



Public Works Committee

Thursday, September 21, 2023 at 6:00 pm

Notice of Meeting

320 N Main St. Falls City, OR 97344

Committee Members

Mike McConnell - Tony Meier - Jeff Propp - Gordon Hanson - Guy Mack - Cliff Lauder - Tracy young

1. Call to Order
2. Pledge of Allegiance
3. Motion to Adopt the Entire Agenda
4. Consent Agenda - Motion Action Approving Consent Agenda Items
 - a. August 24, 2023 Minutes

Attachments:

- **Minutes** (UAB08-24-23.pdf)

5. Public Comments
6. New Business
 - a. Backflow Code Revision

Attachments:

- **Staff Report** (2023.09.21_SR_Repeal_of_BlackFlow_Device_Ordinance_to_Match_State_Statute.pdf)
- **Exhibit A** (Ordinance_97-464_Cross_Connection_Program.pdf)
- **Exhibit B** (Resolution_12-2017_Water_Sewer_Fees___Rates.pdf)

7. Old Business
8. Correspondence, Comments and Ex-Officio Reports
9. Committee Announcements
10. Adjourn

Contact: Jeremy Teal (jteal@fallscityoregon.gov 5037873631) | Agenda published on 09/19/2023 at 3:52 PM

City of Falls City
Public Works Committee Meeting
Thursday August 24, 2023 6:00PM
Meeting Location: 320 N. Main Street

Committee Members Present

Mike McConnell, Tony Meier, Tracy Young, Cliff Lauder, Gordon Hanson, Guy Mack. City Manager AJ Foscoli joined Committee via computer video link. Members absent Jeff Propp.

1) Call to Order

Chair McConnell called the meeting to order at 6:02 PM, took roll call.

2) Pledge of Allegiance

Chair McConnell led the Committee in the Pledge of Allegiance.

3) Motion to Adopt the entire Agenda

Member Meier moved and member Young seconded: **that we approve the entire agenda.** Motion carried 6-0-0. Ayes: Mike McConnell, Tony Meier, Tracy Young, Cliff Lauder, Gordon Hanson, Guy Mack.

4) Consent Agenda: Motion Action Approving Consent Agenda Items

Member Meier moved and member Mack seconded: **that we approve Consent Agenda Item, PWC Minutes March 30, 2023** (as per minutes provided). Motion carried 5-0-0. Ayes: Mike McConnell, Tony Meier, Tracy Young, Cliff Lauder, Guy Mack.

5) Public Comment - None

6) New Business

A. Meeting Rescheduling

Committee decided to move meeting date to the third Thursday of the month.

B. Fire Suppression Water from Lagoons

Chair McConnell informed the committee that he had talked with a property owner near the lagoons site that there wasn't a fire hydrant near them and wondering if one lagoon could be used for fire suppression. Chair McConnell contacted Oregon Department of Forestry about using a lagoon for helicopter dipping and was told it could be done without potential harm to the lagoon. City Manager Foscoli told the committee that PW Supervisor Jon Creekmore said that the fire trucks could not use the lagoon water because the trucks could be used to provide drinking water and that the lagoon water could contaminate the fire truck tanks. He also told the committee that there are concerns about using the lagoon water because of home owner insurance policies and fire fighter health safety. More information is needed before decision can be made.

7) Old Business

A. Excessive Septic Tank Pumping

After a general discussion the committee decided to use member Meier's' new billing/pumping Schedule C, including breaking the rate into at least two Line Items, Maintenance and Tank Pumping. Member Meier provided PWC with a chart showing the monthly rate needed to provide necessary funding to pump all tanks every 5 years. Member Meier moved and member Young seconded that: **The PWC recommends to Council that they accept the rate schedule for pumping, \$7.09/month (or an amount they consider adequate) from the current monthly rate to be set aside as a single Line Item to pay for Septic Tank Pumping with the remainder of the current monthly rate dedicated to another Line Item for Maintenance. If users' septic tanks require more pumping than the recommended once**

every 5 years, that the users will be responsible for the excess pumping fee. Motion carried 6-0-0 Ayes: Mike McConnell, Tony Meier, Tracy Young, Cliff Lauder, Gordon Hanson, Guy Mack.

