Ordinance No. 123466

Council Bill No. 116926

AN ORDINANCE relating to drainage services of Seattle Public Utilities (SPU); updating definitions in section 21.33.010 of the Seattle Municipal Code amending Section 21.33.030 of the Seattle Municipal Code to adjust drainage rates; and amending Section 21.76.040 of the Seattle Municipal Code to revise credits to low-income drainage customers.

CF No. 310962

Date Introduced: July 26, 2010	
Date 1st Referred: July 26, 2010	To: Seattle Public Utilities and Neighborhoods
Date Re - Referred: Oct. 4, 2010	To: (committee) Budget
Date Re - Referred:	To: (committee)
Date of Final Passage: 11.22.10	Full Council Vote: 9-0
Date Presented to Mayor: 11.23.10	Date Approved: Dec. 2, 2010
Date Returned to City Clerk: Dec. 2, 2010	Date Published: T.O. F.T.
Date Vetoed by Mayor:	Date Veto Published:
Date Passed Over Veto:	Veto Sustained:

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____ Councilmember

Committee Action:

9/28/10 Referred to Budget Committee In Favor: MCB, RC

11.10.10 Pass as amended 9-0

11.22.10 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____ (Initial/date)

Law Department

Law Dept. Review | OMP Review | City Clerk Review | Electronic Copy Loaded | Indexed

Maria Coe
SPU Drainage Rates ORD
11/4/10
Version #2

ORDINANCE 123466

AN ORDINANCE relating to drainage services of Seattle Public Utilities (SPU); updating definitions in Section 21.33.010 of the Seattle Municipal Code; amending Section 21.33.030 of the Seattle Municipal Code to adjust drainage rates; and amending Section 21.76.040 of the Seattle Municipal Code to revise credits to low-income drainage customers.

WHEREAS, drainage rates were last increased on January 1, 2010, as authorized by Ordinance 123172; and

WHEREAS, in 2008, a new drainage rate design authorized by Resolution 30886 was implemented for the first time, which specifies the funding of a portion of combined sanitary and storm sewer expenses (including some wastewater treatment expense) through drainage rates; and

WHEREAS, Seattle Public Utilities (SPU) has identified additional infrastructure needs requiring capital funding, including combined sewer overflow projects at Windermere, Genesee and South Henderson, a CSO long term control plan, sewer pipe rehabilitation and flooding control and sanitary sewer capacity; and

WHEREAS, SPU has completed a rate study showing that existing drainage rates will not provide sufficient revenues to pay the costs of providing drainage services and debt service and that rate increases therefore are required; and

WHEREAS, credits for qualified low-income customers need to be revised to reflect an increase in drainage rates; and

WHEREAS, the City updated and revised it Stormwater, Grading, and Drainage Control Code in 2009, as authorized by Ordinance 123105, and such updates require corresponding updates to certain definitions that govern storm drain utility rates and charges; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsections L and W of Section 21.33.010 of the Seattle Municipal Code are amended as follows:

SMC 21.33.010 Definitions

For purposes of this chapter, the words or phrases below shall have the following meanings:

* * *

L. "Impervious surface" or "impervious ground cover" means "Impervious surface" as defined in Section 22.801 of the Seattle Municipal Code, as may be amended from time to time. ((~~means those hard areas which prevent or retard the entry of water into the soil in the manner that such water entered the soil under natural conditions pre-existent to development, or which cause water to run off the surface in greater quantities or at an increased rate of flow than that present under natural conditions pre-existent to development, including, but not limited to, such surfaces as rooftops, asphalt or concrete paving, driveways, parking lots, walkways, patio areas, storage areas, hardpan, compacted surfaces, or other surfaces which similarly affect the natural infiltration or runoff patterns existing prior to development.~~))

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W. "Stormwater performance goals" mean ((~~the standards for~~)) minimum requirements for flow control and treatment

((~~1. water quality as shown by total suspended solids;~~

~~2. total volume;~~

~~3. two-year peak volume and duration; and~~

~~4. twenty-five-year peak volume~~)) as appropriate for the drainage discharge point and thresholds as more particularly described in the Stormwater Code Chapters 22.800 through 22.808.

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Section 2. Section 21.33.030 of the Seattle Municipal Code is amended as follows:

SMC 21.33.030 Drainage service charges and drainage rates -- Schedule -- Exemptions.

A. A drainage service charge is imposed on every parcel within the City, and the owner(s) thereof, except for the following exempted property(ies):

1. Houseboats and piers;

2. That portion of a parcel that is submerged. If the parcel is entirely submerged, the entire parcel is exempt. If a portion of the parcel is submerged, only the submerged part will be exempt and the remainder of the parcel shall be billed as all other properties;

3. City streets;

4. State of Washington highways, so long as the State of Washington shall agree to maintain, construct and improve all drainage facilities associated with State highways as required by the Utility in conformance with all Utility standards for maintenance, construction and improvement hereafter established by the Utility and so far as such maintenance, construction and improvements shall be achieved at no cost to the Utility or to the City; and

5. All other streets, so long as such streets provide drainage services in the same manner as City streets and the owner(s) shall agree to maintain, construct and improve all drainage facilities associated with such streets as required by the Utility in conformance with all Utility standards for maintenance, construction and improvement hereafter established by the Utility and so far as such maintenance, construction and improvements shall be achieved at no cost to the Utility or to the City.

B. The drainage service charge shall be based upon a parcel's estimated contribution to City-wide surface and storm water runoff. A parcel's run-off is estimated based on its size and surface characteristics, including the amount and type of impervious and pervious surface it contains.

C. Drainage service charges shall be determined as follows:

1. Small single-family residential properties shall be assigned to one of four (4) flat rate categories based on a billable area. Within each category, properties will be charged a uniform annual drainage rate per parcel which is calculated based on an estimated average contribution of surface and storm water runoff for the category. The applicable drainage rate shall equal the drainage service charge.

2. General service and large residential properties shall be assigned to a rate category based on the estimated percent of impervious surface contained within the parcel. Subsequently, properties assigned to the "undeveloped," "light," and "moderate" rate categories that also contain sufficient quantities of highly infiltrative pervious surface cover to meet Utility-defined performance requirements shall be assigned to a "low impact" rate category. A separate drainage rate shall

apply to each general service and large residential rate category. The drainage service charge shall be calculated by multiplying the drainage rate, as determined by the parcel's rate category assignment, by the parcel's billable area (rounded to the nearest whole number of a square foot and divided by one thousand). For condominiums, the drainage service charge shall be determined for the entire parcel and then divided evenly among the owners. Present use code, site visits, planimetric maps based on aerial photography, and other information shall be used to estimate the percentage of impervious area.

