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**ORDINANCE NO. 59
SYSTEM DEVELOPMENT CHARGES**

AN ORDINANCE DECLARING THE INTENTION OF SOUTH SUBURBAN SANITARY DISTRICT OF KLAMATH COUNTY, OREGON, TO REPEAL ORDINANCE NO. 56. THIS ORDINANCE SHALL REPLACE THE REPEALED ORDINANCE NO. 56 COMBINED AS REPLACED HEREINAFTER SET FORTH.

SOUTH SUBURBAN SANITARY DISTRICT ORDAINS AS FOLLOWS:

ARTICLE I

Section 1 System Development Charge (SDC)

The District shall impose the cost of wastewater capacity reimbursement and future improvements on single and multifamily residences, commercial, and industrial developments and other new developments that endeavor to utilize the sanitary sewer system. This cost shall be imposed through the use of System Development Charges (SDC's). These charges are separate from, and in addition to, any applicable tax, assessment, charge or fee otherwise provided by law or imposed as a condition of development. SDC fees shall be applied only to capital improvements assessed, and only on capacity increasing improvements including expenditures relating to repayment of debt for the improvements.

Section 2 Equivalent Residential Unit (ERU)

The District shall use the equivalency of one standard single family residence equal to (1) equivalent residential unit (ERU) as a baseline for calculating a system development charge (SDC). The ERU value of each proposed connection is designated by use type as described in Section 9 and 10 of this Article.

Section 3 Calculation of SDC's

Wastewater SDC's shall be calculated based on an annually adjusted fee amount per Equivalent Residential Unit (ERU) and current ERU valuation per the following formula:

$$\text{SDC (\$)} = \$/\text{ERU} * \text{ERU value}$$

Section 4 Right to Refuse or Modify

The South Suburban Sanitary District Board of Directors reserve the right to modify SDC's as needed on an individual or aggregate basis. The District has the right to refuse any new connection or any change of use to an existing connection in cases where the proposed connection have the potential to place the District at significant risk for financial, public health, environmental, legal, or regulatory risks.

Section 5 Medical Hardship

In certain cases of medical hardship, persons wishing to place a temporary trailer/RV/mobile home on an existing property or parcel to be connected the District shall be charged no SDC. In order to be charged no SDC for a medical hardship connection, all of the following must be true or have occurred:

1. The property applying for connection for a Medical Hardship Dwelling is currently served by the South Suburban Sanitary District
2. The proposed Medical Hardship Dwelling be "non-permanent" in nature such as a temporary trailer (RV) or a mobile home that has no permanent foundation
3. A copy of a current proof of a Temporary Use Permit for a Medical Hardship Dwelling approved by the County of Klamath for that particular property shall be remitted to the District
4. The property that the Medical Hardship Dwelling will be placed on shall be current on all sewer fees
5. A sewer connection serving the Medical Hardship Dwelling shall be installed and uninstalled such that minimum District design standards are met
6. The Temporary Use Permit for a Hardship Dwelling must be renewed annually. Failure to renew the permit will result in an SDC charge unless the dwelling is removed.
7. Failure to properly uninstall a connection after the Hardship Dwelling is removed shall result in a full SDC charge.

Section 6 Single Family Residential Remodeling

No more than one (1) equivalent residential unit (ERU) shall be required per single family resident regardless of remodeling, unless the improvements change the single family status to multifamily or commercial designation.

Section 7 Change of Use

Whenever a parcel of property shall have become connected to the District's sewer system and shall there after undergo a change of use so that a different ERU value would be assigned to the property if connection were made after the change, the following shall occur:

- (1). If the change results in the assignment of a greater number of ERU's pursuant to Section 9 & 10, an additional SDC shall be levied at the time of such change. The additional charge shall be equal to the net increase of ERU value at the current rate per unit.
- (2). If the change results in the assignment of a lesser number of units pursuant to Section 9 & 10, there shall be no additional charge or rebate. However, the unused ERU value originally assigned shall be used as an existing credit for any future change of use resulting in the assignment of additional capacity.

For change of use on existing service connections or for new connections, the Developer/Owner shall re-apply to SSSD for approval.

Section 8 High Capacity or Proximity Related Costs/Projects

A future proposed user of the District sewer system may, in some instances be required to install (or pay to install) or reimburse the installation of conveyance or treatment infrastructure if the existing District facilities are inadequate to handle the expected organic, inorganic or hydraulic capacity from the potential user. All facilities proposed to be installed by the user shall meet minimum requirements as illustrated in the District Design Standards. Any proposed facilities that do not meet the minimum District Design Standards or that are

not covered in the District Design Standards shall be subject to further review, at the actual District cost to review, and be subject to approval by the District Manager.

