

ORDINANCE 2018 - 12

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SUNNYSIDE, WASHINGTON, AMENDING
CHAPTER 13 OF THE SUNNYSIDE MUNICIPAL CODE
TO INCREASE STORMWATER FEES AND UPDATE
THE CHAPTER TITLE**

WHEREAS, in 2010 the City Council adopted Chapter 13 of the Sunnyside Municipal Code establishing a Storm Water Management Utility; and

WHEREAS, per SMC 13.30.150 the City of Sunnyside is required to continuously develop the storm water utilities, infrastructure, and administrative means to keep it sustainable; and

WHEREAS, the current storm water rate of \$3.75 was established in Ordinance 2010-05, and must be increased to \$5.65 to ensure the utility operates at a sustainable level, which includes adequate staffing, equipment, and capital improvements; and

WHEREAS, the title of SMC Chapter 13.30 - "Water and Sewer System", must be changed to reflect the incorporation of the Stormwater Management Utility. The new title will be, "Water, Sewer, and Stormwater Systems"; and

WHEREAS, the City Council finds and determines that amending the Sunnyside Municipal Code to increase the monthly stormwater utility rates, and update the title is in the best interest of residents of the City of Sunnyside and promotes general health, safety and welfare;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

Section 1. Sunnyside Municipal Code section 13.30.070 is hereby amended to read as follows:

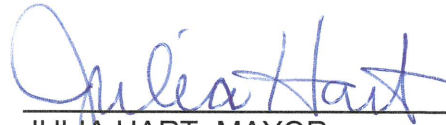
13.30.070 Stormwater service charges.

The monthly storm water service charge shall be \$5.65 per Parcel. The service charge shall be charged to each active utility account or, if no utility account, to the owner of record.

Section 2. If a section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. This ordinance shall be effective five days after passage, approval and publication as required by law, and the utility rates adopted herein shall apply to the first billing issued in January 2019 and all subsequent billings.

PASSED this 13th day of November, 2018.



JULIA HART, MAYOR

ATTEST:



JACKY RENTERIA, CITY CLERK

APPROVED AS TO FORM:



KERR LAW GROUP, LLP
Attorneys for the City of Sunnyside