

**BEFORE THE CITY COUNCIL FOR THE CITY OF
LAFAYETTE, OREGON**

A RESOLUTION COMPILING)
PREVIOUSLY ADOPTED POLICIES)
REPEALING PREVIOUS RESOLUTIONS) **RESOLUTION NO. 2005-10**
AND AMENDING WATER)
AND SEWER RATES)

THE CITY COUNCIL (the "Council") OF THE CITY OF LAFAYETTE, OREGON (the "City") sat for the transaction of City business on Thursday, April 14, 2004 at 6:30 p.m. in the Council Chambers of Lafayette City hall.

WHEREAS, the Lafayette City Council has, pursuant to Lafayette Municipal Code (LMC) Section 4.155 and 4.007, the ability to set rates for users of its water and sewer utilities; and

WHEREAS, the Council has heretofore provided for water user rates by Resolution 98-24A, adopted December 11, 1997, amended by Resolution No. 00-29 on October 26, 2000, Resolution 01-10 on April 12, 2001, Resolution No. 03-14 on August 14, 2003, and Resolution 04-23 on November 11, 2004; and

WHEREAS, the Council has heretofore provided for sewer rates by Resolution 93-10, adopted June 17, 1993, amended by Resolution 98-24B on December 11, 1997, Resolution 00-03 on January 27, 2000, and Resolution 04-23 on November 11, 2004; and

WHEREAS, the Council finds it advantageous to repeal Resolutions 98-24A, 00-29, 01-10, 03-14, and 04-23 in relation to water rates, and Resolutions 93-10, 98-24B, 00-03, and 04-23 in relation to sewer rates and restate the compiled rates and policies in this resolution; and

WHEREAS, the Council finds it necessary to amend the water and sewer user rates to provide additional sewer revenue dedicated to the re-payment of the \$5.362 million loan secured from OECDD in order to build the wastewater treatment plant; and

WHEREAS, the City Administrator has determined that there is sufficient revenue in the water fund to amend the existing policy to reflect an annual increase of \$2 to the base sewer rate and \$1 to the base water rate.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Lafayette, Oregon as follows:

Section 1. Resolutions 98-24A, 00-29, 01-10, 03-14, 04-23, 93-10, 98-24B, and 00-03 are hereby repealed.

Section 2. Effective April 14, 2005, the water rate policies for the City of Lafayette are attached hereto as Exhibit 'A'.

Section 2. Effective April 14, 2005, the sewer rate policies for the City of Lafayette are attached hereto as Exhibit 'B'.

Section 7. The Utility Billing Policies adopted by Resolution 04-01 are hereby amended to reflect the rate changes as stated in Exhibits A & B of this Resolution. Except as amended in these Exhibits, Resolution 04-01 shall remain in full force and effect until further amended, changed, or adjusted by future councils.

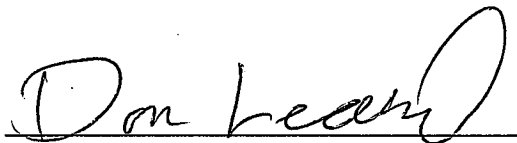
This resolution shall be and is effective from and after its passage by the Council.

ADOPTED by the City Council this 14th day of April, 2005.

VOTE: Ayes: 6 Nays: 0 Abstentions: 0 Absent: 0 Vacancies: 0

APPROVED:

ATTEST:



Mayor Don Leard



Diane Rinks, City Administrator

EXHIBIT 'A'
RESOLUTION 2005-10

WATER RATES ARE AS FOLLOWS:

Urban Rates: The "Urban Rate" shall apply to all users of water where the place of use is within the corporate limits of the City of Lafayette, Oregon (the "City") and where none of the other rates below applies. The Urban Rate shall be as follows:

- Step 1: For the first 300 cubic feet, or any part thereof, in any month, the sum of \$34.00 minimum charge.
- Step 2: For the next 199 cubic feet, or any part thereof, (ie. 301-500 cubic feet) a charge of \$1.30 per 100 cubic feet.
- Step 3: For the next 199 cubic feet, or any part thereof, (ie. 501-700 cubic feet) a charge of \$1.75 per 100 cubic feet.
- Step 4: For the next 199 cubic feet, or any part thereof, (ie. 701-900 cubic feet) a charge of \$2.25 per 100 cubic feet.
- Step 5: For all consumption over 900 cubic feet (ie. 901 cubic feet and above) a charge of \$2.75 per 100 cubic feet.