B. Permit Parking on North Main Street

City Manager Foscoli informed the PWC that Polk County has hired an additional officer(s) and that if the City posted the No Parking signs that the Polk County Officers would start tagging the vehicles and have them towed. He also said the City could enhance the flashing speed sign with a camera so the County Officers could review the footage.

8) Correspondence, Comments and Ex-Officio Reports

City Manager, Foscoli informed PWC that he has contacted two individuals about finishing the Stairs. He's asked for multiple options and associated costs.

9) Committee Announcements

10) Adjourn

Member Mack moved and member Young seconded: **that we adjourn.** Motion carried 6-0-0 Ayes. Mike McConnell, Tony Meier, Tracy Young, Cliff Lauder, Gordon Hanson, Guy Mack. Meeting adjourned at 7:19..

_____ Public Works Committee Chair McConnell

Attested: _____ Public Works Committee Member

STAFF REPORT

TO: PUBLIC WORKS COMMITTEE
FROM: CITY MANAGER, AJ FOSCOLI
SUBJECT: REPEAL OF BLACK-FLOW DEVICE ORDINANCE TO MATCH STATE STATUTE
DATE: OCTOBER 10, 2023

SUMMARY

The city is exploring the repeal of the backflow device Ordinance 97-464 (Cross Connection Control Program) and Resolution 12-2017 to remove the backflow fee.

BACKGROUND

According to current ordinance, the city is responsible for backflow testing of all water connections (commercial AND residential), which is in excess of State standards (Commercial ONLY), and the \$2.25 additional backflow testing fee charged to residents is not keeping up with contractor costs to carry out this program. As this program is both time-consuming (a 3rd party contractor has spent the better part of the summer performing tests), and expensive (\$6,600 for the annual contract at present, but potentially as high as \$10,000/year), the proposal is to repeal the ordinance and follow State Statute in backflow testing of only commercial properties. Aligning city ordinance with State Statute would benefit the public works department by freeing up resources now allocated to overseeing contractors and the cost thereof.

FINANCIAL IMPLICATIONS

If enacted, the repeal of the backflow device ordinance 97-464 (Cross Connection Control Program) to match State Statute, would save the city between \$6,500-\$10,000/year in testing. The repeal of the \$2.25 backflow fee would reduce the water revenue by \$12,393.

As the city will be raising water rates to execute on the \$2.37 million water line & meter replacement project in the next 2 years, the elimination of a backflow fee will help mitigate the rate increase residents will have on their monthly bill.

STAFF RECOMMENDATION

A motion to recommend to council to repeal the backflow device Ordinance 97-464 (Cross Connection Control Program) and Resolution 12-2017 (to remove the backflow fee).

ATTACHMENTS

Exhibit A – Ordinance 97-464
Exhibit B – Resolution 12-2017

CITY OF FALLS CITY
ORDINANCE No. 97 - 464

CROSS CONNECTION CONTROL PROGRAM

AN ORDINANCE ESTABLISHING A CROSS CONNECTION CONTROL PROGRAM
AND ESTABLISHING AUTHORITIES AND ADMINISTRATION.

The CITY OF FALLS CITY does ordain as follows:

SECTION 1. CROSS CONNECTION CONTROL - GENERAL POLICY

1.1 PURPOSE

- 1.1.1 To protect the public potable water supply served by the City of Falls City Public Works Department from the possibility of contamination or pollution by isolating, within its customers internal distribution system, such contaminants or pollutants which could backflow or backsiphon into the public water system.
- 1.1.2 To promote the elimination of, or control of, existing cross connections, actual or potential, between the potable water system and source or non-potable water or other hazardous substances.
- 1.1.3 To provide for the maintenance of a continuing program of cross connection control which will effectively prevent the contamination or pollution of all potable water systems by cross connections.