D. Drainage rates used in the calculation of drainage service charges shall be the sum of the treatment rate and the system rate, as follows:

1. Treatment rate: The "treatment rate" shall be the rate required to pay the drainage share of "treatment cost" which is the cost of wastewater treatment, interception and disposal service, and any associated costs necessary to meet Drainage and Wastewater Fund policies. The treatment rate shall be the amount obtained when (a) the projected drainage treatment cost for each rate category is divided by (b) the projected number of billing units in each rate category and the result is multiplied by ((~~sixteen and three-tenths percent (116.3%)~~)) <u>one hundred eighteen percent (118.0%)</u> to cover the costs of taxes, ((~~and~~)) low income rate assistance <u>and other allowances</u>. The projected treatment cost shall be the treatment cost anticipated for the upcoming calendar year, which may include an adjustment to reflect the difference, whether positive or negative, between the drainage share of expected total treatment cost for the current year and the total drainage service charge revenues attributable to the treatment rate expected for the current

year. The treatment rate is designed to pass through cost changes driven by King County and may be adjusted by ordinance at any time in response to such charges.

2. System rate: The "system rate" shall be the rate required to fund the expense associated with operating, maintaining, and constructing the City's surface and stormwater management system, including any share of combined sanitary and stormwater system expense assigned to drainage.

3. The rate categories and the corresponding annual drainage rates are as follows:

((~~Effective January 1, 2009:~~

~~Rate Category~~		~~Treatment Rate~~	~~System Rate~~	~~Total Drainage Rate~~	~~Billing Unit~~
~~Small Residential~~					
-	~~Under 3000 sq. ft.~~	~~$4.48~~	~~$ 98.42~~	~~$102.90~~	~~per parcel~~
	~~3000 - 4999 sq. ft.~~	~~$6.50~~	~~$143.06~~	~~$149.56~~	~~per parcel~~
	~~5000 - 6999 sq. ft.~~	~~$8.78~~	~~$193.39~~	~~$202.17~~	~~per parcel~~
	~~7000 - 9999 sq. ft.~~	~~$11.13~~	~~$245.25~~	~~$256.38~~	~~per parcel~~
~~General Service/Large Residential~~					
~~Undeveloped~~	~~(0 - 15% impervious)~~	-			
	~~Low Impact~~	~~$0.44~~	~~$ 9.75~~	~~$10.19~~	~~per 1000 sq. ft.~~
	~~Regular~~	~~$0.73~~	~~$16.12~~	~~$16.85~~	~~per 1000 sq. ft.~~
~~Light~~	~~(16 - 35% impervious)~~	-			
	~~Low Impact~~	~~$0.82~~	~~$18.16~~	~~$18.98~~	~~per 1000 sq. ft.~~
	~~Regular~~	~~$1.09~~	~~$24.11~~	~~$25.20~~	~~per 1000 sq. ft.~~

~~Moderate~~	~~(36– 65% impervious)~~	-			
	~~Low Impact~~	~~$1.29~~	~~$28.41~~	~~$29.70~~	~~per 1000 sq. ft.~~
	~~Regular~~	~~$1.59~~	~~$35.02~~	~~$36.61~~	~~per 1000 sq. ft.~~
~~Heavy~~	~~(66– 85% impervious)~~	~~$2.06~~	~~$47.28~~	~~$47.34~~	~~per 1000 sq. ft.~~
~~Very Heavy~~	~~(86– 100% impervious)~~	~~$2.45~~	~~$53.78~~	~~$56.23~~	~~per 1000 sq. ft.))~~

Effective January 1, 2010:

Rate Category		Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential					
	Under 3000 sq. ft.	$4.48	$100.42	$104.90	per parcel
	3000– 4999 sq. ft.	$6.50	$145.96	$152.46	per parcel
	5000– 6999 sq. ft.	$8.78	$197.31	$206.09	per parcel
	7000– 9999 sq. ft.	$11.13	$250.22	$261.35	per parcel
General Service/Large Residential					
Undeveloped	(0– 15% impervious)				
	Low Impact	$0.44	$9.95	$10.39	per 1000 sq. ft.
	Regular	$0.73	$16.45	$17.18	per 1000 sq. ft.
Light	(16– 35% impervious)				
	Low Impact	$0.82	$18.53	$19.35	per 1000 sq. ft.
	Regular	$1.09	$24.60	$25.69	per 1000 sq. ft.
Moderate	(36– 65%				

	impervious)				
	Low Impact	$1.29	$28.99	$30.28	per 1000 sq. ft.
	Regular	$1.59	$35.73	$37.32	per 1000 sq. ft.
Heavy	(66– 85% impervious)	$2.06	$46.20	$48.26	per 1000 sq. ft.
Very Heavy	(86– 100% impervious)	$2.45	$54.87	$57.32	per 1000 sq. ft.

Effective January 1, 2011:

Rate Category		Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential					
	Under 3000 sq. ft.	$7.63	$125.39	$133.02	per parcel
	3000– 4999 sq. ft.	$9.84	$161.89	$171.73	per parcel
	5000– 6999 sq. ft.	$13.36	$219.72	$233.08	per parcel
	7000– 9999 sq. ft.	$16.97	$279.10	$296.07	per parcel
General Service/Large Residential					
Undeveloped	(0– 15% impervious)				
	Regular	$1.12	$18.44	$19.56	per 1000 sq. ft.
	Low Impact	$0.70	$11.55	$12.25	per 1000 sq. ft.
Light	(16– 35% impervious)				
	Regular	$1.68	$27.70	$29.38	per 1000 sq. ft.

	Low Impact	$1.33	$21.95	$23.28	per 1000 sq. ft.
Moderate	(36– 65% impervious)				
	Regular	$2.44	$40.11	$42.55	per 1000 sq. ft.
	Low Impact	$1.96	$32.20	$34.16	per 1000 sq. ft.
Heavy	(66– 85% impervious)	$3.22	$52.91	$56.13	per 1000 sq. ft.
Very Heavy	(86– 100% impervious)	$3.80	$62.57	$66.37	per 1000 sq. ft.

Effective January 1, 2012:

Rate Category		Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential					
-	Under 3000 sq. ft.	$10.10	$137.89	$147.99	per parcel
	3000– 4999 sq. ft.	$13.04	$178.01	$191.05	per parcel
	5000– 6999 sq. ft.	$17.70	$241.60	$259.30	per parcel
	7000– 9999 sq. ft.	$22.48	$306.89	$329.37	per parcel
General Service/Large Residential					
Undeveloped	(0– 15% impervious)				
	Regular	$1.49	$20.27	$21.76	per 1000 sq. ft.

