

Chapter 10.30

Storm Drainage and Surface Water Management Utility

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10.30.010 Legislative Findings and Policy. The City Council finds, determines and declares that the streams, rivers, ponds, waterways, groundwater, and functionally related natural and manmade stormwater control facilities constitute a stormwater control facility.

The City Council finds, determines and declares that the public stormwater control facility including its administration, which provides for the collection, treatment, storage and disposal of stormwater, provides benefits and services to all developed property within the incorporated City limits. Such benefits may include, but are not limited to: the provision of adequate systems of collection, conveyance, detention, treatment and release of stormwater; the reduction of hazards to property and life resulting from stormwater runoff; improvements in general health and welfare through reduction of undesirable stormwater conditions; and improvements to the water quality of the stormwater and its receiving waters. Ecology's decision to include the City in the NPDES Phase II municipal stormwater general permit program now requires the City of Pullman to implement local water quality protection activities and programs to reduce and control the potential to pollute surface waters and groundwaters by storm drainage originating on both public and private properties.

The City Council finds, determines and declares that development of lands alter both the amount of stormwater runoff and the amount of pollution contained in such runoff and that the variation in these two factors constitutes a fair way to determine the burdens imposed upon the system and the benefits of the services received by the customer from the pollution management and regulatory services and facilities provided by a utility for storm drainage and surface water management, and the customer's charges for management of such burdens and provision of such services and facilities.

The City Council finds, determines and declares that the amount of impervious surface, land use, and rainfall will determine the volume of runoff and the general level of pollution from a property, which has been well established in both engineering practice and water quality studies by the Environmental Protection Agency, the Washington Department of Ecology, the United States Geological Survey, the Natural Resources Conservation Service, and others. While the relationships established by the above studies are adequate to assign charges, the City Storm Drainage and Surface Water Management Utility may perform local studies and based upon the results of these, may adjust rates and charges in the future to more accurately reflect the burdens imposed by customer classes within the City.

The City Council finds, determines and declares that to fund the costs of storm drainage and surface water management in the City, it is appropriate to adopt service charges for stormwater users, with rates varying according to the services furnished, the burdens imposed or benefits received; and the character, use and stormwater runoff characteristics of the land. (Ord. 09-2 §2, 2009)

10.30.020 Creation of Storm Drainage and Surface Water Management Utility. Pursuant to RCW 35.67.010 - .020 and RCW 35.92.020, there is hereby created a City Storm Drainage and Surface Water Management Utility.

The Storm Drainage and Surface Water Management Utility, under the legislative policy, supervision and control of the governing body of the City, shall perform the following activities within the City:

- (1) Administer the acquisition, design, construction, maintenance and operation of the public stormwater and surface water system, including stormwater capital improvements designated in the capital improvement program;
- (2) Administer and enforce this ordinance and all regulations and procedures adopted thereto relating to the design, construction, maintenance, operation and alteration of the stormwater and surface water system, including, but not limited to, the quantity, quality and/or velocity of the stormwater conveyed thereby;
- (3) Advise the City's governing body and other City departments on matters relating to the utility;
- (4) Prepare and periodically revise, as determined by state and federal law, comprehensive stormwater management and drainage plans for adoption by the City's governing body;
- (5) Develop standards and ordinances relating to stormwater drainage and treatment to apply to new development and redevelopment;
- (6) Enforce regulations to protect and maintain water quality and quantity within the stormwater and surface water system in compliance with water quality standards established by state, regional and/or federal agencies as now adopted or hereafter amended;

(7) Periodically analyze the cost of services and benefits provided to, and burdens imposed by, different classes of customers, and the system and structure of fees, charges, civil penalties and other revenues of the utility, and prepare budgets for adoption by the City's governing body; and

(8) Perform all other activities allowable by law and required to ensure compliance with state and federal stormwater and surface water quality laws. (Ord. 09-2 §3, 2009)

10.30.030 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) "Base Rate" means the stormwater user's fee for an equivalent residential unit (ERU).

(2) "City" means the City of Pullman, Washington, a municipal corporation created and existing under the laws of the state of Washington.

(3) "Credit" means the extent to which utility customers meeting specified criteria are billed at a reduced fee, such reduction representing a fee credit. The fee credit is provided in recognition that those utility customers who meet the specified criteria provide an in-kind service or contribution that offsets a portion of the burdens on the stormwater system imposed by the credited parcel.

