

Crescent Sanitary District
PO Box 265
Crescent, OR. 97733



ORDINANCE 12.08.2021

**AN ORDINANCE TO ADJUST SEWER USAGE RATES AND FEES FOR CRESCENT SANITARY DISTRICT
WASTEWATER TREATMENT CUSTOMERS**

This ordinance supersedes ORDINANCE 08.12.2020

WHEREAS the Crescent Sanitary District is obligated to establish and maintain rates that insure the District can meet budgetary and capital obligations, pay its loan debts, maintain reserve contingency funds, and provide operating revenue this ordinance is established. Sewer use rates shall be reviewed and revised as necessary to keep revenues reasonably in balance with anticipated expenditures

WHEREAS, the Crescent Sanitary District provided an opportunity for public comment on the new rates and proposed fee increases as required by ORS 294.160;

I. DEFINITION:

1. Residential Customer – any primary residence, freestanding additional residence on a tax lot, multi-residential buildings such as cabins, mobile homes, and standard homes on a single tax lot will be charged the residential rate. Businesses with owner/staff living quarters on property will be charged the residential rate.
2. Tier 1 Commercial Customers – Any business with 4 or less employees and do not have public restroom facilities or kitchen facilities.
3. Tier 2 Commercial Customers – Any business enterprise with bathroom/and or kitchen services whether it serves the public or not.
4. Tier 3 Commercial Customers – Any large business with 25 or more employees with kitchen facilities and over 4 bathrooms.
5. Hotel, Motel Facilities – Any Hotel, or Motel facility that rents rooms to customers
6. RV Parks that rent spaces to customers

7. Bed and Breakfast or Air B and B type business's that rent to customers
8. Churches – Any freestanding church that does not have a fulltime residence

II. AUTHORITY BY OREGON STATE STATUTES FOR SEWER TREATMENT RATES AND CHARGES

1. ORS 450.130 - (Atch 1)

Sewer service charges collection and enforcement

- (1) The sanitary board may enact ordinances levying sewer service charges within the district, for the purpose of financing the construction, operation and maintenance of the sewer collection and disposal system.
- (2) The board may contract with any city or district serving water in such area to collect such service charges with water bills and serving agency may cut off water for non-payment of such service charges. The board may pay the water serving agency for the reasonable cost of such collection services.
- (3) Service charges may also be collected and enforced as provided in ORS 454.225 (Rates and charges). (Amended by 1975 c.247 paragraph 1)

2. ORS 454.225 (Atch 2)

Rates and charges collection

The governing body of the municipality may establish just and equitable rates or charges to be paid for the use of the disposal system by each person, firm or corporation whose premises are served thereby, or upon subsequent service thereto. If the service charges so established are not paid when due, the amounts thereof, together with such penalties, interests and costs as may be provided by the governing body of the municipality may be recovered in an action at law, or if the municipality does not have the ability to collect sewerage disposal charges in connection with or as part of the charge for another service or utility that can be curtailed to secure collection, the charge may be certified and presented after July 15 and on or before the following July 15 to the tax assessor of the county in which the municipality is situated and be by the assessor assessed against the premises serviced on the next assessment and tax roll prepared after July 15. Once the service charges are certified and presented to the assessor, the payment for the service charges must be made to the tax collector pursuant to ORS 311.370 (Receipts for taxes collected in advance of extension on the tax roll). Such payment shall be made by the person responsible for the delinquent service charge. These charges shall thereupon be collected and paid in the same manner as other taxes are certified, assessed, collected and paid over. (1973 c.213 para. 4; 1979 c.350; 1991 c. 459 para 409; 1995 c.79 para 228).

3. ORS.075 (Atch 3)

Powers of sanitary district. A sanitary district may:

- (1) Have and use a common seal.
- (2) Sue and be sued in its name.
- (3) Acquire, construct, reconstruct, alter, enlarge, renew, replace, operate and maintain such sewage collection and disposal system as in the judgement of the board are necessary and proper for the area of the district. In the performance of these functions, either in or out of the district, it may join with any other public body as defined in ORS 174.109, a federal agency or another state in the joint establishment, maintenance and operation of such works, and may contract therefor within the limits of authority conferred by QRS 450.005 to 450.245.
- (4) Permit the use, by lease or otherwise, of any property of the district by any other public body as defined by ORS 174.109, a federal agency or another state.
- (5) Acquire by purchase, gift, devise, condemnation proceedings or otherwise, such real and personal property and rights of way, either within or without the limits of the district, as in the judgement of the board are necessary or proper to the exercise of its powers, and to pay for and hold the same.
- (6) Make and accept contracts, deeds, releases and documents that, in the judgement of the board, are necessary or proper in the exercise of any of the powers of the district.
- (7) Issue bonds as provided in Q RS 450.095 to 450.125
- (8) **Determine the rate of levy of taxes in the district and fix sewer rentals, charges and assessments as provided in ORS 450.130 to 450.175.**

