



## ORDINANCE NO. 28547

1 AN ORDINANCE relating to wastewater and surface water management;  
2 amending Chapter 12.08 of the Tacoma Municipal Code by adjusting rates  
3 and charges for services provided by the Wastewater and Surface Water  
Utilities for the years 2019 and 2020; and establishing an effective date.

4 WHEREAS RCW Ch. 35.92 and Ch. 35.67 authorize the City to construct,  
5 condemn and purchase, acquire, add to, alter, maintain, and operate wastewater  
6 and surface water sewer systems, and to establish the rates therefore, and

7 WHEREAS the City has established wastewater and surface water sewer  
8 utility systems and regulations governing rates and charges for wastewater and  
9 surface water sewer utility services codified at Chapter 12.08 of the Tacoma  
10 Municipal Code ("TMC"), and

11 WHEREAS the Environmental Services ("ES") Department, working with  
12 the Environmental Services Commission ("Commission"), has updated its multi-  
13 year rate plan and developed proposed general revenue increases for the  
14 2019-2020 Biennium for Wastewater and Surface Water customers, and

15 WHEREAS, consistent with the recommendations from the Commission,  
16 a 4 percent increase is proposed for 2019 and 2020, respectively, for  
17 Wastewater customers; and a 3.5 percent increase is proposed for 2019 and  
18 2020, respectively, for Surface Water customers, and

19 WHEREAS these rate increases are driven primarily by increased labor  
20 costs and increased investment in infrastructure, and

21 WHEREAS the low income elderly/low income disabled discount has been  
22 maintained at 30 percent, and  
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1 WHEREAS ES staff presented the proposed amendments to the  
2 Neighborhood Councils and Government Performance and Finance Committee,  
3 and to the City Council at its Study Session of October 16, 2018, and

4 WHEREAS the City Council has determined that it is reasonable and  
5 necessary to adopt rate adjustments to meet the City's obligation to adequately  
6 fund the ongoing maintenance, operational, and capital costs of the wastewater  
7 and surface water sewer utility systems, to meet its service obligations to  
8 wastewater and surface water sewer utility systems customers, and to protect the  
9 public health, safety and welfare, and  
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11 WHEREAS, in consideration of the foregoing, the City Council finds that  
12 an amendment to the TMC, adopting the rate adjustments to the City's  
13 wastewater and surface water sewer service charges as set forth herein, is  
14 reasonable and necessary to meet revenue requirements to cover the costs  
15 necessary to maintain self-supporting and financially viable wastewater and  
16 surface water sewer utility systems; Now, Therefore,  
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18 BE IT ORDAINED BY THE CITY OF TACOMA:

19 Section 1. The above-stated recitals are incorporated by this reference as  
20 though fully set forth herein and are adopted as the findings and conclusions of  
21 the City Council.  
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23 Section 2. That Chapter 12.08 of the Tacoma Municipal Code is hereby  
24 amended as set forth in the attached Exhibit "A."  
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Section 3. That the effective date of this ordinance shall be 12:01 a.m.

January 1, 2019.

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Chief Deputy City Attorney



**EXHIBIT "A"**

**Chapter 12.08**

**WASTEWATER AND SURFACE WATER MANAGEMENT –  
REGULATION AND RATES**

\* \* \*

**12.08.320 Discharge of holding tank contents – Charges – Report.**

A. A charge shall be made for the total gallons of holding tank waste material discharged at the wastewater treatment plant, and shall be payable to the City Treasurer and credited to the Wastewater Management Fund. The charge shall be as follows:

**Effective Date: January 1, ~~2017~~2019:**

	From Within the City	From Outside the City
Septic Tank Wastes (Holding, Cesspool, etc.) and Chemical Toilet Wastes	\$ <del>13.47</del> <u>14.67</u> /100 gal.	\$ <del>14.82</del> <u>16.14</u> /100 gal.

