

# CLEAN WATER SERVICES RATES AND CHARGES

## **Resolution and Order 26-13**

Fiscal Year

July 1, 2026 – June 30, 2027

**CLEAN WATER SERVICES  
RATES AND CHARGES RESOLUTION AND ORDER  
FISCAL YEAR 2026-27  
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## I. DEFINITIONS

For additional definitions, see Clean Water Services (District) Ordinances 27 through 44. The following words have the following definitions in this Resolution and Order, unless the context states otherwise.

### 1.1 **Ad Valorem Taxes**

Taxes based on the value of property as provided in Oregon Revised Statutes.

### 1.2 **Applicant**

The person applying for a permit relating to the sewer or storm and surface water system, who may or may not be the owner of the premises to be served.

### 1.3 **Base Charge (or Base Portion)**

Under the Consumption-Based Sanitary Sewer Rate methodology, the portion of the sanitary sewer charge attributed to fixed costs that do not change with variations in volume of wastewater flow. This currently represents 65% of system costs.

### 1.4 **Billing Period**

A regular period for which service charges are imposed and billed.

### 1.5 **Biochemical Oxygen Demand (BOD)**

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, usually expressed as a concentration such as milligrams per liter (e.g., mg/L).

### 1.6 **Board**

Clean Water Services Board of Directors.

### 1.7 **Bonded Debt**

Long-term debt owed by the District and repaid through fees and charges, or special assessments (Revenue Bonds); property taxes (General Obligation Bonds).

### 1.8 **Building**

Any structure used for human habitation, employment or place of business, recreation or other purpose, and containing sanitary facilities.

### 1.9 **Chemical Oxygen Demand (COD)**

A measure of the organic matter content in wastewater and is the oxygen equivalent of the organic matter that can be oxidized under standard laboratory procedure using a strong chemical oxidizing agent in an acidic medium.

### 1.10 **Commercial Establishment**

Any structure used other than as a dwelling.

**1.11 Connection Charge (Sanitary Sewer and Surface Water Management)**

A term often used interchangeably with System Development Charge (SDC) and having the same meaning.

**1.12 Connection Permit**

The permit issued by the District authorizing physical connection to the sanitary sewer or surface water management system, or authorizing activities that may increase the flow to such systems, alter the character of storm or surface water, or that may alter or impact a water quality sensitive area or associated vegetated corridor.

**1.13 Consumption-Based Rate Method**

A rate method for the sanitary sewer user charge in which a portion of the service charge is based on the amount of usage of the sanitary sewer system, normally estimated using water meter data, and a portion based on Dwelling Units or Dwelling Unit Equivalents.

**1.14 Contracted Services**

A rate of reimbursement for services performed expressed as a rate per hour including the individual's salary and benefits.

**1.15 Customer**

See "User."

**1.16 Customers That Receive Regional Only Services**

A type of customer. CWS provides regional only services (sanitary and SWM) for seven cities — Beaverton, Cornelius, Forest Grove, Hillsboro, Sherwood, Tigard, and Tualatin. The cities provide local services in their areas and manage their systems. CWS has intergovernmental agreements with each city to govern how services are provided.

CWS sets the regional sanitary sewer and SWM rates. Each city sets a city rate, which may include right-of-way fees, to meet local needs. Each city remits the regional portion of revenue to Clean Water Services.

**1.17 Customers That Receive Regional Services and Local Services**

A type of customer. The District provides both regional and local sanitary sewer and SWM services in the unincorporated area of Washington County and the cities of Banks, Durham, Gaston, King City, and North Plains. CWS has intergovernmental agreements with each city to govern how services are provided.

Clean Water Services bills customers located within small cities and unincorporated areas for sewer and SWM services. Customers also served by Tualatin Valley Water District receive a single bill that combines charges for District services along with the water charges.

**1.18 Developing Party**

The person, private, or public entity that funds the construction of any sanitary sewer or storm and surface water improvement project that the District has determined meets all criteria for reimbursement by forming a Reimbursement District as set out in Ordinance 43 or revisions.

**1.19 Dwelling Unit (DU)**

A separate residential unit with kitchen, bed, and bathroom facilities including those in multiple dwellings, apartments, motels, hotels, mobile homes, or trailers. Where allowed by zoning regulations, a dwelling unit also includes an ancillary dwelling unit located on the same lot.

**1.20 Dwelling Unit Equivalent; Equivalent Dwelling Unit (DUE or EDU)**

A nonresidential unit that is deemed equivalent to a dwelling unit as defined here or in the Oregon Plumbing Code. The abbreviations DU, DUE, and EDU are used interchangeably in this Resolution and Order.

**1.21 Easement Vacation (Release) and Consent to Release**

A process whereby the District gives up its legal interest in occupancy of all or a portion of an easement granted to the District and grants or releases the property right to a property owner, or gives consent to an easement vacation by others.

**1.22 Encroachment Agreement**

An agreement between the District and landowner allowing for the encroachment of a permanent structure within a sanitary sewer or storm and surface water easement.

**1.23 Equivalent Service Unit (ESU)**

A measurement unit based on the impervious surface area of an average improved single dwelling lot or parcel, determined by a statistically significant sampling of such parcels. One Equivalent Service Unit is 2,640 square feet of impervious surface.

**1.24 Fiscal Year**

The period from July 1 through June 30 the following year.

**1.25 Fixture Unit**

A unit of measurement assigned to plumbing facilities within a commercial establishment to estimate the potential use of the sanitary sewer system from that facility. Fixture unit load values for sanitary sewer drainage piping are as specified in Section II.D.5, Table 1, or, if not listed, as specified in the (Oregon Plumbing Laws and Administrative Rules).

**1.26 Impervious Surface Area**

All land area that has been altered from its natural state such that it does not allow the infiltration and retention of water equivalent to that of undisturbed soil. This includes pavement, buildings, solid decks, parking areas, and roadways. To determine System

Development Charges, impervious surface does not include improved public streets, roads, sidewalks and bike paths, or other facilities deemed to be a part of the public surface water management conveyance system. Railroad beds, or quarry excavation areas, and temporary service roads in the excavation areas constitute pervious surfaces and will be excluded. Additional provisions and exclusions apply to determine System Development Charges. (As referenced in Ordinance 28 and Section II.H.3)

**1.27 Industrial**

A type of customer. The District bills and collects for sewer services to permitted industrial users in its service area. The District remits to each city an agreed upon percentage of the wastewater volume charge for industrial users within that city.

**1.28 Industrial User**

A source of indirect discharge as defined in the District’s Nondomestic Waste Ordinance No. 42 (NDWO 42), and section 307(b), (c) or (d) of the Act.

**1.29 Local Component of Service Charge (Sanitary Sewer and Surface Water Management)**

The portion of the monthly service charge available to the District to perform local functions of the sanitary sewer and surface water management systems. Customers that receive regional only services establish their local rates to meet their local sanitary sewer and surface water management system needs.

**1.30 Local Component of System Development Charge (Sanitary Sewer and Surface Water Management)**

The portion of the System Development Charge available to the customers that receive regional only services and the District to perform the local functions of the sanitary sewer and surface water management systems. Customers that receive regional only services establish their local charges to meet their local sanitary sewer and surface water management system needs.

**1.31 Master Meter**

A water meter serving more than one tax lot, or more than one service within a single tax lot.

**1.32 Operation and Maintenance (O&M)**

Those activities required to ensure the dependable and economical function of the sanitary sewerage and storm and surface water systems, including treatment works.

Maintenance is the preservation of functional integrity and efficiency of equipment and structures, including the natural features that perform a function in the surface water management system. This includes preventive maintenance, corrective maintenance, and replacing equipment.

Operation is the control of the unit processes and equipment that make up the sanitary sewerage and storm and surface water systems, and treatment works. This includes

financial and personnel management, records, laboratory control, process control, safety, and emergency operation planning.

**1.33 Public Sanitary Sewers and Storm and Surface Water System (Main Sewer)**

The sanitary sewer and storm and surface water collection systems, within easements or right-of-way dedicated to the public, District, or city, that are operated and under the jurisdiction of and maintained by the District or city.

**1.34 Regional Component of Service Charge and System Development Charge (Sanitary Sewer and Surface Water Management)**

The portion of the monthly service charge and System Development Charge available to the District to perform regional functions that benefit all customers in the entire service area.

**1.35 Replacement**

Building or installing new facilities, equipment, accessories, or appurtenances, of equal purpose, for the sanitary, storm and surface water systems, including treatment works, when the existing systems are at the end of their useful lives.

**1.36 Sanitary Sewer System**

All Publicly Owned Treatment Works, pumping or lift facilities, interceptor and main sewer pipe lines, force mains, manholes, laboratory facilities and equipment, and related facilities for the collection, conveyance, treatment, recycling, reclamation, and disposal of sewage, comprising the total publicly owned sanitary sewerage system, to which storm, surface, and ground waters are not intentionally admitted.

During initial construction or reconstruction of public sewer main or interceptor lines, the District sanitary sewer system may also include the portion of a service lateral sewer line within the public right of way or easement. When the District accepts a completed public sewer project, the responsibility for maintenance and reconstruction of the service lateral sewer line shifts to the owner of the property to which service is provided, except as otherwise established by the District's Board.

**1.37 Septic Tank Waste**

Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

**1.38 Septic Waste**

The sanitary and domestic solids and wastewater removed from a septic treatment facility.

**1.39 Service Charge (Sanitary Sewer and Surface Water Management)**

Charges assessed on District residential, commercial and industrial customers who are connected to and/or discharge to the public sanitary sewerage system. District sanitary sewer charges are designed to recover both the fixed costs, which do not vary with

variations of volume of wastewater flow, and variable costs, which do vary by flow volume. (See “Base Charge” and “Use Charge.”) District assesses surface water management services charges on any customer who uses or discharges to the public storm and surface water systems. A property containing impervious surface area is presumed to discharge to the storm and surface water system unless that property has an onsite disposal system that meets the standards of District requirements. Both sanitary sewer and surface water management service charges are billed to customers every month or every two months. Both sanitary sewer charges and surface water management charges include a regional component and a local component (see definitions for “Local Component” and “Regional Component”).

**1.40 Significant Industrial User**

Any Industrial User of the District Publicly Owned Treatment Works that meets the criteria of NDWO 42 Section 3.nn.

**1.41 Sludges Waste**

The solids from primary, activated trickling filter or a mixture of sludges that is removed from a water resource recovery facility.

**1.42 Special Wastes**

Wastes that require some special method of handling such as the use of indirect waste piping and receptors, corrosion resistant piping, sand, soil or grease interceptors, condensers, or other pretreatment facilities.

**1.43 Storm and Surface Water Management System (SWM System)**

Any combination of publicly owned storm and surface water quality treatment facilities, pumping, or lift facilities; storm drain pipes and culverts; open channels, creeks, and rivers; force mains, laterals, manholes, catch basins, and inlets, including the grates and covers; detention and retention facilities; laboratory facilities and equipment; and any other publicly owned facilities for the collection, conveyance, treatment, and disposal of storm and surface water comprising the total publicly owned storm and surface water system within District jurisdiction, to which sanitary sewage flows are not intentionally admitted.

**1.44 Strength Surcharge**

Under the Industrial Service Charge Rate methodology, the portion attributable to high strength or concentration of components.

**1.45 Suspended Solids**

Solids that either float to the surface or are suspended in water, sewage, or other liquids and are removable by filtering.

**1.46 System Development Charge (SDC)**

An assessment provided under Oregon law that is paid at the time a connection permit is issued to recognize the cost of growth. The sanitary system SDC has two components:

“reimbursement,” which is based on the value of the existing collection and treatment systems, and “improvement,” which is based on the anticipated future cost of system improvements and enhancements. The surface water management system SDC is based on improvements to the system. Both sanitary and surface water management SDCs include a regional component and a local component (see definitions for “Local Component” and “Regional Component”). Sometimes referred to as a Connection Charge.

**1.47 Temporary Discharge**

- a. The discharge of domestic wastewater to the sanitary sewer system from a temporary use where there is a temporary structure requiring sanitary sewer service. This would include construction trailers, facilities for short-term events, or manufactured homes with temporary placement permits. Temporary use of a permanent structure does not qualify as a temporary discharge.
- b. The discharge of stormwater, surface water, ground water, or industrial wastewater to the sanitary sewer or storm conveyance system from a temporary use where there is no structure requiring sanitary sewer service. Temporary discharges may include water from environmental remediation sites, waterline testing, groundwater well rehabilitation, and construction site dewatering.
- c. A short-term temporary discharge is defined as a temporary discharge of industrial wastewater to the sanitary sewer system that occurs no more than twice in any six-month period.

**1.48 Use Charge (or Use Portion)**

Under the Consumption-Based Sanitary Sewer Rate methodology, the Fixture Count methodology, or the Industrial Service Charge Rate methodology, the portion generally attributable to variable or flow-dependent system expenses. This currently represents 35% of system costs.

**1.49 User**

Any person who uses property that connects or discharges to the District sanitary sewerage or surface water management system or otherwise receives services from either system. If the property has domestic water service from a water purveyor, the person who is responsible for the water meter serving the property is deemed to be the user. If the property is not served by a water purveyor, the occupant of occupied property is deemed the user. If such property is not occupied, the person who controls or has the right to occupy it is deemed the user.

**1.50 User Charge**

The charge levied on users of a sanitary sewer system and storm and surface water system for the user’s proportionate share of the cost of operation and maintenance (including replacement), debt financing, and construction of such systems, in accordance with Ordinances 29 and 40.

**1.51 Water Unit**

The unit of measurement of water consumption used by the water purveyor, commonly in 100 cubic feet (CCF), gallons, or 100 gallons.

**1.52 Winter Average Water Usage**

Water meter data, including at a maximum the period from October 23 to a date between April 30 and May 7, and for new users at new or existing structures, a minimum of two months of data during that period. See Section II.E.1.a.

## II. GENERAL RULES AND REGULATIONS

### A. GENERAL RULES AND POLICIES

#### 1. Connection and Service Charges for Properties Outside the District

Except as otherwise provided by contract, connection and service charges for properties outside the District's boundaries will be consistent with the rates charged for connection and service charges within District boundaries. Additionally, however, users outside District boundaries will pay an amount equivalent to applicable taxes and fees that property owners within the District's boundaries must pay.

#### 2. Inconsistent Agreements

The User Charge systems will take precedence over any terms or conditions of agreements or contracts that are inconsistent with the requirements of Section 204(b)(1)(A) of the Clean Water Act (33 U.S.C. 1251 et seq., as amended).

#### 3. Intergovernmental Relationships

##### a. Reciprocal Exemption

The District may, by agreement, waive fees and charges when another government has permit review authority over District projects and adopts a reciprocal waiver of comparable fees that otherwise would be applicable to District public projects. This includes fees for plan review, inspection, permits, and recording; System Development Charges; and periodic utility charges. This does not include sanitary sewage connection or service fees or other fees collected by cities within the District service area unless the city consents.