	Low Impact	$0.93	$12.70	$13.63	per 1000 sq. ft.
Light	(16– 35% impervious)				
	Regular	$2.23	$30.45	$32.68	per 1000 sq. ft.
	Low Impact	$1.77	$24.13	$25.90	per 1000 sq. ft.
Moderate	(36– 65% impervious)				
	Regular	$3.23	$44.10	$47.33	per 1000 sq. ft.
	Low Impact	$2.59	$35.41	$38.00	per 1000 sq. ft.
Heavy	(66– 85% impervious)	$4.26	$58.18	$62.44	per 1000 sq. ft.
Very Heavy	(86– 100% impervious)	$5.04	$68.79	$73.83	per 1000 sq. ft.

4. SPU shall provide a 10% reduction in the drainage service charge for parcels containing new or remodeled commercial buildings that, after July 27, 2003, install and utilize rainwater harvesting systems that meet the performance requirement that the systems are sized to use the amount of rain that falls on the roofs of such buildings during a one year, 24-hour storm event. A system that involves indoor uses of rainwater must be permitted by Seattle-King County Department of Health to qualify for the rate reduction. A system that relies solely on the capture and indoor use of rainwater shall qualify for the drainage service charge reduction only if the system is sized to meet the performance requirement stated above. Qualifying for the drainage service charge reduction does not relieve the property owner from the obligation to comply with applicable stormwater and drainage code requirements for the buildings and site.

5. Open space properties or parcels shall be charged only for the area of impervious surface and at the rate under which the parcel is classified using the total parcel acreage.

E. Each bill shall be rounded to the nearest cent. The minimum annual drainage service charge shall be Five Dollars ($5) per parcel.

* * *

Section 3. Paragraph 21.76.040 A.2 of the Seattle Municipal Code is amended as follows:

21.76.040 Low Income Rate Credits.

2. Drainage. Eligible recipients residing inside The City of Seattle shall receive the following credits for drainage services based on dwelling type:

	((~~Effective~~	Effective	Effective	Effective
	~~January 1, 2009~~	January 1, 2010	January 1, 2011	January 1, 2012
Single-family	~~$8.42 per month~~	$8.95 per month	$9.71 per month	$10.80 per month
Duplex	~~4.21 per month~~	4.29 per month	$4.86 per month	$5.40 per month
Multifamily	~~0.90 per month~~))	0.92 per month	$1.04 per month	$1.16 per month

* * *

Section 4. This ordinance does not affect any existing right acquired or liability or obligation incurred under the sections amended or repealed in this ordinance or under any rule or order adopted under those sections, nor does it affect any proceeding instituted under those sections.

Section 5. The provisions of this ordinance are declared to be separate and severable. If a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having run, finds any provision of this ordinance to be invalid or unenforceable as to any person or circumstance, then such provision or provisions shall be null and severed from the rest of this ordinance with respect to the particular person or circumstance. The offending provision with respect to all other persons and all other circumstances, as well as all other provisions of this ordinance, shall remain valid and enforceable.

Section 6. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 22 day of Nov., 2010, and signed by me in open session in authentication of its passage this 22 day of Nov., 2010.

President _____ of the City Council

Approved by me this 2ND day of Dec., 2010.

Michael McGinn, Mayor

Filed by me this 2nd day of Dec., 2010.

City Clerk

(Seal)

Form revised February 4, 2010

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Seattle Public Utilities	Maria Coe 233-7905	Karen Grove 684-5805

Legislation Title:

AN ORDINANCE relating to drainage services of Seattle Public Utilities (SPU); updating definitions in Section 21.33.010 of the Seattle Municipal Code; amending Section 21.33.030 of the Seattle Municipal Code to adjust drainage rates and introduce a new billing exemption for islands; and amending Section 21.76.040 of the Seattle Municipal Code to revise credits to low-income drainage customers.

- **Summary of the Legislation:**

This ordinance adopts drainage rates for general service and residential customers in 2011 and 2012 and adjusts the low-income assistance credits for drainage customers. It also amends sections of the Seattle Municipal Code related to definitions.

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

Drainage rates were last raised on January 1, 2010. The costs of drainage services are supported by rates charged to drainage customers. These rates are set in accordance with financial policies adopted by the City Council. Seattle Public Utilities has completed a rate study showing that existing rates will not provide sufficient revenues to fund planned infrastructure investment and new operating programs to be implemented during 2011 and 2012, including Operations and Maintenance (O&M) programs to meet National Pollutant Discharge Elimination System (NPDES) compliance requirements, a long-term solution for flooding in Madison Valley, Genesee, Windermere, and Henderson combined sewer overflow (CSO) projects, the Long Term Control Plan, and utility relocation work necessitated by the Alaskan Way Viaduct Replacement Project. Rate increases in 2011 and 2012 are required to pay these additional costs and allow the Drainage and Wastewater Fund to maintain strong financial performance.

A complete description of the 2011-2012 rate package as initially proposed by the Executive is contained in Clerk File 310962, the 2011-2012 Drainage/Wastewater Rate Study.

- *Please check one of the following:*

____ **This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*

_X_ **This legislation has financial implications.** *(Please complete all relevant sections that follow.)*

Appropriations: *This table should reflect appropriations that are a direct result of this*

legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation, please provide details in the Notes section below.

Fund Name and Number	Department	Budget Control Level*	2010 Appropriation	2011 Anticipated Appropriation
TOTAL				

**See budget book to obtain the appropriate Budget Control Level for your department.*

Notes: Appropriations consistent with the rate legislation are being considered in the 2011-2012 budget process.

Anticipated Revenue/Reimbursement: Resulting From This Legislation: *This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.*

Fund Name and Number	Department	Revenue Source	2010 Revenue	2011 Revenue
Drainage and Wastewater Fund 44010	Seattle Public Utilities	Drainage Utility Services	$0	$7,558,911
TOTAL			**$0**	$7,558,911

Notes: The 2011 revenues are the additional drainage revenues resulting from the increase in SPU's drainage rates.

Total Regular Positions Created, Modified, Or Abrogated Through This Legislation, Including FTE Impact*: This table should only reflect the actual number of positions affected by this legislation. In the event that positions have been, or will be, created as a result of other legislation, please provide details in the Notes section below the table.*

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2010 Positions	2010 FTE	2011 Positions*	2011 FTE*
TOTAL							

** 2010 positions and FTE are total 2010 position changes resulting from this legislation, not incremental changes. Therefore, under 2010, please be sure to include any continuing positions from 2009.*

Notes:

- **Do positions sunset in the future?** *(If yes, identify sunset date):*

Spending/Cash Flow: *This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.*

Fund Name & #	Department	Budget Control Level*	2010 Expenditures	2011 Anticipated Expenditures
TOTAL				

** See budget book to obtain the appropriate Budget Control Level for your department.*

Notes:

- **What is the financial cost of not implementing the legislation?** *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)*

  The Drainage and Wastewater Fund would not fully recover the cost of its business operations.

