

NETARTS-OCEANSIDE SANITARY DISTRICT
1755 CAPE MEARES LP. RD. W.
TILLAMOOK, OR 97141
PHONE: (503) 842-8231
FAX: (503) 842-3759
TTY Relay Service: (800) 877-8973
www.n-o-s-d.com

ORDINANCE 23-01

AN ORDINANCE ESTABLISHING A SANITARY SEWER USER FEE INCREASE
EFFECTIVE JULY 1, 2023 AND DECLARING AN EMERGENCY

WHEREAS, the Board of Directors of Netarts-Oceanside Sanitary District has adopted Ordinances from time to time regarding the use of the District's sanitary sewerage system and the rates, user fees and other charges to enable the proper operation, maintenance, repair and replacement of the system; and,

WHEREAS, the Board has adopted a budget for the 2023-2024 fiscal year that necessitates an increase of the rates, user fees and charges for the purposes above described and set forth on Schedule A, attached hereto and incorporated by reference; and,

WHEREAS, the rates, user fees and charges set forth on Schedule A must be adopted effective July 1, 2023 which requires a declaration of emergency to lawfully allow for a compressed ordinance adoption process, and being advised,

NOW, THEREFORE, THE NETARTS-OCEANSIDE SANITARY DISTRICT BOARD OF DIRECTORS HEREBY ORDAINS AS FOLLOWS:

Section 1. Effective July 1, 2023, the attached Schedule A becomes effective for all Customers within the District.

- a. Schedule A outlines the various types of dwellings and facilities charged User Fees. For example, the majority of Netarts-Oceanside Sanitary District dwellings are single-family dwellings. Single-family dwelling which paid \$75.00 per month will now pay \$80.00 per month starting with the new fiscal year beginning July 1, 2023. The breakdown of the \$80.00 per month is as follows: \$70.00 is allocated to the General Fund for continuing, day-to-day operations of the District and \$10.00 is allocated to the Capital Resources Fund for new equipment purchases, a reserve for building repair, new construction, grounds equipment, sludge processing and any unforeseen emergencies.
- b. Schedule B attached establishes definitions for user fee classification and requirements for Food Service Establishment Grease Traps.

Section 2. The Board hereby adopts the following statement to be incorporated into the District's ordinances and the Superintendent is authorized to make such addition in the place deemed most appropriate for administration of the District: The rates, user fees and charges in Schedule A are established and, in the future, may be amended

from time to time by resolution or ordinance as the Board of Directors determines in its sole discretion.

Section 3. An emergency is hereby declared to exist so that projected fees and charges are consistent with projected revenues and resources in the duly adopted budget for the 2023-2024 fiscal year for the sanitary sewerage system and the attached Schedule A shall be effective at 12:01 AM on July 1, 2023. Previously adopted Ordinance 22-01 will expire without further action at 11:59 PM on June 30, 2023.

Section 4. This Ordinance 23-01 was first read by title only at the regular meeting of the Board of Directors on June 15, 2023 and unanimously adopted by the Board of Directors following the second reading by title only at a special meeting on June 22, 2023. Prior to both meetings, a notice was duly published and posted in accordance with ORS 198.540.

Section 5. The Superintendent is directed to take all steps necessary to comply with the provisions of ORS 198.560.

Attest:



John Prather, Chairperson
NOSD Board of Directors



Elizabeth Wipperman, Secretary
NOSD Board of Directors

**SCHEDULE A
NOSD FEES
EFFECTIVE JULY 1, 2023**

<u>TYPE</u>	<u>ANNUAL USER FEE</u>	<u>MONTHLY USER FEE</u>
1. DWELLING:		
a. One Family	\$ 960.00	\$ 80.00
b. Multi-Family (rental i.e. duplex/apartments:)		
(1) First Unit	\$ 960.00	\$ 80.00
(2) Each additional unit	\$ 960.00	\$ 80.00
c. Condominium/Townhouse - each unit	\$ 960.00	\$ 80.00
d. Mobile home park:		
(1) Office and/or residence	\$ 960.00	\$ 80.00
(2) Each residence space	\$ 960.00	\$ 80.00
2. RECREATION VEHICLE PARK:		
a. Office and/or residence	\$ 960.00	\$ 80.00
b. Each space:		
(1) Each overnight space	\$ 480.00	\$ 40.00
(2) Each permanent residence	\$ 960.00	\$ 80.00
3. OFFICE/BUSINESS & PUBLIC BUILDINGS:		
a. Filling station, clothing store, garage, cable T.V., manufacturing, etc. each unit	\$ 960.00	\$ 80.00
b. Restaurant/food service	\$1,920.00	\$160.00
(1) Food service with alcohol	\$3,840.00	\$320.00
c. Tavern/Bar/Lounge (includes beer, wine, &/or hard liquor)	\$1,920.00	\$160.00
(1) Food service provided	\$3,840.00	\$320.00
d. Motel/bed and breakfast:		
(1) office and/or residence	\$ 960.00	\$ 80.00
(2) Each unit without kitchen	\$ 480.00	\$ 40.00
(3) Each unit with kitchen	\$ 960.00	\$ 80.00
e. Laundromat-Public/Commercial (Per Washer)	\$ 480.00	\$ 40.00
f. Non-Profit (Churches)	\$ 480.00	\$ 40.00
4. PUBLIC RESTROOMS:Netarts Boat Basin Happy camp Rest Area	\$1,920.00	\$160.00
5. GREASE TRAP SERVICE (by NOSD) per call	\$ 500.00	
6. OREGON STATE PARKS	\$3,840.00	\$320.00