Section 9 Equivalent Residential Unit (ERU) Valuation

Proposed connections to the District sewer system shall be provided an ERU valuation based on the type of structure or facility to be served. The District shall determine and designate the user type for any potential user connection. A list of ERU designations for the various types of proposed connections shall be as follows in Table 1, and definitions below:

Table 1-Equivalent Residential Unit (ERU) Value per Building Type

Building or Addition Type	Unit	ERU per Unit	Min Base ERU
Single Family Residence	Dwelling	1.00	-
Multiple Family Residence	Dwelling	0.65	1.30
Secondary Residential Structure	Dwelling	1.00	-
Mobile Home Space	Trailer/Modular	1.00	-
Commercial & Office Buildings	100 SF	0.05	1.00
Home Business in Primary Residence	Dwelling	0.00	-
Home Business in Secondary Structure	100 SF	0.10	0.50
Bars/Restaurants/Food Service Areas	100 SF	0.30	1.00
Non-commercial/Non-Industrial Complex	See Table 2	-	1.00
Entertainment Facilities	See Table 2	-	1.00
Hospitals	Bed	1.00	1.00
Convalescent Hospitals	Bed	0.50	1.00
Commercial Kitchen/Cafeteria	See Table 2	-	1.00
Residential Care Home (Small)	First 1-6 Beds	-	3.00
Residential Care Home (Large)	per Bed after 6 Beds	0.25	3.25
RV/Septage Dump Station	Tank/Station	3.00	-
Car Wash, Self Service	Bay	1.20	-
Car Wash, Automated/Full Service	Bay	3.0	-
Laundromat/Dry Cleaners	100 SF	0.50	1.00
Hotel/Motel	See Table 2	-	5.00

Single Family Residence

A single detached residential structure designed to house one dwelling (family) also defined as a primary residence.

Multiple Family Residences

A multiple attached residential building designed to house more than one dwelling (family) and divided into "units" that are designed to house 1 dwelling in each attached unit. Not including separate restaurants or laundry facilities as charged separately.

Secondary Residential Structure

A permitted secondary single residence or multi-family structure, or "mother in law" structure constructed on the same parcel or property with an existing single family residence, and is connected to the District sewer.

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Mobile Home Space

A space within a mobile home or “trailer” park that could accommodate (1) single family detached mobile home, trailer, or modular home.

Commercial & Office Buildings

A commercial building is a building that is used to conduct commerce or business. Types can include, but are not limited to: office buildings, warehouses, retail, convenience stores, “big box” stores, and shopping malls.

Home Business in Primary Residence

A home business that is conducted within one’s primary residence that exists in residential zoning as determined by Klamath County, and is connected to the District sewer.

Home Business in Secondary Structure

A home business that is conducted within a secondary structure permitted for habitation by Klamath County and located on the same property as a primary residence and is connected to the District sewer.

Bars/Restaurants/Food Service Areas

A building where food and/or alcoholic beverages are served and/or prepared and served on a commercial or non-commercial basis.

Non-commercial/Non-Industrial Complex

A building or series of attached or detached buildings that serve as a place where the public may gather including, but not limited to: governmental buildings, non-profit establishments, schools, religious establishments, park facilities, public transportation hub, and public museums. Not including housed restaurants/food preparation areas, and laundries as charged separately.

Entertainment/Recreational Facilities

A building or series of attached or detached buildings that serve as a place where the public may gather including, but not limited to: movie theaters, casinos, concert halls, camp grounds, and other commercial entertainment venues. Not including housed restaurants, laundries, and/or bars as charged separately.

Hospitals

Institutions that provide medical, surgical, or psychiatric care and treatment for the sick or the injured and have in-patient facilities. Not including housed restaurants, kitchens/cafeterias, and laundry facilities, as charged separately.

Convalescent Hospitals

A residential facility for people with chronic illness or disability, or age related illness or disability. Also known as a convalescent home and long-term care facility. Not including housed kitchens/cafeterias, and laundry facilities as charged separately.

Commercial Kitchen/Cafeteria

A place where food is prepared for any commercial or non-commercial establishment.

