

Ordinance No. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, RELATING TO UTILITY FEES AND CHARGES AND AMENDING SECTIONS 4.24.010, 13.16.000, 13.16.010 AND 13.16.090 OF THE OLYMPIA MUNICIPAL CODE**

**WHEREAS**, the City’s utilities are managed with a goal of resource sustainability in order to maintain, rebuild, expand systems, and prepare for revenue variability; and

**WHEREAS**, the City Council intends to meet the goals and polices for utility fiscal management set forth in the Comprehensive Plan and utility master plans; and

**WHEREAS**, the City Council intends to promote rate equity through cost recovery by customer class, and to smooth out rate spikes over a period of up to six years, the time period for which the CFP is developed; and

**WHEREAS**, the City’s Storm and Surface Water Utility and the Wastewater Utility are managed to maintain minimum operating expense reserves of ten (10) percent, and the Drinking Water Utility is managed to maintain minimum operating expense reserves of twenty five (25) percent; and

**WHEREAS**, in order to incorporate the foregoing principles into City Drinking Water Utility, City Storm and Surface Water Utility, City Wastewater Utility and LOTT Clean Water Alliance (LOTT) wastewater treatment rates, the City Council received recommendations from the Utility Advisory Committee, held hearings, and reviewed the utility rates set forth in this Ordinance; and

**WHEREAS**, pursuant to the Interlocal Cooperation Act Agreement for Sewer Treatment, the LOTT Board of Directors is empowered to “impose, alter, regulate, and control rates, charges, and assessments;” and the LOTT Board of Directors held a public hearing and approved certain rate increases, which the City Council must annually adopt;

**NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:**

**Section 1. Amendment of OMC 4.24.010. Section 4.24.010 of the Olympia Municipal Code is hereby amended to read as follows:**

**4.24.010 Computation and assessment of charges**

The rates set forth below do not reflect any possible surcharges or discounts provided to a parcel of property or customer under any provision of City ordinances or taxes assessed directly upon customers for which the City acts as collection agent.

**A. WATER**

- |   |         |               |
|---|---------|---------------|
| 1. Occupant turning on water after delinquent shutoff penalty | \$40.00 | OMC 13.04.360 |
| 2. Delinquency notification penalty                           | \$10.00 | OMC 13.04.430 |

3. Service disconnected/water reconnect for nonpayment penalty	\$25.00	OMC 13.04.430
4. Fire hydrant meter	\$ 1,500 deposit plus \$50.00 per month plus consumption charge	OMC 13.04.410
5. Water for residential building construction purposes	Ready to serve plus consumption charge in Subsection 8a	OMC 13.04.410
6. Non-emergency after-hours water service turn on/shut off	\$110.00	OMC 13.04.340
7. Water General Facility Charges, assessed and payable as provided in OMC 13.04.375:		OMC 13.04.375

<b>Meter Size</b>	<b>AWWA Capacity Factor</b>	<b>GFC</b>
3/4 -inch	1.00	\$4,433
1 -inch Residential Fire Sprinkler	1.00	\$4,433
1 -inch	1.67	\$7,483
1 1/2 -inch	3.33	\$14,920
2 -inch	5.33	\$23,881
3 -inch	10.67	\$46,670
4 -inch	16.33	\$73,168
6 -inch	33.33	\$149,338
8 -inch	53.33	\$238,951
10 -inch	76.67	\$347,419
12 -inch	100.00	\$448,064

This charge is assessed in addition to any other charges or assessments levied under this chapter.

8. Water Meter Rates—Inside City Limits:

a. **Schedule I: Monthly Charges.**

The following is the monthly charge based upon meter size for all customers. Customers with meter sizes not listed in the schedule will be charged at the rate applicable to the next larger meter size listed.