1.2 AUTHORITY

- 1.2.1 The Federal Safe Drinking Water Act of 1974, and the statutes of the State of Oregon, Administrative Rules chapters 333-61-070 (070 - Program Requirements), 333-61-071 (071 - Installation Standards), and 333-61-072 (072 - Certification), state that the water supplier has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system.
- 1.2.2 The City of Falls City Water Department Rules and Regulations as described in City of Falls City Charter, Ordinance No.s 372 & 392.

1.3 RESPONSIBILITY

The Administrator or designee shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or backsiphonage of contaminants or pollutants through the water service connection. If, in the judgment of the Administrator or designee, an approved backflow device is required at the City's water connection to any customer's premise, the Administrator, or designee, shall

give notice in writing to said customer to install an approved backflow prevention device at each service connection to the customer's premise.

The customer shall, within ninety (90) days of notification, install such approved device, or devices, at his/her own expense. Failure, refusal, or inability on the part of the customer to install, have tested, and maintain said device or devices within ninety (90) days, shall constitute grounds for discontinuing water service to the premises until such device or devices have been properly installed and tested.

SECTION 2. DEFINITIONS

2.1 Approved

Accepted by the City of Falls city as meeting an applicable specification stated or cited in this regulation, or as suitable for the proposed use.

2.2 Auxiliary Water Supply

Any water supply, on or available, to the premises other than the purveyor's will be considered as an auxiliary water supply.

2.3 Backflow

The term "Backflow" shall mean the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the distribution pipes of the potable supply of water from any source or sources.

2.4 Backflow Preventer

An assembly or means designed to prevent backflow or backsiphonage.

2.4.1 Air Gap

A physical separation between free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel. An "approved air gap" shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel - in no case be less than one inch.

2.4.2 Atmosphere Vacuum Breaker

A device which prevents backsiphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure on a water system.

2.4.3 Double Check Valve Assembly

An assembly of two (2) independently operating spring loaded check valves with tightly closing shut off valves on each side of the check valves, plus properly located test cocks for the testing of the check valve.

2.4.4 Pressure Vacuum Breaker

Means a device consisting of one or more spring loaded check valves and an independently operating air inlet valve installed as a unit between two tightly closing shut off valves on each side of the check valves and properly located test cocks for testing. The air inlet valve is internally loaded to the open position.

- 2.4.5 **Reduced Pressure Principle Backflow Preventer**
Means a device consisting of two indepeudeutly acting, spring loaded check valves separated by a spring loaded differential pressure relief valve. This device shall be installed as a unit between two tightly closing shut off values and properly located test cocks for the testing of the check valves and relief valves.
- 2.5 **Back Pressure**
Shall mean any elevation of pressure in the downstream piping system (by pumping, elevation of piping, steam or air pressure) above the supply pressure at the point of consideration which would cause, or tend to cause, a reversal of the normal direction of flow.
- 2.6 **Backsiphonage**
The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of the pressure in the potable water supply system.
- 2.7 **Contaminant**
Means any physical, chemical, biological, or radiological substance or matter in water.
- 2.8 **Cross Connection**
Means any link or channel between the public water supply and piping or fixtures which carry other water or other substances.
- 2.9 **Distribution System**
Means the network of pipes and other facilities which are used to distribute water from the source, treatment, transmission, or storage facilities to the water user.
- 2.10 **Division**
Means the Health Division of the Oregon Department of Human Resources.
- 2.11 **Owner**
Any person who has legal title to, or license to operate or habitat in, a property upon which a cross connection inspection is to be made or upon which a cross connection is present.
- 2.12 **Person**
Any individual, partnership, company, public, or private corporation, political subdivision or agency of the State Division, agency or instrumentality of the United States or any other legal entity.
- 2.13 **Permit**
A document issued by the utility which allows the use of a backflow preventer.
- 2.14 **Administrator**
The Administrator or his deligated representative in charge of the water section of the Public Works, is

invested with the authority and responsibility for the implementation of a cross connection control program and for the enforcement of the provisions of the Ordinance.