Rural Rates: The "Rural Rate" shall apply to all users of water where the place of use is outside of the corporate limits of the City and shall be as follows:

- Step 1: For the first 300 cubic feet, or any part thereof, in any month, the sum of \$40.25 minimum charge.
- Step 2: For the next 199 cubic feet, or any part thereof, (ie. 301-500 cubic feet) a charge of \$1.63 per 100 cubic feet.
- Step 3: For the next 199 cubic feet, or any part thereof, (ie. 501-700 cubic feet) a charge of \$2.19 per 100 cubic feet.
- Step 4: For the next 199 cubic feet, or any part thereof, (ie. 701-900 cubic feet) a charge of \$2.81 per 100 cubic feet.
- Step 5: For all consumption over 900 cubic feet (ie. 901 cubic feet and above), \$3.44 per 100 cubic feet.

Effective each April 1 thereafter the monthly minimum charge for the first 300 cubic feet, or any part thereof, in any month shall increase \$1.00 per unit for all classes of users.

RV Park Rate: The RV Park Rate shall apply to recreational vehicle parks within the corporate limits of the City. An RV Park shall have one water meter (master meter) for the City to read. All lines, meters, and other water fixtures and facilities beyond that meter are to be maintained by the owner. Because the size and water consumption of RV's is substantially less than a conventional dwelling, 9.67 spaces in an RV Park shall be deemed to be the equivalent of 1 dwelling unit for the purposes of establishing the minimum charge for the RV park. The RV Park rate shall be calculated by applying the current urban rate structure to the number of occupied units in the park divided by 9.67.

All residential units shall be subject to "Urban" or "Rural" rates as appropriate, notwithstanding the number of units on a single water meter.

Special Contract Rate: The City Administrator, with the advice and consent of the Council, may establish special contract rates, for in-city or out-of-city water users where such rate is established for the negotiation of an easement or when it is deemed to be in the interest of the City to do so.

Commercial, Industrial, and Manufacturing Rates: Such rates shall be hereafter provided by separate resolution of the Council. Until such time as such rates may be established by the Council, commercial, industrial, and manufacturing users shall pay the appropriate urban or rural water rate above, depending on whether such use is inside or outside the corporate city limits.

The City shall charge a \$25 handling and administration fee whenever a check received in payment of either a sewer or water bill is returned unpaid by the bank upon which it is drawn. The \$25 fee shall be added to the unpaid balance of the account for which the payment was made.

EXHIBIT 'B'
RESOLUTION 2005-10

SEWER RATES ARE AS FOLLOWS:

Residential: \$40 per month minimum charge for up to 300 cubic feet (cf) for winter water use. An additional \$3 per month per 100 cf over 300. This monthly rate will increase automatically each April 1 hereafter starting in March 2001 by \$2 for the minimum charge and by \$.12 per additional 100 cf. New customers with a recent water usage history in another location in the City will be charged a rate based upon that usage history. Other new customers will be charged the estimated amount of the average charge for residential customers with similar household size until their own rate can be determined during the normal winter water usage period. The residential rate will apply to all customers not otherwise identified in the special rate classes set out below.

Standby: \$2 per month with no automatic annual increase. This category includes customers on City water who do not currently have City sewer hookups.

Café, Store: \$75 per month with an automatic increase of \$3 per month with each April 1 bill.

Tavern, Gas Station: \$100 per month with an automatic increase of \$4 per month with each April 1 bill.

School: \$250 per month with an automatic increase of \$10 per month with each April 1 bill.

Recreational Vehicle Park: Based on water use during the billing month, \$5.90 per 100 cf with an increase of \$0.22 per 100 cf with each April 1 bill.

Master Meter: \$40 per month per unit for up to 300 cf per unit of winter water use. An additional charge of \$3 per month per 100 cf of winter water use over 300 cf per unit. Increases thereafter on a per unit basis the same as residential.