(4) "Developed Property" means real property that has been altered from its undeveloped state by the creation or addition of impervious surface areas, such as buildings, structures, pavement or other improvements.

(5) "Duplex, Tri-plex, and Four-plex" mean buildings designed and arranged exclusively for occupancy in two (2), three (3), and four (4) separate dwelling units, respectively.

(6) "Dwelling Unit" means a single unit providing complete, independent living facilities for one (1) family including permanent provisions for living, sleeping, eating, cooking, and sanitation.

(7) "Equivalent Residential Unit" or "ERU" means, and is equal to, 3,500 square feet of impervious groundcover, which approximates the average impervious surface area contained on single-family residential parcels within the City. An ERU is the unit of impervious groundcover to be used by the utility in calculating service charges for each parcel of property.

(8) "Family" means either a "traditional" or "functional" household unit as defined in the Zoning Code in Chapter 17 of the Pullman City Code.

(9) "Fee" or "Stormwater User's Fee" means the charge established under this ordinance for parcels or pieces of real property to fund the costs of stormwater management and of operating, maintaining, and improving the stormwater system in the City.

(10) "Finance Director" means the duly appointed Director of the City of Pullman Finance Department or his or her designee. The Finance Director may utilize the services of the Public Works Department as necessary to make decisions.

(11) "Impervious Surface" means a surface which is covered with material that is resistant to infiltration by water, including, but not limited to, most conventionally surfaced streets, roofs, sidewalks, patios, driveways, parking lots, and any other oiled, graveled, graded, compacted, or any other surface which impedes the natural infiltration of surface water.

(12) "Impervious Surface Area" means the number of square feet of horizontal surface covered by buildings and other impervious surfaces.

(13) "Multiple Family Dwelling Unit" means a building or portion thereof, containing five (5) or more separate dwelling units.

(14) "National Pollutant Discharge Elimination System" or "NPDES" refers to the federal permit system under the Clean Water Act for discharges of pollutants to surface waters of the United States. Congress amended the Clean Water Act in 1987 to regulate stormwater. Under the revisions, NPDES Phase II permits are required for municipal stormwater discharges to surface waters.

(15) "Nonresidential Parcel" means a parcel which has been developed for any purpose other than a single-family residence, duplex, tri-plex, or four-plex and includes, but is not limited to, commercial parcels, industrial parcels, parking lots, hospitals, schools, hotels, offices, churches, governmental parcels, mobile/manufactured home parks and multiple family dwelling units.

(16) "Public Works Director" means the duly appointed Director of the City of Pullman Department of Public Works or his or her designee.

(17) "Residential Parcel" means a parcel which has been developed as a single-family residence, a mobile/manufactured home on a separate parcel, and other parcels where the primary use is residential, including duplexes, tri-plexes, and four-plexes, but excluding all other apartment complexes.

(18) "Single-Family Residence" means a parcel which has been developed with a residential structure designated for occupancy by one (1) family or household unit, including mobile homes and manufactured homes on a separate parcel.

(19) "Stormwater" means that portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes and other features of a stormwater drainage system into a defined surface waterbody.

(20) "Stormwater Control Facility" means the streams, rivers, ponds, waterways, groundwater, and functionally related natural and manmade stormwater control facilities that combined constitute the City stormwater control facility.

(21) “Stormwater Management Fund” or “Fund” means the fund created by this ordinance to operate, maintain, and improve the City’s stormwater system.

(22) “Storm Drainage and Surface Water Management” means the planning, design, construction, regulation, improvement, repair, maintenance, and operation of facilities and programs relating to stormwater.

(23) “Stormwater and Surface Water System” or “Stormwater System” means all properties, interest, physical and intangible rights of every kind or nature owned, held or operated by the City, however acquired, insofar as they contribute to the management of storm or surface water. It shall further include without limitation, all such properties, interests and rights acquired by adverse possession or by prescription, directly or through another; in and to the drainage or storage, or both of storm or surface waters, or both; and through, under, or over lands, landforms, watercourses, streams, ponds and swamps. In each case or instance, their inclusion begins at a point where storm or surface waters first enter the stormwater control facility of the City within the City limits, and ends where storm or surface waters exit from the stormwater control facility of the City within the City limits, and in width to the full extent of inundation caused by the largest storm or flood condition.