##### b. Administration by Cities

The seven cities that receive regional only services in the CWS service area have intergovernmental agreements with CWS that allow them to collect CWS fees and may administer provisions of this Resolution and Order. Reference to the District and the General Manager may be construed to include a city and its officers, acting under the intergovernmental agreement and this Resolution and Order.

#### 4. Rounding

Whenever a method results in the calculation of a partial DU, DUE, ESU, or water unit, it will be rounded by any of the following methods. If the billing and calculation system reasonably permit calculation by more than one method, the more accurate method will be used.

- a. Mathematical rounding where numbers of .49 and lower are rounded down, and .50 and above are rounded up to the nearest whole DU, DUE, ESU, or water unit.

- b. 1/10<sup>th</sup> rounding where a partial DU, DUE, ESU, or water unit is rounded to the nearest 1/10.
- c. A partial DU, DUE, ESU, or water unit is calculated to the number of significant figures reasonably accommodated by data processing.

**5. Permit Issuance, Duration, Extension, Refund, and Reinstatement**

- a. Sewer connection permits, storm and surface water system connection permits, site development permits, and erosion control permits may be issued to any person who submits an application that meets all applicable requirements of the District, including the required fee or installment application. In any case in which the permit applicant is not the property owner, the applicant will certify to the District in writing that they are authorized to act on behalf of the owner. The District may require any applicant who is not the owner to provide sufficient evidence of authorization to act on behalf of the owner. Issuance of any permit by the District does not constitute authorization to enter upon or perform work upon any property, except by consent of the owner.
- b. Permit Duration
  - 1) Sewer connection permits, storm and surface water connection permits, and related erosion control permits expire 180 days after the permit is issued unless substantial construction has begun and is continuing. The permits will expire and be canceled if there is a failure to begin and continue substantial work toward completion of the connection (as defined in Section II.C.2.b and Section II.C.3.b).
  - 2) Site development permits and erosion control permits associated with site development expire two years after the permit is issued unless substantial construction has begun and is continuing. The permits will expire and be canceled if there is a failure to begin and continue substantial work toward completion.
- c. Extensions of Time: The District may grant a 180-day extension if the property owner or permit applicant submits a written request and General Processing Fee to the District before the permits described above expire. Requests must include the Clean Water Services permit number (e.g., connection, site development, etc.) and any applicable building permit numbers, verification of active Land Use Approval when applicable, and be signed by the property owner or permit applicant. Only two extensions are allowed unless the District grants additional extensions based on unusual circumstances.
- d. Expiration of Permit and Cancellation of Permit: A permit that has expired will be canceled. An owner or applicant may request cancellation of a permit in writing to the District prior to its expiration, whether it has been extended or not. Refunds of permit fees for canceled permits will be processed in accordance with II.A.5e. below.

e. Refund of Permit Fees

- 1) The District will charge a Refund Fee for all refunds that are requested by an applicant or customer, except no refund fee will be charged when:
  - a) The refund result from a system or processing error by the District, or
  - b) The refund results from a reduction in project scope that reduces impacts to either District infrastructure or protected natural resources, based on District Review of the Project. This includes Environmental Review adjustments from Standard Site Assessment to Simplified or Site Certification, as well as Line Tap permits that are determined to be unnecessary by a District inspector during a site visit.
- 2) Requests for refunds of permit fees must be made in writing by the person who paid the fee unless the person applying for the refund provides evidence satisfactory to the District that the original payor has assigned their right to such payment or consents to payment to another person.
- 3) If a permit has expired and been canceled by the District, the District will try to notify the applicant to allow the applicant the opportunity to request a refund of permit fees. Requests for refunds of expired and canceled permits must be made in writing within 30 days of the date of the District's notice of cancellation.
- 4) Subject to the limitations in II.A.5.e.1)-3), the District will refund permit fees provided the work covered by the permit has not commenced, the use for which the permit was issued has not been constructed, or the service for which the fee is charged has not been performed (e.g., plan review and inspection services). If work has commenced, or the use has been constructed, then the use will be eligible for a credit upon disconnection, but not a refund, even if the use has been removed. If the service has been performed, no refund will be given.

- f. Reinstatement of Permit: After a connection permit has expired and/or been canceled, the permit may be reinstated by following application procedures for a new permit and paying the current Connection Fees. If there are no Connection Fees due, a Permit Processing Fee will be charged.

**6. Disconnection and Reconnection**

- a. Properties disconnecting from the sanitary sewer system in accordance with Ordinance 29 must obtain a sewer disconnection permit and pay a Disconnection Fee. Properties disconnecting from the storm and surface water system in accordance with Ordinance 40 Section 8 must obtain a disconnection permit and pay a Disconnection Fee.
- b. Properties that have disconnected from the sanitary sewer system or from the surface water management system may reconnect by following the rules for

connection of a property. The Connection Fees may be reduced by the amount of credit, if any, given for the disconnection. See Section III.A.1.c and Section III.A.2.c for rules on credits. If a reconnection is made, and credits equal or exceed the Connection Fee due, no additional Connection fee will be charged. In either case, the District will charge a Permit Processing Fee for this connection.

## **7. Suspension of Sanitary Sewer Charges**

- a. The District will suspend the base, use, and strength portions of the Sanitary Sewer Service Charge if it approves a suspension request. To request suspension, the customer must contact the District and demonstrate to the satisfaction of the District that all of the following conditions are met:
  - 1) All the water meters serving the property are shut off or locked by the water purveyor, or have been removed;
  - 2) There are no alternate sources of water; and
  - 3) There is no use of the property or structures occurring that would require the use of the sanitary sewer system.

The District will deny the request for suspension if any of the above conditions are not met. Base, use, and strength portions of the Sanitary Sewer Service Charge will be charged if any of the above conditions cease to be met. The District may inspect the structure to verify whether or not the conditions required are met.

- b. The Use Charge of the Sanitary Sewer Service Charge will be suspended upon approval by the District of a suspension request. To request suspension, the customer must contact the District and demonstrate to its satisfaction that there was no water usage or no discharge to the sanitary sewer system for an entire billing cycle.
- c. There is no fee to apply for service charge suspension. Service charges for the storm and surface water program are not affected by the suspension of sanitary sewer charges.

## **8. Recalculation**

- a. The District may from time to time inspect property connected to the sanitary sewer or stormwater system and make a physical count of the number of fixture units, beds, bedrooms, DUs or DUEs, metered flow, or impervious surface area present. Based upon the results of such inspection, the District may recalculate the Connection Charges and service charges.
- b. If the number of DUs, DUEs, or ESUs is reduced as a result of a physical inspection, permit, or administrative change, the District will not refund Connection Charges, but the property will be eligible for a credit. If the number of DUs, DUEs, or ESUs

increases, the owner must pay a Connection Charge to the District based on the differential between the new and old information, calculated at the District's current Connection Charge rate, as provided in Ordinance 28. Any additional charges will be due immediately upon the determination by the District. The owner may request deferral of the charge or installment payment pursuant to ORS Chapter 223.

- c. Service charges will be based on the most current available information, and any revised service charges will become effective immediately upon determination by the District.

## **9. Refund of Service Charges**

The District will issue a refund or credit when an overpayment of service charges has been made, and will not charge a Refund Fee. For accounts where the billing function has been contracted to a water purveyor, the District may delegate the responsibility for determining refund amounts and final account settlement to the billing entity. However, a refund of more than \$100 in District User Charges may be subject to approval by the District.

## **B. SYSTEM DEVELOPMENT CHARGES (CONNECTION CHARGES)**

### **1. Sanitary**

Authority: Sewer Connection Charges will be assessed in accordance with Ordinance 28 for any of the following:

- a. Direct connections to the District sanitary sewer system;
- b. Indirect connections to the District sanitary sewer system including building additions, or expansions that include sanitary facilities;
- c. Change in the use of an existing connection; or
- d. Substantial increase(s) in the flow or alteration of the character of sewage to an existing connection.

### **2. Storm and Surface Water System**

Authority: Storm and surface water System Development Charges will be charged in accordance with Ordinance 28 for construction or another activity that causes, or is likely to cause, an increase in the square footage of impervious surface area or a surface material change to one of increased imperviousness (e.g., paving an existing gravel area). Temporary impervious surfaces projected to be in place for less than one year are excluded.

### **3. Sanitary and Surface Water SDC Effective Date**

The sanitary and storm SDC rates will be applied to each connection permit issued on or after the effective date of this Resolution and Order unless a plumbing permit application has been accepted by the jurisdiction with building authority prior to the

effective date of this Resolution and Order. The sanitary and storm SDC rates in effect at the time of the plumbing permit application will apply for up to 180 days from the effective date of this Resolution and Order.

#### **4. Transferring Sanitary and Surface Water Connection Permits and SDC Credits**

- a. Residential/Commercial Connection Permits: Residential or commercial sanitary sewer and surface water permits for System Development Charges are issued to a specific tax lot numbered lot within a subdivision or development. If a lot is subsequently subdivided, credits for payment of the SDC on the lot may be reassigned to one of the newly created lots. Credits for payment of the SDC on a lot may be transferred to another parcel if all the following conditions are met.
  - 1) A property owner submits evidence that a lot they own with an existing connection to the sanitary or surface water system has become permanently unusable for any use requiring such connection due to a change in its size, topography, or permanent legal restriction; and
  - 2) The property owner provides evidence that the applicable requirements of Ordinances 29 and 40 for disconnection from the sanitary sewer system or storm and surface water system have been met; and
  - 3) The request to transfer the SDC credit to another parcel owned by the property owner occurs within one year of the action making the property unusable; and
  - 4) The owner pays the General Processing Fee.
- b. Industrial Connection Permits: Industrial connection permits are issued to the source of industrial discharge or industrial uses and not to the lot.

Industrial permits may be transferred upon prior approval of the District Environmental Services program. DUEs from industrial permits are not transferable between industrial and residential/commercial connection permits.

### **C. SERVICE CHARGES: SANITARY SEWER AND STORM AND SURFACE WATER SYSTEMS**

#### **1. General**

- a. Request for Service: Any person who obtains a connection permit, or otherwise connects or maintains connection of private plumbing facilities to District sanitary sewer facilities, or who maintains impervious surface areas, will be deemed to have made a specific request for service of the District, and will be responsible for applicable sanitary and surface water management charges. Such specific requests will continue until the property is disconnected from the District system or use is suspended and the customer has complied with all applicable District rules for termination or suspension of service.

- b. **Responsible Party:** The District will determine the person responsible for service charges. The person or entity responsible may be the owner, tenant, or person or entity responsible for the water meter serving the property, as provided in Ordinance 29. The person responsible for the water meter serving the property will be the person responsible for paying water service charges for that water meter. In cases where multiple meters are serving one use, the District may select what appears to be the most appropriate meter based on size or water consumption data and assess the Consumption-Based Rate Methodology “Base Charge” to that single meter until receipt of written notice to the contrary from the user.
- c. In cases where there is a master meter, the Consumption-Based Rate Methodology “Use Charge” and “Base Charge” for all uses being served by the master meter may be billed to the person or entity responsible for the master water meter. Upon presentation of a rental agreement, homeowner association bylaws, or other similar agreement that defines specific payment responsibilities for sewer, surface water management, water supply, and other utility charges, the District may assess charges to the individual tenants, owners, or occupants as specified in that agreement. In such cases, the total sanitary sewer and surface water management service charges will be divided according to the DUs or DUEs of each unit, unless specified otherwise in the agreement.
- d. **Service Charge Billing**
  - 1) The sanitary sewer and storm and surface water monthly service charges may be billed separately or combined into a single billing, and billed on a monthly, bimonthly, quarterly, semiannual, or annual system. The District may prepare and send bills using its staff or contracted services of a private firm or governmental entity.
  - 2) Bills may be prorated whenever there is a new service request, when the user or person responsible changes, or when there is a change in the basis of the rate determination.
  - 3) Except when provided otherwise in a billing service agreement or payment agreement, when a service charge account is not paid in full, any amount paid will be applied to the sanitary sewer and storm and surface water programs in proportion to the amount of each bill.

## **2. Sanitary Sewer Service Charges**

- a. **Authority:** Sewer Service Charges will be made in accordance with Ordinances 28 and 29.

b. Commencement of Charges

- 1) For property served or to be served by a water purveyor, connection to the system will be deemed to be complete and the charge will commence after both of the following have occurred:
  - a) The use of municipal and/or industrial water begins at the service address or when a Certificate of Occupancy is issued, whichever occurs earlier. Water usage associated solely with construction activity is exempt.
  - b) A sewer connection permit is issued, or a sewer lateral is installed to the property, whichever occurs earlier.
- 2) If the date for such water service is unavailable, or the customer is not served by a water purveyor, connection to the system will be deemed to be complete and charges will commence following the earliest of one of the following events:
  - a) Sewer lateral is installed to the property and “rough-in” plumbing inspection is approved;
  - b) Sewer lateral is installed to the property and any inspection that occurs after the “rough-in” plumbing inspection;
  - c) Occupancy permit is issued;
  - d) Evidence of plumbing fixtures connected to the public sanitary sewer system;
  - e) Acquisition of a connection permit and a mobile home siting permit.
- 3) Upon presentation of evidence satisfactory to the District, the District may adjust the commencement of charges to coincide with the date water is available. The user will have the burden of showing the date on which water is available.
- 4) Discontinuance of Charges: Sanitary Sewer Service Charges will be discontinued when the property meets the conditions for disconnection per Section II.A.6, or for suspension Section II.A.7. Service charges will recommence when the property reconnects to the sanitary sewer system, or when the conditions for suspension are no longer met.

**3. Storm and Surface Water Service Charge**

- a. Authority: Storm and Surface Water Service Charges will be made in accordance with Ordinances 29 and 40.

- b. Commencement of Charges is based on the following two project categories:
  - 1) For properties where there is a new or expanded (new units of connection) Sanitary Sewer Service Charge, the Storm and Surface Water Charge will commence at the same time the Sanitary Sewer Service Charge commences or changes.
  - 2) For new connections to the surface water management system where there is no commencement or change to a Sanitary Sewer Service Charge, connection to the system will be deemed to be complete when the project is deemed Substantially Complete. If the connection occurred without District permit or inspection, the connection to the system will be deemed complete on the date the permit would have been required.

#### **D. DETERMINING SANITARY SEWER DWELLING UNITS AND DWELLING UNIT EQUIVALENTS**

##### **1. General**

- a. There are five methods of determining sanitary sewer system Dwelling Units (DU) and Dwelling Unit Equivalents (DUEs):
  - 1) Residential I
  - 2) Residential II
  - 3) Mobile Business
  - 4) Fixture Count (generally for commercial uses)
  - 5) Industrial or Metered (generally for industrial uses)

The methods will apply, and the DUs and DUEs will be calculated, as defined in the following sections.