- **Does this legislation affect any departments besides the originating department?** • *If so, please list the affected department(s), the nature of the impact (financial, operational, etc), and indicate which staff members in the other department(s) are aware of this Bill.*

  Several City departments have facilities that incur drainage costs. These facilities' costs will increase commensurate with the rate increases proposed in this legislation. The impacts were considered in the development of the 2011-2012 Proposed Budget. The impacted departments include: Seattle Center, Seattle City Light, the Department of Neighborhoods, the Seattle Department of Transportation, the Department of Finance and Administrative Services, the Department of Parks and Recreation, and the Seattle Public Library.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*

  Not raising the rates at this time would result in the Drainage and Wastewater Fund failing to recover the cost of its operations in accordance with its financial policies. Alternatively, the Fund could meet its financial policies without raising rates by cutting the cost of its operations by the amounts shown above; however, this would result in an inability to pay for basic operations or make important investments in the system.

- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)*

  No.

- **Other Issues** (*including long-term implications of the legislation*):

  None.

- **List attachments to the fiscal note below:** *(Please include headers with version numbers on all attachments, as well footers with the document's name (e.g., DOF Property Tax Fisc Att A)*

ORDINANCE _____

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DIS CITY CLERK

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CITY CLERK

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3. City streets;

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CITY CLERK

year. The treatment rate is designed to pass through cost changes driven by King County and may be adjusted by ordinance at any time in response to such charges.

2. System rate: The "system rate" shall be the rate required to fund the expense associated with operating, maintaining, and constructing the City's surface and stormwater management system, including any share of combined sanitary and stormwater system expense assigned to drainage.

3. The rate categories and the corresponding annual drainage rates are as follows:

((~~Effective January 1, 2009:~~

~~Rate Category~~		~~Treatment Rate~~	~~System Rate~~	~~Total Drainage Rate~~	~~Billing Unit~~
~~Small Residential~~					
-	~~Under 3000 sq. ft.~~	~~$4.48~~	~~$ 98.42~~	~~$102.90~~	~~per parcel~~
	~~3000 - 4999 sq. ft.~~	~~$6.50~~	~~$143.06~~	~~$149.56~~	~~per parcel~~
	~~5000 - 6999 sq. ft.~~	~~$8.78~~	~~$193.39~~	~~$202.17~~	~~per parcel~~
	~~7000 - 9999 sq. ft.~~	~~$11.13~~	~~$245.25~~	~~$256.38~~	~~per parcel~~
~~General Service/Large Residential~~					
~~Undeveloped~~	~~(0 - 15% impervious)~~	-			
	~~Low Impact~~	~~$0.44~~	~~$ 9.75~~	~~$10.19~~	~~per 1000 sq. ft.~~
	~~Regular~~	~~$0.73~~	~~$16.12~~	~~$16.85~~	~~per 1000 sq. ft.~~
~~Light~~	~~(16 - 35% impervious)~~	-			
	~~Low Impact~~	~~$0.82~~	~~$18.16~~	~~$18.98~~	~~per 1000 sq. ft.~~
	~~Regular~~	~~$1.09~~	~~$24.11~~	~~$25.20~~	~~per 1000 sq. ft.~~

SPS CITY CLERK

~~Moderate~~	~~(36– 65% impervious)~~	-			
	~~Low Impact~~	~~$1.29~~	~~$28.41~~	~~$29.70~~	~~per 1000 sq. ft.~~
	~~Regular~~	~~$1.59~~	~~$35.02~~	~~$36.61~~	~~per 1000 sq. ft.~~
~~Heavy~~	~~(66– 85% impervious)~~	~~$2.06~~	~~$47.28~~	~~$47.34~~	~~per 1000 sq. ft.~~
~~Very Heavy~~	~~(86– 100% impervious)~~	~~$2.45~~	~~$53.78~~	~~$56.23~~	~~per 1000 sq. ft.))~~

Effective January 1, 2010:

Rate Category		Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential					
	Under 3000 sq. ft.	$4.48	$100.42	$104.90	per parcel
	3000– 4999 sq. ft.	$6.50	$145.96	$152.46	per parcel
	5000– 6999 sq. ft.	$8.78	$197.31	$206.09	per parcel
	7000– 9999 sq. ft.	$11.13	$250.22	$261.35	per parcel
General Service/Large Residential					
Undeveloped	(0– 15% impervious)				
	Low Impact	$0.44	$9.95	$10.39	per 1000 sq. ft.
	Regular	$0.73	$16.45	$17.18	per 1000 sq. ft.
Light	(16– 35% impervious)				
	Low Impact	$0.82	$18.53	$19.35	per 1000 sq. ft.
	Regular	$1.09	$24.60	$25.69	per 1000 sq. ft.
Moderate	(36– 65%				

CITY CLERK

	impervious)				
	Low Impact	$1.29	$28.99	$30.28	per 1000 sq. ft.
	Regular	$1.59	$35.73	$37.32	per 1000 sq. ft.
Heavy	(66– 85% impervious)	$2.06	$46.20	$48.26	per 1000 sq. ft.
Very Heavy	(86– 100% impervious)	$2.45	$54.87	$57.32	per 1000 sq. ft.

Effective January 1, 2011:

Rate Category		Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential					
	Under 3000 sq. ft.	$7.62	$124.94	$132.56	per parcel
	3000– 4999 sq. ft.	$9.84	$161.36	$171.20	per parcel
	5000– 6999 sq. ft.	$13.36	$219.02	$232.38	per parcel
	7000– 9999 sq. ft.	$16.98	$278.26	$295.24	per parcel
General Service/Large Residential					
Undeveloped	(0– 15% impervious)				
	Low Impact	$0.70	$11.54	$12.24	per 1000 sq. ft.
	Regular	$1.12	$18.42	$19.54	per 1000 sq. ft.
Light	(16– 35% impervious)				
	Low Impact	$1.34	$21.89	$23.23	per 1000 sq. ft.
	Regular	$1.69	$27.62	$29.31	per 1000 sq. ft.
Moderate	(36– 65%				

CITY CLERK

	impervious)				
	Low Impact	$1.96	$32.10	$34.06	per 1000 sq. ft.
	Regular	$2.44	$39.98	$42.42	per 1000 sq. ft.
Heavy	(66– 85% impervious)	$3.22	$52.71	$55.93	per 1000 sq. ft.
Very Heavy	(86– 100% impervious)	$3.80	$62.32	$66.12	per 1000 sq. ft.

