Ordinance No. 3527

(Amending or Repealing Ordinances)

CFN=110 – Water/Sewer/Garbage Rates & Policies
Passed – 10/17/00
Stormwater Charges – Amending KCC Sec. 7.05.090

Amends Ords. 2547,3042,3224,3453,3459,3461,3488

Readopting, re-enacting, ratifying and confirming rates & fees of
Ord. 3534

Amended by Ord. 3819;3864;3901;3981;4021;4060

The date ["Beginning July 1, 1998"] has led to confusion. This date will be deleted from cover sheets of ordinance/resolution revision pages. This cover sheet will be deleted on electronic pages only, no other deletions or changes have been made to the document – 6/21/2012
ORNANCE NO. 3527

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 7.05.090 of the Kent City Code by adding a new subsection (B)(4), relating to storm and water surface utility fees for road systems.

WHEREAS, the City Council finds that roads contribute a significant amount of increased runoff to the surface and storm water management system, which contributes to the need for basin planning, storm drainage control facilities and other related services; and

WHEREAS, the City Council also finds that City programs provide for the construction and maintenance of storm drainage control facilities, and the roads systems and their associated storm drainage facilities serve as an integral part of the surface and storm water management system; and

WHEREAS, it is appropriate that the rate charged City roads reflect the benefit that City roads facilities provide to the surface and storm water management system in a manner similar to that charged state road systems, pursuant to RCW 90.03.525; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Stormwater Charges
SECTION 1. Section 7.05.090 of the Kent City Code is hereby amended as follows:

Sec. 7.05.090. System of charges.
A. There is hereby imposed a system of charges on each parcel of real property within the city served by or to which is available for service the storm and surface water utility established by this chapter. The charges are found to be reasonable and necessary to fund administration, planning, design, construction, operation, maintenance, repair, improvement, and replacement of all existing and future storm and surface water facilities, including the accumulation of reserves and the retirement of any associated debt.
B. The following charges are hereby established for all parcels of real property in the city:

1. Residential parcels. Effective January 1, 1998, the single-family residential rate shall be two dollars and forty-four cents ($2.44) per month for each parcel having one (1) residential dwelling plus the basin specific charge of subsection (B)(4) of this section. Effective December 31, 1999, the single-family residential rate shall be two dollars and forty-seven cents ($2.47) per month for each parcel having one (1) residential dwelling plus the basin specific charge of subsection (B)(4) of this section.

2. Agricultural and undeveloped parcels: Agricultural parcels shall be charged the monthly residential parcel rate. Undeveloped parcels shall not be charged.

3. Other parcels:
   a. The charge for all other parcels except residential parcels, agricultural parcels and undeveloped parcels shall be based upon:
      (1) The total amount of impervious surface as expressed in equivalent service units (an equivalent service unit has been determined to be two thousand five hundred (2,500) square feet of impervious surface or any fraction thereof); and
      (2) The percentage of impervious surface area on each parcel.
b. The charge for all such parcels shall be computed:

(1) By multiplying the total number of ESU's on each by the appropriate parcel impervious multiplier; and

(2) Multiplying the results by the sum of the single-family residential rate and the appropriate basin-specific charge.

c. Impervious multipliers are hereby established:

<table>
<thead>
<tr>
<th>Percentage of impervious area per parcel (impervious surface/total surface x 100)</th>
<th>Impervious multiplier</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 40</td>
<td>1</td>
</tr>
<tr>
<td>41 to 60</td>
<td>1.2</td>
</tr>
<tr>
<td>61 to 80</td>
<td>1.4</td>
</tr>
<tr>
<td>81 to 100</td>
<td>1.6</td>
</tr>
</tbody>
</table>

(2) Impervious multipliers correlate the hydraulic impact of a parcel to its percentage of impervious surface per parcel. The multiplier for the average single-family residence is established as one (1). The multiplier linearly increases as the percentage of impervious area increases. The final category has a multiplier of one and six-tenths (1.6) which reflects the hydraulic impact on the drainage system compared to that impact of the average single-family residence.

4. **Road systems.** The impervious surface area for City roads shall be assessed thirty percent (30%) of the charge established in KCC 7.05.090(B)(3) for impervious service areas.

45. **Basin-specific charges:** The city shall have all lawful powers and authorities to fix, alter, regulate and control charges within specific basins and subbasins. The purpose of the power and authority granted in this section is to provide for charging parcels of one (1) basin or subbasin for improvements, studies or extraordinary maintenance which specifically and solely benefit the property owners thereof. The basin-
specific charges are as follows:

Charge in dollars per ESU per month

<table>
<thead>
<tr>
<th>Basin</th>
<th>Effective date January 1, 1998</th>
<th>Effective date December 31, 1999</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Westside</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>O</td>
<td>0.09</td>
<td>0.10</td>
</tr>
<tr>
<td>K, L, M, D, E, F, P &amp; N</td>
<td>0.13</td>
<td>0.14</td>
</tr>
<tr>
<td><strong>Eastside</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mill Creek</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper (G)</td>
<td>4.07</td>
<td>4.11</td>
</tr>
<tr>
<td>Lower (A)</td>
<td>4.81</td>
<td>4.86</td>
</tr>
<tr>
<td>Valley Det. (Q)</td>
<td>4.81</td>
<td>4.86</td>
</tr>
<tr>
<td>Garrison Creek</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lower (B)</td>
<td>2.02</td>
<td>2.04</td>
</tr>
<tr>
<td>Upper (J &amp; I)</td>
<td>1.85</td>
<td>1.87</td>
</tr>
<tr>
<td>Direct (C)</td>
<td>2.12</td>
<td>2.14</td>
</tr>
<tr>
<td>Soos Creek (H)</td>
<td>0.09</td>
<td>4.18</td>
</tr>
</tbody>
</table>

The boundaries of the described basins are generally indicated on Attachment A to Ordinance No. 3461, which is on file with the City Clerk. The boundaries of the basins and subbasins are generally defined and on file in the city clerk's office. The detailed definitions thereof are reflected on maps filed in the engineering division of the public works department, which are available to the public for review and/or copying during normal business hours.

§§. Water quality charges:

a. The city hereby authorizes and declares its intent to establish, within two (2) years of the adoption of this chapter, a water quality charge which may be added to any or all of the above rates. The purposes of such a charge will be to finance monitoring, testing, treatment and control of pollutant discharges into the storm and surface water system, including the exercise of all lawful enforcement powers of the city. A plan for developing such charges, and a schedule and budget for this project shall be submitted to the city council for review and approval within ninety (90) days of adoption.
of this chapter. A system of water pollution charges for storm and surface water run-off from all parcels of real property in the city shall be developed within two (2) years.

b. Such charges should be based upon appropriate indices of pollutant discharges which approximate each parcel's contribution to the problem of water quality within storm and surface water facilities including all receiving waters.

67. Undeveloped parcels shall be subject to all charges established under this section upon development of a parcel. Development shall be determined by the date of issuance of a building permit or any other permit for development purposes or as otherwise established by the director of public works.

SECTION 2. - Severability. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.

SECTION 3. - Effective Date. This Ordinance shall take effect and be in force thirty (30) days from and after its passage, approval, and publication as provided by law.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY
APPROVED: 17 day of October, 2000.

I hereby certify that this is a true copy of Ordinance No. 3527, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]
BRENDA JACOBER, CITY CLERK

P:\City\Ordinance\StormDrainCharge amend 09-28-00.doc