2.15 Utility

City of Falls City water section of the Public Works Department.

2.16 Water Service Entrance (connection)

That point in the owner's water system beyond the sanitary control of the utility; generally considered to be the outlet end of the water meter and always before any unprotected branch.

SECTION 3 - ADMINISTRATION

3.1 The utility will operate a cross connection control program, to include the keeping of necessary records, which fulfills the requirements of the Division's Cross Connection Regulations.

3.2 The owner shall allow his property to be inspected, when given reasonable notification and during reasonable times, for possible cross connections and shall follow the provisions of the utility's program, and the Division's regulations if a cross connection is identified.

SECTION 4 - REQUIREMENTS

4.1 Utility

4.1.1 On new installations, the utility will provide on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any that will be required, will issue permit, and perform inspection.

4.1.2 For premises existing prior to the start of this program, the utility will perform evaluations and inspections of plans and/or premises and inform the owner by letter of any corrective action deemed necessary.

4.1.2.1 The method of achieving the correction, and the time allowed for the correction to be made.

4.1.2.1.1 Ordinarily ninety (90) days will be allowed for the correction.

4.1.2.1.2 This 90 day period may be shortened depending on the degree of hazard or the history of the device.

4.1.3 The utility will not allow any cross connection to remain unless it is protected by an approved backflow preventer for which a permit has been issued and which will be regularly tested to insure satisfactory operation.

4.1.4 The utility will inform the owner by letter of any failure to comply, within ten (10) working days of the first re-inspection.

4.1.4.1 The utility will allow an additional fifteen (15) days for the correction.

4.1.4.2 At the end of the additional fifteen (15) days a second re-inspection will be made to determine if corrections have been made.

4.1.4.3 If corrections have not been made, the utility will inform the owner by letter that the water service to the owner's premises will be terminated five (5) days from the date of this notice.

4.1.4.4 In the event that the owner informs the utility of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the utility but in no case will exceed an additional thirty (30) days.

4.1.5 If the utility determines at any time that a serious threat to the public health exists, the water services will be terminated immediately.

4.1.6 The utility shall have on file a list of private contractors who are certified backflow device testers. All charges for these tests will be paid by the owner of the building or property.

4.2 Owner

4.2.1 The owner shall be responsible for the elimination or isolation of all cross connections on his/her premises.

4.2.2 The owner, after having been informed by a letter from the utility, shall at his/her expense, install, maintain, and test or have tested, any and all backflow preventers on his premises.

4.2.3 The owner shall correct any malfunctions of the backflow preventer which is revealed by periodic testing.

4.2.4 The owner shall inform the utility of any proposed or modified cross connections and also any existing cross-connections of which the owner is aware but has not been found by the utility.

4.2.5 The owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type on the by-pass. Owners shall not tamper with backflow devices.

4.2.6 The owner shall install backflow preventers in a manner approved by the utility.

4.2.7 The owner shall install only backflow preventers approved by the Health Division.

4.2.8 Any owner having a private well or other private water source, must have a permit if the well or source is cross-connected to the utility's system. Permission to cross connect may be denied by the utility. The Owner may be required to install a

backflow preventer at the service entrance if a private water source is maintained, even if it is not cross connected to the utility's system.

- 4.2.9 In the event the owner installs plumbing to provide potable water for domestic purposes which is on the utility's side of the backflow preventer, such plumbing must have its own backflow preventer installed.

SECTION 5 - DEGREE OF HAZARD

- 5.1 The utility recognizes the threat to the public water system arising from cross connections. All threats will be classified by degree of hazard and will require the installation of an approved backflow prevention device.
- 5.2 Degree of Hazard. The term "Degree of Hazard" shall mean either a pollutional (non-health-low) or contamination (Health-High) hazard and is derived from the evaluation of conditions within a system.

SECTION 6 - EXISTING BACKFLOW DEVICES

- 6.1 Any existing backflow preventer shall be allowed by the utility to continue in service unless the degree of hazard is such as to supersede the effectiveness of the preventer, or result in an unreasonable risk to public health.
- 6.2 Where the degree of hazard has increased, as in the case of a residential installation converting to a business establishment, any existing backflow device must be replaced with an approved device suitable for that degree of hazard.