<b>Meter Size</b>	<b>Ready to Serve Charge</b>	<b>OMC 13.04.380</b>
3/4-inch	<del>\$13.80</del> <u>\$14.08</u> + consumption charge	
1-inch Residential Fire Sprinkler	<del>\$13.80</del> <u>\$14.08</u> + consumption charge	
1-inch	<del>\$18.37</del> <u>\$18.74</u> + consumption charge	
1 1/2-inch	<del>\$29.79</del> <u>\$30.39</u> + consumption charge	
2-inch	<del>\$43.46</del> <u>\$44.33</u> + consumption charge	

3-inch	<del>\$80.00</del> <u>\$81.60</u>	+ consumption charge
4-inch	<del>\$121.09</del> <u>\$123.51</u>	+ consumption charge
6-inch	<del>\$235.22</del> <u>\$239.92</u>	+ consumption charge
8-inch	<del>\$372.19</del> <u>\$379.63</u>	+ consumption charge
10-inch	<del>\$531.96</del> <u>\$542.60</u>	+ consumption charge
12-inch	<del>\$691.76</del> <u>\$705.60</u>	+ consumption charge

(1) Residential and nonresidential premises that are vacant are subject to payment of the full Water ready-to-serve charge. This fee will be charged even if the water is turned off or locked out.

**Consumption charge per 100 cubic feet:**

	<b>Block 1</b>	<b>Block 2</b>	<b>Block 3</b>	<b>Block 4</b>
Residential (Single Family and Duplex Residential)	<del>\$2.00</del> <u>\$2.04</u>	<del>\$3.35</del> <u>\$3.42</u>	<del>\$5.35</del> <u>\$5.46</u>	<del>\$7.04</del> <u>\$7.18</u>
Nonresidential (Multi-family and Commercial)	<del>\$2.80</del> <u>\$2.86</u>	<del>\$4.19</del> <u>\$4.27</u>	--	--
Irrigation	<del>\$2.80</del> <u>\$2.86</u>	<del>\$8.26</del> <u>\$8.43</u>	--	--

<b>Blocks Definition:</b>	<b>Block 1</b>	<b>Block 2</b>	<b>Block 3</b>	<b>Block 4</b>
Single Family and Duplex (1) Residential	0-400 cf/unit	401-900 cf/unit	901-1,400 cf/unit	1,401+ cf unit
Nonresidential (2)	Nov-June Usage	July-Oct Usage	--	
Irrigation	Nov-June Usage	July-Oct Usage		

(1) Single family accounts with or without accessory dwelling units are charged as one single family account.

(2) If nonresidential block usage cannot administratively be prorated between blocks, usage is billed at the block rate in which the meter reading period ends.

b. **Wholesale customers:**

See OMC 13.04.380B.

c. **State buildings with sprinkler systems or fire service connections:**

See OMC 13.04.380C.

d. **Fire protection:**

Automatic sprinkler systems or special fire service connections with the City water system will be charged the monthly ready-to-serve charge based on meter size in 4.24.010(A)(8a). Residential fire service connections that require a 1" pipe size will be charged the same as a 3/4" pipe size as shown in Subsection 8a.



Wastewater (Sewer) general facility charge for properties on public combined sewers and in the Downtown Deferred General Facility Charge Payment Option Area	\$1,483.00 \$1,617.43 per ERU	OMC 13.08.010 OMC 13.08.205
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**C. WASTE RESOURCES**

**1. Residential garbage rates, monthly, every-other-week collection:**

	OMC 13.12.160
One twenty-gallon cart (minimum residential garbage service)	\$11.35 <u>\$11.46</u>
One thirty-five gallon cart	
Recycle rate	\$19.60 <u>\$19.80</u>
Nonrecycle rate	\$24.58 <u>\$24.83</u>
One sixty-five gallon cart	
Recycle rate	\$26.76 <u>\$27.03</u>
Nonrecycle rate	\$33.54 <u>\$33.88</u>
Two sixty-five gallon carts	
Recycle rate	\$51.21 <u>\$51.72</u>
Nonrecycle rate	\$64.13 <u>\$64.77</u>
Three sixty-five gallon carts	\$96.25 <u>\$97.21</u>
One ninety-five gallon cart	
Recycle rate	\$46.37 <u>\$46.83</u>
Nonrecycle rate	\$58.10 <u>\$58.68</u>
More than three sixty-five gallon carts	\$96.25 <u>\$97.21</u> + \$33.54 <u>\$33.88</u> for each sixty-five gallon cart over three carts