(24) “Storm Drainage and Surface Water Management Utility” or “Stormwater Utility” or “Utility” means the Storm Drainage and Surface Water Management Utility created by this ordinance as it may be amended from time to time.

(25) “Undeveloped Property” is property that has no improvements, generates little to no traffic, and generally exists in a natural state, thereby imposing little burden upon the system and receiving no benefit from the utility’s services. This includes property previously used for agricultural crop production.

(26) “Waiver” means that determination by the Finance Director that a utility customer’s property has met the criteria specified in PCC 10.30.120 of this chapter to receive a waiver from paying stormwater fees. Any waiver will require a showing that parcels that meet the specified criteria provide an in-kind service or contribution that offsets the burdens on the stormwater system imposed by the parcels subject to the waiver. (Ord. 09-2 §4, 2009)

10.30.040 Funding of Storm Drainage and Surface Water Management Utility. Funding for the Storm Drainage and Surface Water Management Utility’s services and facilities may include, but not be limited to, the following:

- (1) Stormwater user’s fees;
- (2) Civil penalties and damage assessments imposed for or arising from the violation of this ordinance;
- (3) Stormwater permit, development and/or inspection fees;
- (4) Revenue bonds and/or general obligation bonds; and

(5) Other funds or income obtained from federal, state, local or private grants and/or loans. (Ord. 09-2 §5, 2009)

10.30.050 Stormwater Funds. All revenues generated by, or on behalf of the stormwater utility shall be deposited in the Storm Drainage and Surface Water Management Utility fund as established and maintained by the Finance Director. The revenue deposited into this account shall be used in accordance with state law and used only for the purposes of constructing, acquiring, adding to, maintaining, replacing, conducting, operating, managing, regulating, and controlling the stormwater system, or to secure the payment of all or any portion of any issue of general obligation bond or revenue bond issued for such purposes, or for other legal purposes consistent with this ordinance. (Ord. 09-2 §6, 2009)

10.30.060 Operating Budget. The City Council shall adopt an operating budget for the stormwater utility each fiscal year. The operating budget shall set forth for such fiscal year the estimated revenues and the established costs for operations and maintenance, capital improvement projects, and debt service. (Ord. 09-2 §7, 2009)

10.30.070 Reserve Account. An operating and emergency reserve account shall be maintained with the designated funds to provide for cash flow, emergencies and capital improvement project needs. (Ord. 09-2 §8, 2009)

10.30.080 Stormwater User's Fees Established. Except with respect to those parcels that are waived from paying fees as described in PCC 10.30.120 of this chapter, the City shall charge and collect from the owner of each and every developed property in the City a stormwater user's fee, which shall be set in the manner and amount as determined from time to time by resolution of the City Council. The purpose of this fee is to fund the Storm Drainage and Surface Water Management Utility.

Prior to establishing or amending stormwater user's fees, the City shall advertise its intent to do so by publishing notice in a newspaper of general circulation in the City. The publication date of such advertisement shall meet public notice requirements of local and state laws. (Ord. 09-2 §9, 2009)

10.30.090 Equivalent Residential Unit.

(1) Establishment. The equivalent residential unit (ERU) is hereby established for purposes of calculating the stormwater user's fee.

The ERU is the approximate average square footage of impervious surface area on a single-family residential parcel.

(2) Setting the ERU. The ERU shall be set by the City Council from time to time by ordinance. The ERU is hereby set as 3,500 square feet. This value was determined through the measurement of impervious surface on a random sampling (average) of single-family residential parcels.

(3) Source of ERU. The impervious surface area of developed property shall be

determined through property tax assessor's rolls or site examination, mapping information, aerial photographs, and other reliable information.

(4) Minimum Service Charge. Unless otherwise waived, the minimum charge for a developed property shall be based on 1.0 ERU. (Ord. 09-2 §10, 2009)

10.30.100 Property Classification for Stormwater User's Fee. As authorized by RCW Chapters 35.67 and 35.92, the City Council finds that variations in land use and impervious surface results in differences in the burdens imposed upon the stormwater system and the costs to serve such parcels. City parcels shall be differentiated from one another based upon the stormwater burdens imposed and the costs of City stormwater services.

(1) Customer Classification. For purposes of determining the stormwater user's fees, owners of all developed parcels in the City are classified into one of the following general classes:

(a) Residential;

(b) Duplex, Tri-plex and Four-plex; and

(c) Non-residential.

