

ORDINANCE NO.

BY THE COUNCIL: BISTERFELDT, CLEGG, EBERLE, JORDAN,
MAPP AND SHEALY.

AN ORDINANCE AMENDING BOISE CITY CODE TITLE 8, CHAPTER 11, SECTION 2.01 TO REVISE THE DEFINITIONS FOR PRIVATE SERVICE LINE, PUBLIC SERVICE LINE, SEWER CONNECTION CREDITS AND SINGLE FAMILY DWELLING EQUIVALENT; AMENDING TITLE 8, CHAPTER 11, SECTION 5.01 TO CLARIFY THE EXCEPTIONS TO THE INDIVIDUAL CONNECTION REQUIREMENT; AMENDING TITLE 8, CHAPTER 11, SECTION 5.02 TO CLARIFY SERVICE LINE MAINTENANCE RESPONSIBILITIES; AMENDING TITLE 8, CHAPTER 11, SECTION 6.06 TO PROVIDE THAT SEWER CONNECTION CREDITS ARE NONTRANSFERABLE; AMENDING TITLE 8, CHAPTER 11, SECTION 7.01 TO INCREASE THE RESIDENTIAL TRUNK CONNECTION FEES, THE COMMERCIAL CONNECTION FEES, EQUIVALENT ASSESSMENT FEES AND PUBLIC SERVICE LINE FEES AND TO DECREASE THE SOUTHWEST INTERCEPTOR FEES; AMENDING TITLE 8, CHAPTER 11, SECTION 7.03 TO REDUCE THE SEWER DISCONNECTION/RECONNECTION FEE; AND PROVIDING AN EFFECTIVE DATE; AND APPROVING A SUMMARY OF THE ORDINANCE.

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF
BOISE CITY, IDAHO:**

Section 1. That Title 8, Chapter 11, Section 2.01, Boise City Code, be, and the same is hereby amended to read as follows:

Section 8-11-02.01 Definitions

Apartment shall mean a room or suite of rooms in a multiple-family structure which is arranged, designed or used as a single housekeeping unit, and which includes permanently installed complete kitchen and sanitary facilities.

Assisted Living / Residential Care Facility shall mean a retirement facility licensed and regulated by the State of Idaho, with restrictions on the size and occupancy of sleeping areas.

Biochemical Oxygen Demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days under standard laboratory procedures set forth in the latest edition of *Standard Methods*, expressed in milligrams per liter.

Boise Area of Impact shall mean an area mutually agreed upon, including plan and ordinances, between the Boise City and Ada County, as provided for by

Idaho Code 67-6526 and 50-1306. The boundaries and provisions of the Area of Impact can be found in Title 11, Chapter 15 of the Boise City Code.

Boise City (City) shall mean the municipal corporation known as The City of Boise City, Idaho.

Change of Use shall mean such time as the nature of the business for which a structure is used has changed, or the primary use of the structure has changed.

Combined Wastewater shall mean wastewater containing stormwater, infiltration or inflow, which is ordinarily prohibited from entering public sanitary sewers.

Commercial shall mean any business, industrial, institutional, or non-profit enterprise. This shall include, but is not limited by, hotels, motels, assisted living facilities, schools, churches, and non-residential condominiums.

Condominium shall mean real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

Contributor shall mean any person who directly or indirectly contributes or discharges wastewater into the Boise City sewer system.

Date Sewer System is Available shall mean the date the public sewer, to which the building or structure is to be connected, is accepted by the City Engineer as ready for use.

Developer or Subdivider shall mean any person who subdivides and/or improves undeveloped land for industrial, commercial, residential or mixed use, and thereby creates a demand for city sewer services.

Director shall mean the Public Works Department Director, or the authorized representative as designated by the Director.

Discharge shall mean the disposal of sewage, holding tank waste, water or any other substance into the wastewater system of the city.

Domestic (sanitary) Wastes or Wastewater shall mean liquid or water-carried wastes from the noncommercial preparation and handling of food, or containing human excrement and similar matters from toilets and the sanitary plumbing systems of dwellings, commercial buildings, industrial facilities and institutions. When analyzed by standard methods, domestic waste shall contain approximately three hundred (300) mg/l of TSS and three hundred (300) mg/l of BOD.