**2. Residential garbage rates, monthly, weekly collection:**

One thirty-five gallon cart	
Recycle rate	\$43.20 <u>\$43.63</u>
Nonrecycle rate	\$54.06 <u>\$54.60</u>
One sixty-five gallon cart	
Recycle rate	\$86.40 <u>\$87.26</u>
Nonrecycle rate	\$108.09 <u>\$109.17</u>
One ninety-five gallon cart	\$140.45 <u>\$141.85</u>

**3. Extended pickup:**

Rate	Distance
\$1/month	Over 5 feet to 25 feet
\$2/month	Over 25 feet to 100 feet
\$1/month	Every 50 feet over 100 feet

- a. Persons requesting extended distance service must be at least sixty-five years of age or handicapped where said person cannot wheel a full or partially full garbage cart to the collection point.
- b. No person living with the qualified applicant can wheel a full or partially full garbage cart to the collection point.
- c. Extended pickup service to be at no charge when the combined annual income of the household of the qualified applicant is equal to or less than fifty percent of the median household income in Thurston County.
- d. Persons requesting service must apply with the utilities office by filling out an affidavit for extended service. Upon approval of affidavit, service will be granted.
- e. Qualified applicant will reapply on a yearly basis on or before December 31st of each year.
- f. In the case of a multifamily residence or complex, only the qualified tenant's cart will be clearly marked with the tenant's name and unit number.

**4. Residential and commercial organics rate, monthly, every other week collection:**

Organics:

Per City-owned 95-gallon cart or each 1/2 yard of material collected ~~\$10.59~~\$10.70

**5. Commercial garbage rates, monthly, weekly collection:**

One ten gallon can (minimum commercial garbage service)	<del>\$7.34</del> <u>\$7.41</u>
One thirty-two gallon can or cart	<del>\$21.66</del> <u>\$21.88</u>
Two thirty-two gallon cans or equivalent cart service	<del>\$33.03</del> <u>\$33.36</u>
Three thirty-two gallon cans or equivalent cart service	<del>\$62.12</del> <u>\$62.74</u>
Four thirty-two gallon cans or equivalent cart service	<del>\$81.85</del> <u>\$82.67</u>
More than four thirty-two gallon cans or equivalent cart service	<del>\$81.85</del> <u>\$82.67</u> + <del>\$21.66</del> <u>\$21.88</u> for each additional thirty-two gallons of service

**6. 95-gallon garbage and refuse cart service, monthly:**

One pickup weekly	<del>\$62.12</del> <u>\$62.74</u>
Two pickups weekly	<del>\$119.06</del> <u>\$120.25</u>

Three pickups weekly	\$173.62	<u>\$175.36</u>
Four pickups weekly	\$229.19	<u>\$231.48</u>
Five pickups weekly	\$284.06	<u>\$286.90</u>

7. **One-yard garbage and refuse dumpster service, monthly:**

One pickup weekly	\$122.14	<u>\$123.36</u>
Two pickups weekly	\$240.16	<u>\$242.56</u>
Three pickups weekly	\$354.14	<u>\$357.68</u>
Four pickups weekly	\$467.90	<u>\$472.58</u>
Five pickups weekly	\$581.50	<u>\$587.32</u>
Six pickups weekly	\$695.22	<u>\$702.17</u>

8. **One and one-half yard garbage and refuse dumpster service, monthly:**

One pickup weekly	\$161.47	<u>\$163.08</u>
Two pickups weekly	\$307.76	<u>\$310.84</u>
Three pickups weekly	\$452.85	<u>\$457.38</u>
Four pickups weekly	\$597.62	<u>\$603.60</u>
Five pickups weekly	\$742.34	<u>\$749.76</u>
Six pickups weekly	\$887.55	<u>\$896.43</u>

9. **Two-yard garbage and refuse dumpster service, monthly:**

One pickup weekly	\$200.62	<u>\$202.63</u>
Two pickups weekly	\$382.79	<u>\$386.62</u>
Three pickups weekly	\$565.05	<u>\$570.70</u>
Four pickups weekly	\$747.28	<u>\$754.75</u>
Five pickups weekly	\$929.57	<u>\$938.87</u>
Six pickups weekly	\$1,108.87	<u>\$1,119.96</u>