**Effective Date: January 1, ~~2018~~2020:**

	From Within the City	From Outside the City
Septic Tank Wastes (Holding, Cesspool, etc.) and Chemical Toilet Wastes	\$ <del>14.08</del> <u>15.26</u> /100 gal.	\$ <del>15.49</del> <u>16.79</u> /100 gal.

B. Prior to the discharge of any material from holding tanks, the operator will correctly identify the source and contents being disposed. Incomplete or inaccurate reporting may result in the application of the highest chargeable rate.

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**12.08.360 Charges and rates for wastewater service inside the City limits.**

As permitted by Chapter 35.67 RCW, charges shall be made for the discharge and for the availability for discharge of all sanitary sewage into sanitary sewers. If the Director requires construction of an extension to the sanitary sewer system prior to issuance of a side sewer permit, the charge for availability for discharge shall not be made until such time as the sanitary sewer extension is completed. Unless otherwise determined by the Director, no allowances will be made for vacancies, remodeling, or other such activities unless the water service for the entire facility, building, or mobile home court (two or more units) is turned off by the Water Utility of the City. Charges shall be as follows:

A. Each single-family residence (including those instances where more than one family residence is served through one water meter, as hereinbefore mentioned in TMC 12.08.010) shall be charged a monthly charge computed as follows:

**Effective Date: January 1, ~~2017~~2019:**

- (1) A fixed charge of \$~~23.88~~25.87 plus
- (2) A flow charge calculated at \$~~4.47~~4.87 per hundred cubic feet (ccf) of water consumption.

**Effective Date: January 1, ~~2018~~2020:**

- (1) A fixed charge of \$~~24.96~~26.91 plus
- (2) A flow charge calculated at \$~~4.68~~5.07 per hundred cubic feet (ccf) of water consumption.



1 The water consumption for the flow charge shall be the average monthly use as measured during the most  
2 recent months of December, January, February, and March. If the average consumption results in a  
3 fractional part of a ccf, the number used for calculating the flow charge shall be rounded to the nearest  
4 one-hundredth of a ccf.

5 \* \* \*

6 **12.08.365 Charges for special approved discharges.**

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8 **B. Discharge to Storm Drainage System.**

9 1. The Director may, at his or her discretion, approve discharges to the storm drainage system under  
10 TMC 12.08.080, as necessary. Application for discharge approval must be accompanied by payment of  
11 any fixed administrative/application fee(s) and be submitted at least 30 days prior to the requested  
12 discharge date.

13 2. The Director, or his or her representative, may require that samples be taken of the proposed discharge  
14 to insure compliance with federal, state, and local water quality requirements. Samples will be analyzed  
15 based on known and/or suspected pollutants at the site or in the proposed discharge. Sampling and  
16 analysis must be completed and reviewed by City staff prior to any discharge to the City's storm drainage  
17 system. The Director, or his or her representative, may require additional sampling throughout the  
18 duration of the discharge to insure compliance with the above-referenced requirements.

19 3. Unless otherwise determined by the Director, the charge for discharges of non stormwater to the  
20 surface water system under TMC 12.08.080 hereof shall be as set forth herein. This charge will consist of  
21 three parts:

22 **Effective Date: January 1, 1997:**

- 23 a. An application fee of \$500 per discharge location payable at the time of application of discharge; and  
24 b. An annual administration fee of \$300 payable no later than January 30 of the year following initiation  
25 of discharge and no later than January 30 of each year thereafter if the discharge continues to occur; and  
26 c. A quantity fee:

27 **Effective Date: January 1, ~~2017~~2019:**

28 ~~\$.0020070.0021812~~ per gallon discharged.

29 **Effective Date: January 1, ~~2018~~2020:**

30 ~~\$.0021074.0022575~~ per gallon discharged.

