



RESOLUTION NO. 2001-01

REPEALED 2007-03

A RESOLUTION ENACTING SYSTEM DEVELOPMENT CHARGES FOR THE DISTRICT OF THE TERREBONNE DOMESTIC WATER DISTRICT

WHEREAS, the Terrebonne Domestic Water District Board of Directors has reviewed, accepted and adopted a Plan of Development of the water system from it's engineer; and

WHEREAS, the engineer has developed cost estimates of future capital improvements and expansion and developed a methodology for use in establishing a reimbursement fee or improvement fee or combination thereof, which methodology is accepted and adopted by the Board of Directors; and

WHEREAS, the Terrebonne Domestic Water District has upon proper notice held two public hearings on the Plan of Development change amounts and the recommendation of the engineer.

NOW, THEREFORE, based on the adoptions of the foregoing loan of development and methodology for determining system development charge amounts and the recommendation of the engineer.

BE IT HEREBY RESOLVED, that the Terrebonne Domestic Water District of Directors does hereby adopt the following system development regulations and fees:

1. Purpose. The purpose of this resolution is to provide authorization for system development charges for capital improvement pursuant to Oregon law for the purpose of creating a source of funding for existing water system capacity and for the installation, construction and extension of water system capital improvements. These charges shall be collected either at the time of application for connection to the water system or at the time of increased usage of water because of changes of use of the property.
Scope. The system development charges imposed in this resolution are separate from and in addition to any applicable tax, assessment, charge, or fee otherwise provided by law or imposed as a condition of development.

2. Definitions. For purpose of the resolution, the following definitions shall apply

Capital Improvements. Facilities or assets used for water supply, treatment and distribution.

District. The Terrebonne Domestic Water District.

Owner. The owner(s) of record title or the prucher(s) under a record sales agreement and the persons having an interest in the described real property.

Parcel of Land. A lot, parcel, block or tract of land that is occupied or may be occupied by structure or structures or other use.

Permittee. The person to whom a Building Permit, Development Permit, or Right-of-Way Access Permit is issued.

System Development Charge. A reimbursement fee, an improvement fee or a combination thereof assessed or collected at the time a connection to the capital improvement. "System Development Charge" does not include fees assessed or collected as part of a local improvement district or charge in lue of a local improvement district assessment, or the cost of installing individual services, meters or hooking up to the water system or the monthly water charge.

3. System Development Charge Imposed; Method of Establishment Created.

- A. Unless otherwise exempted by the provisions of the resolution or other local or state law, a system development charge for waste is hereby imposed upon all future applications for connection to water service, or upon increased usage of water because of change of use of property.
- B. The system development charge for the water system shall be established and may be revised by resolution of the Board of Directors. The resolution shall set the amount of the charge for the District and the methodology used to set the amount of the charge,
- C. The initial system development charge to be affection upon adoption of the resolution shall be the sum of \$2,200 per EDU (Equivalent Dwelling Units).

5. Collection of Charge

- A. The system development charge is payable upon application for water services, Upon increased usage of water because of change of use of the property served.
- B. The Districts designee shall collect the applicable system development charge from the permittee or system user.
- C. The Districts designee shall not issue such permits or allow connection or Increase usage of the system(s) until the charge has been paid in full, unless an Exemption is granted pursuant to this ordinance.
- D. All monies collected through the system development charge shall be retained in a separate.

6. Authorized Expenditures

- A. System development charge shall be applied to capital improvements of the Districts water system to increase the level of performance or service provided by existing facilities or provide new facilities.
- B. System development charge may be expended on district cost of complying with provisions of this resolution, including cost of development system development charge methodologies and providing annual accounting of system development funds..

7. Annual Accounting.

- A. The District shall provide an annual accounting for system development charges showing the total amount of system development charges collected for the water System along with a list of projects funded in whole or in part through system development charges.
- B. Any District resident or other interested person may challenge an expenditure of system development charge revenues. The challenge shall be in writing and shall be submitted to the Chairman of the District. The challenge shall include the date of the expenditure, the amount and purpose of the expenditure and the basis for the challenge. The Challenge must be filed within two years of the expenditure of the system development charge revenues and shall be reviewed as provided by law.

ADOPTED by the Board of Directors of Terrebonne Domestic Water District and signed by the Chairman this 14th day of February, 2001

Bill Tittle, Chairman

ATTEST