Dry-line Sewer shall mean a public sewer that is not capable of transporting wastewater to a wastewater treatment facility.

Duplex shall mean a detached building containing two (2) dwelling units. Each unit must be capable of functioning as a dwelling unit independently of the other.

Dwelling Unit means one (1) or more rooms and single kitchen designed for, or occupied as, a unit by one (1) family for living and cooking purposes, which is located in a single family or multi-family dwelling.

Flag Lot shall mean a lot having access to a public or private street via a narrow private driveway, the frontage of which is generally forty (40) feet or less in width.

Flow shall mean the volume of wastewater.

Gravity Flow Sewer system shall mean that part of the wastewater system which uses gravity, as opposed to lift stations, pumps, or pressure lines, to transport sewage to the waste treatment facility.

Gross Acre shall mean an acre of ground including all public rights-of-way and private streets within the development.

Heating and/or Cooling System Discharge shall mean the water discharged from any use such as heating, air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

Individual (private) Wastewater Disposal System shall mean a septic tank, cesspool or similar self-contained receptacle or facility which collects and/or treats or otherwise disposes of wastewater and which is not connected to the Boise City Sewer system.

Industrial Wastes or Wastewater shall mean the liquid and water-carried wastes from industrial processes or discharged from industrial plants, including wastewater from pretreatment facilities and polluted cooling water, as distinct from domestic wastewater.

Large Open Space Lots with Low Sewer Impact shall mean lots in excess of five (5) acres with open space use, which have single family dwelling equivalent (SFDE) density, calculated on fixture units, of less than one (1) SFDE per five (5) acres and to which the general public has unrestricted access.

Lateral Sewer shall mean those public sewers which are eight inches (8") or less in diameter.

Low Consumption User is a commercial user whose use is comparable in quantity to a residential user, as determined by the use of standard engineering references.

Mobile Home Park shall mean any area, tract, plot or parcel of land, developed as a planned unit development and designed primarily for placement of mobile homes, located and maintained for dwelling purposes, on lots that are rented on a permanent or semi-permanent basis.

Monitored Connection shall mean a connection having measuring and sampling devices, installed near the discharger's point of connection to the wastewater system, that are used to determine flow, BOD, and TSS values suitable for fee calculations.

Multi-family Dwelling shall mean a structure, or portion thereof, containing three (3) or more dwelling units excluding attached single family townhouse units located on individual lots.

Owner shall mean the person holding record title to the property.

Over sizing shall mean the term for the circumstance where the City has required the developer to install a sewer of a size or capacity greater than eight inches (8").

Permanent Lift Station shall mean sewer pumping facilities which take the place of the gravity flow sewer system on a permanent basis according to the Master Sewer Plan.

Person shall mean any individual, joint venture, partnership, firm, corporation, association, club or organized group, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents, or assigns.

Private Service Line shall mean that part of a sewer, connected to the Boise City Sewer system located within ~~the private property or private sewer service easement of the user, and which serves only private property.~~ Owned by the property owner and not maintained by Boise City.

Private Sewer shall mean the same as private service line.

Public Service Line shall mean that part of a sewer constructed from the sewer tap-in of the existing lateral, manhole, trunk sewer or interceptor sewer to the right-of-way line of the public sewer easement. Public service lines are owned by the City of Boise.

Public Sewer shall mean the sewer which is part of the Boise City sewer system, subject to the ownership, control and maintenance of the City.

Residential shall mean a Single Family dwelling, Duplex, Multi-Family dwelling, Apartment, Townhouse, non-commercial Condominium, or Mobile Home park.

Restaurant shall mean any sandwich shop, pizza parlor, full service, fast food, or other eating establishment where food is prepared, served or provided for the public.

Sanitary Sewer shall mean a public sewer which carries wastewater, and to which storm surface and ground waters are not generally admitted, including the pipe or conduit system and appurtenances for the collection, transportation, pumping and treatment of wastewater. This definition includes the terms public

sewer, sewer system, public service line.

Septage shall mean any wastewater from holding tanks such as vessels, chemical toilets, campers, trailers, recreation vehicles, septic tanks, sealed vaults and vacuum-pump trucks.

Service Bill shall mean the consolidated bill issued monthly or quarterly by Utility Billing which itemizes the separate charges for each service provided to the customer.

