

ORDINANCE NO. 10-01

AN ORDINANCE AMENDING SECTION 12 OF ORDINANCE NO. 02-01; REPEALING ALL SUBSEQUENT AMENDMENTS THERETO; SETTING A SEWER SERVICE CHARGE; AND DECLARING AN EMERGENCY

WHEREAS, in December, 2006, the District adopted Ordinance No. 02-01 which imposed a fee for all properties having access to the District sewer collection system; and

WHEREAS, pursuant to legal council and USDA direction, a portion of this fee consisted of an “operation and maintenance fee”; and

WHEREAS, this portion of the District sewer service charge is essential for the District to meet its USDA grant and loan obligations; and

WHEREAS, the District can no longer collect delinquent “operation and maintenance fee” payments through the county tax assessor pursuant to ORS 454.225; and

WHEREAS, the District has recently been requested by members of the public to eliminate its “operation and maintenance fee”; and

WHEREAS, elimination of this source of revenue requires these amounts be recouped through an increase of the sewer service user charge; and

WHEREAS, due to the District’s billing cycle, the Board has determined it is essential to declare an emergency so as to ensure the financial stability and integrity of the District; and

WHEREAS, the District has provided an opportunity for public comment, as required under ORS 294.160(1), and provided all other notice as required by law.

NOW, THEREFORE, THE DISTRICT BOARD FOR THE Oregon Water Wonderland Unit II Sanitary District hereby ordains as follows:

Section 1. Section 12 of Ordinance No. 02-01 is hereby amended to read as follows:

“Section 12: The monthly sewer service user charge for the Oregon Water Wonderland Unit II Sanitary District is hereby set at \$55.00 per month for each property connected to the sewer system or served thereby, pursuant to ORS 450.130. New users of the sewer

system shall pay a pro-rata sewer service user charge for the first month of service.”

Section 2. Repeal. All amendments to Section 12 of Ordinance No. 02-01 previously adopted by the District Board which set sewer service charges are hereby repealed, including, without limitation, Ordinance No. 09-02, Amendment No. 3 and Amendment No. 5.

Section 3. Emergency Clause. It is hereby adjudged and declared that existing conditions are such that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the Oregon Water Wonderland Unit II Sanitary District, and an emergency is hereby declared to exist and this Ordinance, and all provisions modifying the Ordinance referred to herein, shall take full force and effect on **March 1st 2010**, and will first appear on April’s billing.

PASSED and APPROVED by the Board of Directors for the Oregon Water Wonderland Unit II Sanitary District this **26th day of February, 2010**.

OREGON WATER WONDERLAND
UNIT II SANITARY DISTRICT

By: _____

Robert Chase, President
Board of Directors

ATTEST:

Ken Ray, Secretary