10. **Three-yard garbage and refuse dumpster service, monthly:**

One pickup weekly	\$283.82	<u>\$286.66</u>
Two pickups weekly	\$555.48	<u>\$561.03</u>
Three pickups weekly	\$824.79	<u>\$833.04</u>
Four pickups weekly	\$1,102.11	<u>\$1,113.13</u>
Five pickups weekly	\$1,363.82	<u>\$1,377.46</u>
Six pickups weekly	\$1,621.19	<u>\$1,637.40</u>

11. **Four-yard garbage and refuse dumpster service, monthly:**

One pickup weekly	<del>\$356.88</del> <u>\$360.45</u>
Two pickups weekly	<del>\$706.17</del> <u>\$713.23</u>
Three pickups weekly	<del>\$1,048.51</del> <u>\$1,059.00</u>
Four pickups weekly	<del>\$1,383.64</del> <u>\$1,397.48</u>
Five pickups weekly	<del>\$1,711.66</del> <u>\$1,728.78</u>
Six pickups weekly	<del>\$2,034.13</del> <u>\$2,054.47</u>

12. **Six-yard garbage and refuse dumpster service, monthly:**

One pickup weekly	<del>\$518.20</del> <u>\$523.38</u>
Two pickups weekly	<del>\$1,011.96</del> <u>\$1,022.08</u>
Three pickups weekly	<del>\$1,502.33</del> <u>\$1,517.35</u>
Four pickups weekly	<del>\$1,992.35</del> <u>\$2,012.27</u>
Five pickups weekly	<del>\$2,482.53</del> <u>\$2,507.36</u>
Six pickups weekly	<del>\$2,854.93</del> <u>\$2,883.48</u>

13. **Prepaid extra tag for unscheduled collection of a bag on regular garbage collection day; ~~\$5.57~~\$5.63/each.**

14. **Extra unscheduled can, bag or box on regular garbage collection day to which a City approved prepaid tag is not attached: ~~\$9.10~~\$9.19/each.**

15. **Fees for special pickups, minor ancillary services, and yard waste drop-off site disposal services, other than unscheduled extra cans or material on regular collection day, are established by the City Manager, based on cost of service; to include labor, equipment, distance traveled, and volume of materials as appropriate.**

16. **City-owned drop boxes: customers will be charged repair fees on boxes which have been burned or damaged:**

Ten cubic yards:

Delivery fee	<del>\$76.64</del> <u>\$77.41</u>
Daily rental	<del>\$2.64</del> <u>\$2.67</u>
Hauling fee	<del>\$233.42</del> <u>\$235.75</u>
Dumping charge	Current disposal fee, surcharge and <del>15.1</del> <u>16.1</u> % service fee on disposal fee

Twenty cubic yards:

Delivery fee	<del>\$76.64</del> <u>\$77.41</u>
Daily rental	<del>\$3.39</del> <u>\$3.42</u>
Hauling fee	<del>\$233.42</del> <u>\$235.75</u>

Dumping charge		Current disposal fee, surcharge and <del>15.1</del> <u>16.1</u> % service fee on disposal fee
Thirty cubic yards:		
Delivery fee	<del>\$76.64</del> <u>\$77.41</u>	
Daily rental	<del>\$4.71</del> <u>\$4.76</u>	
Hauling fee	<del>\$233.42</del> <u>\$235.75</u>	
Dumping charge		Current disposal fee, surcharge and <del>15.1</del> <u>16.1</u> % service fee on disposal fee
Forty cubic yards:		
Delivery fee	<del>\$76.64</del> <u>\$77.41</u>	
Daily rental	<del>\$4.71</del> <u>\$4.76</u>	
Hauling fee	<del>\$233.42</del> <u>\$235.75</u>	
Dumping charge		Current disposal fee, surcharge and <del>15.1</del> <u>16.1</u> % service fee on disposal fee
Standby or dig out	\$90.00	per hour