III. Monthly Sewer Rates Fees

Section 1. Crescent -The monthly sewer charge for Crescent Sanitary District Wastewater Residential customers will be set at \$68.00 per month. Additional residents on a single tax lot including cabins, mobile homes and standard homes will be charged the residential rate of \$68.00.

New residential/commercial hookup charges will be \$2500.00 which will cover the hookup from the main sewer collection line to the residential property boundary. The hookup charge includes a hook up distance of 75 feet from the main collection line to the property line. Any distance more than 75 feet will be charged at cost plus 10% in addition to the \$2,500.00 standard hook up charge.

All costs for the new construction of lateral lines from the property line to the residence or business will be the responsibility of the property owner. All construction of the lateral hook up will be governed by the Crescent Sanitary District Development Provisions. A System Development Charge will be assessed per the System Development Ordinance for all new constructed residents or businesses.

Gilchrist – The monthly sewer charge for Gilchrist residents will be \$78.00 per month. If and when the Gilchrist Annexation is approved by Klamath County Board of Supervisors and subsequent Resolution the Gilchrist monthly residential sewer rates will decrease to \$68.00 per month after the first year of Sewer property taxes are collected. All the rest of the language in Section 1 above is also applicable for new residents or businesses in Gilchrist. Additional residents on a single tax lot including cabins, mobile homes and standard homes will be charged the residential rate of \$78.00.

Section 2.

Tier 1 Commercial Businesses: Customers with fewer than 4 employees and have one bathroom that does not serve the public or have a commercial kitchen, the sewer rate will be \$68.00 per month if located in Crescent and \$78.00 if located in Gilchrist.

Tier 2 Commercial Businesses: Commercial customers in both Crescent and Gilchrist will be \$170.00 per month. Any business that is determined to be a high flow user or discharges high levels of contaminants will have their sewer rates adjusted. Each case will be determined by Board approval on an individual basis.

Tier 3 Commercial Businesses: Any large business with 25 or more employees with kitchen facilities and over 4 bathrooms and open to the public the monthly sewer base rate of \$300.00, plus an additional \$10 per bathroom.

Fire stations and Fire Station Housing – Primary fire stations will be charged at the rate of \$68.00. Fire station housing/dormitory buildings will be charged \$85.00 per month.

Schools – Will be charged \$300.00 plus \$10.00 per bathroom.

Churches – Located in Crescent will be charged the rate of \$68.00 for the church and \$68.00 if there is a residence attached to the church or freestanding. Located in Gilchrist will be charged the rate of \$78.00 for the church and \$78.00 if there is a residence attached to the church or freestanding.

Motels and Hotels - will be charged \$50.00 per month plus \$0.50 per unit per day regardless of occupancy. If there are residential quarters in the facility, they will be charged the residential rate is located in Crescent \$68.00 and Gilchrist \$78.00

Bed and Breakfast and or Air B and B - type facilities will be charged the monthly residential rate for Crescent \$68.00 and Gilchrist \$78.00 regardless of occupancy.

RV Parks – will be charged \$50.00 per month and \$0.50 per day of rental occupancy.

Commercial Dump Stations – For commercial dump stations the charge will be \$0.05 per gallon of effluent. Commercial dump stations must install a metering device to monitor the flow into the dump station at the owners' expense. The Crescent Sanitary Wastewater Operator will do a meter reading on a monthly basis.

Medical Hardship – The Board will review any medical hardship cases and offer to help the resident apply for state or government assistance. If there is no state or federal assistance available the board will make a determination on the rate it charges a resident that can prove a medical hardship.

- IV.** The Board reserves the right to make period adjustments to the sewer rates as it determines necessary to pay debt service, maintenance and operations costs, as well as collect contingency funds required for maintenance and future construction needs.

Approved this ____ day of December 2021 by a vote of ____ ayes ____ nays

**KIM MATHERS, President
Crescent Sanitary District
Board of Directors**