SECTION 7 - PERIODIC TESTING

- 7.1 All testable backflow devices shall be tested and inspected at least annually.
- 7.2 Periodic testing shall be performed by a certified tester from a list provided by the utility, this testing will be done at the owner's expense.
- 7.3 Any backflow preventer which fails during a periodic test will be repaired or replaced. When repairs are necessary, upon completion of the repair, the device will be re-tested at owner's expense to insure correct operation. High hazard situations will not be allowed to continue if the backflow preventer fails the test and cannot be repaired immediately. In other situations, a compliance date of not more than thirty (30) days after the test date will be established. The owner is responsible for spare parts, repair tools, or a replacement device. Parallel installation of two (2) devices is an effective means of the owner insuring uninterrupted water service during testing or repair of devices and is strongly recommended when the owner desires such continuity.
- 7.4 Backflow prevention devices will be tested more frequently than specified in 7.1 of this Section if the utility feels that there is a history of test failures. Cost of additional testing will be borne by the Owner. Any circumstance not covered by this Ordinance or any of the

- Authorities (1.2.1 - 1.2.2) shall be left to the judgment of the Administrator or designee.

SECTION 8 - OREGON ADMINISTRATIVE RULES

The City of Falls City hereby adopts Oregon Administrative Rules as outlined in Chapter 333, Subsection 42-200 through 42-245 as may be amended.

SECTION 9 - EMERGENCY CLAUSE

Inasmuch as it is necessary for the immediate preservation of the public health peace and safety of the City of Falls City, to enact this Ordinance, and emergency is hereby declared to exist, and this Ordinance shall become effective on April 1, 1997.

FIRST READING:

This 3rd day of March, 1997.

SECOND READING:

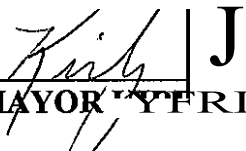
This 3rd day of March, 1997.

PASSED BY THE COMMON COUNCIL THIS 3rd DAY OF MARCH, 1997.

VOTE:

Yeas-6 nays-0 abstain-0 absent-0

APPROVED BY MAYOR FRINK ON THIS 4th DAY OF MARCH, 1997.


MAYOR J. FRINK

ATTEST


CITY ADMINISTRATOR BILL EWING

RESOLUTION NO. 12 -2017

A RESOLUTION DETAILING FEES FOR WATER AND SEWER SERVICE AND RELATED CHARGES; AND WATER AND SEWER CONNECTION FEES; AND REPEALING PRIOR RESOLUTIONS

Findings:

1. Municipal Code Section 51 Water, Section 09 Water Rates and Charges, authorizes the City Council to establish, by resolution, and from time to time amend, water rates to be charged for each class of service, including minimum charges, charges for water consumption, service connection charges and all other related fees and charges.
2. Municipal Code Section 50 Sewer, Section 25 Generally, subsection (D) authorizes the City Council to establish, by resolution, and from time to time amend, sewer user rate per equivalent residential unit (ERU).
3. Municipal Code Section 50 Sewer, Section 6 Connection Fees, subsection (A) authorizes the City Council to establish, by resolution, and from time to time amend, sewer connections fees.
4. The City maintains two Enterprise Fund accounts for Water and Sewer activities. Enterprise fund revenues are restricted to be spent only on enterprise activities relating to their revenue source. For example water rate revenue can only be spent on water activities and projects.
5. An Enterprise fund is a fund established to account for operations, including debt service that are financed and operated similarly to private businesses where the intent is the service is self-sufficient, with all costs supported predominantly by user charges. Through charges, and fees, an equitable and fair system of recovering water system costs is established.
6. Staff audited several utility charges and fees and found that several categories are not billed equitably to customers to cover the cost of operations for services rendered for these categories:
 - a. Water Shutoff notice
 - b. Water Reconnection fee
 - c. Utility Returned Check Fee
 - d. Charges for the installation for a simple and complex water meter
7. Cost of operations for Public Works staff, salary plus benefits, is approximately \$30-\$32 an hour. Cost of operations for Administration staff, salary plus benefits, is approximately \$25-\$28 an hour. The salary of city staff is proportionally allocated to Funds.
8. Shutoff notices inequitably
 - a. In April 2017, Public Works staff delivered forty-seven (47) shutoff notices (green tags) throughout the service area for delinquent balances which required two and one half (2 ½) hours each for two Public Works staff. A similar number of shutoff notices are distributed each month, equaling an estimated 60 hours annually; the cost to the Water Fund is approximately \$1,800 annually for Public Works staff time.