**17. Customer-owned compactors and special containers. Dumping charges are based on weight at transfer station:**

Cubic Yard	Charge Per Haul
10 or less	*
	<del>\$233.42</del> <u>\$235.75</u>
15	*
	<del>\$233.42</del> <u>\$235.75</u>
20	*
	<del>\$233.42</del> <u>\$235.75</u>
25	*
	<del>\$233.42</del> <u>\$235.75</u>
30	*
	<del>\$233.42</del> <u>\$235.75</u>
35	*
	<del>\$233.42</del> <u>\$235.75</u>
40	*
	<del>\$233.42</del> <u>\$235.75</u>
42	*
	<del>\$233.42</del> <u>\$235.75</u>
* plus disposal fee plus <del>15.1</del> <u>16.1</u> % service charge on disposal fee	
Standby or dig out	\$90.00 per hour

No delivery fees or rental fees will be charged for City-owned drop boxes used to haul source-separated yard waste for composting or construction and demolition debris for recycling. If material is contaminated, the customer will be charged current disposal fees and ~~15.1~~16.1% service charge on the disposal fee, plus delivery fee and daily rental fees.

**18. City-owned temporary garbage and refuse dumpster services (customers will be charged repair fees for containers which have been burned or damaged):**

One cubic yard:	
Delivery fee	<del>\$56.17</del> <u>\$56.73</u>
Daily rental fee	<del>\$2.21</del> <u>\$2.23</u>
Fee per dump	<del>\$46.22</del> <u>\$46.68</u>
One and 1/2 cubic yard:	
Delivery fee	<del>\$56.17</del> <u>\$56.73</u>
Daily rental fee	<del>\$2.21</del> <u>\$2.23</u>
Fee per dump	<del>\$48.96</del> <u>\$49.45</u>
Two yard:	
Delivery fee	<del>\$56.17</del> <u>\$56.73</u>
Daily rental fee	<del>\$2.21</del> <u>\$2.23</u>
Fee per dump	<del>\$52.46</del> <u>\$52.98</u>
Three yard:	
Delivery fee	<del>\$56.17</del> <u>\$56.73</u>
Daily rental fee	<del>\$2.21</del> <u>\$2.23</u>
Fee per dump	<del>\$68.99</del> <u>\$69.68</u>
Four yard:	
Delivery fee	<del>\$56.17</del> <u>\$56.73</u>
Daily rental fee	<del>\$2.21</del> <u>\$2.23</u>
Fee per dump	<del>\$95.59</del> <u>\$96.55</u>
Six yard:	
Delivery fee	<del>\$56.17</del> <u>\$56.73</u>
Daily rental fee	<del>\$2.21</del> <u>\$2.23</u>
Fee per dump	<del>\$130.59</del> <u>\$131.90</u>

**19. City-owned temporary organics dumpster services (customers will be charged repair fees for dumpsters which have been burned or damaged):**

One cubic yard:	
Fee per dump	<del>\$21.18</del> <u>\$21.39</u>
One and 1/2 cubic yard:	

Fee per dump	<del>\$31.77</del> <u>\$32.09</u>
Two yard:	
Fee per dump	<del>\$42.37</del> <u>\$42.79</u>
Three yard:	
Fee per dump	<del>\$63.55</del> <u>\$64.19</u>

If material is contaminated, customer will be charged the dump fee, delivery fee and daily rental fee for City-owned temporary garbage and refuse dumpster services as established in Section 16 of this ordinance.

20. **An additional surcharge of \$70.00 per month applies to permanent commercial dumpster customers who require Saturday collection and are subject to regular monthly fees set forth in OMC 4.24.010C Subsections 5, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18 or 19.**

**D. STORM AND SURFACE WATER**

At the time of issuance of a building/engineering permit, per OMC 13.16.080, a stormwater GFC is assessed at the rate of: \$1,439.90/Impervious Unit (~~2,528-2,882~~ sq. ft.) and a water quality GFC is assessed at a rate of ~~\$6.60~~\$9.09 per average daily vehicle trip based on the Institute of Traffic Engineers' Trip Generation Manual.