Sewage shall mean wastewater.

Sewer shall mean a pipe or conduit which collects and carries wastewater to a treatment plant.

Sewer Connection Credits shall mean a single family dwelling equivalent (SFDE) value given for previously paid trunk and treatment sewer capacities permanently removed or demolished to be used as a credit toward future connection fees, subject to the provisions of 8-11-06.06C.

Single Family Dwelling shall mean a building designed for use and occupancy by no more than one family.

Single Family Dwelling Equivalent (SFDE) shall mean, for the purpose of calculating treatment connection fees, a typical peak month daily average discharge from a single family dwelling, specifically defined as 282 gallons per day of flow, 0.54 pounds per day of BOD, and 0.54 pounds per day of TSS. For the purpose of calculating trunk and southwest interceptor connection fees, a **SFDE** shall mean a typical peak hour discharge from a single family dwelling of 22.2 ~~30.2~~ gallons per hour. A **SFDE** generates a fixture unit count, as defined in the Uniform Plumbing Code, of twenty-one (21).

Southwest Community Planning Area shall mean that area of the Boise Area of Impact which is located generally south of Interstate I-84 and west of the airport. A more detailed description will be maintained on file in the Public Works Department.

Standard Methods shall mean procedures described in the most recent edition of "Standard Methods for the Examination of Water and Wastewater" as published by the American Public Health Association, American Water Works Association, and the Water Environment Federation.

Strength of Wastewater (waste strength) shall mean the quality of wastewater discharged as measured by its elements, including its constituents and characteristics.

Structure shall mean anything constructed or erected, except fences, which requires permanent location on the ground, or is attached to something having location on the ground, which is designed or intended for the shelter, enclosure, or protection of persons, animals, chattels, or property of any kind, and which is determined by the Department to have a potential for impact on the Boise City sewer system.

Suspended Solids or Total Suspended Solids (TSS) shall mean the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering in accordance with procedures set forth in “Standard Methods”, expressed in milligrams per liter.

Tap-in (sewer tap-in) shall mean a sewer service connection to an existing sewer lateral, trunk, interceptor sewer or manhole.

Temporary Lift Stations shall mean sewer pumping facilities which, on an interim basis, take the place of gravity flow sewer systems and are designated as temporary by the Master Sewer Plan.

Townhouse shall mean an attached single family dwelling unit located on a platted lot and for which the individual owner may acquire title to the unit and lot.

Trunk Line (sewer trunk line) shall mean a gravity sewer larger than eight inches (8") in internal diameter, and shall also include pressure sewer lines. A trunk sewer line shall be of such size and location by which to serve the projected growth in population and sewer use of any area within Boise City and the Boise Area of Impact, and to provide an adequate system for the collection, transmission and disposal of sanitary sewage from residential and commercial users within and without the City.

Unmonitored Connection shall mean a connection where the discharger’s flow is determined by winter water use, and the BOD and TSS values are set at typical levels for the discharger category.

User shall mean generally, the owner, tenant, trustee, mortgage receiver or occupier of premises which are connected to the wastewater system.

Wastewater (sewage) shall mean any liquid or water-carried industrial or sanitary wastes, whether treated or untreated, including polluted heating and/or cooling water from dwellings, commercial buildings, industrial facilities and institutions, which is contributed or permitted to enter the public sewer system.

Wastewater System, Wastewater Treatment System, Wastewater Works shall mean any devices, facilities, structure, equipment or works owned or used by the city for the purpose of the transmission, storage, treatment, recycling and reclamation of industrial and domestic wastes from within or without the city, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system (including intercepting sewers, outfall sewers, public service lines, pumping, power, and other equipment and their appurtenances, but excluding private service lines, extensions, improvements, additions, alterations or any remodeling thereof). This definition shall also include elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including the land and sites that may be acquired, that will be an integral part of the treatment process or is used for the ultimate disposal of residues resulting from such treatment.

Wet-line Sewer shall mean an operating public sewer capable of serving a structure immediately upon connection.

Winter Water Use shall mean the average of the previous winter's (four months) water consumption as recorded by the user's commercial water meter. If the residential user is attached to a private well, water consumption is based on the number of residents in the home. Where internal water use is separately metered, a twelve month average water consumption may be used.