To reflect the burdens imposed upon the City stormwater system, parcels with facilities deemed to be more industrial or commercial in nature will have fees determined in the same manner as the non-residential class regardless of the land use codes assigned by the City.

(2) Residential Fee. The stormwater fee for residential parcels shall equal the base rate. The fee for commercial mobile/manufactured home parks and condominiums shall be determined using the same methodology as used for non-residential parcels.

(3) Duplex, Tri-plex, and Four-plex Fee. The stormwater fee for a duplex, tri-plex and four-plex shall equal one half the base rate multiplied by the number of dwelling units.

(4) Non-residential Fee. Owners of developed non-residential parcels shall pay a stormwater fee equal to the base rate multiplied by the numerical factor obtained by dividing the estimated total impervious surface area of the parcel by one ERU. The minimum stormwater fee for developed non-residential parcels shall equal the base rate for residential parcels. (Ord. 09-2 §11, 2009)

10.30.110 Base Rate and Appeal Fee Establishment and Review.

(1) Base Rate. The base rate for services to utility customers shall be determined from time to time by resolution of the City Council. The effective date for such rates shall be established as set forth in the appropriate resolution of the City Council.

The utility base rate schedule and fees set by resolution of the City Council shall be

reviewed periodically and revised as necessary to reflect any changes in operation and capital costs and to ensure fair funding of the program.

(2) Appeal Fee. The appeal fee shall be calculated to provide adequate revenues to cover all costs associated with the review and processing of requests for adjustment to customer charges as described in PCC 10.30.150 of this chapter. The appeal fee shall be determined from time to time by resolution of the City Council. The effective date for such fees shall be established as set forth in the appropriate resolution of the City Council.

The appeal fee set by resolution of the City Council shall be reviewed periodically and revised as necessary to ensure fair and full recovery of costs for review and processing of appeals. (Ord. 09-2 §12, 2009)

10.30.120 Adjustments to Stormwater User's Fees. Credits allowed under this section shall not be cumulative. Credits or waivers granted by the Finance Director will become effective the billing month or cycle following the approval of the credit or waiver. Credits or waivers are not retroactive to current or prior billings and are only in effect beginning with the next billing cycle. Credits or waivers may be in effect for multiple future billing cycles provided that ongoing qualifying criteria are met. The Finance Director will take such time as necessary to process requests for credits or waivers in an orderly fashion.

(1) Credits for Properties Covered by Industrial or Municipal Stormwater Permits. The City Council recognizes that some parcel owners have been required or will be required to obtain coverage under a separate NPDES stormwater permit, which authorizes stormwater discharges associated with certain industrial or municipal activities. The City Council further recognizes that such permit holders are required to develop extensive stormwater management programs, which, when properly implemented, can reduce the discharge of pollutants into the public stormwater and surface water system and aid the City in controlling the overall effects of stormwater pollution. Parcels or portions of parcels that meet one of the criteria listed below, to the Finance Director's satisfaction, shall receive a reduction of 20% from the annual fee charged under PCC 10.30.110 as currently enacted or hereafter amended for that portion of the parcels covered under an applicable NPDES stormwater permit.

(a) Any parcel that has an active and valid NPDES Industrial Stormwater Permit. A copy of the permit and the Stormwater Pollution Prevention Plan (SWPPP) shall be provided to the Finance Director.

(b) Any parcel that has an active and valid NPDES Municipal Stormwater Permit. A copy of the permit and current version of the Stormwater Management Plan (SWMP) shall be provided to the Finance Director.

The property owner is responsible for providing all documentation necessary to demonstrate compliance with the above requirements. In the event that an applicable NPDES stormwater permit addresses only a portion of the total parcel, the credit will be applied to only that affected portion. Non-residential category property owners receiving

credits shall agree to allow the City to periodically inspect/review any applicable on-site stormwater facilities and/or stormwater management activities conducted by permit holders. Failure to comply with these provisions may be cause for termination of the adjustment authorized by this section.

(2) Credit for Rainwater Harvesting Systems.

(a) Per RCW 35.67.020 (3), owners of new or remodeled residential/ commercial/ industrial/ institutional class buildings that utilize a properly constructed and maintained permissive rainwater harvesting system shall be eligible for a 10% credit applied toward that portion of their stormwater charge arising from the building upon which the system is used.