- b. The following definitions will apply:
  - 1) Bathroom: A room in a residential structure containing a toilet or urinal and a sink. It may or may not include a tub or shower.
  - 2) Bedroom: A room in a residential structure intended to be used as a sleeping area.

For a bedroom containing more than four beds (a dormitory), the number of bedrooms will be determined by dividing the number of beds by four. For example, a dormitory with 40 beds will equal 10 bedrooms (40/4).

In a hotel, motel, bed and breakfast, or other commercial lodging facility, each unit that can be individually rented will be a bedroom. A suite with more than one bedroom in an indivisible rental unit will be counted as one bedroom, provided it does not exceed four beds.

- 3) Kitchen: A room in a residential structure intended for the preparation of meals for residents that includes a sink and stove or cooktop. An area intended for the preparation of snacks or infrequent small meals will not be classified as a kitchen. A kitchen designed for commercial use (sale of food to the general public) will be calculated using the Fixture Count method and will not be included in the Residential I or Residential II rate methods.
- 4) Recreational Vehicle Park: A facility intended for the short-term transitory use of a recreational vehicle trailer or motor home. The use is primarily for vacation or travel. The length of stay is generally one week or less, but occasionally could be up to one month. This use does not include a trailer or motor home being used as a permanent residence.
- 5) Residential Unit: A structure intended for habitation containing one or more bedrooms, bathrooms, and a kitchen.

## **2. Residential I Rate Method**

a. Applicable Uses: This method will apply to two major categories:

- 1) Separate single-family residential dwellings, including ancillary dwelling units located on the same lot, provided all the dwelling units are served (or calculated to be served) by a single three-quarter-inch or smaller water meter and water service.
- 2) Each unit of a duplex, apartment, retirement facility or other residential care facility or commercial lodging facility, condominium, townhome, cottage cluster, courtyard unit, quadplex, mobile homes, hotel, or motel that includes an individual kitchen.

b. The Residential I Rate Method will be used for legally established home occupation businesses. No additional DU or DUE for offices in the residential dwelling will be levied using the Fixture Count or Metered Method if the primary use of the structure is maintained as noncommercial residential. If more than 50% of the fixture units in the structure are associated with commercial use, the DUs or DUEs will be calculated using the Fixture Count Method or Metered Method rather than the Residential I Rate Method. For this section, only fixtures draining to the sanitary sewer system will be included in the calculation. Water requirements for uses not connected to the sanitary sewer, such as irrigation, fire suppression, and air conditioning, will not be included. The calculation will be used only to evaluate the method to be used to

determine the DUs or DUEs. The actual meter size installed will have no bearing on this determination.

- c. **Meter Size:** The Residential I Rate Method will apply if the dwelling is served by a domestic well, or if the calculation requires larger than a three-quarter-inch water meter and service due to pressure or line length restrictions, but the number of fixture units in the dwelling could otherwise be served by a service with a pressure range of 46-60 psi (pounds per square inch) and a line length of 100 feet (33 fixture units). The Residential II Rate Method will apply if the total water supply demand for all fixtures draining to the sanitary sewer exceeds a three-quarter-inch water meter.

➤ **CALCULATION:**

1 DU = Residential dwelling and up to one ancillary dwelling unit or recreational vehicle (RV) disposal cleanout located on the same lot, served or calculated to be served by a three-quarter-inch or smaller water meter; each unit of a duplex; each unit of an apartment or condominium; and each unit of a retirement facility or other residential facility or commercial lodging facility, hotel or motel that includes an individual kitchen.

### **3. Residential II Rate Method**

- a. This method will apply to five major categories:

- 1) Residential dwellings, including any ancillary dwelling units located on the same lot, that are served (or calculated to be served) by larger than a three-quarter-inch water meter and service. Residential dwellings, when there are three or more units on a lot.
- 2) Motel and hotel units without individual kitchens.
- 3) Dormitories.
- 4) Bed and breakfast facilities and other commercial lodging facilities.
- 5) Recreational vehicle parks.

➤ **CALCULATION:**

- Residential dwelling, dormitories, hotels, motels, retirement facility or other residential facility or commercial lodging facilities that do not include an individual kitchen: 1 DUE for the first five bedrooms plus one half DUE for each additional bedroom.
- Recreational Vehicle (RV) Parks:  
1 DUE = 2 RV spaces with sewer hookups

#### **4. Mobile Business Method**

This method applies to permanent connection ports for mobile business units, such as food carts or food cart pods. Mobile business units that are not connected to permanent sanitary connection ports may discharge waste at Rock Creek and Durham, as described in Section III.B.23.

- CALCULATION: 1 DU = 2 connection ports with sewer hookups

#### **5. Fixture Count Method**

This method will apply to all nonresidential uses, when the Industrial or Metered Method is not required and the Mobile Business Method does not apply. The Fixture Count Method will apply to all commercial, nonmetered industrial uses, restaurants, schools, hospitals, public facilities, swimming pool filters, and all other similar nonresidential uses.

- CALCULATION: 1 DUE per 16 fixture units (See Table 1 for Fixture Units)

**Table 1: Fixture Count Methodology Unit Ratings (Sanitary Sewer System)**

Fixture	Type	Value
Baptistery/Font		4
Bath	Jacuzzi	4
	Tub/Shower Combination	4
Car Wash	Each stall	6
	Drive-through	16
Cuspidor/Water Aspirator		1
Dishwasher	Commercial	4
	Domestic	2
Drinking Fountain		1
Eye Wash		1
Floor Drain/Floor Sink <sup>1</sup>	2-inch	2
	3-inch	5
	4-inch	6
	Car wash drain	6
Garbage Disposal	$\frac{3}{4}$ horsepower	16 or 0 <sup>2</sup>
	$\frac{3}{4}$ – 5 horsepower	32
	More than 5 horsepower	42
Ice Machine/Refrigerator Drains		1
Oil Separator (Gas Stations)		6
Recreational Vehicle Dump Station		16
Shower	Gang	1 (per head)
	Stall	2
Sink	Hand/Lavatory/Kitchen/Bar Sink: nonfood service or utility-related use including $\leq \frac{3}{4}$ horsepower disposal	2
	Bradley	5
	Commercial/Service/Utility Sink: food service-related use	3
Swimming Pool Filter		1
Washer, Clothes		6
Water Extractor		6
Water Closet, Toilet		6
Urinal		6
Any rating not listed in this table will be calculated pursuant to the current <i>State Plumbing Code</i> .		

1. The District will count the greater of the number of floor sinks or the number of units that drain into them, but not both. Floor drains in exterior trash enclosures that are designed to connect to sanitary will be counted (e.g., food establishment washdown area that drains to a grease trap).
2. Fixture unit values for garbage disposals less than  $\frac{3}{4}$  horsepower installed in nonresidential applications will be based on the proposed use of the facility. Uses associated with commercial food processing, preparation, handling, or group food service (cafeterias) will be charged 16 Fixture Units. Uses for individual employee support (e.g., employee lunchrooms) will not be separately charged.

**6. Industrial or Metered Method**

- a. This category will include all industrial uses and other uses where the District determines that the DUs or DUEs will be based on estimated or actual metered flow of incoming water, or metered effluent. This calculation will only be used to determine Industrial User Connection Charges.

The Metered Method will include any use identified by the District as having a high volume or strength of effluent discharging to the sanitary sewer system.

- b. The following definitions will apply:

- 1) **Category I (Dry):** Defined as a source that does not generate or discharge any industrial waste or wastewater. DUEs for Category I sources will be calculated under the Fixture Count Method (or other applicable method), unless the District determines that the Metered Method will be required. If so, the use will be evaluated under Category II.
- 2) **Category II (Minor):** Defined as a source of industrial waste or wastewater with a strength of waste discharge less than 800 mg/L chemical oxygen demand (COD) and 400 mg/L suspended solids (SS). DUEs for Category II sources will be calculated based on flow. The amount of Connection Charge DUEs purchased will equal the sanitary wastewater discharge permit monthly average flow limit.
- 3) **Category III (Major):** Defined as a source of industrial waste or wastewater with a strength of waste discharge of more than 800 mg/L chemical oxygen demand (COD), or 400 mg/L suspended solids (SS). DUEs for Category III sources typically will be calculated based on flow. The amount of Connection Charge DUEs purchased will equal the sanitary wastewater discharge permit monthly average flow limit.

The District will evaluate the impact of a Category III source with a strength of waste discharge exceeding 800 mg/L chemical oxygen demand (COD) or 400 mg/L suspended solids (SS). The District has discretion to calculate DUEs based on either strength component instead of flow.

➤ **CALCULATION:**

**Category II**

1 DUE = 625 gallons per day average value plus DUs and DUEs for sanitary and domestic facilities calculated using other applicable methods.

**Category III**

1 DUE = 625 gallons per day average value plus DUs and DUEs for sanitary and domestic facilities calculated using other applicable methods.

OR, upon District evaluation:

1 DUE = 0.7 pounds biochemical oxygen demand (BOD) or 1.4 pounds chemical oxygen demand (COD) per day average value.

OR

1 DUE = 0.7 pounds suspended solids (SS) per day average value.

District will use the DUE calculation yielding the largest System Development Charge, plus DUs and DUEs for sanitary and domestic facilities calculated using other applicable methods.

## **7. General Rules Regarding DU and DUE Determination**

- a. Mixed Uses: The DUs and DUEs for a single establishment may be calculated using more than one method when the uses on the site vary. For example, at an industrial site, the office portion may be based on the Fixture Count Method, and the industrial portion may be based on the Metered Method. In such cases, the total DUs and DUEs will be based on the total calculated from all applicable methods.
- b. The Residential I Rate, Residential II Rate, and Mobile Business Methods will apply whether the dwelling, unit, or space, is occupied or not. These rate methods will include all common facilities such as laundry, kitchen, central dining area, washrooms and cleaning stations, swimming pool, and recreation areas so long as they are located on the same tax lot as the units, dwellings, or spaces and are intended for the sole use of the residents, guests, or mobile business customers. However, if the common facilities are available for use by the general public or located on a separate tax lot served by direct access to public sewer, the Fixture Count Method will be used to determine additional DUs or DUEs.

## **E. SANITARY SEWER SYSTEM:**

### **DETERMINING WATER CONSUMPTION FOR THE CONSUMPTION-BASED RATE METHOD**

#### **1. Methods**

For each customer, the District will determine the appropriate method for determining water consumption. There is one standard method and two alternative methods for the Consumption-Based Rate Method:

Standard Method:

- Winter Average

Alternative Methods:

- Yearly Average Usage
- Actual Monthly Usage

a. Winter Average Method

The District will apply the Winter Average Method to all users of the sanitary sewer system unless the Yearly Average method or Actual Monthly Usage Method applies. Water meter data used to calculate the Winter Average will include, at a maximum, the period from October 23 to a date between April 30 and May 7. The seven cities that receive regional only services referenced in Section II.A.3.b may choose any ending date between April 30 and May 7 that is compatible with their utility billing system. If valid data is available for the full period, it will be used to calculate the average. For new customers at new or existing structures, a minimum of two months of data during that period must be available to use the Consumption-Based Rate Method (Section II.E.2.a). CWS will determine a new Winter Average after the period ending between April 30 and May 7. The new Winter Average will take effect with charges incurred no earlier than July 1 and no later than September 1 of that year.

b. Yearly Average Usage Method

This method will apply to customers when the District determines there is a significant seasonal variation such that the Winter Average usage is not a representative estimate of actual sanitary sewer usage throughout the year.

The District will use the most recently available yearly water usage data to determine a monthly water usage average. A new yearly average will be determined each year as specified in Section II.E.1.

c. Actual Monthly Usage Method

This method is commonly referred to as the Online method. This method will apply to any customer where the monthly data is available, the billing system can accommodate the monthly processing of the data, and the District determines the methods listed above are not representative of actual sanitary sewer usage.

The actual water usage from each measurement period will be used to determine the sewer charges for the following month or billing period.

**2. Exemptions and Adjustments to Determine Water Consumption**

a. No Winter Water Usage Data

Where minimum water usage data described in Section II.E.1.a is not available, the District will use a systemwide average water usage per DU or DUE. (See Appendix A, Section B.1.b)

b. Metered Water Not Entering the Sanitary Sewer System

When the District determines water usage, it will deduct metered water that is not and cannot, under normal operations, be discharged to the public sanitary sewer system if the water qualifies under one of the following:

- 1) The water is separately metered by the water purveyor.
- 2) There is a properly installed internal “deduct” metering system and the procedures for reading and reporting are followed. The District will determine the extent of the metering system necessary to provide adequate documentation of the water that is not discharged to the sanitary sewer system.

c. Short-Term Variation in Usage

Water usage from a one-time event (e.g., major water line break, firefighting, filling a swimming pool) will be deducted from the water usage data if the following conditions are met.

- 1) The water was not and cannot be discharged to the public sanitary sewer system.
- 2) The amount of the water not being discharged to the sanitary sewer system can be reasonably estimated and documented by the customer.
- 3) The water represents at least 20% of the total usage during that water meter reading period. The District will determine the adequacy of the estimate and documentation.

When these conditions are met, the District may either deduct the water not entering the sanitary sewer system from the total usage during the Winter Average period, or disregard that single water meter reading period.

d. Long-Term Variation in Usage

Where seasonal or long-term variation in use affects the accuracy of the Winter Average as an estimate of the year-round sanitary sewer system use and where that discrepancy constitutes at least a 20% difference between estimated winter and nonwinter periods, the District may require, or a customer may apply and request, that the water usage be based on the yearly average usage method described in Section II.E.1.b.

e. Sanitary Sewer System Usage Change Midyear

Any customer who can document the likelihood of a long-term 20% or greater reduction in usage may apply to use the lower of the current Winter Average or be evaluated according to Section II.E.2.a. See rules on “disconnection” Section II.A.6.

The District, at its discretion, may evaluate any customer that increases the number of plumbing fixtures midyear by 20% or more as described in Section II.E.2.d.

**F. SANITARY SEWER SYSTEM:**

**DETERMINING WATER CONSUMPTION FOR THE INDUSTRIAL METERED METHOD**

1. The District’s Environmental Services program will determine which users will be classified as “Industrial,” and will determine the method of measuring or estimating sewage effluent entering the District’s system.
2. The possible methods for measuring or estimating flow for industrial customers and high-volume uses such as car washes and commercial laundries will include an effluent meter, a process inflow meter, or such other method as determined by the District.
3. Meters and monitors, when required by the District, will be installed, operated, and maintained at the sole expense of the user. All metering equipment will be approved by the District. With the approval of the District, a meter measuring all incoming water may be used, or an effluent meter may be used to measure actual sewerage flow.
4. Nothing in this Resolution and Order limits the District’s authority to require the user to separate its industrial waste/wastewater discharge from its sanitary or domestic waste discharge.