Working Day shall mean the time between the hours of eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. on any day except Saturday, Sunday, and any national, state or local holidays or days of observation during which the Public Works Department is not open for regular business.

Section 2. That Title 8, Chapter 11, Section 5.01, Boise City Code, be, and the same is hereby amended to read as follows:

Section 8-11-05.01 Every Structure Must be Individually Connected

Every building, structure or sewer user connecting to the Boise City sewer system shall be separately and independently connected, by a separate private service line, to a public sewer, except as provided in subsection 8-11-09.01, and as follows:

A. Exception for Condominiums and Townhouses

Each sewer user within a condominium or townhouse shall not be required to be separately and independently connected, by a separate service line, to a public sewer if: 1) for each building, the private service line ~~from the junction of two (2) or more individual sewer users to the public sewer shall be~~ is of an adequate size to meet the wastewater requirements of the joint users; and 2) ~~provided further that each~~ the townhouse or condominium development shall include, within its covenants or homeowner's agreement, suitable arrangements for maintenance of the private service lines serving the development.

B. Exception for Industrial, Commercial, Apartments and Accessory Buildings

Each sewer user within an industrial, commercial, apartment complex or residential accessory building shall not be required to be separately and independently connected to a public sewer if: 1) for each building, the private service lines are of adequate size to meet the wastewater requirements of the joint users; and 2) the property is under single ownership on a single tax parcel.

Section 3. That Title 8, Chapter 11, Section 5.02, Boise City Code, be, and the same is hereby amended to read as follows:

Section 8-11-05.02 Service Lines; User Responsibilities

A. Installation

The owner of any property connecting to the Boise City Sewer system is responsible for the installation, expense, and risk associated with the construction and operation of the private service line. The owner is also responsible for the installation, expense, and risk of all other wastewater pipes, machinery, plumbing fixtures and apparatus within the property, which may be required for collecting, treating, and discharging wastewater from the premises.

B. Maintenance

The owner shall be responsible, at owner's expense, for:

1. the cleaning, unstopping, maintenance, and repair of the private service line, and, shall keep the private service line, as well as all pipes, fixtures, appliances and apparatus on the property, watertight and in good working order to prevent discharge of combined wastewater or prohibited substances into the public sewer; and
2. the replacement of any portion of the private service line which, in the opinion of the Public Works Department, has become so damaged or disintegrated as to be unfit for further use, or is in such condition as to permit infiltration into the wastewater system or exfiltration of wastewater into the surrounding soil.
3. the cleaning, unstopping, and maintenance of the public portion of the service line to remove rocks, roots and debris that originated from private property and settled into the public service line. Repair of the public service line will be the responsibility of the City.

All repairs shall be completed within thirty (30) days after written notification from the Public Works Department. If the owner fails or refuses to complete repairs required by the Department, the Department may cause the repairs to be completed and charge the owner for the costs of such repairs. If the costs of the repairs are not paid by the owner they may be treated as any other delinquent service fees owed to the City.

C. Liability

The City is not responsible for any loss or damage caused by negligence or want of care on the part of the owner, or the contractor of the owner, in installing, maintaining, using, or operating private service lines, wastewater pipes, fixtures, appliances, and apparatus. The owner shall hold the City harmless from any loss or damage that may be directly, or indirectly, occasioned by the installation or malfunction of any private service line or private appurtenances.

D. Compliance

All users shall comply with the limitations and prohibitions placed on the discharge of wastewater from their premises by standards set by, or incorporated by reference in, this Ordinance, as well as all other requirements of this Ordinance. No user shall make, or permit another person to make, a connection to such user's private service line which would allow the discharge of wastewater from property not otherwise served by the Boise City Sewer system.

Section 4. That Title 8, Chapter 11, Section 6.06, Boise City Code, be, and the same is hereby amended to read as follows:

Section 8-11-06.06 Credits

A. Residential Pump Credit

In the event installation of a pump is required to enable an existing single family residential structure to be served by the public sewer system, the user shall receive a credit of up to five thousand two hundred dollars (\$5,200) against the fees imposed under subsection 8-11-06.03(A), and the equivalent assessment (public service line fee not included) under subsection 8-11-06.03(D), if either of the following situations exist:

1. The public sewer was constructed and accepted for service prior to January 1, 1996; or
2. The public sewer was constructed on or after January 1, 1996, but was not constructed to at least the sewer design policy depth guidelines approved by the Public Works Commission.