31 Payments shall be made in a manner and at the frequency determined by the Director.

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33 **12.08.390 Basis for determination of commercial/industrial charges for use of wastewater  
34 system by monitored users.**

35 Monitored commercial and/or industrial users shall pay the appropriate charges and fees based upon the  
36 wastewater constituents and characteristics. Except for test rate classifications established by the Director  
pursuant to TMC 12.08.380, these charges and fees for use of the wastewater system shall be computed  
on the basis of wastewater from a domestic premises with the following characteristics:

BOD - 200 milligrams per liter

Suspended Solids - 225 milligrams per liter

Composite rates per 100 cubic feet (ccf) for existing and new users are/will be developed using the  
following constituent concentration rates.



**Effective Date: January 1, ~~2017~~2019:**

1	Flow	\$ <del>4.324</del> 4.67
	Biochemical oxygen demand(BOD)	\$ <del>.0063024</del> .006864 per mg/1
2	Suspended solids	\$ <del>.0047424</del> .0051792 per mg/1
3	Monthly fixed charge	\$ <del>11.40</del> 12.50 per calendar month

**Effective Date: January 1, ~~2018~~2020:**

4	Flow	\$4.524.86
5	Biochemical oxygen demand(BOD)	\$ <del>.0066144</del> .007176 per mg/1
6	Suspended solids	\$ <del>.004992</del> .0054288 per mg/1
7	Monthly fixed charge	\$ <del>11.92</del> 13.00 per calendar month

**12.08.400 Charge for Commercial/Industrial Wastewater User Groups.**

The fixed charge for each commercial or industrial user of wastewater system shall be as follows:

**Effective Date: January 1, ~~2017~~2019:**

\$~~11.40~~12.50 per calendar month

**Effective Date: January 1, ~~2018~~2020:**

\$~~11.92~~13.00 per calendar month

In addition each unmonitored commercial or industrial user placed in a user group shall pay the appropriate flow rate per 100 cubic (ccf) as identified in Table II. All restaurants are initially in the Category 8 (Restaurant II) group. Any restaurant customer may petition the Director to be placed in the Category 6 (Restaurant I) group. The customer must provide the Director with documentation that the restaurant has an approved grease retention device to current Uniform Plumbing Code as adopted in Chapter 2.06 of the Tacoma Municipal Code, and as amended thereafter, and Department Policies and Guidelines, and that the customer has an adequate ongoing maintenance program in place for that device. If the Director concurs, the Director will place that restaurant in the Category 6 (Restaurant I) group as long as those conditions are continually met. In the event that those conditions are not continually met, the Director will place the restaurant back into the Category 8 (Restaurant II) group until the conditions of Department Policies and Guidelines are again met.

If, as a result of a rate increase due to an ordinance change, any specific account of a direct commercial and/or industrial customer would receive an increase in wastewater charges that meet the following criteria, that customer will be eligible to receive a one-time rate mitigation credit:

- A. The percentage increase for that specific account is more than twice the City-wide average increase; and
- B. The percentage increase for that specific account is more than 10 percent; and
- C. The dollar increase as a result of the rate increase for that specific account is more than \$1,000 for the 12 months following implementation of that rate increase.

The credit shall apply to the first 12 months of implementation of the ordinance change and be equal to 50 percent of the increased charges that exceed the first \$1,000 increase for that 12-month period. The credit does not apply to any subsequent year's charges due to the same individual City-wide rate increase. The manner and method of applying the credit shall be determined by the Director.



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Table II Rates for Commercial and/or Industrial User Groups Effective Date: January 1, <del>2017</del> 2019		
Billing Category	Constituent Strength limits	Rate (\$/ccf)
Category 8	(BOD 901 + mg/l) (SS 600 mg/l)	<del>\$13.01</del> 14.13
Category 7	(BOD 701-900 mg/l) (SS 700 mg/l)	<del>\$12.59</del> 13.67
Category 6	(BOD 701-900 mg/l) (SS 400 mg/l)	<del>\$11.13</del> 12.09
Category 5	(BOD 501-700 mg/l) (SS 400 mg/l)	<del>\$9.69</del> 10.55
Category 4	(BOD 301-500 mg/l) (SS 450 mg/l)	<del>\$9.57</del> 10.38
Category 3	(BOD 301-500 mg/l) (SS 0-400 mg/l)	<del>\$8.16</del> 8.84
Category 2	(BOD 200-300 mg/l) (SS 150-400 mg/l)	<del>\$6.48</del> 7.02
Category 1	(BOD 0-250 mg/l) (SS 0-150 mg/l)	<del>\$6.22</del> 6.75

