

RESOLUTION NO. 21-853-01

A RESOLUTION ESTABLISHING WATER RATES, DEPOSITS, AND OTHER RELATED CHARGES.

WHEREAS, Title 7, Chapter 4, Section 3 of the John Day City Code (the “Code”) provides that monthly water charges (rates) and other related charges shall be designated by the City Council by resolution; and

WHEREAS, the John Day City Council (the “City Council”) has determined that because of increased costs of operation and maintenance, the City of John Day (the “City”) requires additional revenues for the Water Fund; the present water charges are inadequate and need to be adjusted; and

WHEREAS, the City has entered into the Agreement (as defined below) with Canyon City, pursuant to which the rates for selling water to Canyon City must be established;

WHEREAS, the City has entered into a certain Intergovernmental Agreement with Grant County, pursuant to which the rates for selling water to Grant County Road Department must be established; and

WHEREAS, Title 7, Chapter 4, Section 3 of the John Day City Code provides that the City may require as a condition to the provision of water service that one person be liable for payment of all water charges where, among other things, more than one family or persons receive(s) water through one service pipe.

NOW, THEREFORE, BE IT RESOLVED, by and through the City Council meeting in regular session, the following:

All water users, whether a person, firm, or corporation, in the City or out of the City limits who now have or will receive City water services shall be charged the following monthly water rates, applicable deposits, delinquent fees, turn-on fees, and other charges.

I. Water Metered Rates

A water meter shall supply all water used for any purpose. The rates for all metered water supplied by the City for one month or fractional part of it, billed as of January 1, 2021 and for all meter readings on or after this date, shall be according to the following:

A. Within the City limits:

The base water rate will be \$34.00 for the first 4,000 gallons. Additional usage will be charged at \$0.00250 per gallon for each gallon between 4,000 gallons and 20,000 gallons and \$0.00310 per gallon for usage over 20,000 gallons. A community development fee of \$6.00 will be applied for each unit.

B. Any multi-family units such as, but not limited to, Duplex, Triplex, Fourplex, Apartments, Mixed-Use Buildings, and Mobile Home Parks will incur additional charges based on dwelling units, defined as a structure or part of a structure that is used as a home, residence, or sleeping place, and have the following water rates:

- 1) Shall be billed a base rate for each dwelling unit or commercial space with

water access, which will include the base consumption of 4,000 gallons. Additional usage will be charged per dwelling unit at \$0.00250 per gallon for each gallon between 4,000 gallons and 20,000 gallons and \$0.00310 per gallon for usage over 20,000 gallons.

2) The number of dwelling units for a billing period shall be determined by the number of units with access to the water system on the water meter read date as counted and determined by the meter reader.

3) The owner(s) of any multi-family units shall maintain one account for each meter containing billed charges for all units and pay such charges when due and shall be liable for the total charges.

C. Outside of the City Limits:

If the location(s) receiving metered service is located outside of city limits the base rate and anything over the 4,000-gallon minimum shall be double those within the City limits, plus the \$6.00 Community Development Fee for each unit. These charges are on a per dwelling unit basis.

D. Industrial (Bulk) Rate for Nondomestic Use:

This rate shall be \$0.010 per gallon for all water used in this category. If water is also used for domestic use, the two uses shall be metered separately to qualify for an Industrial Rate. An approved backflow device may be required before service is activated.

E. Water sold and metered into mobile water tanks or from direct discharge from fire hydrants shall be considered the same as industrial use and shall be charged at the current rates governing industrial customers. These customers will also be charged an administrative fee of \$5.00 per month.

II. Deposits

All water users will be required to deposit with the City an advance water deposit when requesting water service. All users will be required to deposit an amount equal to two months of base water and sewer service charges for that location. The deposit will be refunded to the customer after the account has received full payment on or before the due date for 12 consecutive months. If the account is closed before the deposit has been refunded, the deposit will be applied to any balance owing and any remainder refunded to the customer. The deposit may be waived if the user provides a letter from another utility showing the user had a prompt payment record for the prior 12-month period.

III. Delinquent Accounts

Service is subject to being discontinued if the account is not paid within thirty (30) days following the statement due date. The City will provide two mailed notices of late payment and a posted notice of when service will be disconnected for non-payment; the second mailed notice shall be by certified mail and the final notice will be left at the service location at least twenty four (24) hours prior to disconnection.

