

CITY OF GRANITE FALLS

ORDINANCE NO. 789-09

AN ORDINANCE OF THE CITY OF GRANITE FALLS, WASHINGTON, INCREASING STORM DRAINAGE RATES, ESTABLISHING A STORM DRAINAGE UTILITY, AND AMENDING CHAPTER 13.20 OF THE GRANITE FALLS MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF GRANTIE FALLS, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Chapter 13.20 of the Granite Falls Municipal Code is hereby amended by amending GFMC 13.20.060 and GFMC 13.20.150, and adopting GFMC 13.20.170, to read as follows.

13.20.060 Billing Charges. All charges for drainage shall be due and payable to the City Clerk/Treasurer on the last day of the month the billing is made. The monthly storm drainage charge, in the interest of economical operation, shall be included on the water and sanitary sewer statements.

13.20.150 Rates and Charges.

(A) The following rates and charges are established and shall be paid into the Storm Drainage Fund, effective January 1, 2009:

<u>Classification</u>	<u>Monthly Rate</u>
RESIDENTIAL USE:	
Single-Family Residence (1 unit)	\$4.00
Multifamily Residence (1 unit)	\$4.00
Additional Units	\$2.00
COMMERCIAL USE:	
Business Building (units established as per sewer charges) Each Unit	\$4.00

(B) The following rates and charges are established and shall be paid into the Storm Drainage Fund, effective January 1, 2010:

<u>Classification</u>	<u>Monthly Rate</u>
RESIDENTIAL USE:	
Single-Family Residence (1 unit)	\$6.00

Multifamily Residence (1 unit)	\$6.00
Additional Units	\$3.00

COMMERCIAL USE:

Business Building (units established as per sewer charges) Each Unit	\$6.00
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(C) The following rates and charges are established and shall be paid into the Storm Drainage Fund, effective January 1, 2011:

<u>Classification</u>	<u>Monthly Rate</u>
RESIDENTIAL USE:	
Single-Family Residence (1 unit)	\$8.00
Multifamily Residence (1 unit)	\$8.00
Additional Units	\$4.00
COMMERCIAL USE:	
Business Building (units established as per sewer charges) Each Unit	\$8.00

13.20.170 Storm Drainage Utility.

(A) Responsibilities.

There is hereby created and established pursuant to Chapters 35A.80 and 35.67 RCW, a storm and surface water utility to be known as the Storm Drainage Utility. All references to the "Utility" in this chapter refer to the Storm Drainage Utility. The Utility will have primary authority and responsibility for carrying out the City's comprehensive drainage and storm sewer plan, maintenance, administration, and operation of all City storm and surface water facilities, as well as establishing standards for design, construction, and maintenance of improvements on private property where these may affect storm and surface water and management.

(B) Administrator of Utility.

The Mayor or his/her designee shall be the administrator of the Utility.

(C) Ownership of City Stormwater Facilities and Assets.

Title and all other incidents of ownership of the following assets are vested in the Utility:

- (1) All properties, interests, and physical and intangible rights of every nature owned or held by the City, however acquired, insofar as they relate to or concern storm or surface water runoff.
- (2) All properties, interests and rights acquired by adverse possession or by prescription directly or through another in and to the drainage or storage, or both, of storm or surface waters, or both, through, under or over land, watercourses, sloughs, streams, ponds, lakes, and swamps. The properties, interests and rights so transferred shall begin from a point where storm or surface waters first enter the storm and surface water system of the City and shall end at a point where the storm or surface waters exit from the storm and surface water system of the City. The width of the properties, interests and rights so transferred shall be to the full extent of inundation caused by storm or flood conditions.
- (3) All funds on deposit in the City Storm Drainage Fund and future revenues of said fund.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any section, sentence, clause or phrase of this Ordinance.


Section 3. Publication and Summary. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City.

Section 4. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of a summary consisting of the title.


Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the 16th day of December, 2009, and signed in authentication of its passage the 16th day of December, 2009.


MAYOR LYLE ROMACK

Attest:


City Clerk, Darla Reese

Approved as to Form:


City Attorney, Craig D. Knutson

DATE OF FIRST AND FINAL READING: December 16, 2009

Publication date: 12-20-09

Effective date: 12-25-09