Residential Care Home (Small)

For-profit or non-profit group living arrangements that are designed to meet the needs of people who cannot live independently, but do not require nursing facility services and/or a structured, 24-hour care facility with staff that provide psychological and/or rehabilitation services to assist clients in overcoming behavioral, emotional, mental, substance abuse, or psychological problems. A small residential care home is defined as

housing up to 6 people, including staff quarters. Not including housed kitchens/cafeterias and laundries as charged separately.

Residential Care Home (Large)

Same as with Small Residential Care Home, with the exception of housing over 6 people including staff quarters.

RV Dump Station

A private or public facility that allows dumping of recreational vehicle waste, typically containing odor reducing chemicals and/or enzymes.

Car Wash, Self Service

A commercial or private facility that is typically used for washing vehicles and is equipped with a drain and where washing occurs by means of a hose or "wand" or other appurtenances that apply water. Each self-service bay is typically equipped with drainage.

Car Wash, Automated/Full Service

A commercial facility where automobiles are washed either fully or partially automatic.

Laundromat/Dry Cleaners

A full or self service center typically used for, but not limited to cleaning clothes, towels, or linens.

Hotel/Motel rooms

An establishment providing nightly accommodations. Not including housed restaurants, laundries, and/or bars charged separately.

Section 10 Plumbing Fixture ERU Valuation for Remodeling Non-Residential and Other Non-Residential New Construction

In cases where remodeling takes place without new buildings being added or as identified as the basis for ERU calculation in Table 1, the following fixture values in Table 2, and the following definitions, shall be used for calculate ERU valuation for the proposed connection:

Table 2 - Equivalent Residential Unit (ERU) Value per Plumbing Fixture

Fixture Type	Unit	ERU per Unit
Bath Tub	Faucet Set	0.10
Bathroom Sink	Faucet Set	0.05
Beauty Sink	Faucet Set	0.10
Combined Bathtub and Shower	Faucet Set	0.15
Dental Unit or Cuspidor	Each	0.10
Dishwasher Connection	Each	0.10
Garbage Disposal	Each	0.10
Drinking Fountain	Head	0.05
Floor Drain	Each	0.05
Fountain w/Drain Connection	Each	0.05
Hot Tub w/Drain Connection	Each	0.15
Kitchen Sink	Faucet Set	0.08
Service Sink	Faucet Set	0.08
Shower Stall	Faucet Set	0.10
Swimming Pool w/Drain Connection	Each	0.50
Toilet	Each	0.33
Urinal	Each	0.15
Urinal, Non-flush	Each	0.05
Washing Machine Drain	Each	0.15

Bath Tub

Bathtub served by a single set of hot and cold water faucets without a shower head

Bathroom Sink

Sink served by a single set of hot and cold water faucets located in a bathroom

Beauty Sink

Sink served by a single set of hot and cold water faucets used in a beauty parlor

Combined Bath Tub and Shower

Bath Tub served by a single set of hot and cold water faucets with the inclusion of a shower head

Dental Unit or Cuspidor

Fixture provided on dental operating units into which patients can expectorate.

Dishwasher Connection

Separate or combined drain connection that can be tied into an automatic dishwasher

Garbage Disposal

Fixture where kitchen waste can be ground to slurry, typically connected to a kitchen sink.

Drinking Fountain

A single fixture with a single drain connected for use in obtaining water from a spout or head directly by mouth or other means.

Floor Drain

A single drain recessed into the floor to allow a room or enclosure to drain, typically installed in locker rooms, kitchens, and other commercial facilities.

Fountain w/Drain Connection

An ornamental or other decorative fountain tied directly into a drain for maintenance purposes.

Hot Tub w/Drain Connection

A recreational or therapeutic heated tub, with or without jets, that is tied directly to a drain for maintenance purposes.

Kitchen Sink

Sink served by a single set of hot and cold water faucet, located in a kitchen.

Service Sink

A tub or basin style sink typically used for commercial cleaning or janitorial purposes served by a single set of hot and cold water fixtures.

Shower Stall

An enclosure served by one set of hot and cold water faucets that distribute water via a shower head, does not include a separate tub water spigot or tub basin.

Swimming Pool w/Drain Connection

A recreational or therapeutic water bearing device used for swimming connected directly to a drain for maintenance purposes.

Toilet

A single apparatus into which defecation and urination can occur; also called a commode. Served by one flush valve.

Urinal

A single apparatus into which urination can occur and served by one flush valve.