**G. DETERMINING STRENGTH COMPONENT FOR INDUSTRIAL USERS FOR MONTHLY SERVICE CHARGES**

The District’s Environmental Services program will determine which Industrial Category III Users will be charged a strength component for chemical oxygen demand (COD) and/or suspended solids (SS) in addition to a flow component. The Environmental Services program will determine the measurement method to be used.

**H. DETERMINING STORM AND SURFACE WATER EQUIVALENT SERVICE UNITS FOR MONTHLY SERVICE CHARGES AND THE WATER QUANTITY PORTION OF THE SURFACE WATER MANAGEMENT SDC**

There are two methods to determine ESUs:

- Flat Rate Method (generally for single-family and duplex residential uses).
- Measured Method (generally for multifamily and nonresidential).

These are defined as follows:

**1. Flat Rate Method**

The Flat Rate Method will be used in the following cases:

- a. Flat Rate Residence: A residential structure, including an ancillary dwelling unit located on the same lot, not attached to another residential structure on one or more parcels of land, providing there are not more than two residential structures on one parcel. This definition also includes trailers, mobile homes, and

manufactured homes, if on separate parcels. Two separate dwelling units on a single parcel will be charged one ESU.

Three or more residential dwelling units on one parcel, whether attached or detached, will be considered a multiple-unit residential use, and will be a Measured Use, as defined below.

- b. Two dwelling units joined to each other with a common wall, or one above the other, on one or two parcels. The units may be under one ownership or owned separately. Structures with two residential units may meet the criteria for Measured Use, as defined below.
- c. Trailer Parks, Mobile Home Parks: Includes trailers and mobile homes on a single tax lot (even if there are more than two per tax lot) under one ownership, where spaces are leased or rented for a mobile home or trailer to be placed. Mobile homes on separate parcels are treated as Flat Rate Residence, including additional structures such as a recreation center, community storage building, or an RV (recreational vehicle) parking lot.
- d. Uses Associated with Residence: A Flat Rate Residence or Attached Duplex Use may have other structures and other impervious areas associated with it. An outbuilding or other impervious area that is typically associated with a residential use is considered part of the use and is included in the flat rate charge. Associated uses include an automobile garage, a deck, or a small garden shed. Impervious areas not typically associated with a Flat Rate Residence or Attached Duplex Use are not included as a part of the use and will be measured (see “Mixed Use.”) Such uses include barns, equipment storage areas and buildings, recreation centers, livestock sheds, horse sheds, access roads to commercial operations, day care facilities (exceeding home use standards), retail and commercial uses (exceeding home use standards), church facilities, school facilities, and other similar uses.

➤ CALCULATION: One ESU per dwelling unit.

## 2. Measured Method

The Measured Method will be used for properties that are not included in the Flat Rate Method. The ESUs for all users in this subsection will be determined by measuring the impervious area.

### a. Multiunit Residential Use

- 1) A group of residential dwellings on one parcel including three or more units, such as cottage clusters, courtyard units, and quads, whether or not the units are attached, or

- 2) Three or more attached or detached units on one or more parcels. This definition includes triplexes, townhouses, apartments, condominiums, hotels, motels, recreational vehicle parks, Measured Use residences, townhomes structures with two residential units when constructed as part of a project that includes structures with three or more residential units, and similar uses.
- b. Commercial, Industrial, Institutional: These categories include the entire range of office, manufacturing, service, sales, restaurant, day care, nursery, warehouse, churches, schools, utilities, public services buildings, parks, hospitals, and other similar uses.
  - CALCULATION: One ESU per 2,640 square feet of impervious surface of the property, as defined by District rule.

### **3. General Surface Water Management ESU Determination Rules**

- a. Condominiums: The charge for a single condominium unit will be calculated by measuring the total impervious surface area in the entire complex, including the garages and common areas, and then dividing by the total number of condominiums in the complex.
- b. No Limit on Charge for a Measured Use: Flat Rate Residences and Attached Duplexes are not individually measured. All other uses are individually measured. For some uses, such as Condominiums, this will result in a charge of less than one ESU per unit, and for some uses, more than one ESU. If a use is a Measured Use its charge will not be limited to one ESU, even if it is residential.
- c. Community Facilities: ESUs for a community or neighborhood recreation center or similar facility located on its tax lot, within a development will be calculated by the Measured Method.
- d. Mixed Uses on One Property: A Mixed Use will be defined as a parcel containing both a Flat Rate Use and a Measured Use. This includes a single residence associated with a farm. In such cases, the house (or duplex), the road or driveway leading to the house, and any outbuildings normally associated with a single residence, as defined in Section II.H.1, will be separated and charged one ESU. The remainder of the square footage of impervious surface will be measured and divided by 2,640 to identify the ESUs associated with the nonresidential ESUs to determine the total number of ESUs for the parcel.
- e. Seasonal Impervious Area: Properties that have areas that are impervious for only a portion of the year will constitute seasonal impervious area. For example, a greenhouse that is covered for six months, and open with a pervious floor for six months is considered a seasonal impervious area. If an impervious area is in place for more than one month per year, it will be included in the impervious area

measurement, unless exempted under the policy for “Spreading of Runoff to Pervious Surfaces” Section II.H.3.i.

f. Miscellaneous

- 1) No credits, exemptions, or reductions will be given for impervious surfaces that are submerged for a portion of the year.
- 2) A Flat Rate Use residence (or a duplex unit) and garage, under one ownership, will be charged one ESU (two for a duplex), even if on two adjacent parcels.

g. Roads

- 1) To determine the water quantity portion of the surface water management System Development Charge, public roads will not be included in the measurement of impervious surface area. Public roads will also include private roads that meet all the following criteria:
  - a) The road must be open to the public and serve multiple properties.
  - b) The road must be paved, with curbs and gutters.
  - c) The road must connect between two public roads or must end in a cul-de-sac turnaround.
  - d) The road may not have perpendicular or diagonal on-street parking but may have parallel parking by the curbs. Off-street parking areas may only access the road through a driveway curb cut, or the connection of another side street.
  - e) The road may not be an aisleway through a parking lot.

Any revision of the surface water management service charge based on this section will apply to charges incurred on and after July 1, 1996.

- 2) To determine the Surface Water Management Service Charges, all private roads are to be included in the measurement of impervious surface areas, except private roads that serve Flat Rate Uses (single family, duplex, and trailer park properties) and those that are exempt under subsection 1 above. Private roads are defined as all roads and driveways that have not been dedicated to the public and accepted for public use, and that are defined as an impervious surface under other District rules. Any revision of the surface water management service charge based on this section will apply to charges incurred on and after July 1, 1996.
- 3) All roadways, whether dirt, gravel, or paved, will be considered impervious, and unless a part of an exempted category defined in Section II.H.3.g, will be

included in the impervious area measurement. A roadway is defined as an area intended for providing access for motor vehicles. Motor vehicles will include automobiles, trucks, and tractors if similar or larger in size and weight to a passenger automobile. Roadways will include such things as roads, streets, alleys, driveways, and aisleways in parking lots and storage areas.

h. Determining Impervious Surfaces: Aisleways and Storage Areas

- 1) A dirt or gravel parking lot will be deemed to include 40% of its area in aisleways, and therefore 40% of dirt and gravel parking areas will be deemed impervious. A parking area is defined as an area where motor vehicles are parked temporarily. This will include such areas as public and private parking lots (regardless of frequency of use), and equipment storage areas. The 40% figure is based on typical requirements for the dimensions of parking lots (24-foot aisle, 18-foot parking stalls on each side).
- 2) A dirt or gravel storage area will be deemed to have 20% of its area in aisleways, and therefore 20% of measured dirt and gravel storage area will be deemed impervious. A storage area is defined as an area where materials are stored and accessed by motor vehicles. This will include such uses as container nursery areas and auto salvage yards. The 20% figure assumes that a storage area will have half the roadway ratio as a parking lot.
- 3) A dirt or gravel area that is not accessed by motor vehicles, or is not otherwise highly compacted, will be considered not impervious. This will include such uses as landscaping, and gravel or dirt areas accessed only by foot traffic, or small vehicles, as defined above.
- 4) A user may submit information for District review showing that the road and aisleway area of a parking lot or storage lot is less than the standard 40% or 20%. The District will review such information and may inspect the site. Based on objective, verifiable information presented or upon the site inspection, the District may modify the ESUs for the property to conform to the actual impervious surface. Failure to permit the District to inspect the site will be grounds to deny an application for review under this subsection.

i. Spreading of Runoff to Pervious Surfaces: Impervious areas will be excluded from measurement and surface water management charges if the runoff is spread to a pervious area that does not otherwise receive rainfall. For properties that meet the criteria of this subsection, all or part of the impervious area may be excluded from measurement and charge, as appropriate. For such property, the following criteria will apply:

- 1) It is the responsibility of the user to provide documentation as required by the District to demonstrate that the criteria are met.

- 2) The area of impervious area that can be exempted is limited to the area of the pervious area where the runoff is effectively spread.
  - 3) To qualify, the runoff from an impervious area must not be concentrated but must remain as “sheet flow,” or be spread so it is in sheet flow; the runoff must pass through the pervious area before it is collected in a drain or channel system and carried away; and there cannot be any barriers such as a concrete foundation preventing the sheet flow runoff from passing through the impervious area.
- j. Quarry Property: Permanent roadways, parking areas, and structures will be included in the impervious area measurement. The actual excavated area from which material is being taken, and the temporary service roads in the excavation area, will be excluded as not being impervious.
  - k. Railroad Facilities: Railroad facilities will be included in the measurement of impervious area, but the rail grade itself will be excluded as being pervious.

**I. DETERMINING ESUs FOR WATER QUALITY PORTION OF SURFACE WATER MANAGEMENT SDC**

The District will determine the water quality component of the surface water management SDC using the methods for calculating ESUs as defined in Section II.H with one exception: All roads, both public and private, and even if serving Flat Rate Uses, will be included in determining the ESUs.

### III. DEFINING AND APPLYING FEES AND CHARGES

#### A. SYSTEM DEVELOPMENT CHARGES (CONNECTION CHARGES)

##### 1. Sanitary Sewer

###### a. Determining Sanitary Sewer Connection Charges

Except as shown in Section III.A.1.b. and Section III.A.1.c, Connection Charges are based on the number of Dwelling Units or Equivalent Dwelling units as determined in Section II.D multiplied by the rate per DU or DUE in Appendix A.

###### b. Exemptions to Determining Sanitary Sewer Connection Charges

- 1) Car Washes: The initial Connection Fee for a car wash will be based on Fixture Count Method. Adjustments to the Connection Fee based on actual water use will be made after six months of operation, based on a Category II Industrial Rate. Additional Connection Fees may be required at the time.
- 2) The initial Connection Fee for unfinished or undeveloped (shell) commercial establishments will be one DU or DUE. Additional Connection Fees may be required at the time that interior improvements are made to the building. Owners, developers or tenants making interior improvements that include plumbing facilities will be required to pay additional Connection Fees at the time such improvements are made.
- 3) Temporary discharges of wastewater as defined in Section I will be charged connection and/or discharge fees as described below.
  - a) Temporary discharges of domestic wastewater as defined in Section I require a sanitary sewer connection permit and will be charged a temporary sanitary sewer Connection Fee as described in Appendix A, Section A.1.b. These discharges are subject to Sanitary Sewer Services Charges as defined in Section III.B.1.a.1.
  - b) Temporary discharges of nondomestic wastewater as defined in Section I occurring more than twice in a six-month period are subject to the permit and approval requirements of R&O 09-1 regarding industrial (noncommercial, nondomestic) discharges. These discharges require an Industrial Waste Discharge Permit and permit fees described in Appendix A, Section D.3.a. These discharges also require a sanitary sewer connection permit and will be charged a temporary sanitary sewer Connection Fee as described in Appendix A, Section A.1.b. These discharges are subject to Sanitary Sewer Services Charges as defined in Section III.B.1.a.2.
  - c) Short-term temporary discharges as defined in Section I are subject to the permit and approval requirements of R&O 09-1 regarding industrial

(noncommercial, nondomestic) discharges. Short-term temporary discharges are exempt from sanitary sewer Connection Fees, but require an Industrial Wastewater Discharge Permit and permit fee described in Appendix A, Section D.2.d. These discharges are subject to Sanitary Sewer Service Charges described in Section III.B.1.a.2.

c. Credits

- 1) Credit Through Prior Payment: Whenever a Connection Charge is computed on property for which sewer Connection Charges have been previously paid, a credit may, in the discretion of the District, be allowed. District staff will determine the amount of the credit by considering the Connection Charge calculation method existing at the time of the payment of the earlier Connection Charge(s) and the number of existing and proposed DUs or DUEs, then computing the extent and amount of the credit, if any. If records of such previous charges are not available, the burden of proof will be on the property owner to establish the amount of those earlier charges. The exact manner of calculation of any credit allowed will be at the discretion of the District.
- 2) Credit Through Facility Construction: A property earning a credit through the construction of a facility as specified in Ordinance 28 may apply those credits to reduce Connection Charges.

**2. Surface Water Management**

a. Determining Surface Water Management Connection Charges

The Surface Water Management SDC charge, for quantity and quality, will be charged at the time connection permits are issued unless onsite facilities are constructed. Except where credits are available pursuant to Section III.A.2.c.1 and III.A.2.c.2, the water quantity portion of the Surface Water Management SDC will be based on the number of ESUs for that purpose as determined in accordance with Section II.H. Except where credits are available pursuant to Section III.A.2.c.1 and III.A.2.c.2, the water quality portion of the Surface Water Management SDC will be based on the number of ESUs for that purpose as determined in accordance with Section II.I. The resulting combined water quantity and quality ESUs will be multiplied by the Surface Water Management SDC rate per ESU from Appendix A.

b. Exemptions to Determining Surface Water Management Connection Charges

- 1) Short-term temporary discharges to the storm or surface water system are exempt from stormwater management Connection Fees, but require a temporary discharge review and associated fee, as listed in Appendix A, Section D.12.

