

**RESOLUTION NO. 21-854-02**

**A RESOLUTION TO ESTABLISH SEWER SERVICE AND CONNECTION CHARGES**

WHEREAS, Title 7, Chapter 5 of the John Day City Code (the “Code”) provides that monthly sewer service charges and sewer connection charges will be set by the City Council by resolution; and

WHEREAS, the John Day City Council (the “City Council”) has determined that because of the increased cost of installation, repair, operation and maintenance of the City’s sewer system, the City of John Day (the “City”) requires additional revenue for the Sewer Fund as the present rates are inadequate and must be adjusted; and

WHEREAS, the City has entered into the Agreement (as defined below), which agreement requires Canyon City to pay a monthly fee for sewage service; and

WHEREAS, the City has entered into an Intergovernmental Agreement with Grant County and the charges for providing certain Sewer Services to Grant County Road Department must be established.

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

Except as otherwise provided under Code Section 7-5-2(E), all sewer users, whether persons, firms, corporations or other entities, in the City or outside the City limits who have or will receive sewer services or whose premises abut streets on which sewer service is provided, whether or not actually connected to the sewer, will be charged the following monthly sewer service charges and connection charges as applicable effective January 1, 2021:

**I. SEWER SERVICE CHARGES:**

Sewer service charges will be as follows:

A. Single-family units and multi-family units such as, but not limited to, Duplex, Triplex, Fourplex, Apartments and Mobile Home Park have the following charges:

1) RATE: \$60.00 per month for each living unit.

B. All other users, including commercial sewer users:

The sewer charges per month shall be either the calculated monthly charge (1. below) or the base rate (2. below) whichever is greater as determined each year and will be effective January 1, 2021.

1. MONTHLY CHARGE BASED ON USAGE: 97% of the winter average plus \$2.00. Winter Average calculated using previous year actual water charges from January, February, March, April, November, and December divided by six. Customers without charges necessary to calculate Winter Average, will be considered by the Public Works Director annually to evaluate estimated yearly sewer input to determine monthly charge.

2. BASE RATE (minimums):

- a. Service stations, garages & tire shops \$66.00

- b. Hotels, motels, RV parks, laundries, food, meat, and dairy processing \$76.50
- c. All others - per unit \$64.00

C. Schools:

1) RATE: \$60.00 per month for the first 20 students, plus \$60.00 per month for each 20 students thereafter at a count taken in January and September of each year, except during June, July and August when a \$64.00 minimum rate will apply.

D. Commercial Port-A-Potty Dumping:

1) RATE: The rate for commercial dumping will be \$0.30 per gallon. Arrangements will be made with the City prior to any dumping into any portion of the City's collection system.

**II. SEWER CONNECTION CHARGES**

Connection charges will consist of the actual costs for labor, materials, rental charge for equipment and/or vehicles (including mileage at the current mileage rate per the Internal Revenue Service allowance for vehicle usage). The City will estimate the costs for connection due prior to the start of installation. Any excess deposit will be refunded; any additional actual costs will be paid forthwith.

**III. OUTSIDE CITY RATES AND CHARGES**

Sewer rates for all service locations outside the City limits will be double the rates provided inside the City limits, except as otherwise provided for herein. Connection charges will be at actual cost. This is not to be construed as obligating the City to provide service outside the City; rather this sets the rates and charges that are applicable if feasible to connect a requester as determined by the City.

**IV. CANYON CITY SEWERAGE SERVICES AGREEMENT**

Pursuant to the terms of Amendment No.1 to the First Amended and Restated Intergovernmental Agreement for Sewerage Services, John Day and Canyon City agree to share the costs of labor, materials, and capital expenditures related to the annual operation, maintenance and improvements of the Sewage Treatment Plant and Sewage Works, which costs include but are not limited to sludge disposal system, and related treatment facilities from Point of Delivery to the Sewage Treatment Plant and Sewage Works. To accomplish this, the parties will incur the following charges, fees and responsibilities:

1) MONTHLY FEE. Canyon City will pay a monthly fee to John Day on the 15th day of each month for its proportionate share of operation and maintenance costs and improvement costs associated with the Sewage Treatment Plant as noted in the Joint Sewer Facility Fund. Said fee will be based on a fixed monthly payment of \$6,395 for calendar year 2021.

a. Cost allocation for the operation, maintenance and improvement of the Sewage Treatment Plant from the Point of Delivery to the Sewage Treatment Plant will be at

the sole discretion of the City of John Day.

**V. 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, one monthly sewer user rate for one service line connection to the City sewer main line installed herein by the County at the rate of \$28 per month for 35 years ending on July 31, 2041. After July 31, 2041 at said location, the County will pay the City's out of City monthly rate for sewer use; if still outside the City at the time.

**VI. REVIEW OF RATES AND CHARGES**

Sewer rates and charges will be reviewed annually and revised periodically to reflect actual operating and maintenance costs of the sewer system and treatment plant.

Any and all resolutions in conflict with the resolutions contained in this Resolution 21-854-02 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.

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Ron Lundbom, Mayor

Attest:

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Nicholas Green, City Manager