If notice is posted, the customer will be assessed and required to pay a \$25.00 posting charge. If more than one notice is posted, such as is required for each unit of multi-unit metered services, each additional notice posted will incur a \$5.00 posting charge. Should notice be required by certified mail, the current rate charged by the United States Postal Service for

postage will be added to the total charges on the account. Should disconnection occur, water service shall not be turned on again until all charges are paid in full, including a \$20.00 turn-on fee during standard service call hours Monday-Friday 8:00 a.m. – 4:00 p.m.; a \$35.00 turn-on fee after these hours and on holidays, and those associated with re-application for service.

Unpaid closed accounts may be turned over to a third-party for collection or the water service charges will be a lien against the premises served from and after the date of billing and entry on the ledger or other records of the city pertaining to the water system. All collection/~~filing~~ fees will be added to the balance ~~owed~~ ~~turned over for collection~~.

IV. Water Connection Charges Inside City Limits

Connection charges shall be the actual costs for making the connection and setting the water meter. The City will estimate the cost of making the connection and setting the meter. This amount will be deposited prior to installation. After completion of installation, the actual costs will be determined and any excess deposit will be refunded or any additional costs are to be paid forthwith.

V. Water Connection Charges Outside City Limits

When the City Council determines that it is feasible to provide water service outside of the City limits, the charge shall be for the actual costs with deposit of estimated amount required as set forth in Section IV, above, except as otherwise provided herein.

VI. Structure Fire Sprinkler System

There shall be no additional monthly charge to any water users having a separate service pipe installed for servicing a fire sprinkler system in any structure.

VII. Other Charges

A. Whenever a customer requests that their meter be checked, the City is required to do so. If a reread of the meter is not satisfactory, the City will install a check meter. If the check meter fails to show a variance in the City's meter exceeding 2%, the customer requesting the check will be billed the City's actual labor cost, rental rates for equipment utilized, and current mileage rate per the Internal Revenue Service allowance for vehicle usage. If the check meter shows a variance in the City meter exceeding 2%, no charge will be made to the customer.

B. Should a water service line freeze at any point between the City main and the City meter, the City will thaw the line at no charge on the first call. If the service line freezes a second time within the same winter season, the customer will be billed for the City's cost to thaw the line for the second time. Such billing will reflect the actual costs as set forth in Section VII, Paragraph A, above. The Public Works Director may issue a trickle allowance for all customers during periods of hard freeze. Allowable gallons are estimated to be 500 gallons per unit but will be determined by the Director annually based on need.

C. Connect/disconnect of water service at the meter, not constituting an emergency, will be charged \$20.00 for each service order (beyond two in a given calendar year); requests must be submitted twenty-four (24) hours in advance and are to be completed during business hours. Meters will be pulled after six consecutive months of disconnection. Those services

disconnected for more than a year will be deemed abandoned and subject to fees associated with re-establishment of service, to be determined by the Public Works Director.

D. Any payments made by check that are returned for insufficient funds will be assessed a \$20.00 processing fee. If customers have had more than one check returned within a twelve month period, they will no longer be eligible for this manner of payment and must pay by other accepted means established by the Cashier.

VIII. Canyon City Water Sale Agreement

Pursuant to the terms of Amendment No.1 to the First Amended and Restated Water Sale Agreement, John Day's Canyon City specific water rate will be \$6.50 per 1,000 gallons of water. Rates will be reviewed by each city during the city's budget process (and such other times deemed necessary or appropriate) for rate sufficiency. Each city may change its rate for supplying water to the other city at any time the city finds it necessary and such rate changes are not limited to the budget process period.

IX. Grant County Intergovernmental Agreement (Grant County Road Department)

In exchange for the completion of the bowling alley lift station upgrade, the City by resolution will establish for the County at the time of completion of required work herein, one monthly water user rate for one service line connection to the City water main line installed herein by the County at the rate of \$22 per month for 35 years ending on July 31, 2041. After July 31, 2041 at said location, the County shall pay the City's out of City monthly rate for water use; if still outside the City at the time.

X. Individual Liability for Service Charges

Where water is now or may hereafter be supplied through one service pipe to two or more families or persons, such service shall be continued or furnished hereafter only upon the condition that one person be designated by such users to be liable for the total charges for such service and such person so designated shall thereafter be liable for the charges for all such services.

Any and all resolutions in conflict with the resolutions contained in this Resolution 21-853-01 are hereby superseded and repealed.

APPROVED, ADOPTED, AND MADE EFFECTIVE by the City Council of the City of John Day on this 12th day of January, 2021.

Ron Lundbom, Mayor

Attest:

Nicholas Green, City Manager