(b) Customers desiring this credit shall apply to the Finance Director and shall submit engineering design and operational information as deemed necessary by the Finance Director to make their evaluation and decision. The Finance Director will consider additional credit in excess of 10%, up to a maximum of 20%, based upon the amount of rainwater harvested. Rainwater harvesting and beneficial reuse of the runoff is found by the City Council to both reduce the burden imposed upon the system by the building by reducing runoff and to also have other beneficial water quality effects such as reduced consumption of potable water.

(3) Credits for Stormwater Best Management Practices.

(a) Owners of non-residential class properties that utilize a properly constructed and maintained stormwater best management practice designed in accordance with City of Pullman Design Standards to control flow (i.e. detention pond) shall be eligible for a 10% credit applied toward that portion of their stormwater charge arising from the impervious surface area from which the practice receives runoff.

(b) Owners of non-residential class properties that utilize a properly constructed and maintained stormwater best management practice designed in accordance with City of Pullman Design Standards to treat stormwater quality (i.e. bio-filtration) shall be eligible for a 10% credit applied toward that portion of their stormwater charge arising from the impervious surface area from which the practice receives runoff.

(c) Customers desiring this credit shall apply to the Finance Director and shall submit engineering design and operational information as deemed necessary by the Finance Director to make an evaluation and decision. Properties that employ stormwater best management practices that control flow and improve water quality are found by the City Council to reduce the burden imposed upon the system.

(4) Credits for Schools Participating in Stormwater and Surface Water Education. The City Council finds that many of the concerns about stormwater quality are created by a general lack of knowledge about the relationship between human activities and the health of the environment. The City Council also finds that Public and Private schools can provide regional benefits to the City's Stormwater and Surface Water Management Program by carrying out certain types of educational and community activities related to

protection and enhancement of surface water, groundwater, and stormwater quality. Kindergarten through grade 12 schools that are in compliance with all requirements for their own stormwater facilities, and that are carrying out surface water, groundwater, and stormwater quality educational and community activities in cooperation with the City may apply to the Finance Director for a credit, up to a maximum of 20%, towards their stormwater fees. The amount of an approved credit shall depend upon the nature and extent of the programs and activities being performed. Schools shall pay the full charge under PCC 10.30.110 as currently enacted or hereafter amended until such time as a credit is granted by the Finance Director.

(5) Waiver of Utility Fees for Certain Property. The Finance Director shall waive stormwater and surface water utility fees for a parcel falling within the following special categories of property upon a showing that the parcel meets the following applicable criteria for so long as the criteria are met:

(a) Fees shall be waived for streets, City rights-of-way, and airport runways and taxiways provided that the City transportation system continues to be an integral component of the City stormwater control facility.

(b) Fees shall be waived for municipal parks, public trails and bike paths so long as their owners cooperate with the utility in the provisions of educational services and water quality control efforts. Parks, trails and bike paths have minimal intensity of impervious development and provide opportunities for natural resource education and development of an appreciation for water quality.

(c) Fees shall be waived for all undeveloped parcels. The City Council finds that such parcels generally have no improvements built on them, generate little to no traffic, generate less runoff, and generally are in a natural state, thereby imposing no burden upon the system and receiving no benefit from the utility's services and facilities. Information that a property categorized as undeveloped is being used otherwise may result in a loss of this waiver. (Ord. 09-13 §2, 2009)

10.30.130 Property Owners to Pay Fees. The owner of each non-waived parcel within the boundaries of the City, as they now exist or as they may be hereafter amended, shall pay the stormwater user's fee and charges as provided in this chapter. Property owners seeking credits or waivers shall pay the full fee until such time that the credit or waiver is granted by the Finance Director, after which reduced fees will be applied. (Ord. 09-2 §14, 2009)

10.30.140 Billing Procedures and Penalties for Late or Non-Payment. The fees and charges as herein provided for shall be computed and billed on a monthly basis, except that, with concurrence of the City, said fees and charges for parcel owners required to obtain coverage under a separate NPDES Municipal Stormwater Permit, may be computed and billed on an annual basis with said fees and charges due on July 1 of each year. All parcels which are currently served by any City utility services and are within the City shall be assessed their monthly fees and charges each month through

their utility account. Parcels not being served by any City utility service (i.e. no water meter) will have new accounts created for stormwater service as needed. If one piece of property is served by more than one account, only one account will be charged stormwater rates for each piece of property, on a case-by-case basis. Any piece of property or parcel in use for any commercial, business, or other purpose with space that meets the definition of impervious surface shall be charged stormwater rates, regardless of use of other City utility services. The charges shall be due on or before the date of billing and shall become delinquent thereafter if not paid by the thirtieth day following the date of billing.

