AN ORDINANCE of the City Council of the City of Kent, Washington, amending Section 7.05.090 of the Kent City Code to reduce the scheduled rate increase for storm water utility fees from a 15% increase to a 5% increase for each year from 2013 through 2015.

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

ORDINANCE

SECTION 1. Amendment. Section 7.05.090 of the Kent City Code entitled “System of Charges” is amended to reduce the rate increase for storm water utility fees for years 2013 – 2015 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

Stormwater Utility Fees
Amend KCC 7.05.090
B. The following charges are hereby established for all parcels of real property in the city:

1. *Single-family residential parcels.* The single-family residential rate shall be as follows:

<table>
<thead>
<tr>
<th>Effective January</th>
<th>Effective January</th>
<th>Effective January</th>
<th>Effective January</th>
</tr>
</thead>
<tbody>
<tr>
<td>1, 2012</td>
<td>1, 2013</td>
<td>1, 2014</td>
<td>1, 2015</td>
</tr>
<tr>
<td>$10.56</td>
<td>$12.1411.09</td>
<td>$13.9611.64</td>
<td>$16.0512.22</td>
</tr>
</tbody>
</table>

The basin-specific charge set forth under subsection (B)(5) of this section shall apply to residential dwellings through March 31, 2009, but shall be eliminated after that date.

2. *Agricultural and undeveloped parcels.* Agricultural parcels shall be charged the monthly single-family residential parcel rate. Undeveloped parcels shall not be charged.

3. *Other parcels.*
   a. The charge for all other parcels except single-family residential parcels, agricultural parcels, and undeveloped parcels shall be based upon:
      i. The total amount of impervious surface as expressed in equivalent service units (an equivalent service unit (ESU)
has been determined to be two thousand five hundred (2,500) square feet of impervious surface or any fraction thereof; and

ii. The percentage of impervious surface area on each parcel.

b. The charge for all such parcels shall be computed:

i. By multiplying the total number of ESUs on each parcel by the parcel’s impervious multiplier established in subsection (B)(3)(c) of this section; and

ii. Multiplying the results by the sum of the single-family residential rate, if any.

c. Impervious multipliers are hereby established:

i. Percentage of impervious area per parcel

\[
\text{Impervious multiplier} = \left( \frac{\text{Impervious surface}}{\text{Total surface}} \times \frac{100}{100} \right)
\]

<table>
<thead>
<tr>
<th>Percentage of Impervious area per parcel</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>

ii. 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 the impact of an average single-family residence.

4. Road systems. The impervious surface area for city roads shall be assessed thirty (30) percent of the charge established in subsection (B)(3) of this section for impervious service areas.

5. 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 following basin-specific charges shall be assessed and collected through March 31, 2009:

<table>
<thead>
<tr>
<th>Basin</th>
<th>Effective Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westside</td>
<td>January 1, 2007</td>
<td>January 1, 2008</td>
</tr>
<tr>
<td>0</td>
<td>$0.10</td>
<td>$1.68</td>
</tr>
<tr>
<td>K, L, M,</td>
<td>$0.15</td>
<td>$1.68</td>
</tr>
<tr>
<td>D, E, F,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P &amp; N</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eastside</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Stormwater Utility Fees
Amend KCC 7.05.090
Effective April 1, 2009, these basin-specific charges shall no longer apply, and the city will assess and collect the new single-family residential rate established in subsection (B)(1) of this section.

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.

65. Water quality charges.
   a. The city hereby authorizes and declares its intent to establish 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 before enactment.
   
   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.

6. Undeveloped parcels shall be subject to all charges established under this section upon development. 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. - Savings. The existing section 7.05.090 of the Kent City Code, which is amended by this ordinance, shall remain in full force and effect until the effective date of this ordinance.

SECTION 3. - Severability. If any one or more section, subsection, or sentence of this ordinance is 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 4. - **Corrections by City Clerk or Code Reviser.** Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors, references to other local, state or federal laws, codes, rules or regulations; or ordinance numbering and section/subsection numbering.

SECTION 5.- **Effective Date.** This ordinance shall take effect and be in force on January 1, 2013, which is more than five (5) days from and after its passage and publication, as provided by law.

Suzette Cooke, Mayor

Brenda Jacober, City Clerk

TOM BRUBAKER, CITY ATTORNEY
PASSED: 11th day of December, 2012.
APPROVED: 11th day of December, 2012.
PUBLISHED: 14th day of December, 2012.

I hereby certify that this is a true copy of Ordinance No. 4060 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK
(SEAL)