

ORDINANCE NO. 185

AN ORDINANCE PROVIDING FOR PENALTIES FOR FAILURE TO PAY ANNUAL ADMINISTRATIVE WATER PERMIT FEES OR REPORT WATER METER READINGS IN A TIMELY MANNER

WHEREAS, Dunes City has a domestic water right (Permit No. #S33923; Application No. 45456) on Woahink Lake granted by the Oregon Water Resources Department; and

WHEREAS, the City Council of Dunes City adopted Ordinance 165 on November 13, 2003, authorizing the sharing of its domestic water right and establishing the right to adopt administrative fees; and

WHEREAS, Dunes City adopted Resolution No. 01-08-04 on January 8, 2004 to establish application and administrative fees for property owners and community water systems that utilize the City's Woahink Lake domestic water right. Resolution No. 01-08-04 did not contain penalties for permit holders who do not pay their annual administrative fee or who do not report their water meter readings in a timely manner; and

WHEREAS, the Oregon Water Resources Department requires that property owners sharing Dunes City domestic water right monitor their water usage through the use of a water meter and that water usage be reported on a monthly basis; and

WHEREAS, the cost of enforcing City regulations regarding water meter reporting and the timely payment of annual administrative fees has become a burden on staff and a significant expense to the City.

NOW THEREFORE, Dunes City ordains as follows :

Section 1. Payment of the annual Dunes City domestic administrative water permit fee established by Resolution 01-08-04, shall be received by the City within 30 days of the mailing of invoice or a \$25 late fee shall be imposed. Failure to pay the annual fee within 90 days after its due date may result in termination of the property owner's water right.

Section 2. Property owners sharing Dunes City's domestic water right are responsible for reporting water usage on a monthly basis, or at intervals otherwise designated by the City. Reporting is to be completed on the postcards provided by the City and received no later than the tenth of the month. If a property owner has not reported a meter reading within 60 days of the month that it is due, the City may contract to have the meter read and the property owner billed for that service.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct, and independent provision and that holding shall not affect the validity of the remaining portions of this Ordinance.

ADOPTED BY THE DUNES CITY COUNCIL THIS 14th DAY OF SEPTEMBER, 2006.

Ayes: 6

Nays: 0

Abstain: 0

Absent: 0

[Signed copy available at City Hall]
Sheldon Meyer, Mayor

ATTEST:

[Signed copy available at City Hall]
Joanne Hickey, City Recorder