**1. Storm drainage service charges:**

a. Single-Family and Duplex Residential Parcels. All parcels in the City are subject to a monthly charge for storm drainage service in accordance with the following schedule:

Single-family parcels with or without accessory dwelling units (Regardless of date approved)	<del>\$15.64</del> <u>\$15.58</u> /utility account
Plats approved after 1990 with signed maintenance agreement	<del>\$13.00</del> /utility account
Duplex parcels (Regardless of date approved)	<del>\$15.64</del> <u>\$15.58</u> /unit ( <del>\$31.28</del> <u>\$31.16</u> when billed as a single account)

b. Commercial, Multi-Family, Industrial and Governmental Parcels. A charge per utility account will be established at the time of issuance of a clearing, filling, excavating or grading permit and assessed monthly as follows:

Administrative fee	<del>\$15.31</del> plus:
<u>For parcels that fully utilize Low Impact Development developed after January 1990 (Category I)</u>	<del>\$5.75</del> <u>\$7.79</u> per billing unit or
<u>For parcels with any stormwater management (flow control or treatment) or those that are exempt from flow control requirements</u> <del>For parcels developed between January 1980 and January 1990 (Category II)</del>	<del>\$12.02</del> <u>\$11.69</u> per billing unit or
<u>For parcels with no stormwater management (flow control or treatment)</u> <del>For parcels developed before January 1980 (Category III)</del>	<del>\$15.17</del> <u>\$15.58</u> per billing unit

c. ~~For developed parcels without structural impervious areas, the following construction phase charge is assessed at the time of issuance of a clearing, filling, excavating or grading permit:~~

Single family and duplex zoned - \$6.57 per parcel x total number of parcels identified in preliminary plat x 24 months

d. Undeveloped parcels. No charge.

**E. RECLAIMED WATER**

1. Occupant turning on water after delinquent shutoff penalty	\$40.00	OMC 13.24.330
2. Delinquency notification penalty	\$10.00	OMC 13.24.340
3. Service disconnected/reclaimed water reconnect for nonpayment penalty	\$25.00	OMC 13.24.340
4. Reclaimed water for commercial construction purposes	\$50.00 per month plus consumption charge	OMC 13.24.200
5. Non-emergency after-hours reclaimed water service turn on/shut off	\$110.00	OMC 13.24.250

6. Reclaimed Water Rates

a. Meter Rates – The monthly charge based upon meter size for all reclaimed water customers follows 4.24.010.A.8. Customers with meter sizes not listed in the schedule will be charged at the rate applicable to the next larger meter size listed.

b. Consumption charges

- (1) Indoor use of reclaimed water: 70% of the consumption charges in 4.24.010.A.8.
- (2) Outdoor use of reclaimed water: 70% of the consumption charges in 4.24.010.A.8 for Irrigation.

**Section 2. Amendment of OMC 13.16.000. Section 13.16.000 of the Olympia Municipal Code is hereby amended to read as follows:**

13.16.000 Chapter Contents

Sections:

- [13.16.005](#) Purpose.
- [13.16.007](#) Stormwater Management Program.
- [13.16.010](#) Definitions.
- [13.16.017](#) Drainage Design and Erosion Control Manual – Adopted.
- [13.16.018](#) Drainage Design and Erosion Control Manual – Provisions to prevail in event of conflict.

- [13.16.020](#) Permit required.
- [13.16.030](#) Prohibited uses of the storm drainage system.
- [13.16.040](#) Discharge or connection to the storm drainage system.
- [13.16.050](#) Storm drainage service charges.
- [13.16.060](#) Provision of abutting storm drainage system facilities.
- [13.16.070](#) Payment for connection to the MS4.
- [13.16.080](#) Stormwater general facilities charges.
- [13.16.090](#) Reduction in storm drainage service charge for impervious surface, flow control, ~~or~~ stormwater treatment or low impact development.
- [13.16.120](#) Billing date.
- [13.16.130](#) Adjustment of charges and appeals.
- [13.16.140](#) Lien for delinquent charges.
- [13.16.150](#) Right of entry for inspection, code enforcement, and repair.
- [13.16.160](#) Authority to maintain, operate, regulate and control the utility.
- [13.16.170](#) Stormwater facility maintenance.
- [13.16.180](#) Enforcement – Civil and Criminal Penalties – Public Nuisance.

