2018
EFFECTIVE DATE: 07/25/2018
ORDINANCE NO. 2018-15

SUMMARY OF ORDINANCE NO. 2018-15
of the City of Poulsbo, Washington

On July 11, 2018 the City Council of the City of Poulsbo, Washington, approved Ordinance No. 2018-15, the main point of which may be summarized by its title as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING CHAPTERS 13.70 AND 3.12 OF THE POULSBO MUNICIPAL CODE IN ORDER TO CORRECT UTILITY CONNECTION FEE CALCULATION METHODOLOGY FOR MULTIFAMILY TO COMPLY WITH CITY COMPREHENSIVE PLANS AND REVISE LANGUAGE AND TERMS FOR CONSISTENCY BETWEEN CHAPTERS 13.70 AND 3.12; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE OF OCTOBER 10, 2018.

The full text of this ordinance will be mailed upon request.

DATED this 11th day of July, 2018

CITY CLERK, RHIANNON FERNANDEZ CMC

Attachment A

June 25, 2018

Deletions are denoted by ~~strikethrough~~

Additions are denoted by **bold red.**

Chapter 13.70

13.70.010 Purpose of chapter.

A. General Purpose. This chapter provides for the establishment of assessments, connection fees, utility service rates and other service charges associated with connection to the utility system and the providing of utility services. Assessment fees, utility rates and other service charges shall include, but not be limited to, front footage-general facility fees, connection charges, utility service rates, account maintenance charges, plan check and system development fees and charges.

B. Periodic Review. The city will periodically review all utility fees and charges set forth in Section 3.12.100 of the Poulsbo Municipal Code to determine its continuing ability to recover costs incurred by the utility in providing water, wastewater and stormwater services to its customers on a fair and equitable basis and to ensure that necessary funds are available for the operation and maintenance of the utility systems and meeting debt service obligations. (Ord. 2003-16 § 32 (part), 2003; Ord. 2002-29 § 2 (part), 2002)

Article I. General Facility Fee—Water and Wastewater

13.70.110 Purpose of general facility fee.

A. Fee to Be Charged. A general facility fee **charge** (GFFC) shall be charged on all new or expanded service connections connecting to the utility system pursuant to the utility fee and rate schedule established in Section 3.12.100(A) for utility service. For the purposes of this section, the term “new or expanded service connections” includes discharges of stormwater into the city’s natural drainage systems, including but not limited to drainage swales, creeks, streams, rivers, lakes, and marine waters. The general facility fee **charge** shall be in addition to any special agreements or provisions for mitigation of impacts or requirements for expansion/upgrading to the utility system by any development or project.

B. Utility System Defined. The utility system is defined as that infrastructure designed and constructed for the purpose of providing for delivery of services or natural drainage systems used for stormwater collection, conveyance, or treatment, and shall include, but not be limited to, water supply, treatment, transmission, storage and distribution facilities, wastewater collection and treatment facilities, and stormwater collection, treatment and detention facilities, including but not limited to drainage swales, creeks, streams, rivers, lakes, and marine waters.

C. Equitable Share. The general facility fee shall be proportionate to the cost of providing facilities and services to previously unserved property and all changes in use that increase demand on, or discharges into, the municipal utility system. The fee shall reflect the equitable share for that connection to the utility’s system and shall be computed based on equivalent residential units (ERUs) for water and wastewater and impervious surface units (ISU) for stormwater. (Ord. 2017-13 § 1, 2017; Ord. 2016-14 § 1 (part), 2016; Ord. 2003-16 § 32 (part), 2003; Ord. 2002-29 § 2 (part), 2002)

13.70.120 General facility fee charge calculation.

A. The general facility fee charge for water and wastewater shall be calculated based on by multiplying the number of equivalent residential units (ERUs) associated with the service connection (as determined under Section 13.70.130) times by an adjustment factor based on the type of service (as provided in Section 13.70.140) times in order to arrive at an adjusted number of ERUs, and then multiplying the adjusted number of ERUs by the general facility fee connection cost set forth in Section 3.12.100.

$$\begin{array}{lcl} \text{General facility fee} & \{ \# \text{ ERUs} \} & \{ \text{Adjustment Factor} \} \\ = & & \{ \text{Assessment} \} \end{array}$$

$$\text{General Facility Charge} = (\text{Adjusted \# ERU}) \times (\text{General Facility Connection Cost})$$

$$\text{Adjusted \# ERU} = (\# \text{ of ERU}) \times (\text{Adjustment Factor})$$

B. The general facility fee charge for stormwater shall be calculated by impervious surface unit (ISU) where one ISU is equal to three thousand square feet of impervious area as defined by Section [13.70.720](#)(B). (Ord. 2016-14 § 1 (part), 2016: Ord. 2002-29 § 2 (part), 2002)

13.70.130 Calculation of equivalent residential units (ERUs).

Single Family, Multi Family, and associated residential Irrigation ERUs are calculated by multiplying the number of dwelling units by the appropriate ERU adjustment factor in 13.70.140. Commercial, Industrial, and other non-residential and associated irrigation ERUS are calculated Calculation of based on the Meter Flow Factor Equivalent ERUs the equivalent residential units (ERUs) to determine the ERU equivalents for service shall be computed in the table set forth below. The Meter Flow Factor Equivalent ERUs are based on the water meter size and shall be calculated according to the Average Continuous Flow Factor of a displacement type meter where a five-eighth-inch or three-quarter-inch meter shall have a flow factor equal equivalent to one ERU and shall be apportioned and assessed as follows. There is no adjustment factor for individual commercial, industrial, and other non-residential uses.