Urinal, Non-flush

A single apparatus into which urination can occur without the use of flush water.

Washing Machine Drain

A single drain designated for the use of one washing machine.

Section 11 Industrial Waste System Development Charges

Connection of industrial facilities to the District sewer system shall be at the discretion of the District. Any agency wishing to discharge industrial waste shall be required to obtain a discharge permit with the District. The basis for the determination of a facility creating wastes as being classified as industrial, shall be at the discretion of the District.

The District shall ultimately determine the SDC based on the actual cost to supply the expected hydraulic and organic/inorganic capacity to the collection and treatment facilities in order to properly transport, treat and dispose of the industrial waste. The cost to connect an industrial waste stream shall take into account the expected volume, organic (and inorganic) loading of the waste including biochemical oxygen demand (BOD), total suspended solids (TSS), nitrogen, phosphorus, temperature, and heavy metals.

Measured amounts of flow, temperature, organic and inorganic loading after connection could trigger a supplemental SDC if any constituent of concern has consistently increased by over 5% from the required constituent level of the permit as issued by the District.

As a *guide*, base SDC's for (wet) industrial wastes can be estimated on an individual basis by utilizing the following base SDC formula:

$$SDC (\$) = (\text{Industrial } Q/\text{flow per ERU}) * (\text{flow portion of SDC} + [S * \text{strength portion of SDC}]) * \$/\text{ERU}$$

Q = Gallons per Day of Anticipated Volume

Flow per ERU = 167 gallons per day

\$/ERU = Current Charge per equivalent residential unit (ERU)

Flow Portion of SDC = 97.4%

Strength Portion of SDC = 2.60%

S = Strength (Organic) Factor (whole number multiplier, see Table 3)

Table 3 – Determination of Strength Factor (S)

Factor (S)	Anticipated BOD/TSS Range (mg/L)*
1	0-200
2	200-500
3	500-800
4+	Continues in 300-mg/L increments

**The larger of BOD and TSS values shall be used.*

ARTICLE II

EQUIVALENT RESIDENTIAL UNIT (ERU) CHARGE

Section 1

The charge per equivalent residential unit (ERU) shall be \$2,969.90 per ERU and shall increase on an annual basis by 5% at the beginning of each fiscal year unless the Board decides to freeze the rate at its current value in any given fiscal year.

Section 2

The District Board officially adopts the System Development Analysis Final Report, dated July 25, 2016. The Board officially adopts the methodology in compliance with ORS 223.297-314, as outlined in the System Development Analysis Final Report, dated July 25, 2016.

Section 3

The District shall review the basis for ERU valuation with respect to the System Development Analysis Final Report on a quinquennial basis, including the following attributes to ERU valuation:

1. Changes to the Capital Improvements Program adopted on December 15, 2015
2. Changes in the expected development pattern of the District service area
3. Updated master plans for the District collection system or Treatment facility
4. ERU values proportionate to the increase in District replacement costs of District assets and/or proposed cost of new assets

ARTICLE III

SDC PAYMENT METHODOLOGY

Section 1 SDC Remittance

1. The SDC for a property shall be paid to the District prior to the District signing off on the Klamath County Land Use Compatibility Statement (LUCS).
2. A SDC cannot be purchased unless the property owner is current on all District fees and requirements on all properties owned within the District by the property owner.
 - a. An exception is for any delinquent fees that have already been turned over to the County

ARTICLE IV

MISCELLANEOUS

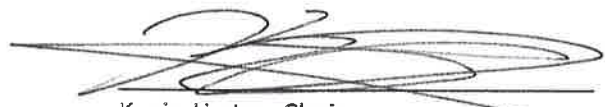
Section 1

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 judgment or decree of any court or competent jurisdiction, such judgment shall not invalidate any other or remaining article, section, paragraph, sentence, phrase or word of this ordinance.

Section 2

1. This Ordinance No. 59 shall be in effect 30 days after adoption of the Ordinance.
2. Ordinance No. 56 is hereby repealed.

Adopted this 15th day of September, 2021



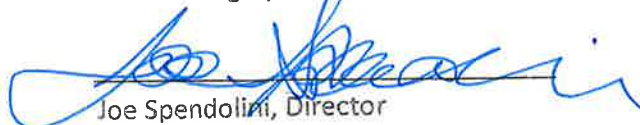
Kevin Harter, Chair

WITNESSETH:



Cindy Oden

Michael Koger, Director



Joe Spendolini, Director