However, the amount of the credit cannot exceed the fees imposed under subsection 8-11-06.03(A) and subsection 8-11-06.03(D).

B. Credit for Treatment Connection Fees for Commercial Property

1. For the purposes of this provision the term "owner or operator" shall mean any person who has previously paid the Boise City Sewer connection fee requirements for connection to the system.
2. Any owner or operator of a commercial, industrial, or institutional business connected to the Boise City Sewer system who is changing the site of such business to another location having access to the Boise City Sewer system, may apply for a credit of the treatment plant connection fees imposed by subsection 8-11-06.03(B), pursuant to the procedures set forth in subsection 8-11-09.04.
3. The Public Works Department may give a credit for all or a

portion of the connection fee requirements if it finds all of the following are applicable:

- a. The nature of the business has not changed;
 - b. No additional treatment capacity will be required; and
 - c. Under the particular circumstances of the case, imposition of the connection fee requirements would impose an undue hardship upon the owner or operator.
4. The right to seek a credit for connection fees is non-transferable. Credits on the original property shall be reduced by the amount of connection fee waived.
5. The application for the treatment plant connection credit must be submitted prior to the time those connection fees are due.

C. Length of Sewer Connection Credits

Non-use of a Boise City Sewer system service connection for a period of ten (10) years shall constitute a relinquishment of any right to the use of such service connection and the wastewater system, as well as the relinquishment of any sewer connection credits. Resumption of service shall require payment of the current fees for new connections. Sewer connection credits are not transferable between parcels. Credits will be utilized in the order construction plans are reviewed by Public Works staff.

Section 5. That Title 8, Chapter 11, Section 7.01, Boise City Code, be, and the same is hereby amended to read as follows:

Section 8-11-07.01 Capital Fees and Charges

A. Residential Trunk Connection Fees

The rate for each connection fee is hereby fixed and established as follows:

RESIDENTIAL TRUNK CONNECTION FEES	
Single Family Residence	\$ 830.00 <u>1,075</u>
Duplex, per unit	440.00 <u>570</u>
Condominium, Townhouse, Mobile Home Park, or Multi-Family (three units or more), per unit. Units per gross acre: a. 4 or less	830.00 <u>1,075</u>

b. Over 4 to, and including, 5	720.00	<u>930</u>
c. Over 5 to, and including, 6	585.00	<u>760</u>
d. Over 6 to, and including, 7	495.00	<u>640</u>
e. Over 7 to, and including, 10	365.00	<u>475</u>
f. Over 10 to, and including, 13	270.00	<u>350</u>
g. Over 13 units per gross acre	160.00	<u>210</u>

B. Residential Treatment Connection Fees

The rate for each treatment facility connection fee is hereby fixed and established as follows:

RESIDENTIAL TREATMENT CONNECTION FEES	
Single-Family Residence	\$1,530.00
Duplex, per unit	1,255.00
Multi-Family (three units or more), per unit	1,215.00
Mobil Home Park, per unit	1,215.00
Condominium and Townhouse, per unit	1,215.00
Assisted Living Single Sleeping Area, per unit	730.00

C. Residential Southwest Interceptor Fees

The rate for each connection is hereby fixed and established as follows:

RESIDENTIAL SOUTHWEST INTERCEPTOR FEES	
Single-Family Residence	\$500.00 <u>250</u>
Duplex, per unit	270.00 <u>135</u>
Condominium, Townhouse, Mobile Home Park, or Multi-Family (three units or more), per unit: Units per gross acre:	
4 or less	500.00 <u>250.00</u>
Over 4 to, and including 5	440.00 <u>220.00</u>
Over 5 to, and including 6	355.00 <u>180.00</u>
Over 6 to, and including 7	300.00 <u>150.00</u>
Over 7 to, and including 10	220.00 <u>110.00</u>
Over 10 to, and including 13	165.00 <u>85.00</u>
Over 13 units per gross acre	100.00 <u>50.00</u>

D. Commercial Connection Fees

The rate for each connection is established on the basis of equivalent single family residential units as follows:

COMMERCIAL CONNECTION FEES	
Trunk Connection	\$830.00 <u>1,075</u> per SFDE
Treatment Facilities:	
Flow	\$1,844 per 1000 gallons per day
BOD	1,520 per pound per day

TSS	341 per pound per day
Southwest Interceptor	500.00 <u>250.00</u> per SFDE

If the City determines that ammonia-nitrogen (NH3-N) is a component for which the user should be charged, the following rates shall apply:

COMMERCIAL CONNECTION FEES	
AMMONIA-NITROGEN (NH3-N) COMPONENT FEES	
Trunk Connection	\$830 <u>1,075</u> per SFDE
Treatment Facilities:	
Flow	\$1,844 per 1000 gallons per day
BOD	\$1,231 per pound per day
TSS	\$341 per pound per day
NH3-N	\$3,101 per pound per day
Southwest Interceptor	\$500 <u>250</u> per SFDE

E. Equivalent Assessment Fees

1. For lots up to 86,000 square feet in area, the fee shall be calculated on the basis of the area of the lot, in accordance with the following schedule:

EQUIVALENT ASSESSMENT FEES			
<u>AREA OF LOT</u> (In square feet)		<u>EQUIVALENT ASSESSMENT FEE</u>	
	<6000	\$ 1,320	<u>\$ 1,560</u>
>6000	<8000	\$ 1,540	<u>\$ 1,820</u>
>8000	<10000	\$ 1,980	<u>\$ 2,340</u>
>10000	<12000	\$ 2,274	<u>\$ 2,687</u>
>12000	<14000	\$ 2,365	<u>\$ 2,795</u>
>14000	<16000	\$ 2,461	<u>\$ 2,908</u>
>16000	<18000	\$ 2,557	<u>\$ 3,022</u>
>18000	>20000	\$ 2,654	<u>\$ 3,137</u>
>20000	<22000	\$ 2,753	<u>\$ 3,254</u>
>22000	<24000	\$ 2,849	<u>\$ 3,367</u>
>24000	<26000	\$ 2,945	<u>\$ 3,480</u>
>26000	<28000	\$ 3,041	<u>\$ 3,594</u>
>28000	<30000	\$ 3,138	<u>\$ 3,709</u>
>30000	<32000	\$ 3,237	<u>\$ 3,826</u>
>32000	>34000	\$ 3,333	<u>\$ 3,939</u>
>34000	<36000	\$ 3,429	<u>\$ 4,052</u>
>36000	<38000	\$ 3,526	<u>\$ 4,167</u>
>38000	<40000	\$ 3,625	<u>\$ 4,284</u>
>40000	<42000	\$ 3,721	<u>\$ 4,398</u>
>42000	<44000	\$ 3,817	<u>\$ 4,511</u>

>44000	<46000	\$ 3,914	\$ <u>4,626</u>
>46000	<48000	\$ 4,010	\$ <u>4,739</u>
>48000	<50000	\$ 4,109	\$ <u>4,856</u>
>50000	<52000	\$ 4,205	\$ <u>4,970</u>
>52000	<54000	\$ 4,301	\$ <u>5,083</u>
>54000	<56000	\$ 4,398	\$ <u>5,198</u>
>56000	<58000	\$ 4,494	\$ <u>5,311</u>
>58000	<60000	\$ 4,593	\$ <u>5,428</u>
>60000	<62000	\$ 4,689	\$ <u>5,542</u>
>62000	<64000	\$ 4,786	\$ <u>5,656</u>
>64000	<66000	\$ 4,882	\$ <u>5,770</u>
>66000	<68000	\$ 4,978	\$ <u>5,883</u>
>68000	<70000	\$ 5,077	\$ <u>6,000</u>
>70000	<72000	\$ 5,173	\$ <u>6,114</u>
>72000	<74000	\$ 5,270	\$ <u>6,228</u>
>74000	<76000	\$ 5,366	\$ <u>6,342</u>
>76000	<78000	\$ 5,465	\$ <u>6,459</u>
>78000	<80000	\$ 5,561	\$ <u>6,572</u>
>80000	<82000	\$ 5,658	\$ <u>6,687</u>
>82000	<84000	\$ 5,754	\$ <u>6,800</u>
>84000	<86000	\$ 5,850	\$ <u>6,914</u>

2. For lots greater than 86,000 square feet, the assessment shall be calculated on the basis of the area of the frontage (as described in subsection 8-11-06.03(D)) at the rate of ~~\$.22~~ .26 per square foot for sewers constructed in pavement, and ~~\$.19~~ .22 for sewers constructed in gravel roads or other unimproved areas. However, in no case shall the assessment be less than that for a lot of 86,000 square feet.