- 2) Short-term temporary impervious surfaces projected to be in place for less than one year are subject to Surface Water Management Service Charges described in Section III.B.2.a.
- 3) Short-term temporary nonrunoff discharges to the storm or surface water system are exempt from Surface Water Management Service Charges.

c. Credits

- 1) Credit Through Prior Payment: Whenever a Connection Charge is computed on property for which surface water management Connection Charges have been previously paid, a credit may, at the discretion of the District, be allowed. The amount of the credit will be determined by District staff by taking into consideration the Connection Charge calculation method existing at the time of the payment of the earlier Connection Charge(s) along with the number of existing and proposed ESUs and then computing the extent and amount of the credit, if any. If records of such previous charges are not available, the burden of proof will be on the property owner to establish the amount of those earlier charges. The exact manner of calculation of any credit allowed will be at the discretion of the District.
- 2) Credits Through the Construction of a Facility: The procedure for allowing and determining the amount of credits is established by a separate rule pursuant to Ordinance 28.

a) Credits for Water Quantity Portion of the Surface Water Management SDC

New developments that provide onsite or off-site water quantity control improvements for conveyance capacity according to Ordinance 28 are entitled to a credit in SDC fees. The improvement must meet or exceed the requirements in the District's "Design and Construction Standards."

- i) To be eligible for a credit of SDC fees, the request can be made at any time, in accordance with District Ordinance 28. The request must demonstrate the property meets one of the above conditions.

For onsite facilities, the District reserves the right to inspect the facilities installed at any time. If the District finds the system no longer functions, the SDC fees that were waived will become due and payable.

b) Credits for Water Quality Portion of the Surface Water Management SDC

Properties that provide onsite retention, disposal, or treatment may apply for and receive a credit in the water quality portion of SDC fees. A credit also may be given for future phases of development.

To be eligible, new development, or portions of new development, must include design, construction, and maintenance of an onsite treatment facility that meets or exceeds the standards defined in District rules for onsite water quality facilities.

The term “onsite” means on the parcel, or on another parcel in the vicinity of the parcel for which a user requests the credit or reduction.

- i) To be eligible for a credit of SDC, the request can be made at any time, in accordance with District Ordinance 28. The request must demonstrate the property meets one of the above conditions.

The District reserves the right to inspect the facilities installed at any time. If the District finds the system no longer functions, then the SDC fees that were waived will become due and payable.

## **B. SERVICE CHARGES**

### **1. Sanitary Sewer**

#### **a. Determining Sanitary Sewer Service Charges**

The two methods for determining Sanitary Sewer Service Charges are:

- Consumption-Based Rate Method
- Industrial Method

#### **1) Consumption-Based Rate Method**

This method will apply to all uses except those qualifying under the Industrial Method.

The Sewer Service Charge will be based on the total of Dwelling Units or Dwelling Units Equivalent (the Base Charge as determined in Section II.D) multiplied by the rate per DU or DUE in Appendix A, plus the customer’s average monthly water consumption (the Use Charge as determined in Section II.E) multiplied by the rate per water unit [gallons or hundred cubic feet (CCF)] in Appendix A.

#### **2) Industrial Method**

This category includes all industrial uses and such other uses where District’s Environmental Services program determines that the charge will be based on a combination of metered effluent (or metered inflow), plus in some cases a strength component.

This method will include any use identified by the District that has a high volume or strength of effluent discharging to the sanitary sewer system, such as industries, car washes, and commercial laundries.

The monthly Sewer Service Charge will be based on the total volume of effluent (as determined in Section II.F) multiplied by the monthly rate per volume in Appendix A.

In addition, the District's Environmental Services program will determine which Industrial Category III Users will be charged a strength component for chemical oxygen demand (COD) and/or suspended solids (SS) (as determined in Section II.G) multiplied by the monthly rate per volume in Appendix A, in addition to the flow component.

b. Other Sanitary Sewer Service Charges

- 1) Flow Exceedance Charges: Will be charged as defined in Appendix A, Section B.1.d. for Industrial Users discharging over permitted DUEs purchased (Purchase Capacity).
- 2) Liquid Waste/Septic Tank Waste Charges: Will be charged as defined in Appendix A, Section B.1.d for the treatment of waste from septic tanks or portable toilets delivered to a District water resource recovery facility by an authorized liquid waste hauler. Nondomestic wastes will only be received by the District if approved by Environmental Services and determined to be similar to domestic waste and can be effectively treated at a District water resource recovery facility.
- 3) Sludge Waste Charges: Sludge Waste Charges will be charged for the treatment of sludges from other than District water resource recovery facilities as defined in Appendix A, Section B.1.e.

**2. Surface Water Management**

a. Determining Surface Water Management Service Charges

Except as provided in Section III.B.2.b, the Surface Water Management Service Charges will be the number of ESUs (as determined in Section II.H) times the rate per month per ESU in Appendix A. Temporary discharges to the storm system will be charged as shown in Appendix A. Charges for temporary discharge will be due when the permit is issued.

b. Exemption from Surface Water Management Service Charges

- 1) Users of properties where all stormwater is disposed of onsite, as defined by District standards, may request an exemption from Surface Water Management Service Charges. No partial exemptions or reductions for detention, or for disposal of only a portion of the storm and surface waters onsite, will be allowed. To qualify for a Service Charge exemption, the user must design, construct, and maintain an onsite facility that keeps all storm and surface water separated from the public system, and disposes of it onsite for the full range of storms. The applicant for exemption must pay an initial inspection/review fee.

In this section, the term “property” means a parcel of land, or a group of adjacent parcels working in cooperation. The term “onsite disposal” means on the parcel, or on another parcel in the vicinity of the parcel for which a user requests the exemption.

To qualify for the exemption, the onsite system must encompass the entire property (except for incidental impervious area as defined below), must be completely separated from the public system, and must provide adequate onsite disposal. Incidental areas include sidewalks, decks, and driveway aprons, and must not exceed 10% of the total impervious area.

Onsite disposal facilities that may qualify are dry wells, injection wells, retention basins with percolation and evaporation capacity, retention basins with capacity large enough to accommodate the total of all storms through the year, and large pervious areas as provided in Section III.B.2.b.6. Due to possible adverse effects on ground water, some techniques may require approval of federal, state, and local agencies.

- 2) To qualify, an applicant must submit a request to the District for an exemption from monthly service charges relating to the property. This request must include a certification from an engineer, or other evidence acceptable to the District, that shows the system is separate and will infiltrate (dispose of) the full range and volume of stormwater through the year onsite. The applicant must also submit a maintenance plan and signed maintenance agreement to ensure the system will function as designed. The application must be signed by the property owner.

An inspection/review fee will be paid with the application. The fee will be waived if the request for the exemption is made as a part of the construction plans. A decision denying an exemption may be appealed following the procedures in Ordinance 29. If approved, the exemption will be effective for the next billing cycle.

- 3) The District retains the right to inspect the onsite measures to assure they are functioning as designed. If at any time the measures are found to be ineffective, the exemption will cease.
- 4) If the property has a dry well and is a Flat Rate Residential Use, the applicant must submit a request for an exemption from monthly service charges demonstrating that the property meets the following dry well criteria. Any newly installed dry well must meet Washington County Building Department or applicable city requirements, and evidence of such approval must be submitted to the District. If the application is for an existing dry well, evidence of compliance with one of the following must be submitted:

- a) The dry well meets current city or Washington County Building Department Standards; or
  - b) The dry well installation was approved by the city or Washington County Building Department at the time of installation; or
  - c) The dry well design was certified by a licensed civil engineer at the time of installation or can now be certified as meeting District standards.
- 5) This provision does not approve the use of dry wells but only recognizes the reduction in impact to the surface water management system. Installation of dry wells must still meet the approvals of all jurisdictions with authority.
- 6) A property with a large vegetated pervious area may receive an exemption based upon disposal of all stormwater onsite, upon application to and approval by the District. Upon approval, the exemption will apply to the next billing cycle following approval. For applications meeting the requirements of this subsection, no design, construction, engineer’s certification, or maintenance plan will be required, provided however that the term “property” refers only to the parcel for which the exemption is requested. The parcel and vegetated pervious area must meet all of the following criteria:
- a) It must be at least 150 feet from the edge of the impervious surface to the property line for each ESU on the parcel, and must be at least 50 feet wide for its entire length;
  - b) The pervious area must be located downhill from the impervious area, between the impervious area and the property boundary; and configured so that all stormwater from the impervious area flows to the pervious area to allow infiltration;
  - c) Stormwater runoff must not be concentrated, piped, or channelized in the pervious area, but instead must flow uniformly over the vegetated surface (“sheet flow”);
  - d) The pervious area must have sufficient established vegetation over its entire area to slow the flow and prevent erosion.

### **C. SERVICE REQUEST FEES**

The following are fees charged for services requested or required to be performed by the District. In each case, the fee is established based on the estimated actual cost, as defined in Ordinance 28, of performing the service or making the service available. Service Request Fees, copying charges, and similar customer service charges are due and payable when such services are provided. The District may require payment at the time the service or product is delivered.

## **1. Customer Assistance Charges**

The District will charge the actual cost for copies of District maps, publications, and other documents. The District will waive fees to copy maps and publications for all government entities, provided there is a reciprocal waiver of such fees. The District will not charge to provide information about sewer availability and lateral location.

## **2. Real Property Document Fees**

### **a. Document Recording Fee**

A Recording fee will be charged to record each standard easement and private stormwater facilities agreement with Washington County. This fee will be charged each time a document must be recorded. It must be paid in addition to regular construction plan review fees or connection permit fees.

### **b. Document Review and Recording Fee**

A Document Review and Recording Fee will be charged to investigate, review, and record the following real property documents:

- 1) Vacation Agreement (Easement Release or Quitclaim)
- 2) Encroachment Agreement
- 3) Covenant

Owners of properties that have been paid for an easement who request vacation of all or part of the easement may be required to pay to the District a like amount for the easement in addition to this fee.

## **3. Public Notice Fee**

Actual publication fees will be charged for the public notice of an individual project or request, in addition to regular project application, review, and processing fees. This fee will be paid by the applicant before the associated project is approved, the permit is issued, or staff makes recommendations to the Board.

## **4. General Processing Fee**

A fee will be charged to submit an appeal, or other service that requires District staff time or where action by the Board or Clean Water Services Advisory Commission is requested. It excludes items covered by other fees and contracts.

## **5. Line Cleaning Fees**

Line Cleaning Fees will be charged when District personnel clean a portion of the sanitary or storm sewer line to allow video inspection of the line.

## **6. Local Improvement District (LID) Fees**

### **a. LID Apportionment Processing Fees**

LID Apportionment Processing Fees will be charged to cover the cost to the District for processing apportionments. The fee is charged as part of the application unless the apportionment is initiated by the District where it is added to the apportioned amount.

### **b. LID Initiation Fee**

An LID Initiation Fee will be charged to help defray the cost of the engineering feasibility study for all proposed LIDs that contain more than 50% undeveloped properties by area.

## **7. Contracted Services**

Contracted services provided by District personnel will be addressed as part of the executed contract for services. Contracts will provide for payment to reimburse costs of labor and other personnel expenses (see OPE below) on an actual individual basis, and additional actual material costs as applicable.

## **8. Miscellaneous Fees**

Except for services specified in Section III, C.8 above, any other services performed by District personnel for which a fee is not specified in this Resolution and Order will be charged at the employee's salary rate plus the cost of other personnel expenses (see OPE below) for actual time spent on the service (minimum 0.25 hours), plus the cost for materials and use of District equipment. There will also be a charge per page to copy pertinent documents.

## **9. Other Personnel Expenses (OPE)**

Expressed in terms of a percentage of an employee's base salary, the additional actual employee costs, including health insurance, retirement, vacation, sick leave, workers' compensation costs, and social security taxes.

## **10. Payment Service Fee**

A Payment Service Fee may be charged to offset the costs associated with District's acceptance of credit card payments for permit and Service Request Fees.

## **11. Permit Processing Fee**

A Permit Processing Fee will be charged to issue all permits that do not have a separate application fee. When more than one permit is necessary to respond to a single plan submittal, the Permit Processing Fee will only be charged one time. The Permit Processing Fee will also be charged on permits that do not result in any other charges, such as permits that are issued on lots that carry connection credits.

## **12. Physical Connection to Public Facilities (Line Tap Fees)**

Line Tap Fees will be charged to connect a private lateral or side sewer to the District's public facilities. The amount of these fees reflects the actual cost of installing connections from private facilities to public facilities, based upon the average cost to the District to perform such work. Line Tap Fees are not System Development Charges.

## **13. Refund Fee**

A Refund Fee will apply to requests for refunds, except as described in this document. Refunds for just cause, as determined by the District, will be granted if a written request for refund is received not later than one year after the charge was paid, and is accompanied by a Refund Fee.

In addition to the Refund Fee, the District will deduct the costs of actual work performed from the amount of the refund, as defined under "Miscellaneous Fees." Refunds due to a bona fide and verifiable error or omission on the part of the District or another public agency will not be subject to a Refund Fee or Miscellaneous Fee, or the one-year refund limitation.

## **14. Regional Stormwater Management Charge (RSMC)**

- a. Authority: A Regional Stormwater Management Charge will be made in accordance with Ordinance 40.
- b. An RSMC will be charged to a Developing Party that uses publicly funded Regional Stormwater Approach Projects (RSAP) to manage stormwater runoff. The RSMC will be based on the RSAP costs and RSAP treatment volume for all publicly funded RSAP constructed to date and will be indexed for Public Investment Protection.

RSMC will be collected from the Developing Party when a permit is issued that allows development on a parcel served by an RSAP. The RSMC to be paid will be based on the volume of stormwater management required for the proposed development. The volume of stormwater management a development will require will be based on factors that include land use designation, lot size, and effective impervious area.

RSMC will be imposed and collected associated with right-of-way improvements from the Developing Party when it issues a site development permit. RSMC will be imposed and collected associated with development on individual lots from the Developing Party when it issues the connection permit.

- c. RSMC Calculation for Residential Land Use

For residential land use types, including attached townhomes, the RSMC will be calculated using the actual lot size, the percentage impervious design factor, a factor to convert square footage (SF) to cubic footage (CF), and the unit rate RSMC found in Appendix A. The impervious design factor is listed in Table 2.

**Table 2: Regional Stormwater Management Charge Impervious Design Factor**

<b>Residential Land Use Zoning</b>	<b>% Impervious Design Factor</b>
R6	45%
R9	50%
R15	60%
R24	65%

- The following equation is used to determine the residential RSMC for a project:

$$\text{Residential RSMC} = \text{Lot Size (SF)} \times \text{Percent Impervious Design Factor} \times 0.131 \text{ CF/SF} \times \text{RSMC Unit Rate}$$

d. **RSMC Calculations for Multifamily Residential and Nonresidential Land Use**

For multifamily residential and nonresidential land use types, the RSMC will be calculated using the actual impervious area, a factor to convert square footage to cubic footage, and the unit rate RSMC found in Appendix A. This methodology is for land uses including institutional, neighborhood commercial, neighborhood commercial mixed use, apartments, condominiums, private drive aisles, open space, and right-of-way.