Collection of delinquencies, interest, penalty, and costs of collection for delinquent utility service charges provided for herein shall be charged interest on the delinquent balance at the rate of eight percent (8%) per annum, computed on a monthly basis. The Finance Director may excuse delinquencies of less than thirty (30) days.

For parcels without City water service, if payment has not been made before delinquency, as set forth above in this Section, the City may submit the delinquent amount to a collection agency per the City's standard collection procedures as determined by the Finance Director and at the Finance Director's discretion.

For parcels with City water service, if payment has not been made before delinquency, as set forth above in this Section, the city shall take the following steps to notify the user and if necessary terminate stormwater service by shutting off water service to any delinquent user:

(1) On or about the tenth day following the date of delinquency, the finance department shall give notice reasonably calculated under all the circumstances to apprise the user that:

(a) the user is delinquent in payments;

(b) water service will be shut off if the user is still delinquent in payment of stormwater charges thirty days after the date of delinquency;

(c) the user has the right to protest the billing and appeal the amount due to the Finance Director;

(d) if the user does not request a hearing with the Finance Director, or his/her designee, within thirty days following the date of delinquency and does not pay the delinquent amount or amounts due in full within this same period or any extensions thereof resulting pursuant to the provisions of 10.30.140(3), the stormwater service will be terminated by shutting off water service to that user.

(2) If the user requests a hearing on the amount due, a hearing must be held, and the user given an opportunity to be heard. The Finance Director must thereafter determine the amount due and owing and inform the user.

(3) The user shall be given ten (10) days to pay the amount determined by the Finance

Director to be owing. If the amount owing has not been paid within ten days, stormwater service may be shut off by shutting off water service.

(4) Water service shall be restored if full payment of all amounts owing plus a turn-on charge as authorized in the City Water Utility Code, Section 10A.35.040(1) is made.

(5) If water service is to be cut off from a known rental unit where the tenant is not the person or entity responsible for paying for stormwater use or stormwater charges as shown on the records of the city finance department then, prior to termination of service for nonpayment and after the city has satisfied the procedures of this Section 10.30.140, the city shall place upon the premises at least five days prior to the scheduled cutoff of service such notice as is reasonably calculated to inform the tenant or tenants of the proposed cutoff of service.

(6) The city of Pullman or any of its officers or employees shall not be liable for any damages that may occur because of water service being cut off pursuant to the provisions of this Chapter.

(7) "Notice reasonably calculated under all the circumstances to apprise the user," as used in Pullman City Code Section 10.30.140(1), includes at the minimum, written notice to the user and the owner, if the owner is not the user, and the owner has so informed the city finance department. In addition, the city shall place upon the premises at least five days prior to the scheduled cutoff of service, notice which informs the user of the proposed cutoff of service, and the opportunity to protest the proposed cutoff in a meaningful manner.

(8) If termination of water service proves ineffective at securing the delinquent amount, then the City may pursue collection procedures in a manner consistent with delinquent parcels with no water service. (Ord. 09-2 §15, 2009)

10.30.150 Appeals of ERU Determination. If an owner of a non-residential parcel subject to this chapter, or other responsible party, believes the ERU applied to their property is incorrect or otherwise disagrees with the utility rate determination, the owner may appeal the correctness of the ERU to the Finance Director, or his/her designee, within thirty (30) calendar days of the initial mailing of the billing for the fee. Such appeals shall be in writing and shall specify the grounds of the appeal and the requested remedy and shall include a non-refundable appeal fee. The Public Works Director, or his/her designee, shall work with the Finance Director to resolve appeals. Upon resolution of the appeal, an appropriate adjustment to the ERU will be made accordingly. Decisions of the Finance Director regarding such appeals shall be final. (Ord. 09-2 §16, 2009)

10.30.160 Severability. If any section, subsection, paragraph, sentence, clause or phrase of this chapter is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 09-2 §17, 2009)