Table II Rates for Commercial and/or Industrial User Groups Effective Date: January 1, <del>2018</del> 2020		
Billing Category	Constituent Strength limits	Rate (\$/ccf)
Category 8	(BOD 901 + mg/l) (SS 600 mg/l)	<del>\$13.60</del> 14.70
Category 7	(BOD 701-900 mg/l) (SS 700 mg/l)	<del>\$13.16</del> 14.22
Category 6	(BOD 701-900 mg/l) (SS 400 mg/l)	<del>\$11.64</del> 12.58
Category 5	(BOD 501-700 mg/l) (SS 400 mg/l)	<del>\$10.13</del> 10.98
Category 4	(BOD 301-500 mg/l) (SS 450 mg/l)	<del>\$10.01</del> 10.80
Category 3	(BOD 301-500 mg/l) (SS 0-400 mg/l)	<del>\$8.53</del> 9.20
Category 2	(BOD 200-300 mg/l) (SS 150-400 mg/l)	<del>\$6.78</del> 7.31
Category 1	(BOD 0-250 mg/l) (SS 0-150 mg/l)	<del>\$6.50</del> 7.02

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**12.08.450 New services – Rates.**

For new residential services or account holders which have incomplete or no winter flow records available, the monthly flow portion of the charge for sanitary sewerage shall be computed using the flows listed below:

Single-family Dwellings - ~~7~~6 ccf per month

Multiple-family Dwelling - 5 ccf per unit per month

Except that charges for existing multiple-family dwellings with previous consumption history shall not change solely due to changes in account holder or ownership.

**12.08.460 Minimum charge.**

Every premises to which wastewater service is furnished, and every premises to which there is availability for such service shall be charged for such service in accordance with the rates and charges herein placed in effect; provided, however, that in no event shall any such charge be less than as provided below:

**Effective Date: January 1, ~~2017~~2019:**

~~\$23.88~~25.87 per calendar month



**Effective Date: January 1, ~~2018~~2020:**

1 ~~\$24.96~~26.91 per calendar month

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3 **12.08.500 Surface water rates and charges.**

4 A. Surface water charges shall be based on the square footage area of each parcel of real property and the  
5 land use designation of such parcel. The Director shall determine what rate shall apply to each specific  
6 parcel in accordance with this section, and the charge resulting from that determination and application of  
7 the other factors herein set forth. Upon request, and based on information provided by the parcel owner,  
8 the Director may, in his/her sole discretion determine that the City's use of a surface water or storm  
9 drainage or collection system on or at a specific parcel benefits the City's storm drain system and is  
10 grounds for reducing surface water drainage charges; except that: (1) collection from single premises and  
11 concentrating the flow; (2) collection of surface water which is piped through or underneath the surface  
12 of a property; or (3) water which flows via a natural drainage course through a property, shall not  
13 constitute such grounds.

14 1. Wetlands maintained and dedicated by deed restriction for mitigation purposes may be eligible for a  
15 reduction of a surface water drainage charge under this section.

16 2. Open space parcels with forested land cover, as that phrase is defined in TMC 12.08.010, shall be  
17 charged a monthly surface water rate of ~~\$7.178.10~~-per parcel in ~~2017~~2019, and ~~\$7.658.36~~ per parcel in  
18 ~~2018~~2020.

19 3. Parcels contiguous with waterfront/direct discharge parcels which are under common ownership and  
20 discharge 100 percent of surface water flow to the contiguous waterfront/direct discharge parcel shall be  
21 charged the waterfront/direct discharge rate.