**SCHEDULE B
DEFINITIONS
EFFECTIVE JULY 1, 2023**

1. BED AND BREAKFAST: a unit in private homes rented on overnight or short term basis. Units shall be considered as defined for equivalent motel units.
2. BUILDING DRAIN: the building drain is that part of the lowest piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five (5) feet (1.5) outside the building wall.
3. BUILDING SEWER: the building sewer is that part of the horizontal piping of a drainage system which extends from the end of the building drain and which receives the discharge of the building drain and conveys it to the public sewer.
4. CONDOMINIUMS AND TOWNHOUSES: each unit therein is defined as a separate one-family dwelling.
5. DWELLING UNIT:
 - A. A living area with a kitchen facility will be considered equivalent to a single family dwelling for calculating user fees and System Development Charges.
 - B. A living area without kitchen facilities occupied on a rental basis for monetary or other consideration will be considered equivalent to a motel unit without a cooking facility for calculating user fees and System Development Charges.
6. MOBILE HOME: a structure having a minimum of 400 square feet of floor area and transportable in one or more sections on public highways; which may be built on a permanent chassis but is required to be anchored on a permanent foundation when connected to the required utilities; and is designed for use as a residence but which has not been demonstrated to conform to the requirements of the Uniform Building Code for other residences. It does not include recreation vehicles, travel trailers, campers or motor homes. It includes manufactured housing as defined in ORS 456.615.
7. MOBILE HOME PARK: a place where four or more mobile homes are located on a lot, or where four or more mobile homes are within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent space or keep space for a charge or fee paid for the rental or use of facilities or to offer space free in connection with securing the trade, patronage or services of occupant(s).
8. MOBILE HOME SUBDIVISION: a subdivision designated by the County as permitting the outright placement of mobile homes and one in which the primary use of lots is for placement of mobile homes.

9. MOTEL: a building or group of buildings used for transient residential purposes containing guest rooms or dwelling units with automobile storage space provided in connection therewith, which building or group is designed, intended or used primarily for the accommodation of transient automobile travelers; including groups designated as auto cabins, motor courts, motor hotels and similar designations.
10. MULTI-FAMILY: a building or connected buildings containing two or more dwelling units. It does not include condominiums or townhouses.
11. ONE FAMILY: a building containing one dwelling unit. It includes a modular home which meets the requirements of the Uniform Building Code for on-site erection as adopted by Tillamook County.
12. PUBLIC BUILDING: a building constructed, owned, rented, purchased or leased by private money used by the public.
13. PUBLIC SEWER: a public sewer is a common sewer directly controlled by the Netarts-Oceanside Sanitary District.
14. RECREATIONAL/BUSINESS COMPLEXES: facilities with multi uses, such as shopping malls and central recreational complexes and etc.
15. RECREATION VEHICLE: a vehicular or portable unit which is either self-propelled or towed or is carried by a motor vehicle and is intended for vacation or recreation purposes but not residential use except when located in a recreation vehicle park. It does include camper, motor homes, or travel trailers as follows:
 - a. CAMPER: a structure containing a floor that is designed to be mounted upon a motor vehicle and is not permanently attached thereto; is designed to provide facilities for human habitation or for camping.
 - b. MOTOR HOME: a motor vehicle that has a camper permanently attached to it or that is originally designed, reconstructed or permanently altered to provide facilities for human habitation.
 - c. TRAVEL TRAILER: (including a tent trailer) a trailer that is not more than eight feet wide; and except in the case of a tent trailer, has four permanent walls when it is in the usual travel position, and is capable of being used for human habitation.
16. RECREATION VEHICLE PARK: a place where four or more recreation vehicles are located on a lot, tract or parcel of land for the purpose of either temporary or permanent habitation regardless of whether a charge is made for such accommodation. If a charge is made for accommodation, a license shall be obtained from the State of Oregon. In the case of a mix of mobile home and recreation vehicle(s) it shall be defined as a recreation vehicle park.
17. RECREATION VEHICLE SUBDIVISION: a subdivision designated by the County as permitting the outright placement of recreation vehicles, and one in which the primary use is placement of recreation vehicles.
18. RESTAURANT: a facility providing full food service and as described in ORS 471.015, but not serving any form of alcohol.

19. TAVERN/BAR/LOUNGE: a facility where the primary source of income is from the sale of alcoholic beverages and is not a restaurant.
20. LAUNDROMAT: a commercial facility providing washing machines and dryers for public use.
21. GREASE TRAP SERVICE: all restaurants in the NOSD service area are required to have grease traps installed and functioning. If it is determined, by the NOSD Board, that a restaurant has not properly maintained their trap(s), and the restaurant has ignored requests to comply, the NOSD will provide grease trap service. We have no wish to do this, but for the good of the system, we must have properly maintained traps in every food service establishment. This charge does not include any charges that may be incurred due to the impact on the system of an improperly maintained trap.
22. OREGON STATE PARKS: a State Park wayside with Restrooms for public use.

ORD23-01

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