Meter Size	Average Continuous Flow Factor (gpm)	Meter Flow Factor Equivalent ERUs
5/8" or 3/4"	10	1.0
1" (residential*)	10	1.0
1" (commercial)	25	2.5

1 1/2"	50	5.0
2"	80	8.0
3"	160	16.0
4"	250	25.0
6"	500	50.0
8"	800	80.0

* One-inch (residential) meter size calculated at 1.0 ERU only for instances in which the residence is utilizing a flow through fire sprinkler system, as installed in construction built in or after 2014. The fire suppression system requires a one-inch service meter to operate properly. The meter has the capacity to flow at twenty-five gpm but would only be utilized at that capacity in the event of a fire. Additional information regarding meter size and operation is found in Section [3.12.100](#).

(Ord. 2015-09 § 1 (part), 2015: Ord. 2002-29 § 2 (part), 2002)

13.70.140 ERU adjustment factor.

Calculation of the general facility fee **charge** shall include an adjustment factor associated with the level of service required by the respective customer classes and shall be apportioned and assessed as noted:

Single-family residence	1.00 ERUs/unit
Duplex, triplex, four-plex	0.85 ERUs/unit
Apartments/condominiums (five or more units)	0.80 ERUs/unit
Transitory living units (motels/hotels)	0.70 ERUs/unit
Commercial/industrial	1.00 ERUs/unit
Irrigation systems	0.50 ERUs/unit

(Ord. 2002-29 § 2 (part), 2002)

13.70.150 Expanding service calculation—Water and wastewater.

The calculation of the general facility fee **charge** for expanding services on previously serviced property shall be computed based on the difference in meter size and shall be calculated according to the standard flow factor of a displacement type meter where a five-eighth-inch by three-quarter-inch meter shall have a flow factor equal to one ERU. (Ord. 2002-29 § 2 (part), 2002)

13.70.160 Payment of general facility fee **charge.**

The general facility fee **charge** shall be assessed and paid at the time of issuances of the building permit and shall be in addition to other rates, fees, assessments, and charges established for service. (Ord. 2002-29 § 2 (part), 2002)

13.70.170 Capacity credit—Water and wastewater.

A. Calculation of Credit. A fee credit associated with the assessment of the general facility fee **charge** may be given subject to petition by the property owner or developer for the value of off-site mitigation or improvements related to the providing of additional capacity beyond the requirements necessary to meet the property owner or the developer requirements, which benefit the utility system. The credits shall be proportional to the additional capacity provided by the planned capital improvement.

B. Limit on Credit. The total credit, if any, as provided in this subsection shall not exceed the amount of the total general facility fee **charge** due and payable to the utility that applies to the property or development requiring service as a result of the improvements. (Ord. 2002-29 § 2 (part), 2002)

13.70.180 CPI adjustment.

In addition to such other changes as may be approved by city council, commencing January 1, 2010, and in January of each successive year thereafter, the fees, rates and charges in Section [3.12.100](#)(A) shall automatically be adjusted based upon the Consumer Price Index for all Urban Consumers (CPI-U), Seattle-Tacoma-Bremerton, as published by the Bureau of Labor Statistics for the year ending June 30th of the previous year. However, these fees shall not, in any case, decrease. (Ord. 2009-02 § 3 (part), 2009)

CHAPTER 3.12

3.12.100 Utilities—Schedule of assessments, rates, fees and charges for certain utility services.

A. General Facility Fees **Connection Cost**.

1. Water. The general facility fee **connection cost** for water shall be as follows:
 - a. Four thousand five hundred three dollars and nine cents per equivalent residential unit.
2. Wastewater. The general facility fee **connection cost** for water shall be as follows:

- a. City. Four thousand two hundred four dollars and ninety-eight cents per equivalent residential unit.
 - b. Kitsap County—The most current Central Kitsap Newcomer's Assessment as of the date of connection.
 3. Stormwater. The general facility fee **connection cost** for stormwater shall be as follows:
 - a. One thousand one hundred eighty-three dollars per impervious surface unit (ISU).
- B. Front Footage Fees.
1. Water. The front footage fees for water shall be computed as follows:
 - a. City—Sixteen dollars per foot.
 - b. County—Twenty dollars per foot.
 2. Wastewater. The front footage fees for wastewater shall be computed as follows:
 - a. City—Sixteen dollars per foot.
 - b. County—Twenty dollars per foot.