

ORDINANCE NO. 22-01

OREGON WATER WONDERLAND UNIT II SANITARY DISTRICT

AN ORDINANCE ESTABLISHING AN INSPECTION FEE, A LATE PAYMENT FEE, A RETURNED CHECK FEE, AND A DISPUTE RESOLUTION PROCESS; AMENDING ORDINANCE 02-01; AND REPEALING ORDINANCE 15-01, RESOLUTION NO. 05-03, AND RESOLUTION NO. 07-01.

WHEREAS, the Oregon Water Wonderland Unit II Sanitary District (the District) has reviewed its practices for setting the amount of its fees and charges and desires to use this ordinance as a means to clarify those practices and streamline the District's process for setting the amounts of its fees and charges; and

WHEREAS, the District desires to establish its authority to charge an inspection fee, a late payment fee, and a returned check fee and to set the amounts of those fees by District Board resolution; and

WHEREAS, the District desires to formally adopt a dispute resolution process that mirrors the District's current practice; and

WHEREAS, the District desires to remove the amount of the monthly sewer service user charge from ordinance to allow the amount of that fee to instead be set by District Board resolution.

NOW THEREFORE, THE DISTRICT BOARD FOR THE OREGON WATER WONDERLAND UNIT II SANITARY DISTRICT HEREBY ORDAINS AS FOLLOWS:

Section 1. Inspection Fee.

The District will charge an inspection fee which will be collected at the time an application for connection to the District's system is submitted. The inspection fee is intended to defray the cost to the District to inspect a customer's connection to the District's system and to establish a new account. The District is authorized to adopt policies and procedures necessary to implement the inspection fee. The amount of the inspection fee will be set by District Board resolution and will comply with ORS 294.160(1).

Section 2. Late Payment Fee.

The District will charge a late payment fee when an account is past due and unpaid. The late payment fee is intended to defray the additional cost to the District in processing delinquent accounts. The District may continually charge a late payment fee each month that an account carries a past due balance. The District is authorized to adopt policies and procedures necessary to implement a late payment fee. The amount

of the late payment fee will be set by District Board resolution and will comply with ORS 294.160(1).

Section 3. Returned Check Fee.

The District will charge a returned check fee when a customer's check payment is returned by a bank as unpayable. The returned check fee is intended to defray the additional cost to the District in processing an account with a returned check. The District is authorized to adopt policies and procedures necessary to implement a returned check fee. The amount of the returned check fee will be set by District Board resolution which will comply with ORS 294.160(1).

Section 4. Dispute Resolution.

The District will follow the following procedures for resolving disputes involving the District's provision of services and assessment of fees and charges:

Within ten (10) days of receiving actual notice of the issue to be disputed, the customer will commence a dispute resolution process by notifying the District in writing of the issue and providing the reasons why the customer believes the District has erred.

The District will respond to the customer in writing within ten (10) days of receiving the customer's written complaint.

The District staff response may be appealed to the District Board and heard in a public hearing. The District Board will make a written decision within ten (10) days of the hearing. The District Board's decision will be the final decision.

The District is authorized to adopt policies and procedures necessary to implement this dispute resolution procedure.

Section 5. Amending Ordinance No. 02-01. Section 12: Monthly Sewer Service Charges is hereby amended to read as follows:

As authorized by ORS 450.130, the Oregon Water Wonderland Unit II Sanitary District will levy sewer service charges against property within the District that is connected to the District's system for the purpose of financing the construction, operation and maintenance of the sewage collection and disposal system. The sewer service charge will be assessed and billed monthly and may be collected and enforced as provided in ORS 454.225. The District is authorized to adopt policies and procedures necessary to implement the monthly sewer service charge. The amount of the monthly sewer service charge will be set by District Board resolution and will comply with ORS 294.160(1).

Section 6. Repeal.

A. Ordinance No. 15-01 is hereby repealed, except that all amendments to Section 12 of Ordinance No. 02-01 adopted before this Ordinance remain repealed.

B. Resolution Nos. 05-03 and 07-01 are hereby repealed in their entirety.

C. Any existing ordinances or resolutions of the District which conflict with the amendment herein to the monthly sewer service charge and connection fee as established by amended District Ordinance No. 02-01 or any other provision of this Ordinance are hereby repealed.

Section 7. Continued Effect.

All unamended resolutions or ordinances of the District shall remain unchanged and in full force and effect.

Section 8. Severability.

The sections, subsections, paragraphs, and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs, and clauses.

Section 7. Effective Date. This Ordinance will take full force and effect thirty (30) days from its passage.

ADOPTED this ____ day of _____, 2022, by action of the Board of Directors.

OREGON WATER WONDERLAND
UNIT II SANITARY DISTRICT
BOARD OF DIRECTORS

President

ATTESTED:

Secretary