**Section 3. Amendment of OMC 13.16.010. Section 13.16.010 of the Olympia Municipal Code is hereby amended to read as follows:**

13.16.010 Definitions

The following words, when used herein, shall have the following meanings unless the context clearly indicates otherwise:

- A. "Best management practice" means a schedule of activities, prohibition of practices, maintenance procedure, managerial practice, or structural features that when used singly or in combination prevents or reduces the release of pollutants and other adverse impacts to waters of Washington State.
- B. "Billing unit" means the same as "equivalent residential unit", two thousand ~~eight~~ eight ~~five~~ two ~~hundred~~ hundred ~~eighty~~ eight ~~two~~ feet of impervious surface development on a parcel.
- C. "Combined sewer" means a system that collects sanitary sewage and stormwater in a single sewer system.
- D. "Conveyance" means any catch basin, pipe, culvert, curb, gutter, ditch, swale, human-made channel, storm drain, or road that conveys or collects stormwater.
- E. "Developed" means, with respect to a parcel, any parcel which has been altered from a natural state with or without a permit from the city. This includes clearing, grading or filling, whether or not that work accompanies excavation and construction.
- F. "Drainage Design and Erosion Control Manual," or "the Manual" means the document adopted in Section 13.16.017.

G. "Duplex parcel" means a parcel which has been developed and constructed for the purpose of providing habitat for two-family dwelling units on a single property parcel and has been and continues to be used solely for that purpose.

H. "Flow control" means a facility designed to mitigate the impacts of increased stormwater runoff flow rates generated by development. Flow control facilities are best management practices specified in Volume III of the Manual that are engineered to meet the flow control standards of Core Requirement #7 specified in Volume I of the Manual.

I. "Flow control exempt" means a nonresidential parcel that is exempt from the flow control standards of Core Requirement #7 in Volume I of the Manual.

~~J.~~ "Illicit connection" means any human-made conveyance that is connected to a municipal separate storm sewer without a permit, excluding roof drains and other similar type connections. Examples include but are not limited to sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, or outlets that are connected directly to the municipal separate storm sewer system.

~~K.~~ "Illicit discharge" means any direct or indirect non-stormwater discharge to the storm drainage system, except as expressly allowed by this chapter.

~~L.~~ "Impervious surface" means a non-vegetated surface area which (1) either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development, or (2) causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads and parking areas, packed earthen materials, and oiled, macadam or other surfaces which similarly impede the natural infiltration of stormwater.

M. "Low impact development" means one or more best management practices or facilities that are specified in Volumes III and V of the Manual that are engineered to meet the low impact development standards of Core Requirement #5 specified in Volume I of the Manual.

~~N.~~ "Municipal separate storm sewer system" or "MS4" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- a. Owned or operated by the City; and
- b. Designed or used for collecting or conveying stormwater.

The municipal separate storm sewer system does not include combined sewers or a publicly owned treatment works used in treatment of municipal sewage or industrial wastes of a liquid nature.

MQ. "MS4 Permit" means the National Pollutant Discharge Elimination System and State Waste Discharge General Permit, commonly known as the Western Washington Phase II Municipal Stormwater Permit, issued by the Department of Ecology and periodically re-issued.

NP. "Nonresidential parcel" means a parcel which has been developed for any purpose other than a single-family dwelling unit or duplex and includes, among others, all multifamily apartments and condominiums with three or more units and all property owned by governmental and nonprofit entities.

OQ. "Non-stormwater discharge" means any discharge to the storm drainage system that is not composed entirely of stormwater.

PR. "Owner" has the meaning given in OMC 1.04.010.K. In addition, for purposes of this chapter, "owner" includes a person that controls a parcel on behalf of a parcel's owner.

QS. "Parcel" means any area of land within the City of Olympia which is deemed a distinct property as identified by the county assessor, whether or not the parcel is considered taxable.

RT. "Single-family residential parcel" means a parcel which has been developed and constructed for the purpose of providing a habitat for a single-family dwelling unit with or without an accessory dwelling unit, and has and continues to be used solely for that purpose.