- The following equation is used to determine the multifamily and nonresidential RSMC for a project:

$$\text{Multifamily or nonresidential RSMC} = \text{Actual impervious area (SF)} \times 0.131 \text{ CF/SF} \times \text{RSMC unit rate}$$

**15. Fee-In-Lieu of Construction of Onsite Stormwater Management Approaches**

A Fee-in-Lieu will be charged for developments that meet the criteria of the District’s “Design and Construction Standards” and are not required to build onsite stormwater management approaches to address either water quality and/or hydromodification for all or a portion of the site. The amount of the Fee-in-Lieu will be calculated based on the amount of unmanaged impervious service on the site.

Projects that use an approach that only meets the water quality requirement or the hydromodification requirement will be charged the corresponding Fee-in-Lieu. Developments that do not construct either an onsite water quality approach or a hydromodification approach will be charged the combined Fee-in-Lieu.

**16. Reimbursement District Application Processing and Review Fees**

a. **Reimbursement District (RD) Application Processing Fee**

A nonrefundable RD Application Processing Fee will be charged when an application to form an RD is submitted. The application fee covers the District’s costs in providing notice of public hearing and the District’s examination and report.

b. RD Second Notice and Review Fee

If an application to form an RD is submitted before improvements are installed, an RD Second Notice and Review Fee will be charged to the Developing Party to cover the District's costs in providing notice of public hearing and the District's examination and report of final cost information.

c. RD Charge

An RD Charge is due upon connection of a property identified as benefited by an eligible project in accordance with the District's RD program. RD Charges collected by the District will be used to reimburse the District and others for their contribution to the costs of constructing eligible projects.

The RD Charge will be assessed in accordance with District Ordinance 43 or as revised, and any Resolution and Order (R&O) resulting in the formation of an RD. Accrued interest will be included in the invoice for the RD Charge. The interest will be calculated at the rate set in the formation R&O, and the calculated interest amount shown on an invoice is valid for 30 days.

d. RD Administrative Fee

The District will charge and retain an RD Administrative Fee to the party funding the construction of the qualified RD project. The fee covers the District's costs in administering the RD program.

e. RD Apportionment Processing Fee

A nonrefundable RD Apportionment Processing Fee will be charged, upon request from the owner of a specially benefited property, to apportion an RD Charge. This fee is charged to cover the District's cost to examine the proposed apportionment methodology in providing notice of public hearing.

**17. River Ranger Program Materials Fees**

River Ranger materials used to teach students about wastewater treatment, water conservation, and surface water pollution are free to educational programs within the Tualatin River Basin to the extent sufficient supplies are available.

A River Ranger program material fee will be charged to programs outside the Tualatin River Basin. The fees consist of:

a. River Ranger Basic Program Materials Charge

The charge for the River Rangers Program Packet, which is sold in units of 250 packets. The packet consists of an illustrated booklet, stickers, and magnet.

b. River Rangers Instructional Video and Script Charge

The charge for the River Rangers Instructional Video and Script, which consists of a 30-minute video guide to teaching the River Rangers Program, and a script upon which teachers may base their presentations.

c. River Rangers Poster Set Charge

The charge for a set of 15 River Rangers instructional posters, which may be used as visual aids in teaching the River Ranger program.

**18. Special Publications and Materials Fees**

The Special Publications and Materials Fees will be charged for documents, audio and video tapes, and other materials produced for a special purpose, in limited quantity, or by any special printing or production method. Fees for these materials will be based on the unit cost of producing an entire production run.

The General Manager may provide special publications without charge at District-sponsored meetings and programs, community events, to people or groups having a special interest in the subject, or to promote public information.

**19. Stormwater Material Handling Fees**

a. Stormwater Material Recovery Fees

- 1) Stormwater Material Recovery Fees will be charged to Washington County or the cities that receive regional only services and elect to use the Regional Stormwater Material Recovery Facility to process street sweeping material and storm system vactor material collected while performing storm system maintenance activities under the District’s Municipal Separate Storm Sewer System (MS4) permit or other approved maintenance activities. The Stormwater Material Recovery Fees are based on the costs for handling, processing, loading, and beneficial use or disposal of the material.
- 2) Stormwater Material Recovery Fees will be charged based on the type of material processed — vactor material or street sweeping material. Storm system vactor material includes material collected from maintenance activities typically performed by a vactor truck, such as cleaning catch basins, water quality manholes, and storm lines.
- 3) Users are responsible for delivering collected material to the Regional Stormwater Material Recovery Facility. Use of the facility by other entities is not permitted unless working under contract with Washington County or one of the cities that receive regional only services in the District’s service area or upon District written approval.

b. Stormwater Material Hauling Fee

- 1) A Stormwater Material Hauling Fee will be charged to Washington County or the cities that receive regional only services and request District assistance to haul partially dewatered storm system vactor and/or street sweeper material to the Regional Stormwater Material Recovery Facility. The Stormwater Material Hauling Fee includes District's delivery of empty boxes and pickup and delivery of full boxes to the Regional Stormwater Material Recovery Facility. Invoicing will be based on time recorded on District work orders and include labor, OPE, equipment, material, and applicable overhead.
- 2) Agencies are responsible for loading material in a box container compatible with the District's hook lift trucks. Vactor material and street sweeper material must be kept separate. This service is not available for private entities unless working under contract with Washington County or one of the cities that receive regional only services within the District's service area.

c. Nonstormwater Material Recovery Fee

- 1) Nonstormwater Material Recovery Fees will be charged to Washington County or the cities that receive regional only services and use the Regional Stormwater Material Recovery Facility to process nonstormwater material (e.g., hydro-excavation, mixed loads) collected while performing maintenance activities under the District's MS4 or National Pollutant Discharge Elimination System permit or other approved maintenance activities. The Nonstormwater Material Recovery Fee is based on the cost for handling, processing, loading, and disposing the material.
- 2) Users are responsible for delivering collected material to the Regional Stormwater Material Recovery Facility. Use of the facility by other entities is not permitted unless working under contract with Washington County or one of the cities that receive regional only services within the District's service area or upon District written approval.

**20. Vegetated Corridor Payment to Provide**

The Vegetated Corridor Payment to Provide will be charged as mitigation for impacts to vegetated corridors on development projects consistent with the District's Design and Construction Standards.

The Vegetated Corridor Payment to Provide is calculated based on the square footage of vegetated corridor required to be mitigated, but that is not otherwise mitigated onsite or off-site by the applicant.

## **21. Vegetated Corridor Enhancement Fee**

Users of properties that require vegetated corridor enhancement as a condition of development, or if desired by the user, may ask the District to implement vegetated corridor enhancement and pay a Vegetated Corridor Enhancement Fee.

The District will evaluate each request and may accept or deny based on proximity to other District projects, staffing capacity, programmatic goals, and efficiency. To qualify, an applicant must also set aside and protect the vegetated corridor as required by the Design and Construction Standards.

The Vegetated Corridor Enhancement Fee is calculated using the area to be enhanced based on corridor condition as defined in the Design and Construction Standards.

## **22. Rock Creek and Durham Waste Disposal Fee (RV Waste Discharge Site)**

A waste disposal fee will be charged to users of the RV discharge site at the Rock Creek and Durham water resource recovery facilities to cover the cost of site management and waste treatment. The fee applies to all users of the discharge site including RVs, food trucks, carpet cleaning trucks, and medical services vehicles. The fee also applies regardless of the type of waste disposed at the discharge site. Users must pay either a separate fee each time they use the site or an annual fee that covers all usage each year.

## **D. REVIEW AND INSPECTION FEES**

Review and inspection fees will be charged to review and inspect plans, construction, facilities, and other activities regulated by the District.

### **1. Inspection Fees**

- a. Erosion Control Inspection Fee for Construction Sites not Requiring District Site Development Permit

An Erosion Control Inspection Fee will be charged for District to inspect measures installed to control erosion and adhere to erosion control rules on construction sites that do not require a District-issued Site Development Permit. This fee covers routine inspections on projects such as but not limited to single-family construction and remodels on an existing lot of record. Permits for work on lots that depend on or impact other lots, such as townhomes with shared walls or shared stormwater facilities and associated conveyance, must be issued at the same time.

- b. Erosion Control Only Fee (for Development Sites Without Infrastructure or Vegetated Corridor Improvements)

An Erosion Control Only Inspection Fee will be charged for District to inspect measures installed to control erosion and adherence to erosion control rules on construction sites that require a District-issued Site Development Permit, but do not have any infrastructure or vegetated corridor improvements.

- c. Erosion Control Only Fee for Construction Sites Requiring Subsequent District Site Development Permit (Early EC Inspection Fee)

An Erosion Control Only Inspection Fee will be charged for District to inspect measures installed to control erosion and adhere to erosion control rules on construction sites that have received an Erosion Control Only permit allowing limited work in advance of a District Site Development Permit. The fee covers routine inspection of the site for up to three months. If approved, additional Erosion Control Only Inspection Fees may be charged at three-month intervals until a Site Development Permit is issued. The fee will not be prorated or refunded.

- d. Site Development Inspection Fee

A Site Development Inspection Fee will be charged for District to inspect site development construction activities associated with erosion control, sanitary sewer and stormwater infrastructure, water quality facilities, and vegetative corridor enhancement on residential, commercial, and industrial developments requiring a Site Development Permit.

Inspection fees for industrial or commercial subdivisions over 10 acres and resulting in lots greater than 20,000 square feet, will be charged based on the graded portion of the site.

- e. Stormwater Inspection Fee (Other Than Site Development)

A Stormwater Inspection Fee will be charged for District to inspect the construction of stormwater management approaches on project sites that do not require a District-issued Site Development Permit, or to construct stormwater management approaches that are identified in a Site Development Plan, but are constructed with improvements on the lot subsequent to site development. This fee will be charged to inspect all stormwater management approach(es) reviewed and approved as part of a single stormwater management plan. If more than a single lot is served by one approach, the Stormwater Inspection Fee may be divided among the lots that are served.

- f. Line Tap and Lateral Inspection Fee

A Line Tap and Lateral Inspection Fee will be charged to inspect the connection of a private lateral or side sewer to District public facilities, and work on existing laterals that may expose or physically impact the public sewer system.

- g. Disconnection Inspection Fee

A Disconnection Inspection Fee will be charged to inspect disconnection from the public sanitary sewer system in accordance with Ordinance 29 and to inspect disconnection from the public storm and surface water system in accordance with Ordinance 40.

h. Reinspection or Unpermitted Activities Inspection Fee

A Reinspection or Unpermitted Activities Inspection Fee will be charged

- 1) If inspectors are requested or required to visit a site to perform an inspection before erosion control measures or infrastructure to be inspected are in place, or
- 2) If an inspection is requested before corrections from a previous inspection are made, or
- 3) If a Food Service Establishment fails an inspection for fats, oils, and grease abatement and must be reinspected, or
- 4) If more than two Deficiency Notices have been posted on a project, multiple lots with a common owner within a single subdivision/partition, or any other related permit, the Reinspection Fee will be charged for each follow-up site inspection following the third Deficiency Notice to verify the site has been brought into compliance, or
- 5) If a Stop Work Order is posted on the site, a Reinspection Fee will be charged for each follow-up site inspection to verify the site has been brought into compliance.

Reinspection or Unpermitted Activities Inspection Fees are applicable for all inspection tasks, including erosion control, infrastructure improvement, water quality facilities, grease removal device maintenance, and vegetated corridor enhancement and mitigation.

i. Warranty Period Reinspection Fee for Proprietary Treatment Systems

Proprietary treatment systems will be maintained by the applicant at six-month or shorter intervals during the two-year maintenance bonding period. The applicant may be asked to provide an annual summary report certifying maintenance of proprietary treatment systems for proper function. The District will inspect these systems every six months during this period.

If components of the proprietary treatment systems are found to need maintenance or replacement during this period, a Warranty Period Reinspection Fee may be charged for each vault or proprietary catch basin where an additional inspection is required to verify that the components have been maintained or replaced.

j. Extended Warranty Inspection Fee

An Extended Warranty Inspection Fee will be charged if the warranty period is required to be extended due to incomplete infrastructure repairs or planting. The fee covers necessary additional inspections for six months. Additional Extended Warranty Inspection Fees will be charged at six-month intervals until the site

completes the warranty period in accordance with District “Design and Construction Standards.” The fee will not be prorated or refunded.

k. Reconnection Inspection Fee

A Reconnection Inspection Fee will be charged to inspect physical reconnections of laterals to the public sanitary or storm sewer systems. If the reestablishment of service does not require a physical reconnection, the fee will be the Permit Processing Fee.

l. Inspection Overtime Fee

An Inspection Overtime Fee will be charged when District staff has been requested, in writing by the owner or owner’s representative, to perform inspections outside normal business hours. A request to perform overtime will also authorize the District to bill the owner for the actual overtime hours spent on the project. Payment of all overtime charges must be made prior to construction approval.

Performance of overtime inspections will be at the discretion of the District and subject to the availability of staff. An overtime request does not guarantee an overtime inspection will be performed.

m. DEQ 1200-C and 1200-CN Erosion Control Permit Fee

Through an agreement with the Department of Environmental Quality (DEQ), the District acts as DEQ’s agent in receiving registration applications for the General Permit 1200-C and 1200-CN for the control of stormwater associated with construction activities where required by DEQ. The permitting fees for 1200-C and 1200-CN coverage must be paid directly to DEQ. People developing property within the District service area who are required to obtain a DEQ 1200-C or 1200-CN permit must also obtain the appropriate local Erosion Control Permit from the District or City, and pay the required local fee.

**2. Nondomestic Waste Discharge Permit Fees**

- a. Nondomestic Waste Discharge Permit Fees will be charged to Industrial Users required to obtain Nondomestic Waste Discharge Permits pursuant to the District’s Industrial User pretreatment rules (See Nondomestic Waste Ordinance 42).
- b. Short-Term Industrial Wastewater Discharge Permits are required for users that have short-term temporary discharges of wastewater to the sanitary sewer system, as defined in Section I. These users are not required to pay Connection Charges except as provided in Section III.A.1.b.3.a.

### 3. Site Development Plan Check Fees

#### a. Site Development Application Fee

A Site Development Application Fee will be charged to set up project review folders for projects required to obtain a District Site Development Permit and to review and process Erosion Control Only Permits for sites otherwise requiring a District Site Development Permit. This fee covers technical and administrative review, including infrastructure availability, land use, and plat review, mapping updates, and billing evaluation and setup. The Site Development Application Fee will be charged when plans are submitted for initial review and is nonrefundable.

- 1) A Standard Application Fee will be charged for the review of Site Development plans and reports for projects that require new public storm or sanitary infrastructure, Vegetated Corridor enhancement, construction of stormwater management approaches, or erosion control.
- 2) An Administrative Application Fee will be charged for the review of Site Development project plans when the project does not require construction of infrastructure or other physical site improvements. Example projects in this category include a partition or middle housing land division where sufficient infrastructure exists and provides adequate service to all proposed lots and upstream properties.