F. Public Service Line Fees

A fee shall be charged for each public service line provided by the City, based upon the size of the service line and the following schedule.

PUBLIC SERVICE LINE FEES	
Four (4) inch service line	\$550.00 <u>660.00</u>
Six (6) inch service line	575.00 <u>685.00</u>
Eight (8) inch service line	1,875 <u>2,160</u>

G. Future Sewer Deposit

As required in subsection 8-11-06.03(I), the subdivider or developer shall pay two thousand dollars (\$2,000.00) to the Treasurer of Boise City prior to certification of the plat by the City Engineer.

H. Temporary Lift Station Upgrade Fees

As required by subsection 8-11-06.03(J), the subdivider or developer

shall pay a fee as calculated by the Public Works Department for the developer's share of the possible upgrade of a temporary lift station serving the developer's development.

Section 6. That Title 8, Chapter 11, Section 7.03, Boise City Code, be, and the same is hereby amended to read as follows:

Section 8-11-07.03 Miscellaneous Fees

A. Account Initiation Fee

The one-time fee assessed upon the initiation of a new account is eleven dollars and twenty three cents (\$11.23). If an additional service (e.g. solid waste service) is also started at the same time, the fee will be split equally between sewer and the second service.

B. Sewer Inspection Fees

The sewer inspection fee shall be one dollar and seventy cents (\$1.70) per lineal foot of sewer installed, excluding service lines. For inspections which are required during any time other than a normal working day, the contractor or developer shall reimburse the City at a rate of forty-five dollars (\$45.00) per hour.

C. Administrative Fees

1. Residential Deferral

There shall be charged a fifty dollar (\$50.00) administrative fee, per agreement, for the processing of deferrals for trunk connection fees, treatment facilities connection fees, and southwest interceptor fees.

2. Commercial/Restaurant Deferral

There shall be charged a two hundred fifty dollar (\$250.00) administrative fee, per agreement, for the processing of deferrals for trunk connection fees, treatment facilities connection fees, and southwest interceptor fees.

3. Equivalent Assessment Deferral

There shall be charged a fifty dollar (\$50.00) administrative fee for the processing of each deferral for equivalent assessment fees.

4. Commercial Treatment Credit

There shall be charged a two hundred fifty (\$250.00) administrative fee for the processing of each Commercial Treatment Plant Connection Credit application.

5. Waiver Application Fees

There shall be charged a twenty-five (\$25.00) administrative fee for the processing of each waiver application.

6. Prepayment Fees

There shall be charged a fifty dollar (\$50.00) administrative fee for the processing of each prepayment agreement.

D. Commercial and Restaurant Down Payments Required

In the case of a deferral agreement between the City and a commercial or restaurant user, an initial payment of twenty percent (20%) of the imposed connection fees shall be required at the time the agreement is signed.

E. Tap-In Permit Fee

A permit fee of seventy-five (\$75.00) shall be charged for each sewer tap.

F. Sewer Plug Permit Fee

A permit fee of fifty dollars (\$50.00) shall be charged for each structure, regardless of the number of service lines.

G. Disconnection and Reconnection Fees

The total fee for disconnecting and reconnecting sewer service shall be Three-hundred dollars (\$300) ~~\$800~~.

~~After work is complete, and if it is determined that the actual cost of the connection/reconnection is less than \$800, the difference will be credited to the user.~~

H. Septage Dumping

The charge shall be fifty five dollars and seventy two cents (\$55.72) per thousand gallons of septage, sewage, or effluent dumped, but such charge shall never be less than five dollars (\$5.00) for each use or act of dumping, except that recreational vehicles may dump septage at the treatment facility for no charge. The surcharge for after hours dumping shall be ten dollars (\$10.00).

Section 7. That this Ordinance shall be in full force and effect on December 1, 2005 after its passage, approval and publication.