SU. "Storm drainage system" means all manmade and natural systems that are used for the collection, conveyance, and disposal of stormwater. The storm drainage system may include lands outside of the city, but such lands will only be subject to this code when they are annexed to the city or by interlocal agreement with the governmental entity in which the property is located. The storm drainage system includes the MS4; all stormwater facilities; appurtenances; wetlands; streams, whether intermittent or perennial; ponds; lakes; creeks; rivers; tidelands; or outfalls subject to stormwater runoff from the land area of the city or from property covered by an interlocal agreement.

TV. "Stormwater" means that portion of precipitation, including snowmelt, that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, or other conveyance into a receiving water or storm drainage system.

UW. "Stormwater facility" means one or more constructed or natural features, other than the MS4, that collect, convey, channel, hold, inhibit, retain, detain, infiltrate, divert, treat, or filter stormwater. Stormwater facilities include, but are not limited to, conveyances, detention ponds, retention ponds, constructed wetlands, infiltration devices, catch basins, oil/water separators, and biofiltration swales.

VX. "Stormwater treatment" means one or more best management practices or facilities that are specified in Volume V of the Manual to remove pollutants from stormwater and engineered to meet the treatment standards in Core Requirement #6 specified in Volume I of the Manual.

WY. "Undeveloped parcel" means any parcel which has not been altered from its natural state by logging, clearing or grading since 1996, or by filling, excavation, or construction at any time.

XZ. "Utility" means the City of Olympia's storm and surface water utility, which operates and maintains storm or surface water conveyances and facilities or outfalls for such waters and the rights and interests in other properties relating to the system.

**Section 4. Amendment of OMC 13.16.090. Section 13.16.090 of the Olympia Municipal Code is hereby amended to read as follows:**

13.16.090 Reduction in storm drainage service charge for impervious surface, flow control, ~~or~~ stormwater treatment or low impact development

A. Nonresidential Parcels. An owner may submit to the department of public works an application for reduction in the storm drainage service charge that includes proof of the quantity of impervious surface or proof that a stormwater facility approved by the city is providing flow control or stormwater treatment consistent with the definition provided in Section 13.16.010.H or Section 13.16.010.X or fully utilizes low impact development consistent with the definition provided in Section 13.16.010.M ("Application"). ~~in excess of the policies and standards that existed at the time of development ("Application").~~ The owner must execute an approved agreement to maintain the stormwater facility prior to approval of a reduction. After reviewing an Application and inspecting the stormwater facility, if deemed appropriate, the director may approve a reduction in the storm drainage service charge for the parcel or parcels receiving flow control or stormwater treatment or fully using low impact development as provided in Section ~~4.24.010(4)~~ of this code. That reduction will be accomplished by reducing the ~~rate development~~ category of the affected parcel as appropriate by one category (e.g., from Category III to Category II) and calculating storm drainage service charges accordingly.

B. If the city approves a reduction in the storm drainage service charge for a parcel or parcels and later determines that the stormwater facility for such parcel or parcels is not providing flow control or stormwater treatment, or is not fully using low impact development, the city may reduce or revoke the reduction.

~~C. Residential Plats. Upon application to the department of public works, the director may approve a reduction in the storm drainage service charge assessed under OMC 4.24.010.D if it can be shown that said plat has a stormwater facility that meets or exceeds the city flow control and stormwater treatment standards enacted in 1990 and the person responsible therefor executes an approved agreement with the city to maintain the stormwater facility.~~

**Section 5. Corrections.** The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 6. Severability.** The provisions of this Ordinance are declared separate and severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, the remainder of this Ordinance or application of the provision to other persons or circumstances shall be unaffected.

**Section 7. Ratification.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 8. Effective Date.** This Ordinance shall take effect after passage and publication, as provided by law, on January 1, 2022.

\_\_\_\_\_  
MAYOR

**ATTEST:**

\_\_\_\_\_  
CITY CLERK

**APPROVED AS TO FORM:**

Mark Barber  
\_\_\_\_\_  
CITY ATTORNEY

**PASSED:**

**APPROVED:**

**PUBLISHED:**