Effective January 1, 2012:

Rate Category		Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential					
	Under 3000 sq. ft.	$10.10	$136.75	$146.85	per parcel
	3000– 4999 sq. ft.	$13.05	$176.61	$189.66	per parcel
	5000– 6999 sq. ft.	$17.71	$239.73	$257.44	per parcel
	7000– 9999 sq. ft.	$22.51	$304.55	$327.06	per parcel
General Service/Large Residential					
Undeveloped	(0– 15% impervious)				
	Low Impact	$0.93	$12.63	$13.56	per 1000 sq. ft.
	Regular	$1.49	$20.15	$21.64	per 1000 sq. ft.
Light	(16– 35% impervious)				

BRS CITY CLERK

	Low Impact	$1.77	$23.96	$25.73	per 1000 sq. ft.
	Regular	$2.23	$30.24	$32.47	per 1000 sq. ft.
Moderate	(36– 65% impervious)				
	Low Impact	$2.59	$35.14	$37.73	per 1000 sq. ft.
	Regular	$3.23	$43.76	$46.99	per 1000 sq. ft.
Heavy	(66– 85% impervious)	$4.26	$57.70	$61.96	per 1000 sq. ft.
Very Heavy	(86– 100% impervious)	$5.04	$68.21	$73.25	per 1000 sq. ft.

CITY CLERK

4. SPU shall provide a 10% reduction in the drainage service charge for parcels containing new or remodeled commercial buildings that, after July 27, 2003, install and utilize rainwater harvesting systems that meet the performance requirement that the systems are sized to use the amount of rain that falls on the roofs of such buildings during a one year, 24-hour storm event. A system that involves indoor uses of rainwater must be permitted by Seattle-King County Department of Health to qualify for the rate reduction. A system that relies solely on the capture and indoor use of rainwater shall qualify for the drainage service charge reduction only if the system is sized to meet the performance requirement stated above. Qualifying for the drainage service charge reduction does not relieve the property owner from the obligation to comply with applicable stormwater and drainage code requirements for the buildings and site.

5. Open space properties or parcels shall be charged only for the area of impervious surface and at the rate under which the parcel is classified using the total parcel acreage.

E. Each bill shall be rounded to the nearest cent. The minimum annual drainage service charge shall be Five Dollars ($5) per parcel.

* * *

Section 3. Paragraph 21.76.040 A.2 of the Seattle Municipal Code is amended as follows:

21.76.040 Low Income Rate Credits.

2. Drainage. Eligible recipients residing inside The City of Seattle shall receive the following credits for drainage services based on dwelling type:

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	((~~Effective January 1, 2009~~	Effective January 1, 2010	Effective January 1, 2011	Effective January 1, 2012
Single-family	~~$8.42 per month~~	$8.95 per month	$9.68 per month	$10.73 per month
Duplex	~~4.21 per month~~	4.29 per month	$4.84 per month	$5.37 per month
Multifamily	~~0.90 per month~~))	0.92 per month	$1.04 per month	$1.15 per month

* * *

Section 4. The provisions of this ordinance are declared to be separate and severable. If a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having run, finds any provision of this ordinance to be invalid or unenforceable as to any person or circumstance, then such provision or provisions shall be null and severed from the rest of this ordinance with respect to the particular person or circumstance. The offending provision with respect to all other persons and all other circumstances, as well as all other provisions of this ordinance, shall remain valid and enforceable.

CITY CLERK

Section 5. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2010, and signed by me in open session in authentication of its passage this _____ day of _____, 2010.

_____
President _____of the City Council

Approved by me this ____ day of _____, 2010.

_____
Michael McGinn, Mayor

Filed by me this ____ day of _____, 2010.

_____
City Clerk

(Seal)

CITY CLERK

Form revised February 4, 2010

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Seattle Public Utilities	Maria Coe 233-7905	Karen Grove 684-5805

Legislation Title:

AN ORDINANCE relating to drainage services of Seattle Public Utilities (SPU); updating definitions in Section 21.33.010 of the Seattle Municipal Code; amending Section 21.33.030 of the Seattle Municipal Code to adjust drainage rates and introduce a new billing exemption for islands; and amending Section 21.76.040 of the Seattle Municipal Code to revise credits to low-income drainage customers.

- **Summary of the Legislation:**

This ordinance adopts drainage rates for general service and residential customers in 2011 and 2012 and adjusts the low-income assistance credits for drainage customers. It also amends sections of the Seattle Municipal Code related to definitions.

- **Background:** *(Include brief description of the purpose and context of legislation and include record of previous legislation and funding history, if applicable):*

Drainage rates were last raised on January 1, 2010. The costs of drainage services are supported by rates charged to drainage customers. These rates are set in accordance with financial policies adopted by the City Council. Seattle Public Utilities has completed a rate study showing that existing rates will not provide sufficient revenues to fund planned infrastructure investment and new operating programs to be implemented during 2011 and 2012, including Operations and Maintenance (O&M) programs to meet National Pollutant Discharge Elimination System (NPDES) compliance requirements, a long-term solution for flooding in Madison Valley, Genesee, Windermere, and Henderson combined sewer overflow (CSO) projects, the Long Term Control Plan, and utility relocation work necessitated by the Alaskan Way Viaduct Replacement Project. Rate increases in 2011 and 2012 are required to pay these additional costs and allow the Drainage and Wastewater Fund to maintain strong financial performance.

A complete description of the 2011-2012 rate package is contained in the 2011-2012 Drainage/Wastewater Rate Study, which is attached to this fiscal note.

- *Please check one of the following:*

____ **This legislation does not have any financial implications.** *(Stop here and delete the remainder of this document prior to saving and printing.)*

_X_ **This legislation has financial implications.** *(Please complete all relevant sections that follow.)*

Appropriations: *This table should reflect appropriations that are a direct result of this*

DIS CITY CLERK

legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation, please provide details in the Notes section below.

Fund Name and Number	Department	Budget Control Level*	2010 Appropriation	2011 Anticipated Appropriation
TOTAL				

**See budget book to obtain the appropriate Budget Control Level for your department.*

Notes: Appropriations consistent with the rate legislation are being considered in the 2011-2012 Proposed Budget.

Anticipated Revenue/Reimbursement: Resulting From This Legislation: *This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget actions, please provide details in the Notes section below the table.*

Fund Name and Number	Department	Revenue Source	2010 Revenue	2011 Revenue
Drainage and Wastewater Fund 44010	Seattle Public Utilities	Drainage Utility Services	$0	$7,352,397
TOTAL			**$0**	$7,352,397

Notes: The 2011 revenues are the additional drainage revenues resulting from the increase in SPU's drainage rates.

