

Ordinance No. 4634

An Ordinance of the City Council of the City of Ellensburg, Washington relating to Stormwater Utility base rates and nonresidential rate calculations, amending sections 9.00.010 and 9.100.110 of the Ellensburg Municipal Code.

WHEREAS, the Ellensburg City Council approved the formation of a stormwater utility on December 7, 2009, and began collecting revenue in January 2010, and

WHEREAS, preparation of the 2013/2014 biennial stormwater budget identified a revenue shortfall due to transfers supporting general fund activities that were not anticipated at the time the utility was formed, and

WHEREAS, staff has completed a revenue demand review for the utility and is proposing a rate increase in order to meet additional demands placed on the utility, and

WHEREAS, the proposed rates in this ordinance have been reviewed by the Utility Advisory Committee and are recommended for City Council adoption, and

WHEREAS, the Ellensburg City Council held the public hearing on the proposed stormwater rate increase and penalty provision at its February 4, 2013 regular meeting, and

WHEREAS, ECC 9.00.010 (“Preliminary article”) should be amended to relocate a reference to the City’s stormwater utility from subsection 9.00.010C to subsection 9.00.010B,

NOW, THEREFORE, the City Council of the City of Ellensburg do ordain as follows:

Section 1. Section 9.100.110 and Ordinance No. 4549 is hereby amended to read as follows:

9.100.110 Base rate and nonresidential rate calculation.

The base rate shall be calculated to provide adequate revenues to cover all costs allowable under applicable law that are incurred by the utility. The city council adopts the annual base rate for 2010~~3~~ as shown which shall be applied equally to residential units of all residential rate classes:

Year	Base Rate \$/month	Base Rate \$/day
2010 3	\$5.00 <u>6.06</u>	\$0.1667 <u>0.1993</u>

Nonresidential rate calculation (based upon the 2010~~3~~ base rate):

Customer ISA	Fee	2010 3 Monthly Rate
0 to 16,000 sf	$(ISA \div 3900) \times (\$5.00 \underline{6.06})$	\$20.51 <u>24.86</u>
16,001 to 100,000 sf	$\$20.51 \underline{24.86} + [((ISA - 16,000) \div 84,000) \times \$18.00 \underline{21.82}]$	\$38.51 <u>42.86</u>
100,001 sf and above	$\$38.51 \underline{42.86} + [((ISA - 100,000) \div 100,000) \times \$20.00 \underline{24.24}]$	as calculated

In 2010~~3~~, the ongoing revenue requirements for the stormwater utility shall be reviewed and the annual base rates shall be adjusted or maintained as needed. The frequency of adjustments to base rates thereafter shall be as required to ensure fair and full funding of the program. [Ord. 4549 § 5, 2009.]

Section 2. Section 9.00.010 and Ordinance No. 4549 is hereby amended to read as follows:

9.00.010 Preliminary article.

A. This title shall be known and may be cited as the “Ellensburg utility code.”

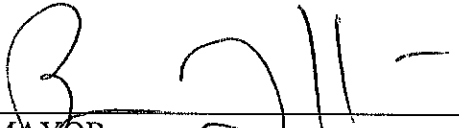
B. Unless otherwise indicated, the provisions of Chapters 9.05 through 9.92 9.100 ECC apply to the city’s electric, gas, sewer, ~~and water~~ and storm drainage and surface water management utilities only.


C. ~~The provisions of Chapter 9.100 ECC apply to the city’s storm drainage and surface water management utility.~~ [Ord. 4549 § 1, 2009.]

Section 3. – Severability. If any one or more chapters, sections, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 4. – Effective Date. This ordinance shall take effect and be in full force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council
on the 19th day of February, 2013.




MAYOR


CITY CLERK

Attest:

Approved as to form:



CITY ATTORNEY

Publish: 2-22-13

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4634 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, that Ordinance No. 4634 was published as required by law.



COREEN M. RENO, CMC