

CITY OF MILWAUKIE

ORDINANCE NUMBER 1574

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, FORMING A UTILITY FOR THE MAINTENANCE OF STREETS AND STORM DRAIN FACILITIES WITHIN THE CITY LIMITS OF THE CITY OF MILWAUKIE ALLOWING JUST AND EQUITABLE CHARGES UPON ALL DEVELOPED PROPERTIES AND THE ESTABLISHMENT OF A FUND FOR SAID PURPOSES.

WHEREAS, the City of Milwaukie has determined funding of street and storm drainage maintenance is inadequate based on inventories of existing streets and storm drains and reasonable standards and,

WHEREAS, the City currently needs an additional \$550,000 per year for the reasonable maintenance of streets and storm drains based on current costs and,

WHEREAS the City considers the reasonable maintenance of streets and storm drains a high priority in order to preserve the streets and storm drains, and,

WHEREAS the City provides little or no storm drain maintenance and currently has over 10 miles of streets needing resurfacing, now therefore,

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

SECTION 1. DEFINITIONS: For the purpose of this ordinance, the following definitions shall apply:

- a. City shall mean the City of Milwaukie, Oregon.
- b. Council shall mean the City Council of Milwaukie, Oregon.
- c. Department shall mean the City Department of Public Works.
- d. Director shall mean the City Director of Public Works.
- e. Economic Life Cycle is 75% of the design life of a given street as established by the City. \*
- f. Developed Property shall mean any land with improvements such as a structure, parking lot or storage yard.
- g. Maintenance. The act of cleaning, repairing, replacing, upgrading or modernizing streets or storm drainage facilities to adopted standards \*\*, including labor, equipment, materials, administration, engineering and inspection.

\* See Exhibit "A" attached

\*\* See Exhibit "B" attached

- h. Property Owner shall mean the owner as shown in the Clackamas County Assessor's records, a contract purchaser or the owner's authorized agent.
- i. Storm Drain shall mean a pipe or conduit which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- j. Storm Drain Facilities shall mean open drainageways; closed conduit storm drains; drywells, culverts, de-silting, detention, retention or recharging structures; outfall structures; equipment; pump stations; and apputenances necessary, useful or convenient for a complete storm drainage system.
- k. Streets shall mean street surface, subgrade, rock base, curbs and gutters, signs, signals, street lines, equipment and appurtenances necessary or convenient for a complete street system.

## SECTION 2. General

A. It is the policy of the City to participate in improvements to storm drainage facilities when authorized by Council. To be considered for approval by Council a facility must:

- 1. be public; and
- 2. be of a major benefit to the community; or
- 3. be part of an individual development but designed to serve a greater area than the development as specified in the "Drainage Study for the City of Milwaukie, Oregon", dated 1970 and the "Storm Drainage Comprehensive Plan Update" dated 1979; or,
- 4. be a rehabilitation or replacement of existing public storm drain facilities.

## SECTION 3. Service Charges

A. There is hereby levied and imposed upon all developed properties within the City just and equitable charges for street and storm drain facility maintenance as stated herein. Such fees shall be established by Resolution of the City Council.

B. Charges shall be billed and collected with the bi-monthly water bill of water users, with sanitary sewer bill for those connected to sewer alone, or billed alone as street and storm drainage charge for those users not connected to and/or not charged for City water and/or sanitary sewer.

C. Such charges shall be paid by property owner therefore, and placed in a special fund into which all of said charges so collected shall be deposited and kept as a fund to be used only for the purpose stated herein.

D. There shall be a penalty on all delinquent accounts as established by Resolution of the Council.

E. All charges prescribed by the provisions of this ordinance shall be a lien on the real estate for which the service is supplied or available from and after the date of the billing and such record shall be made accessible for inspection by anyone interested in ascertaining the amount of such charges against the property.

F. Every property owner subject to a charge provided herein shall pay the same, when due, to the City.

G. Any charge due hereunder which is not paid when due may be recovered by the City under remedy available in Oregon Revised Statutes.

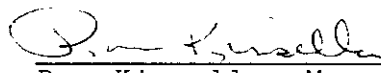
H. A special fund is to be created by City Council Resolution for the purpose specified in 3.A., C. & D.

I. The charges established by City Council Resolution shall commence on or after 1 January 1986.

Read the first time on JUNE 18, 1985 and moved to second reading by UNANIMOUS vote of the City Council.

Read the second time and adopted by the City Council on JUNE 18, 1985.

Signed by the Mayor on JUNE 18, 1985.

  
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Ron Kinsella, Mayor

ATTEST:

  
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Margaret Post, Finance Director

  
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Greg Eades, City Attorney

EXHIBIT "A"

CITY OF MILWAUKIE ORDINANCE NUMBER 1574

STREET LIFE SPAN ESTIMATES

It is the council's policy that the following be used as guidelines for determining the economic life span of City streets. The actual economic life span of a specific street may be adjusted by the Director, based on actual physical inspection of the specific street.

<u>TYPE</u>	<u>DESIGN LIFE</u>	<u>ECONOMIC LIFE SPAN</u>
<u>NEW</u>		
a. High volume	20 years	15 years
b. Low volume	30 years	21½ years
<u>OVERLAY 2" ASPHALT</u>		
a. High volume	10 years	7½ years
b. Low volume	15 years	11 years
<u>CHIP SEAL (OIL &amp; ROCK)</u>		
a. High volume	5 years	4 years
b. Low volume	10 years	7½ years

EXHIBIT "B"

CITY OF MILWAUKIE ORDINANCE NUMBER 1574

MAINTENANCE STANDARDS

for

STREET AND STORM DRAINAGE

It is the Council's policy that wherever financially and practically possible, the following standards will be used as a guideline for maintenance.

STREETS

- Δ Resurface all streets on an economic life cycle (when only moderately deteriorated).
- Δ Repaint crosswalks, parking zones, street markings and lane stripes:
  - 1. Once per year on local streets.
  - 2. Twice per year on collector and arterial streets.
- Δ Clean curbed streets:
  - 1. Once every 4 - 6 weeks.
  - 2. During fall leaf-dropping season, once per week.
- Δ Roadside weed control:
  - 1. Spray twice per year, spring and fall.
  - 2. Control with cutting as needed.

STORM DRAINS

- Δ Clean catchbasins and manholes quarterly.
- Δ Clean storm drain lines annually.
- Δ Inspect and test dry wells annually. Replace or program for storm sewer construction as needed.
- Δ Clean all ditches and culverts annually.