- b. It requires approximately three (3) hours a month for Administrative staff to generate shutoff notices, equaling an estimated 36 hours annually; the cost to the Water Fund is approximately \$972 annually.
 - c. Many customers have commented to City staff, that they wait for the delivery of the shutoff notice to remind them to pay their utility bill.
 - d. Because cost of the Water Fund is recovered by rates and charges, and because the City does not charge a fee for a shutoff notice, customers who do not receive shutoff notices are subsidizing those customers who receive shutoff notices monthly.
 - e. Staff recommends that the City Council approve the elimination of physical shutoff notices and replace with a shutoff notice provide by mail, beginning on July 16, 2017, and after public notification in the June Newsletter, notification in the June 26 and July utility billing statement message, and with a public announcement at the June and July Regular City Council meetings. Mailing shutoff notices will save an estimated \$1,500 annual, after considering the cost of postage and the elimination of Public Works staff time to deliver shutoff notices to the service address.
9. Water Reconnection fee inequitably
- a. Reconnection fees are charged to customers when reconnecting water service after receiving full payment of a delinquent utility account.
 - b. A reconnection fee is not charged to reconnect service after a seasonal shutoff or to temporarily reconnect water service for a home inspection, home repair, property cleaning or similar activities, yet the same amount of time and work is required by Public Works staff for all water reconnections.
 - c. On May 18, 2017 the Falls City Public Works Committee compared Falls City Fall City water service fees against fees from similar sized communities and recommended that the City Council adopt a water reconnection fee for any and all water reconnections.
10. Utility returned check fee inequitably
- a. The current charge of \$25 for a returned check does not cover costs.
 - b. The bank charges \$12 per returned check.
 - c. Processing a returned check on average requires forty-five (45) minutes for Administrative staff, amounting to approximately \$21. Tasks include account review, customer letter, handwritten shut-off notice, utility system accounting adjustment, preparation of exception processing accounting backup with distribution to the bookkeeper, the original and daily accounting batch documents, and the adjustment log. The delivery of the shut-off notice by Public Works staff amounts to approximately \$14. The total staff cost is \$35.
 - d. Staff recommends that the City Council adopt an increase of the \$25 Returned Check Fee to \$35 to for cost recovery.

11. Charge for the installation for a simple and complex water meter connection inequitably
 - a. Current charges for the installation of a water meter, both simple and complex, do not cover the actual costs.
 - Simple Water Connection: the water main line runs on the right-of-way in front of the property.
 - Complex Water Connection: the water line runs along the right-of-way on the opposite side of the road which requires repairs to the street surface
 - b. Staff recently tracked the actual cost to install a Simple Water Connection, including parts, materials and staff time. The total cost was \$1,867.
 - c. Staff recommends that the City Council adopt an increase of the \$1,250/base rate for a Simple Water Connection to \$1800/base or actual cost if greater.
 - d. Staff recommends that the City Council adopt an increase of the \$1,500/base rate for a Complexed Water Connection to \$2,100/base or actual cost if greater. The cost for each Complexed Water Connection is unique because the connection crossed a public street.