Total Regular Positions Created, Modified, Or Abrogated Through This Legislation, Including FTE Impact*: This table should only reflect the actual number of positions affected by this legislation. In the event that positions have been, or will be, created as a result of other legislation, please provide details in the Notes section below the table.*

Position Title and Department	Position # for Existing Positions	Fund Name & #	PT/FT	2010 Positions	2010 FTE	2011 Positions*	2011 FTE*
TOTAL							

** 2010 positions and FTE are total 2010 position changes resulting from this legislation, not incremental changes. Therefore, under 2010, please be sure to include any continuing positions from 2009.*

Notes:

LAW CITY CLERK

- **Do positions sunset in the future?** *(If yes, identify sunset date):*

Spending/Cash Flow: *This table should be completed only in those cases where part or all of the funds authorized by this legislation will be spent in a different year than when they were appropriated (e.g., as in the case of certain grants and capital projects). Details surrounding spending that will occur in future years should be provided in the Notes section below the table.*

Fund Name & #	Department	Budget Control Level*	2010 Expenditures	2011 Anticipated Expenditures
TOTAL				

** See budget book to obtain the appropriate Budget Control Level for your department.*

Notes:

- **What is the financial cost of not implementing the legislation?** *(Estimate the costs to the City of not implementing the legislation, including estimated costs to maintain or expand an existing facility or the cost avoidance due to replacement of an existing facility, potential conflicts with regulatory requirements, or other potential costs if the legislation is not implemented.)*

  The Drainage and Wastewater Fund would not fully recover the cost of its business operations.

- **Does this legislation affect any departments besides the originating department?** • *If so, please list the affected department(s), the nature of the impact (financial, operational, etc), and indicate which staff members in the other department(s) are aware of this Bill.*

  Several City departments have facilities that incur drainage costs. These facilities' costs will increase commensurate with the rate increases proposed in this legislation. The impacts will be included in the 2011-2012 Proposed Budget. The impacted departments include: Seattle Center, Seattle City Light, the Department of Neighborhoods, the Seattle Department of Transportation, the Department of Finance and Administrative Services, the Department of Parks and Recreation, and the Seattle Public Library.

- **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** *(Include any potential alternatives to the proposed legislation, such as reducing fee-supported activities, identifying outside funding sources for fee-supported activities, etc.)*

  Not raising the rates at this time would result in the Drainage and Wastewater Fund failing to recover the cost of its operations in accordance with its financial policies. Alternatively, the Fund could meet its financial policies without raising rates by cutting the cost of its operations by the amounts shown above; however, this would result in an inability to pay for basic operations or make important investments in the system.

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- **Is the legislation subject to public hearing requirements:** *(If yes, what public hearings have been held to date, and/or what plans are in place to hold a public hearing(s) in the future.)*

  No.

- **Other Issues** (*including long-term implications of the legislation*):

  None.

- **List attachments to the fiscal note below:** *(Please include headers with version numbers on all attachments, as well footers with the document's name (e.g., DOF Property Tax Fisc Att A)*

PMS CITY CLERK

City of Seattle
Office of the Mayor

July 20, 2010

Honorable Richard Conlin
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Conlin:

I am transmitting the attached proposed Council Bill and supporting rate study that would establish Seattle Public Utilities' (SPU's) drainage rates for 2011 and 2012. These proposed rate changes, which are necessary to cover SPU's cost of operations, would increase the typical monthly residential drainage fee by $2.20 in 2011 and $2.08 in 2012. To partially offset the impact of the rate increase, this legislation revises credits for qualifying low-income customers.

The proposed rate adjustments would benefit Seattle residents through continued improvements to the City's drainage system, allowing the Drainage and Wastewater Fund to maintain strong financial performance and improving equity among ratepayers. A companion Bill that is being transmitted concurrently with this one establishes wastewater rates.

Thank you for your consideration of this legislation. Should you have questions, please contact Maria Coe at 233-7905.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

Michael McGinn, Mayor
Office of the Mayor
600 Fourth Avenue, 7th Floor
PO Box 94749
Seattle, WA 98124-4749

Tel (206) 684-4000
Fax (206) 684-5360
TDD (206) 615-0476
mike.mcginn@seattle.gov

LEGIS CITY CLERK

STATE OF WASHINGTON – KING COUNTY

--ss.

264558 No.
CITY OF SEATTLE,CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:123466 ORDINANCE

was published on

12/16/10

The amount of the fee charged for the foregoing publication is the sum of $1,723.00, which amount has been paid in full.

Subscribed and sworn to before me on

12/16/10

Notary public for the State of Washington,
residing in Seattle

JENNIFER A. PATZER
COMMISSION EXPIRES
NOTARY
PUBLIC
OCT 2 2011
STATE OF WASHINGTON

City of Seattle

ORDINANCE 123466

RDINANCE relating to drainage services of Seattle Public Utilities (SPU); updating definitions in Section 21.33.010 of the Seattle Municipal Code; amending Section 21.33.030 of the Seattle Municipal Code to adjust drainage rates; and amending Section 21.76.040 of the Seattle Municipal Code to revise credits to low-income drainage customers.

REAS, drainage rates were last increased on January 1, 2010, as authorized by Ordinance 123172; and

REAS, in 2008, a new drainage rate design authorized by Resolution 30886 was implemented for the first time, which specifies the funding of a portion of combined sanitary and storm sewer expenses (including some wastewater treatment expense) through drainage rates; and

REAS, Seattle Public Utilities (SPU) has identified additional infrastructure needs requiring capital funding, including combined sewer overflow projects at Windermere, Genesee and South Henderson, a CSO long term control plan, sewer pipe rehabilitation and flooding control and sanitary sewer capacity; and

REAS, SPU has completed a rate study showing that existing drainage rates will not provide sufficient revenues to pay the costs of providing drainage services and debt service and that rate increases therefore are required; and

REAS, credits for qualified low-income customers need to be revised to reflect an increase in drainage rates; and

REAS, the City updated and revised it Stormwater, Grading, and Drainage Control Code in 2009, as authorized by Ordinance 123105, and such updates require corresponding updates to certain definitions that govern storm drain utility rates and charges; NOW THEREFORE,

ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Subsections L and W of Section 21.33.010 of the Seattle Municipal Code are led as follows:

21.33.010 Definitions

urposes of this chapter, the words or phrases below shall have the

ving meanings:

* * *

npervious surface" or "impervious ground cover" means "Impervious surface" as defined in n 22.801 of the Seattle Municipal Code, as may be amended from time to time. ((~~means hard areas which prevent or retard the entry of water into the soil in the manner that such entered the soil under natural conditions pre-existent to development, or which cause wate off the surface in greater quantities or at an increased rate of flow than that present under l conditions pre-existent to development, including, but not limited to, such surfaces as ps, asphalt or concrete paving, driveways, parking lots, walkways, patio areas, storage hardpan, compacted surfaces, or other surfaces which similarly affect the natural ation or runoff patterns existing prior to development.~~))

* * *

tormwater performance goals" mean ((~~the standards for~~)) minimum requirements for flow l and treatment

~~ater quality as shown by total suspended solids;~~

~~l volume;~~

apply to each general service and large residential rate category. The drainage service charge shall be calculated by multiplying the drainage rate, as determined by the parcel's rate category assignment, by the parcel's billable area (rounded to the nearest whole number of a square foot and divided by one thousand). For condominiums, the drainage service charge shall be determined for the entire parcel and then divided evenly among the owners. Present use code, site visits, planimetric maps based on aerial photography, and other information shall be used to estimate the percentage of impervious area.