#### b. Plan Check Fee

A Plan Check Fee will be charged for District to review up to three plan submittals on all development projects requiring a District Site Development Permit. The Plan Check Fee will be collected when the Site Development Permit is issued.

#### c. Plan Check Resubmittal Fee

A Plan Check Resubmittal Fee will be charged at the time of each submittal in the following situations:

- 1) If a development project requiring a District Site Development Permit requires more than three plan submittals for review. A Plan Check Resubmittal Fee will be charged for every submittal beyond three unless such resubmittals are required solely due to the District's failure to identify significant design flaws apparent in previous submittals.
- 2) If plans previously reviewed and approved or approved as noted by the District are subsequently phased or substantially changed when such change requires additional review or administrative action by the District.

#### d. Plan Check Overtime Fee

A Plan Check Overtime Fee will be charged when District staff has been asked, in writing by the owner or owner's representative, to perform plan checks outside

normal business hours. A request to perform overtime will also authorize the District to bill the owner for the actual overtime hours spent on the project. Payment of all overtime charges must be made before plan approval.

Overtime plan checks will be performed at the discretion of the District and subject to the availability of staff. An overtime request does not guarantee the performance of overtime plan checks or expedited review during normal business hours.

#### **4. Stormwater Review Fee (Other Than Site Development)**

a. Stormwater Review Fee for projects that do not require a Site Development Permit

A Stormwater Review Fee will be charged for District to review projects that result in the creation or modification of 1,000 square feet or more of impervious surface, but do not require a District Site Development Permit. The Stormwater Review Fee will be collected when the permit is issued and will be charged to review a stormwater management plan for one or more lots. If the stormwater management plan is for more than one lot, the Stormwater Review Fee may be divided among the lots served.

b. Stormwater Review Fee for projects with facilities constructed after site development

A Stormwater Review Fee will be charged for District to review water quality approaches that are identified in a Site Development Plan but constructed with individual lot improvements after site development. The Stormwater Review Fee will be collected when the permit is issued and will be charged to review a stormwater management plan for one or more lots. If the stormwater management plan is for more than one lot, the Stormwater Review Fee may be divided among the lots served.

#### **5. Site Certification, Site Assessment, and Alternatives Analysis Review Fees**

The Site Certification, Site Assessment, and Alternatives Analysis Review fees will be charged to customers who require a Service Provider Letter or site certification concurrence in accordance with the District's "Design and Construction Standards."

a. Basic Site Certificate Concurrence Fee

A Basic Site Certification Concurrence Fee will be charged for activities on properties where there is no sensitive area or vegetated corridor on or adjacent to the site, for activities where a Simplified Site Assessment may be used, or for activities relating to existing single-family residences, (e.g., decks, patios, additions, etc.)

b. Site Assessment Application and Base Review Fee

A Site Assessment Application and Base Review Fee will be charged for development activities on properties where there is a sensitive area or vegetated corridor on or adjacent to the site requiring a Standard Site Assessment in accordance with the

District’s “Design and Construction Standards,” and where such activities do not impact the sensitive area or vegetated corridor. The Site Assessment Application and Base Review Fee is due when the initial application is submitted.

c. Minor Encroachment/Allowed Use Certification Fee

A Minor Encroachment/Allowed Use Certification Fee will be charged to issue a Service Provider Letter authorizing development activities that are classified as a minor encroachment or an allowed use as defined in the District’s “Design and Construction Standards.” The Minor Encroachment/Allowed Use Certification Fee is in addition to the Site Assessment Application and Base Review Fee and is due when the Service Provider Letter is issued.

d. Tiered Alternative Analysis Review and Certification Fee

A Tiered Alternative Analysis Review Fee will be charged to issue a Service Provider Letter authorizing development activities that are classified as Tier 1, Tier 2, or Tier 3 encroachments as defined in the District’s “Design and Construction Standards.” The Tiered Alternative Analysis Review and Certification Fee is in addition to the Site Assessment Application and Base Review Fee and is due when the Service Provider Letter is issued.

e. Service Provider Letter Amendment Fee

Unless specifically waived in writing by the District, a Service Provider Letter Amendment Fee will be charged for each adjustment to the Service Provider Letter requested by the applicant or required due to changes in the plans. The Service Provider Letter Amendment Fee will be charged at the time of submittal. If the requested adjustment results in a higher level of encroachment, the difference in the Review and Certification Fee listed in 5.b – 5.d above will be charged in addition to the Amendment Review Fee and will be due when the Amended Service Provider Letter is issued. If the requested adjustment results in a lower level of encroachment, the Amendment Review Fee will be charged, and no refund or credit will be applied.

A separate Service Provider Letter Amendment Fee will be charged for each of the following situations:

- 1) Minor Amendment (first request): Changes to the Service Provider Letter that do not result in altering more than 100 square feet of vegetated corridor encroachments.
- 2) Major Amendment (first request): Changes to the Service Provider Letter that result in altering more than 100 square feet of encroachment or that require modifications to the Natural Resource Assessment.

- 3) Additional Amendment Requests: All subsequent Service Provider Letter amendments regardless of whether the amendment is minor or major.

#### **6. Model Home Application Review Fee**

A Model Home Application Review Fee will be charged for requests for connection permits for model homes prior to Substantial Completion of the development in accordance with the District's "Design and Construction Standards." The fee will cover staff time associated with the plan review, site evaluation, and permit processing. The fee is in addition to all applicable Connection Fees and is a lump sum for all model homes requested in a single application. It will be charged at the time of application.

#### **7. Product Approval Review Fee**

A Product Approval Review Fee will be charged to manufacturers seeking approval of products for use as an acceptable material or system for the sanitary sewer or stormwater management systems. The fee will be charged for each product reviewed for technical evaluation of the product, removal efficiency, reliability, and ease of maintenance. The fee also covers costs associated with training and distributing product-specific information.

#### **8. Natural Resources and Economic Development Services Planning Review Fee**

A Natural Resources and Economic Development Services Planning Review Fee will be charged for customers asking the District to review proposed industrial or commercial economic development sites involving unusual size or scheduling demands. This review fee will also be applicable for projects requiring natural resource data, service information, and planning studies prepared for properties that are not yet in the District's service boundary but are proposed to be added to the District's service area in the near future. District's review will be limited to providing guidance on how the District's "Design and Construction Standards" might apply to such properties and does not constitute approval or acceptance of any study, data, or plan.

#### **9. Special Waste Monitoring Fees**

Special Waste Monitoring Fees will be charged to customers who discharge special wastes into the District system. This monitoring fee will be charged at the rate of time (at the District employee's salary rate) and materials plus the current District personnel support and Other Personnel Expense rate (see Section III.C.10).

#### **10. Surface Water Management Charges Investigation Fee**

People requesting a reduction or waiver of surface water management monthly service will pay an investigation and review fee. The fee must be paid with the application. The fee will not apply if the request is made as a part of the submittal of engineering plans where plan review and inspection fees are collected by the District.

## **11. Video Inspection Fees**

Video Inspection Fees will be charged for video inspection by the District of a sanitary or storm sewer line during or upon completion of construction of the line.

## **12. Temporary Nonindustrial Discharge Review Fee**

A Temporary Nonindustrial Discharge Review Fee will be charged for each temporary discharge of stormwater, surface water, groundwater, or sanitary sewage to the sanitary sewer or storm conveyance system. Each occurrence requires review and approval by the District. Temporary discharges may include water from environmental remediation sites, waterline testing, groundwater well rehabilitation, construction site dewatering, and sanitary sewage discharges from temporary placement of construction trailers.

## **E. INTEREST, DELINQUENCY, PENALTIES**

### **1. Payment Due**

- a. Payment for user charges for the sanitary sewer and surface water management system is due after receipt of service, as provided by the invoice and applicable ordinance. Except as specifically provided otherwise by ordinance, in this Resolution and Order or by contract, payment for any other service, product, permit, or other assessed charge is due and payable prior to receipt of the service or product, issuance of the permit, or delivery of the requested publication or document.
- b. A payment is deemed delinquent if not paid by the due date specified on the invoice or in a contract regarding payment for services.
- c. Any fee associated with a connection permit, erosion control activities, or similar permit authorizing an activity will accrue and be due upon commencement of the activity requiring the permit, even though a permit may not have been obtained.
- d. Subject to Section III.E.4 (Service Charge Adjustments and Payment Agreements), if no service charge invoice is sent, the service or user charge will accrue from and be due at the time service commenced and/or connection was made to the District sanitary and surface water systems.
- e. Amounts owing less than \$10 must be paid prior to delivery of any requested service or product unless it is for a monthly service charge billed on a regular, scheduled billing system.

### **2. Charges for Late Payment**

Any delinquent fee or charge is subject to Interest and Delinquency Charges or Late Payment Charges, or termination of water service for nonpayment, as provided in this subsection and applicable ordinance. The seven cities that receive regional only services may apply the provisions of this subsection or adopt any other lawful program to address and collect delinquent charges and to encourage timely payment.

a. Interest Charge

Interest Charges will be assessed at the rate listed in this Resolution and Order or at the rate adopted by and assessed by any of the seven co-implementer cities that receive regional only services. Interest will accrue from the day after the due date. Interest will apply to all service charges and invoiced charges incurred prior to July 1, 1994; and to service charge billings to industrial accounts incurred on or after July 1, 1994. In addition, interest as provided in this subsection will apply to any other invoiced charge unless otherwise provided by contract.

b. Delinquency Charge

Delinquency Charges equal to 10% of the fee plus accrued interest will commence 120 days after the date the payment became due. After 180 days, an additional 15% of the unpaid fee, interest, and accrued Delinquency Charge will be assessed. Interest and Delinquency Charges under Section III.E.2.a and b will only be assessed against accounts that:

- 1) Have an outstanding balance for services provided prior to July 1, 1994, or,
- 2) Are accounts of Industrial Method customers.

c. Late Payment Fee

The Late Payment Fee will be charged for user charges imposed after July 1, 1994, except those charged to users served by a water purveyor with which the District has an agreement to shut off water service for delinquent User Charge payment, imposed on or after July 1, 1994, for which payment is made later than 15 days from the due date on the invoice. The Late Payment Fee will be 2% of the outstanding balance as of the due date on the invoice. A separate Late Payment Fee will be imposed for each billing period in which user charges remain delinquent.

**3. Penalty for Unauthorized Activities Requiring a Permit**

Except as provided otherwise by ordinance, any proven, intentional use of the District's collection and treatment systems or commencement of an activity that requires a permit, without proper authority and payment of the related fees and charges, will subject the party to a penalty of \$100 or 200% of the regular charge, whichever is greater.

Any penalty will be in addition to the collection of the regular fee or charge, and any other fines, penalties, damages, or other legal remedies available to the District.

**4. Service Charge Adjustments and Payment Agreements**

- a. Upon request of a customer or discovery by the District, the General Manager or designee(s) may adjust sanitary sewer and surface water management service charge accounts for good cause pursuant to written policies. Good cause will include

correction of user or account information, failure of the District to send a bill, demonstrated failure of a user to receive a bill, failure of a prior user to pay a bill relating to the same service address, application of average winter water consumption to the calculation of the sewer Use Charge, correction of measurement of either fixture unit or Equivalent Service Units, adjustments in the time in which the requester was the user. Adjustments may not exceed two years, unless otherwise approved by the General Manager.

- b. Account adjustments may include waiver of applicable Delinquency Charges, Late Payment Charges, Interest, and Service Charges. The District may require a customer requesting the adjustment to utilize a prescribed form, and to provide information and appropriate documentation. The District will attempt to notify the customer within a reasonable time as to the disposition of their request, including the effective date of any correction or adjustment.
- c. The General Manager or designee(s) may approve, in writing, account adjustments pursuant to Section III.E.4.a and Section III.E.4.b. Adjustments made to correct an error or omission may be made in any dollar amount. Other account adjustments may be made in amounts less than or equal to \$10,000 per account. The General Manager may delegate this authority to one or more District employees, in writing, specifying the individuals or positions having such authority, any review protocols, and the dollar amounts authorized. Adjustments greater than \$10,000 per account, other than correction of errors or omissions, will be subject to approval by the Board.
- d. Written, legally binding payment agreements and payment extensions relating to service charges, interest, delinquency, and late payment charges may be made with customers under all the following conditions that apply:
  - 1) Payments will be made with the regular billing for service charges or on other specified dates,
  - 2) Terms regarding principal amount, interest, delinquency, and late payment charges are included,
  - 3) Current charges will be paid when due,
  - 4) The term of the agreement will not exceed three years,
  - 5) User has provided security as deemed appropriate by The District and,
  - 6) The agreement is signed by the user or other responsible party, and the form of the agreement is acceptable to the District.

The General Manager or designee(s) may approve agreements under this subsection for up to \$10,000 per account and may delegate such authority to District staff in the same manner as on Section III.E.4.c.

- e. Adjustments, extensions, and payment agreements may be approved under this Section III.E.4 in cases when a determination is made that such action is:
  - 1) To correct an error or omission; or
  - 2) In the best interests of District ratepayers in obtaining the maximum net return, considering the cost and probable return of further collection efforts, including lack of reliable or provable information; or
  - 3) Otherwise consistent with any written policies relating to collection of service charges.

