RESOLUTION NO. 2281

A RESOLUTION RELATING TO AND SETTING RATES AND MINIMUM CHARGES FOR STORMWATER UTILITY SERVICES, AND PROVIDING FOR AN EFFECTIVE DATE, AND REPEALING RESOLUTION NO. 2250.

WHEREAS, Pursuant to Chapter 15.80 of the Longview Municipal Code of Longview, Washington, the City Council of the City of Longview, Washington hereby enacts this Resolution to increase the rates and charges for providing stormwater utility service to cover the projected operating and capital costs of the stormwater utility.

BE IT RESOLVED by the City Council of said City that the following rates for stormwater utility service furnished by said City shall be, and are hereby established, as follows:

Section 1. Definitions:

(1) "Equivalent Residential Dwelling Unit" (ERDU) means an impervious surface of a non-residential parcel of land consisting of 2,500 square feet, or a major fraction thereof.

(2) "Major fraction thereof" means 1,251 square feet or more.

(3) "Base Rate" means the monthly stormwater utility charge for a single-family parcel or single-family dwelling.

Section 2. Residential Rates:

(1) Single Family Parcels or Single Family Dwellings:
The monthly stormwater utility charge for each single-family parcel or single-family dwelling shall be the sum of $ 13.68, which sum is described as the "Base Rate."

(2) Multiple Family Parcels or Multiple Family Dwellings:
The monthly stormwater utility charge for multiple family parcels or multiple family dwellings shall be the sum of $ 13.68(the Base Rate) times the number of dwelling units within a structure.

(3) Mobile Home Parks and Trailer Parks:
The monthly stormwater utility charge for mobile home parks and trailer parks shall be the sum of $ 13.68 (the Base Rate) times the number of pads or spaces designed for temporary or permanent placement of mobile homes, trailers, recreational vehicles, campers, vans or other vehicles designed or used for human occupancy.

Section 3. Non-Residential Rates:

(1) The monthly stormwater utility charge for all Non-Residential and Mixed Use Occupancy developed parcels shall be determined by calculating the total measured impervious surface area divided by the ERDU and multiplied by the Base Rate.

(2) Notwithstanding the number of ERDU's applicable to any parcel, the minimum stormwater utility charge applicable shall be the Base Rate.

Section 4. Streets, Roads and Alleys:

Streets, Roads and Alleys, open to public travel, shall not be subject to stormwater utility fees and charges.

Section 5. Undeveloped Parcels:

Undeveloped parcels shall not be subject to stormwater utility fees and charges; provided, however, that such charges shall be applicable to undeveloped parcels at such a time as an application for water or sanitary sewer service to such parcel is approved, or as provided in LMC 15.80.060.

Section 6. Rate Adjustments:

A reduction in the Stormwater Utility rates described herein may be granted for the following reasons and purposes:

(1) Non-residential customers in full compliance with a Washington State NPDES Industrial Stormwater General Permit may receive a twenty-five percent (25%) rate reduction. In order to be eligible for such reduction, the customer must submit an application along with the following documentation:

(a) A copy of the approved Washington State NPDES Industrial Stormwater General Permit applicable to such parcel.

(b) Additional permit-related materials such as the facility's stormwater pollution prevent plan, discharge monitoring reports, spill response reports, or other similar documentation as requested to demonstrate full compliance with the permit.

(2) Public and Private Schools serving any combination of grades from kindergarten through 12^{th} grade, may receive a twenty-five percent (25%) reduction for developing and administering a water quality education curriculum program. The program must include, but is not limited to, environmental educational instruction on water quality related issues, such as safe drinking water, water use reduction, stormwater pollution and general

water cycle. To qualify for the rate reduction, the education program is subject to approval by the Stormwater Division as being sufficient to meet the requirements and intents of the Federal Clean Water Act and the City's National Pollutant Discharge Elimination System stormwater discharge permit. The program must be administered annually to all students at the grade levels specified in the approved program to remain eligible for a rate adjustment.

(3) Non-residential customers may receive a ninety percent (90%) rate reduction for discharging stormwater from the urban watershed.

(4) The City may periodically request updated documentation to ascertain continued full compliance with the above rate reduction eligibility requirements. Lack of full compliance shall result in restoration of the full stormwater utility charge.

Section 7. Adjustment of Charges and Appeals:

Any customer who believes the charges established for his, her or its parcel are in error may request an "Adjustment/Monthly Fee Estimate" form from the Stormwater Division of the Public Works Department. Said form shall be completed by the customer and submitted to the Stormwater Division, which division shall review said form and respond to the customer in writing, setting forth its findings and decision.

Any customer who believes their parcel is eligible for stormwater rate reductions identified in Section 6 above, may apply in writing using an application form provided by the Stormwater Division of the Public Works Department. Said form shall be completed by the customer and submitted to the Stormwater Division, which division shall review said form, shall determine if the applicable rate reduction conditions have been satisfied, and shall respond to the customer in writing, setting forth its findings and decision.

Section 8. Exemptions for low income senior citizens and low income disabled citizens:

Low-income senior citizens and low-income disabled citizens, as defined by Resolution of the City Council, shall be exempt from stormwater utility charges.

Section 9. Stormwater Only Accounts – Delinquent Payments:

For customers with only a stormwater utility account, all money due the City for stormwater utility services shall be due and payable within fifteen (15) days of the billing date shown on each bill, and if not paid within fifteen days thereafter, shall be deemed delinquent. In the event that the account remains delinquent beyond the thirtieth (30^{th}) day after the bill date, a penalty charge shall be assessed in accordance with the following table of delinquent amounts. Thereafter, an additional penalty charge in accordance with the following table of delinquent amounts plus any previous penalty charges assessed, shall be assessed for each successive 30-day period during which such bill, or any portion thereof, remains unpaid.

Delinquent Amount	Penalty Charge
$1.00 to $100.00	$10.00
$100.01 to $500.00	$25.00
$500.01 and greater	$50.00

Section 10. Severability:

If any provision of this Resolution or its application to any person or circumstance is found to be invalid, the remainder of this Resolution or the application of the provision to other persons or circumstances is not affected. If Section 10 of this Resolution is found invalid, the effective date of this Resolution and the rates established herein and all the provisions hereof shall be the date of adoption of this Resolution by the City Council of the City of Longview.

BE IT FURTHER RESOLVED that Resolution No. 2250, passed by the City Council on December 21st, 2017, is hereby repealed in its entirety on the date this Resolution becomes effective.

BE IT FURTHER RESOLVED that this Resolution shall take effect on January 1, 2019.

PASSED by the City Council of the City of Longview, Washington, and approved by its Mayor at a special meeting of said City Council held on the 15th day of November, 2018.

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ATTEST:

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City Clerk