Section 8. That the summary of this Ordinance, attached hereto as Exhibit A, is approved as to both form and content.

PASSED by the Council of the City of Boise, Idaho, this _____ day of
_____, 2005.

APPROVED by the Mayor of the City of Boise, Idaho, this _____ day of
_____, 2005.

ATTEST:

APPROVED:

CITY CLERK

MAYOR

STATEMENT OF BOISE CITY ATTORNEY
AS TO ADEQUACY OF SUMMARY
OF ORDINANCE NO. _____

The Undersigned, DOUGLAS K. STRICKLING, in his capacity as Assistant City Attorney of the City of Boise City, Idaho, hereby certifies that he is a legal advisor of the city and has reviewed a copy of the attached Summary of Ordinance No. _____ of the City of Boise City, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code §50-901A(3).

DATED this _____ day of _____, 2005

DOUGLAS K. STRICKLING
Assistant Boise City Attorney

SUMMARY OF ORDINANCE NO.
OF THE CITY OF BOISE CITY, IDAHO

PUBLIC NOTICE IS HEREBY GIVEN that the City of Boise City, Idaho, adopted at its regular meeting of _____, 2005, that Ordinance No. _____ entitled:

AN ORDINANCE AMENDING BOISE CITY CODE TITLE 8, CHAPTER 11, SECTION 2.01 TO REVISE THE DEFINITIONS FOR PRIVATE SERVICE LINE, PUBLIC SERVICE LINE, SEWER CONNECTION CREDITS AND SINGLE FAMILY DWELLING EQUIVALENT; AMENDING TITLE 8, CHAPTER 11, SECTION 5.01 TO CLARIFY THE EXCEPTIONS TO THE INDIVIDUAL CONNECTION REQUIREMENT; AMENDING TITLE 8, CHAPTER 11, SECTION 5.02 TO CLARIFY SERVICE LINE MAINTENANCE RESPONSIBILITIES; AMENDING TITLE 8, CHAPTER 11, SECTION 6.06 TO PROVIDE THAT SEWER CONNECTION CREDITS ARE NONTRANSFERABLE; AMENDING TITLE 8, CHAPTER 11, SECTION 7.01 TO INCREASE THE RESIDENTIAL TRUNK CONNECTION FEES, THE COMMERCIAL CONNECTION FEES, EQUIVALENT ASSESSMENT FEES AND PUBLIC SERVICE LINE FEES AND TO DECREASE THE SOUTHWEST INTERCEPTOR FEES; AMENDING TITLE 8, CHAPTER 11, SECTION 7.03 TO REDUCE THE SEWER DISCONNECTION/RECONNECTION FEE; AND PROVIDING AN EFFECTIVE DATE; AND APPROVING A SUMMARY OF THE ORDINANCE.

The ordinance amends the definition for private service line, public service line and single family dwelling equivalent and adds a definition for sewer connection credits; the ordinance clarifies condominium and townhouse exception to the codes separate and independent connection requirements and provides an additional exception for industrial, commercial, apartments and accessory buildings; the ordinance clarifies that property owners will be responsible for the cleaning and maintenance of public lines to remove debris that originated on the private property; the ordinance clarifies that sewer connection credits are nontransferable; the ordinance increases the fees

charged for residential trunk connections; the ordinance decreases the fees charged for southwest interceptor connections; the ordinance increases the fees charged for commercial trunk connections; the ordinance increases the equivalent assessment fee charges; the ordinance increases the fees charged for public service lines provided by the City; the ordinance decreases the fee charged for disconnecting/reconnecting sewer service; the ordinance provides an effective date and the ordinance approves this summary.

The effective date of the Ordinance is the date of its passage, approval and publication. A copy of the full text of the Ordinance is available at City Hall, 150 North Capitol Boulevard, in Boise, Idaho, in the City Clerk's Office, 1st floor. Examination or copies may be requested in writing or in person during regular business hours of the City Clerk, from 8:00 a.m. to 5:00 p.m. pursuant to the Open Records Act, Idaho Code Title 9, Chapter 3.

DATED this _____ day of _____, 2005.

ATTEST:

City of Boise City, Idaho

By: ANNETTE P. MOONEY
CITY CLERK

By: DAVID H. BIETER
MAYOR