

CODE

ORDINANCE NO. 4790

AN ORDINANCE AMENDING BEAVERTON CODE (BC) CHAPTER 4.02.036 RELATING TO ADOPTION OF SYSTEM DEVELOPMENT CHARGE AMOUNTS AND METHODOLOGY BY RESOLUTION

WHEREAS, the City has adopted various potable water system development charge (SDC) methodologies and charges since the charge was first imposed in 1991; and

WHEREAS, the last SDC methodology was adopted in 2015 by Ordinance 4627, which amended Beaverton Code (BC) 4.02.036; and

WHEREAS, Oregon Revised Statute 223.304 allows for a SDC methodology, as well as SDC amounts, to be adopted by resolution;

Now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Amendment. Beaverton Code Chapter 4.02.036, Systems Development Charge, is amended to read as follows:

4.02.036 Systems Development Charge.

A. There is imposed on the act of development or redevelopment of property in the City a systems development charge (SDC) for connection to the City's domestic water supply, due and payable at the time of application for a building permit for that (re)development.

B. The Council ~~shall establish and revise its SDC methodology and the SDC amounts by resolution adopts that certain methodology for computation of a domestic water systems development charge as is set out in the report by Red Oak Consulting dated December 18, 2008, incorporated by this reference. The SDC for a single equivalent dwelling unit thus shall be \$711.00 for a reimbursement fee, and \$4,582 for an improvement fee, for a total of \$5,293. The SDC for development served by water meters up to one and one-half inches in diameter shall be calculated by multiplying those amounts by the equivalent dwelling units of water that may be supplied by those larger meters.~~

C. The increases in the SDC to correspond to construction cost indices ~~as recommended in that report shall will~~ be implemented as follows: Effective on February 1, ~~2015~~**2021**, and on that date for each ~~following~~ **following** calendar year ~~thereafter~~, the SDC shall be increased to reflect the total increase in the Engineering News Record Construction Cost Index for Seattle, Washington, for the ~~most recent December-to-December year-over-year change, except in the event the index decreases no change will be made.~~

D. The charge for water meters two inches in diameter or larger shall be estimated at the time the SDC is due ~~for the development~~ based on anticipated water usage ~~and the~~

~~adopted methodology, computed as set out in the Red Oak Consulting Report at page 3.~~ The SDC for water meters two inches in diameter or larger shall be recalculated and the difference shall be immediately due and payable by the property owner on the City's demand whenever actual water usage during any 24 successive calendar months exceeds 110 percent of the estimated usage on which the SDC payable for that meter first was estimated. Failure to pay the difference between the estimated and recalculated charge shall constitute cause for termination of the domestic water service to the premises served by the meter.

E. The Council may grant credits against the domestic water conveyance systems development charge imposed by this chapter for qualified public improvements as defined in ORS 223.304 on certification by the City Engineer that the improvement(s) qualifies for that credit.

F. This section shall take effect as to all complete applications for building permits for which a water SDC is payable that are received on and after July 1, 2014.

Section 2. Effective Date. This ordinance shall take effect 30 days after its passage.

Section 3. Severability. The sections and subsections of this ordinance are severable. If any part of this ordinance is held unconstitutional or otherwise invalid by a court of competent jurisdiction, the remaining parts shall remain in full force and effect unless:

A. The remaining parts are so essentially and inseparably connected with and dependent upon the unconstitutional or invalid part that it is apparent that the remaining parts would not have been enacted without the unconstitutional or invalid part; or

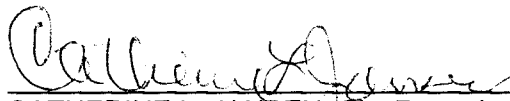
B. The remaining parts, standing alone, are incomplete and incapable of being executed according to the legislative intent.

First reading this 7th day of July, 2020.

Second reading and passage by this Council this 14th day of July, 2020.

Approved by the Mayor this 15th day of July, 2020.

ATTEST:


CATHERINE L. JANSEN, City Recorder

APPROVED:


DENNY DOYLE, Mayor