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ORDINANCE NO. 34

AN ORDINANCE DECLARING THE INTENTION OF SOUTH SUBURBAN SANITARY DISTRICT OF KLAMATH COUNTY, OREGON, TO ESTABLISH FEES FOR SEWER SERVICE, AND PENALTIES FOR DELINQUENT PAYMENT OF FEES, TO ESTABLISH THE EFFECTIVE DATE OF THE ORDINANCE. TO REPEAL ARTICLE VI OF ORDINANCE NO. 31 AND TO REPEAL ORDINANCE NO. 32.

SOUTH SUBURBAN SANITARY DISTRICT ORDAINS AS FOLLOWS:

ARTICLE I

Service Fees Assessed by the District

Section 1: The monthly service fee shall be a minimum of $12.00 except as specifically set out below. The $12.00 minimum rate shall apply to all individual dwelling units. In instances where multiple use is made of a single sewer connection by more than one user, each such unit shall be required to pay the appropriate service fee provided by this Article.

Section 2: For motel units subject to intermittent occupancy, whether or not temporarily occupied, and other than permanent occupancy units such as the manager's residence, the monthly service fee shall be $6.00 for each rental unit.

Section 3: For mobile home parks and individual mobile homes not located in established mobile home parks, whether or not temporarily occupied, the monthly service charge shall be $12.00 for each mobile home.

Section 4: For trailer parks serving recreational vehicles, camping vehicles and travel trailers, whether or not temporarily occupied, the monthly service charge shall be $6.00 for each trailer site serviced by the sewer.

Section 5: For dumping stations or sites provided by camp grounds, service stations or any other user for the discharge of self-contained sanitary facilities as found in some recreational vehicles, campers or travel trailers, a monthly fee of $12.00 shall be charged to the owner of such dumping station.

Section 6: A monthly service fee for users other than residential units shall be computed on the basis of water consumption by the user. The first 2000 cubic feet of water per month or fraction thereof shall be the minimum charge of $12.00 per month. For all water consumption in excess of 2000 cubic feet the charge is $0.60 per hundred cubic feet. Multiple occupants of a single building such as a medical-dental complex, business office building or credit union building, shall pay the $12.00 monthly fee for each individual occupant of such establishment regardless of the specific number or location of sanitary facilities which may be provided on the premises. Water usage for each occupant will be based on water usage for the building divided by the number of occupants. For service stations, garages, markets, churches and other business establishments, the monthly service fee shall have the same basis as set forth next above unless water usage over 2000 cubic feet per month can be proved to be used for purposes which do not generate sewage discharge to the public sewer. Examples would be any water that meets DEQ criteria for direct discharge to the storm drain system or water that is used for irrigation. Flow measuring would be required in all cases.

Section 7: Any user who discharges industrial waste as defined in Article I of Ordinance No. 31 shall be charged on a basis relating to the charges for normal domestic sewage and computed by the district engineer according to the demand exerted by such industrial waste on

the sewage works. In general, packing plants, dairies or other industrial users shall be charged according to water volume consumption as set out in Section 6 of this Article, plus an additional charge to defray costs arising from any unusual parameter of the particular industrial waste.

Section 8: Monthly service fees charged by the district shall be due in advance for each full month of service provided. Such charge shall be billed by the district on a monthly, quarterly or annual basis and shall be paid at the place designated on such billing. Payments made for a full year in advance shall receive a discount equal to 4% of the total annual service fee. No discount shall be allowed for advance payments of less than one fiscal year. Delinquent sewer service fees, connection fees and construction fees which are not paid by the delinquent date as shown on the district billing form shall be subject to a penalty of 2% of the delinquent amount, or $1.00, whichever is greater, for each month or portion of a month that the charge remains unpaid after the delinquent date. In the event that sewer service fees, connection fees or construction fees remain unpaid for a period of 90 days after the delinquent date as shown on the district billing form, such delinquent accounts may be certified to the Klamath County Tax Assessor for collection.

Section 9: There shall be imposed a penalty upon all delinquent accounts for sewer service fees, connection fees and construction fees in an amount of 18% of the delinquent fees on all accounts which are certified to the Tax Assessor of Klamath County, Oregon, for collection by this office. Such penalties shall be a lien upon the property served.

Penalties imposed by this Section shall be in addition to any interest or penalty provided under the provisions of Section 8 of this Article.

ARTICLE II

MISCELLANEOUS

Section 1: All articles, sections, paragraphs, sentences, phrases and words of this ordinance are severable, and if any such article, section, paragraph, sentence, phrase or word is found to be invalid or unconstitutional by judgement or decree of any court of competent jurisdiction, such judgement shall not invalidate any other or remaining article, section, paragraph, sentence, phrase or word of this ordinance.

Section 2: This Ordinance No. 34 shall be in effect from and after July 1, 1998.

Adopted this 26th day of May 1998.

Walter C. Badorek, Chairman

William S. Thornton, Director

Bob Petersen, Director

ATTEST:

Secretary to the Board

RETURN TO: SOUTH SUBURBAN SANITARY DISTRICT
2291 Laverne Ave.
Klamath Falls, Oregon 97603

STATE OF OREGON: COUNTY OF KLAMATH : ss.

Filed for record at request of SOUTH SUBURBAN SANITARY DIST the 11TH day of JUNE A.D., 19 98 at 1:55 o'clock P M., and duly recorded in Vol. M98 of DEEDS on Page 20018.

FEE $25.00

Bernetha G. Letsch, County Clerk
By