## APPENDIX A: FEES AND CHARGES

Type of Fee		Amount
<b>A.</b>	<b>SYSTEM DEVELOPMENT CHARGES</b>	
	The maximum System Development Charge is updated annually based on the Engineering News-Record construction cost index for the 20-city average.	
	<b>1. Sanitary Sewer System Development Charges</b>	
	<b>a.</b>	Connection Fee
		\$7,332 Total per DU or DUE
		1. Reimbursement portion - Regional
		\$4,398 per DU or DUE
		2. Improvement portion – Regional
		\$2,642 per DU or DUE
		3. Improvement portion – Local
		\$292 per DU or DUE
	<b>b.</b>	Temporary Sewer Connection Fee
		(Connection Fee) x (# of years of discharging) / (20-year life)
	<b>2. Storm and Surface Water System Development Charge (SDC) and Credits</b>	
	<b>a.</b>	Total SDC – Local
		\$710 per ESU
	<b>b.</b>	Maximum Storm and Surface Water SDC Credits
		1. Maximum credit for construction of onsite water quality facilities
		45% of SDC per ESU
		2. Maximum credit for construction of onsite water quantity facilities
		55% of SDC per ESU
<b>B.</b>	<b>SERVICE CHARGES</b>	
	<b>1. Sewer Service Charge</b>	
	<b>a.</b>	Consumption-Based Method
		1. Base Charge – Regional
		\$31.63 per DU or DUE per month
		2. Base Charge – Local
		\$7.21 per DU or DUE per month
		3. Use Charge – Regional
		\$2.10 per CCF per month for individual customer Winter Average
		4. Use Charge – Local
		\$0.47 per CCF per month for individual customer Winter Average
	<b>b.</b>	Estimated systemwide average winter water consumption
		8.0 CCF per DU or DUE per month

Type of Fee			Amount
	c.	Industrial	Regional \$3.55/100 cubic feet of metered discharge Local \$0.81/100 cubic feet of metered discharge: + plus \$0.23 per pound chemical oxygen demand over 800 mg/L; + plus \$0.32 per pound suspended solids over 400 mg/L; + plus standard commercial service charge for sanitary and domestic use
	d.	Liquid waste/septic tank waste (including domestic septage, chemical toilet waste and short-term temporary discharges)	\$0.214 per gallon
	e.	Flow Exceedance Charges	
		First exceedance	No monetary penalty
		Second exceedance	\$4.12 per CCF (748 gallons) above permitted amount
		Third exceedance	\$6.12 per CCF above the permitted amount
		Fourth exceedance or more	\$12.24 per CCF above the permitted amount
	f.	Sludge Waste Charges	
		1. Primary	\$0.1454 per gallon
		2. Activated	\$0.2991 per gallon
		3. Trickling filter	\$0.1615 per gallon
		4. Mixed	\$0.2745 per gallon
	<b>2.</b>	<b>Storm and Surface Water</b>	
	a.	1. Service Charge – Regional	\$2.93/ESU per month
		2. Service Charge – Local	\$8.90/ESU per month
	b.	Temporary stormwater discharge	(Estimated months of discharge x (affected area/2,640) x Storm and Surface Water Charge Section III.B.2.a) + Erosion Control Fees

Type of Fee		Amount
<b>C.</b>	<b>SERVICE REQUEST FEES</b>	
<b>1.</b>	Customer Assistance Charges	
	<b>a.</b> Color plotting of existing maps	\$7.50 per sheet (up to 36 x 44 inches)
	<b>b.</b> Customized mapping	\$45 per hour
	<b>c.</b> File/record search	\$45 per hour (minimum of \$10)
	<b>d.</b> Photocopies	
	1. 8 ½ x 11 inches	\$0.25 per copy
	2. 11 x 17 inches	\$0.50 per copy
	3. Large format greater than 11 x 17 inches	\$2 per copy
<b>2.</b>	<b>Real Property Document Fees</b>	
	<b>a.</b> Document Recording Fee for standard easements and Private Stormwater Facilities Agreements	\$110 for each document
	<b>b.</b> Document Review and Recording Fee for Vacation Agreement (Easement Release, Quitclaim), Encroachment Agreement, or Covenant	\$475 (includes recording fee) for each document
<b>3.</b>	<b>Public Notice Fee</b>	Actual cost of publication requested
<b>4.</b>	<b>General Processing Fee</b>	\$25
<b>5.</b>	<b>Line Cleaning Fee</b>	
	<b>a.</b> Sanitary Sewer	\$0.48 per foot of line
	<b>b.</b> Storm Sewer	\$0.73 per foot of line
<b>6.</b>	<b>Local Improvement District (LID) Fees</b>	
	<b>a.</b> LID Apportionment Processing Fee The total number of lots is determined after subdivision or partition	\$500 per lot with a minimum of \$500
	<b>b.</b> LID Initiation Fee	\$500
<b>7.</b>	<b>Contracted Services</b>	As defined in Section 1.15 and Section III.C.8
<b>8.</b>	<b>Miscellaneous Fees</b>	As defined in Section III.C.9
<b>9.</b>	<b>Other Personnel Expense (OPE)</b>	73.99% of employee salary
<b>10.</b>	<b>Payment Service Fee</b>	3% of the amount charged
<b>11.</b>	<b>Permit Processing Fees</b>	\$115
<b>12.</b>	<b>Physical Connection (Line Tap) Fee</b>	

Type of Fee			Amount
	a.	Sanitary	\$950 per tap
	b.	Storm	\$350 per tap
<b>13.</b>	<b>Refund Fee</b>		\$25
<b>14.</b>	<b>Regional Stormwater Management Charge (RSMC) unit rate</b>		\$10.88 per cubic foot of required volume management

<b>15.</b>	<b>Fee-In-Lieu of Construction of Onsite Stormwater Management Approaches</b>		
	a.	Project Size (Impervious Surface Area) less than or equal to 2,640 square feet	
		1. Water Quality Fee-In-Lieu	\$1.50 per square foot of unmanaged impervious area
		2. Hydromodification Fee-In-Lieu	\$1.50 per square foot of unmanaged impervious area
		3. Combined Water Quality and Hydromodification Fee-In-Lieu	\$2.25 per square foot of unmanaged impervious area
	b.	Project Size (Impervious Surface Area) above 2,640 square feet	
		1. Water Quality Fee-In-Lieu	\$3.00 per square foot of unmanaged impervious area
		2. Hydromodification Fee-In-Lieu	\$3.00 per square foot of unmanaged impervious area
		3. Combined Water Quality and Hydromodification Fee-In-Lieu	\$4.50 per square foot of unmanaged impervious area
<b>16.</b>	<b>Reimbursement District (RD) Fees</b>		
	a.	RD Application Fee	\$1,300
	b.	RD Second Notice and Review Fee	\$650
	c.	RD Charge	As set by RD R&O
	d.	RD Administrative Fee	As set by RD R&O
	e.	RD Apportionment Processing Fee	As set by RD R&O

	<b>17. River Ranger Material Fees</b>	
	<b>a.</b>	Basic Program Manuals — 250 packet units
		1. 1-3 units
		2. 4 or more units
	<b>b.</b>	River Rangers Instructional Video and Script Charge
	<b>c.</b>	River Rangers Poster Set
	<b>18. Special Publications</b>	Unit cost, as provided in Section III.C.18
	<b>a.</b>	Digital Design and Mapping Files
		1. Standard details
		2. Standard detail updates
		3. Mapping and database information
	<b>b.</b>	Hydrologic and Hydraulic (H&H) Digital Files
		1. Digital Terrain Model (DTM) single basin
		2. DTM: entire watershed
		3. H&H data set: includes HEC-RAS and HMS models, stream flow data, and water surface elevations
	<b>c.</b>	Vegetated Corridor/Sensitive Area Sign
		1. 12 x 18 inches
		2. 4 x 4 inches
	<b>19. Stormwater Material Recovery Fees</b>	
	<b>a.</b>	Street Sweeping Material Recovery
	<b>b.</b>	Stormwater Vactor Material Recovery
	<b>c.</b>	Stormwater Material Hauling Fee
	<b>d.</b>	Nonstormwater Material Recovery
	<b>20. Vegetated Corridor Payment to Provide</b>	\$2,500 + \$2.22 per square foot of mitigated area over 1,000 square feet
	<b>21. Vegetated Corridor Enhancement Fee</b>	
	<b>a.</b>	Good corridor condition
	<b>b.</b>	Marginal corridor condition

	<b>c.</b>	Degraded corridor condition	\$26,400 per acre
<b>22.</b>	<b>Rock Creek and Durham RV Waste Disposal Fees</b>		\$5 per use or \$250 per year
<b>D. REVIEW AND INSPECTION FEES</b>			
<b>1.</b>	<b>Inspection Fees</b>		
	<b>a.</b>	Erosion Control Inspection Fee (other than site development)	
		1. New construction and other work, such as remodels and demolitions, that will disturb 1,000 square feet or more	\$585
		2. Additions, remodels, and demolitions that will disturb less than 1,000 square feet	\$200
	<b>b.</b>	Erosion Control Only Inspection Fee for development sites without infrastructure or vegetated corridor improvements	\$585 plus \$585 prorated for each acre over a half-acre
	<b>c.</b>	Erosion Control Only Inspection Fee with Subsequent Site Development (Early EC Inspection Fee)	\$585 or half the EC Only Fee, whichever is greater
	<b>d.</b>	Site Development Inspection Fee	\$1,150 plus \$1,150 prorated for each acre over a half-acre
	<b>e.</b>	Stormwater Inspection Fee (other than site development)	\$200 per project
	<b>f.</b>	Line Tap and Lateral Inspection Fee	\$200 per line tap
	<b>g.</b>	Disconnection Inspection Fee	\$200 per disconnection
	<b>h.</b>	Reinspection Fee	\$100/hour, minimum of \$200
	<b>i.</b>	Warranty Period Reinspection Fee for Proprietary Treatment System	\$100/hour with a minimum of \$200 per proprietary vault or proprietary catch basin
	<b>j.</b>	Extended Warranty Inspection Fee	\$190 for each 6-month extension
	<b>k.</b>	Reconnection Inspection Fee	\$190 per reconnection
	<b>l.</b>	Special Investigation Fee	\$100/hour; minimum of \$200
	<b>m.</b>	Inspection Overtime Fee	\$140/hour, minimum of \$280
	<b>n.</b>	DEQ 1200-C and 1200-CN Erosion Control Permit Fee	DEQ pass-through fee

	<b>2.</b>	<b>Nondomestic Waste Discharge Permit Fees</b>		
		<b>a.</b>	Reporting Permit Fee	\$300 when permit issued and on each anniversary of permit issuance date
		<b>b.</b>	Significant Industrial User Fee (District pays to DEQ)	DEQ pass-through fee
		<b>c.</b>	Nonreporting Permit Fee	\$100 when permit issued and on each renewal of permit as determined by District pretreatment rules
		<b>d.</b>	Short-term Industrial Wastewater Discharge Permit	\$75 per request
	<b>3.</b>	<b>Site Development Plan Check Fees</b>		
		<b>a.</b>	Site Development Application Fee	
			1. Standard Application Fee for projects requiring construction of new public infrastructure, Vegetated Corridor enhancement or erosion control	\$1,600
			2. Administrative Application Fee for projects requiring Site Development permit but no physical site improvements	\$600
		<b>c.</b>	Plan Check Fee	4% of the cost of construction of storm and surface water, sanitary sewer, and vegetated corridor improvements provided by developer
		<b>d.</b>	Plan Check Resubmittal Fee	\$600
		<b>e.</b>	Plan Check Overtime Fee	\$175/hour with a minimum of \$350
	<b>4.</b>	<b>Stormwater Review Fee (Other Than Site Development)</b>		
		<b>a.</b>	Stormwater Review Fee for projects that do not require a Site Development Permit	\$165 per request
		<b>b.</b>	Stormwater Review Fee for projects with facilities constructed subsequent to site development	\$85 per request
	<b>5.</b>	<b>Site Certification, Site Assessment, and Alternatives Analysis Review Fees</b>		
		<b>a.</b>	Basic Site Certificate Concurrence Fee	\$120
		<b>b.</b>	Site Assessment Application and Base Review Fee	\$850 due with application

		<b>c.</b>	Minor Encroachment/Allowed Use Certification Fee	\$850 in addition to Base Review Fee; due before Service Provider Letter is issued
		<b>d.</b>	Tiered Alternative Analysis Review Fee	\$1,700 in addition to Base Review Fee; due before Service Provider Letter is issued
		<b>e.</b>	Service Provider Letter Amendment Review Fee	
			First Request	
			a. Minor Amendment	\$315 + difference in fees
			b. Major Amendment	\$950 + difference in fees
			Additional Amendments Requests	\$1,150
	<b>6.</b>		<b>Model Home Application Review Fee</b>	\$630
	<b>7.</b>		<b>Product Approval Review Fee</b>	\$6,300
	<b>8.</b>		<b>Natural Resources and Economic Development Services Planning Fee</b>	\$215 per hour
	<b>9.</b>		<b>Special Waste Monitoring Fee</b>	See Section III.D.9.
	<b>10.</b>		<b>Surface Water Management Charges Investigation Fee</b>	\$110 per request
	<b>11.</b>		<b>Video Inspection Fee</b>	\$0.84 per foot of line
	<b>12.</b>		<b>Temporary Nonindustrial Discharge Review Fee</b>	\$525 per occurrence
<b>E.</b>	<b>DELINQUENCY AND INTEREST</b>			
	<b>1.</b>		<b>Interest Charge</b>	9% per annum, or as provided in Section III.E.2.a
	<b>2.</b>		<b>Delinquency Charge</b>	See Section III.E.2.b
	<b>3.</b>		<b>Late Payment Fee</b>	2% of overdue amount from most recent billing period
	<b>4.</b>		<b>Not-Sufficient-Funds (NSF) Checks</b>	\$35 or as updated by ORS 30.701 (5), plus the current bank charge (currently \$6) for handling and collecting NSF checks
	<b>5.</b>		<b>Invalid Electronic Transactions/Payments</b>	\$35 per occurrence exceeding 3 of invalid electronic transaction/payment information provided by customer

## APPENDIX B: DISTRICT RATES AND CHARGES TO CITIES THAT RECEIVE REGIONAL ONLY SERVICES

For Beaverton, Cornelius, Hillsboro, Forest Grove, Sherwood, Tigard, and Tualatin.

<b>SANITARY SEWER FEE &amp; CHARGE</b>		
<b>Service Charge:</b> Monthly Sanitary Sewer Service Charges per DU and/or DUE:		
<b>Regional Rate</b>		
	<b>Base Rate (fixed charge)</b>	\$31.63 per month
	<b>Use Rate (variable charge)</b>	\$2.10 per 100 cubic feet average winter water usage
<b>Local Rate</b>		
The IGAs in place with the cities enable the cities to establish and charge their local rate to meet needs specific to their conveyance systems.		
<b>Right-of-Way Fees</b>		
The IGAs in place with the cities provide the ability for the cities to assess Right-of-Way fees from 0-5%. Cities remit the regional rate to the District and retain the Right-of-Way fee.		
<b>STORM AND SURFACE WATER FEE &amp; CHARGE</b>		
<b>Service Charge:</b> Monthly Storm and Surface Water Service Charges per ESU:		
<b>Regional Rate (fixed charge)</b>		
		\$2.93 per ESU
<b>Local Rate</b>		
The IGAs in place with the cities enable the cities to establish and charge their local rate to meet needs specific to their surface water systems.		
<b>Right-of-Way fees</b>		
The IGAs in place with the cities provide the ability for the cities to assess Right of Way fees from 0-5%. Cities remit the regional rate to the District and retain the Right of Way fee.		
<b>SANITARY SEWER SYSTEM DEVELOPMENT CHARGE</b>		
<b>Regional Connection Charge</b>		
		<b>\$7,040 per DU or DUE</b>
<b>Reimbursement</b>		
	Regional portion	\$4,398 (except as provided by IGA)
<b>Improvement</b>		
	Regional portion	\$2,642
<b>STORM AND SURFACE WATER FEE &amp; CHARGE ALLOCATIONS</b>		
<b>Erosion Control Fees</b>		
		100% to City (except as provided by IGA)
<b>Plan Check Fee</b>		
	City facility	100% to City
	District facility	100% to District