12. Defining Public Works staff work hours for the Water Service Reconnection Fee
 - a. Public Works staff typically starts their weekday work at 7:00 AM and end at 4:00 PM.
 - b. Public Works staff is on call 24/7.
 - c. The prior rate resolution charged a different fee for business hours and “other than business hours” but did not define.
 - d. Staff recommends that the City Council adopt wording that defines hours and days for each classification.

13. Sewer service rates have been included in this rate resolution to further merge utility rates, fees and charges to a single rate resolution.

14. The Falls City Council has determined that the rates and charges set forth in this resolution are appropriate and in the best interest of the City.

NOW THEREFORE, THE CITY OF FALLS CITY RESOLVES AS FOLLOWS:

Section 1. Water furnished to water districts, cooperatives or corporations, organized and existing under the laws of the State of Oregon and receiving water through a master meter, shall pay therefor such amount as may be established by agreement between the City and the water districts, cooperatives or corporations, fire districts or departments, or other persons or entities prior to receiving such water.

- (a) Where an agreement is not in place, and where bulk water is needed, the Bulk Water Rate will be \$5.00 per unit (1000 gallons) charged according to the size of the tanker truck or vessel; and

- (b) Payment in advance is required for the sale of bulk water where a written agreement is not in place; and
- (c) Sale of bulk water without a written agreement is a privilege and can be denied or revoked at any time.

Section 2. In addition to the monthly fees established herein, Exhibit 1, the following service fees are hereby established:

- (a) **Reconnection fee during between 7 AM and 4 PM weekdays** \$35.00
- (b) **Reconnection fee afterhours, on weekends or on holidays** \$65.00
- (c) Setup connection fee for sale of bulk water where a written agreement is not in place \$80.00
- (d) **Returned check fee** **\$35.00**
- (e) Payment Late fee \$10.00

Section 3. In addition to monthly fees established herein, Exhibit 1, the following utility connection fees are hereby established:

- (a) Sewer Connection fee:
Base Facility rate of \$3,250.00, plus customer will be responsible for all costs to connect to the system (Municipal Code 50.06 (A)).
- (b) **Water Connection Fee Simple:**
Base Facility rate of \$1,800.00, or actual cost if greater.
- (c) **Water Connection Fee Complex:**
Base Facility rate of \$2,100.00, or actual cost if greater
- (d) Additional Water Connection fees where the length of service exceeds 100 feet:
The applicant shall pay the extra cost of the line on the basis of actual cost to the Water department for labor, materials and equipment plus 15% (Municipal Code 51.07).

Section 4. In addition to the monthly fees established herein, Exhibit 1 **and Exhibit 2**, a Capital Improvement Fee shall be assessed any service with a water meter or sewer connection, active or inactive, in the amount of \$10.00. When both a residence and a commercial operation or development exist on a property zoned Commercial Residential, the Capital Improvement Fee will be assessed separately for both the residence and the commercial operation or development.

Section 5. In addition to the monthly fees established herein, Exhibit 1 **and Exhibit 2**, a Backflow Testing Fee shall be assessed each month on each water meter service account in the amount of \$2.25 from July 1, 2014 through June 30, 2018.

Section 6. Water furnished to multi-unit properties where the property owner desires one (1) water meter to serve all units shall be charged at the following;

- (a) Multi-unit properties serviced by one (1) meter will be charged a multiplier based on the meter size multiplied by the number of dwelling units.
- (b) Charged a multiplier by amount of units for the Capitol Improvement Fee.

Section 7. Resolution 02-2017 and Resolution 2010-07 are repealed on the effective date of this resolution. All other resolutions and parts of resolutions relating to water use rates and related charges not repealed or amended expressly or by implication by resolution shall continue in full force and effect.

Section 8. Pursuant to ORS 294.160, the Council held a public hearing on June 8, 2017 to consider public comment on the proposed procedural changes and the fee increases.

ADOPTED BY THE FALLS CITY COUNCIL ON THIS 8th DAY OF June, 2017.

VOTE: AYE ____ NAY ____ ABSTAIN ____ ABSENT ____

Terry Ungricht, Mayor

Date

ATTEST:

Domenica Protheroe, City Clerk

Date