D. Drainage rates used in the calculation of drainage service charges shall be the sum of the treatment rate and the system rate, as follows:

1. Treatment rate: The "treatment rate" shall be the rate required to pay the drainage share of "treatment cost" which is the cost of wastewater treatment, interception and disposal service, and any associated costs necessary to meet Drainage and Wastewater Fund policies. The treatment rate shall be the amount obtained when (a) the projected drainage treatment cost for each rate category is divided by (b) the projected number of billing units in each rate category and the result is multiplied by ((~~sixteen and three-tenths percent (116.3%)~~)) one hundred eighteen percent (118.0%) to cover the costs of taxes, ((~~and~~)) low income rate assistance and other allowances. The projected treatment cost shall be the treatment cost anticipated for the upcoming calendar year, which may include an adjustment to reflect the difference, whether positive or negative, between the drainage share of expected total treatment cost for the current year and the total drainage service charge revenues attributable to the treatment rate expected for the current year. The treatment rate is designed to pass through cost changes driven by King County and may be adjusted by ordinance at any time in response to such charges.

2. System rate: The "system rate" shall be the rate required to fund the expense associated with operating, maintaining, and constructing the City's surface and stormwater management system, including any share of combined sanitary and stormwater system expense assigned to drainage.

3. The rate categories and the corresponding annual drainage rates are as follows:

((~~Effective January 1, 2009:~~

~~Rate Category~~		~~Treatment Rate~~	~~System Rate~~	~~Total Drainage Rate~~	~~Billing Unit~~
~~Small Residential~~					
-	~~Under 3000 sq. ft.~~	~~$4.48~~	~~$ 98.42~~	~~$102.90~~	~~per parcel~~
	~~3000 - 4999 sq. ft.~~	~~$6.50~~	~~$143.06~~	~~$149.56~~	~~per parcel~~
	~~5000 - 6999 sq. ft.~~	~~$8.78~~	~~$193.39~~	~~$202.17~~	~~per parcel~~
	~~7000 - 9999 sq. ft.~~	~~$11.13~~	~~$245.25~~	~~$256.38~~	~~per parcel~~
~~General Service/Large Residential~~					
~~Undeveloped~~	~~(0 - 15% impervious)~~	-			
	~~Low Impact~~	~~$0.44~~	~~$ 9.75~~	~~$10.19~~	~~per 1000 sq. ft.~~
	~~Regular~~	~~$0.73~~	~~$16.12~~	~~$16.85~~	~~per 1000 sq. ft.~~
~~Light~~	~~(16 - 35% impervious)~~	-			
	~~Low Impact~~	~~$0.82~~	~~$18.16~~	~~$18.98~~	~~per 1000 sq. ft.~~
	~~Regular~~	~~$1.09~~	~~$24.11~~	~~$25.20~~	~~per 1000 sq. ft.~~

~~3. two-year peak volume and duration; and~~

~~4. twenty-five-year peak volume~~)) as appropriate for the drainage discharge point and thresholds as more particularly described in the Stormwater Code Chapters 22.800 through 22.808.

* * *

Section 2. Section 21.33.030 of the Seattle Municipal Code is amended as follows:

SMC 21.33.030 Drainage service charges and drainage rates -- Schedule -- Exemptions.

A. A drainage service charge is imposed on every parcel within the City, and the owner(s) thereof, except for the following exempted property(ies):

1. Houseboats and piers;

2. That portion of a parcel that is submerged. If the parcel is entirely submerged, the entire parcel is exempt. If a portion of the parcel is submerged, only the submerged part will be exempt and the remainder of the parcel shall be billed as all other properties;

3. City streets;

4. State of Washington highways, so long as the State of Washington shall agree to maintain, construct and improve all drainage facilities associated with State highways as required by the Utility in conformance with all Utility standards for maintenance, construction and improvement hereafter established by the Utility and so far as such maintenance, construction and improvements shall be achieved at no cost to the Utility or to the City; and

5. All other streets, so long as such streets provide drainage services in the same manner as City streets and the owner(s) shall agree to maintain, construct and improve all drainage facilities associated with such streets as required by the Utility in conformance with all Utility standards for maintenance, construction and improvement hereafter established by the Utility and so far as such maintenance, construction and improvements shall be achieved at no cost to the Utility or to the City.

B. The drainage service charge shall be based upon a parcel's estimated contribution to City-wide surface and storm water runoff. A parcel's run-off is estimated based on its size and surface characteristics, including the amount and type of impervious and pervious surface it contains.

C. Drainage service charges shall be determined as follows:

1. Small single-family residential properties shall be assigned to one of four (4) flat rate categories based on a billable area. Within each category, properties will be charged a uniform annual drainage rate per parcel which is calculated based on an estimated average contribution of surface and storm water runoff for the category. The applicable drainage rate shall equal the drainage service charge.

2. General service and large residential properties shall be assigned to a rate category based on the estimated percent of impervious surface contained within the parcel. Subsequently, properties assigned to the "undeveloped," "light," and "moderate" rate categories that also contain sufficient quantities of highly infiltrative pervious surface cover to meet Utility-defined performance

~~Moderate~~	~~(36–65% impervious)~~	-			
	~~Low Impact~~	~~$1.29~~	~~$28.41~~	~~$29.70~~	~~per 1000 sq. ft.~~
	~~Regular~~	~~$1.59~~	~~$35.02~~	~~$36.61~~	~~per 1000 sq. ft.~~
~~Heavy~~	~~(66–85% impervious)~~	~~$2.06~~	~~$47.28~~	~~$47.34~~	~~per 1000 sq. ft.~~
~~Very Heavy~~	~~(86–100% impervious)~~	~~$2.45~~	~~$53.78~~	~~$56.23~~	~~per 1000 sq. ft.))~~

Effective January 1, 2010:

Rate Category		Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential					
	Under 3000 sq. ft.	$4.48	$100.42	$104.90	per parcel
	3000–4999 sq. ft.	$6.50	$145.96	$152.46	per parcel
	5000–6999 sq. ft.	$8.78	$197.31	$206.09	per parcel
	7000–9999 sq. ft.	$11.13	$250.22	$261.35	per parcel
General Service/Large Residential					
Undeveloped	(0–15% impervious)				
	Low Impact	$0.44	$9.95	$10.39	per 1000 sq. ft.
	Regular	$0.73	$16.45	$17.18	per 1000 sq. ft.
Light	(16–35% impervious)				
	Low Impact	$0.82	$18.53	$19.35	per 1000 sq. ft.
	Regular	$1.09	$24.60	$25.69	per 1000 sq. ft.
Moderate	(36–65%				
	impervious)				
	Low Impact	$1.29	$28.99	$30.28	per 1000 sq. ft.
	Regular	$1.59	$35.73	$37.32	per 1000 sq. ft.
Heavy	(66–85% impervious)	$2.06	$46.20	$48.26	per 1000 sq. ft.
Very Heavy	(86–100% impervious)	$2.45	$54.87	$57.32	per 1000 sq. ft.

Effective January 1, 2011:

Rate Category		Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential					
	Under 3000 sq. ft.	$7.63	$125.39	$133.02	per parcel
	3000–4999 sq. ft.	$9.84	$161.89	$171.73	per parcel
	5000–6999 sq. ft.	$13.36	$219.72	$233.08	per parcel
	7000–9999 sq. ft.	$16.97	$279.10	$296.07	per parcel
General Service/Large Residential					
Undeveloped	(0–15% impervious)				
	Regular	$1.12	$18.44	$19.56	per 1000 sq. ft.
	Low Impact	$0.70	$11.55	$12.25	per 1000 sq. ft.
Light	(16–35%				

5. Open space properties or parcels shall be charged only for the area of impervious surface and at the rate under which the parcel is classified using the total parcel acreage.

E. Each bill shall be rounded to the nearest cent. The minimum annual drainage service charge shall be Five Dollars ($5) per parcel.

* * *

Section 3. Paragraph 21.76.040 A.2 of the Seattle Municipal Code is amended as follows:

21.76.040 Low Income Rate Credits.

2. Drainage. Eligible recipients residing inside The City of Seattle shall receive the following credits for drainage services based on dwelling type:

	((~~Effective January 1, 2009~~	Effective January 1, 2010	Effective January 1, 2011	Effective January 1, 2012
Single-family	~~$8.42 per month~~	$8.95 per month	$9.71 per month	$10.80 per month
Duplex	~~4.21 per month~~	4.29 per month	$4.86 per month	$5.40 per month
Multifamily	~~0.90 per month~~))	0.92 per month	$1.04 per month	$1.16 per month

* * *

Section 4. This ordinance does not affect any existing right acquired or liability or obligation incurred under the sections amended or repealed in this ordinance or under any rule or order adopted under those sections, nor does it affect any proceeding instituted under those sections.

Section 5. The provisions of this ordinance are declared to be separate and severable. If a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having run, finds any provision of this ordinance to be invalid or unenforceable as to any person or circumstance, then such provision or provisions shall be null and severed from the rest of this ordinance with respect to the particular person or circumstance. The offending provision with respect to all other persons and all other circumstances, as well as all other provisions of this ordinance, shall remain valid and enforceable.

Section 6. This ordinance shall take effect and be in force 30 days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 22nd day of November, 2010, and signed by me in open session in authentication of its passage this 22nd day of November, 2010.

RICHARD CONLIN,

Presiet of the City Council

Approved by me this 2nd day of December, 2010.

MICHAEL C. McGINN,

Mayor.

Filed by me this 2nd day of December, 2010.

(Seal) MONICA MARTINEZ-SIMMONS,

City Clerk.

Date of publication in the Seattle Journal of Commerce, December 16, 2010

12/16(264558)

	Low Impact	$1.33	$21.95	$23.28	per 1000 sq. ft.
Moderate	(36– 65% impervious)				
	Regular	$2.44	$40.11	$42.55	per 1000 sq. ft.
	Low Impact	$1.96	$32.20	$34.16	per 1000 sq. ft.
Heavy	(66– 85% impervious)	$3.22	$52.91	$56.13	per 1000 sq. ft.
Very Heavy	(86– 100% impervious)	$3.80	$62.57	$66.37	per 1000 sq. ft.

Effective January 1, 2012:

Rate Category		Treatment Rate	System Rate	Total Drainage Rate	Billing Unit
Small Residential					
	Under 3000 sq. ft.	$10.10	$137.89	$147.99	per parcel
	3000– 4999 sq. ft.	$13.04	$178.01	$191.05	per parcel
	5000– 6999 sq. ft.	$17.70	$241.60	$259.30	per parcel
	7000– 9999 sq. ft.	$22.48	$306.89	$329.37	per parcel
General Service/Large Residential					
Undeveloped	(0– 15% impervious)				
	Regular	$1.49	$20.27	$21.76	per 1000 sq. ft.
	Low Impact	$0.93	$12.70	$13.63	per 1000 sq. ft.
Light	(16– 35% impervious)				
	Regular	$2.23	$30.45	$32.68	per 1000 sq. ft.
	Low Impact	$1.77	$24.13	$25.90	per 1000 sq. ft.
Moderate	(36– 65% impervious)				
	Regular	$3.23	$44.10	$47.33	per 1000 sq. ft.
	Low Impact	$2.59	$35.41	$38.00	per 1000 sq. ft.
Heavy	(66– 85% impervious)	$4.26	$58.18	$62.44	per 1000 sq. ft.
Very Heavy	(86– 100% impervious)	$5.04	$68.79	$73.83	per 1000 sq. ft.

4. SPU shall provide a 10% reduction in the drainage service charge for parcels containing new or remodeled commercial buildings that, after July 27, 2003, install and utilize rainwater harvesting systems that meet the performance requirement that the systems are sized to use the amount of rain that falls on the roofs of such buildings during a one year, 24-hour storm event. A system that involves indoor uses of rainwater must be permitted by Seattle-King County Department of Health to qualify for the rate reduction. A system that relies solely on the capture and indoor use of rainwater shall qualify for the drainage service charge reduction only if the system is sized to meet the performance requirement stated above. Qualifying for the drainage service charge reduction does not relieve the property owner from the obligation to comply with applicable stormwater and drainage code requirements for the buildings and site.

State of Washington, King County