22 B. For purposes of computing surface water rates under this section, the land use designation shall be the  
23 principal activity on the parcel as listed in the North American Industry Classification System (NAICS,  
24 2002), prepared by the Statistical Policy Division of the Federal Office of Management and Budget and  
25 adopted hereby for this purpose. The land use category for each parcel will place it in one of the five  
26 following specific categories, hereinafter referred to as "Basic Categories of Development," as to each of  
which the rate per month per 500-square-foot increment of parcel area shall apply:



Effective Date: January 1, 2017~~2019~~:

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Basic Category of Development	Rate per Month
<b>Waterfront/Direct Discharge Parcels:</b>	
Undeveloped - First Acre or Less	\$0. <del>1371</del> - <u>1463</u> per 500 ft <sup>2</sup>
Undeveloped - Area in Excess of One Acre	\$0. <del>0608</del> - <u>0616</u> per 500 ft <sup>2</sup>
Light	\$0. <del>4150</del> - <u>4505</u> per 500 ft <sup>2</sup>
Moderate	\$0. <del>5786</del> - <u>6300</u> per 500 ft <sup>2</sup>
Heavy	\$0. <del>8312</del> - <u>9118</u> per 500 ft <sup>2</sup>
Very Heavy	\$1. <del>1091</del> - <u>2210</u> per 500 ft <sup>2</sup>
<b>All Other Parcels:</b>	
Undeveloped – First Acre or Less	\$0. <del>2793</del> - <u>2899</u> per 500 ft <sup>2</sup>
Undeveloped – Area in Excess of One Acre	\$0. <del>0608</del> - <u>0616</u> per 500 ft <sup>2</sup>
Light	\$0. <del>8441</del> - <u>9015</u> per 500 ft <sup>2</sup>
Moderate	\$1. <del>1506</del> - <u>2393</u> per 500 ft <sup>2</sup>
Heavy	\$1. <del>6890</del> - <u>8224</u> per 500 ft <sup>2</sup>
Very Heavy	\$2. <del>2526</del> - <u>4394</u> per 500 ft <sup>2</sup>

Effective Date: January 1, 2018~~2020~~:

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Basic Category of Development	Rate per Month
<b>Waterfront/Direct Discharge Parcels:</b>	
Undeveloped - First Acre or Less	\$0. <del>1422</del> - <u>1493</u> per 500 ft <sup>2</sup>
Undeveloped - Area in Excess of One Acre	\$0. <del>0616</del> - <u>0614</u> per 500 ft <sup>2</sup>
Light	\$0. <del>4350</del> - <u>4770</u> per 500 ft <sup>2</sup>
Moderate	\$0. <del>6071</del> - <u>6693</u> per 500 ft <sup>2</sup>
Heavy	\$0. <del>8724</del> - <u>9572</u> per 500 ft <sup>2</sup>
Very Heavy	\$1. <del>1650</del> - <u>2819</u> per 500 ft <sup>2</sup>
<b>All Other Parcels:</b>	
Undeveloped – First Acre or Less	\$0. <del>2865</del> - <u>2921</u> per 500 ft <sup>2</sup>
Undeveloped – Area in Excess of One Acre	\$0. <del>0616</del> - <u>0614</u> per 500 ft <sup>2</sup>
Light	\$0. <del>8812</del> - <u>9324</u> per 500 ft <sup>2</sup>
Moderate	\$1. <del>2054</del> - <u>2886</u> per 500 ft <sup>2</sup>
Heavy	\$1. <del>7684</del> - <u>8824</u> per 500 ft <sup>2</sup>
Very Heavy	\$2. <del>3619</del> - <u>5216</u> per 500 ft <sup>2</sup>

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C. Waterfront/direct discharge parcels are those parcels directly abutting Puget Sound with at least 50 feet of frontage, or parcels discharging, by private means, all or substantially all of their surface water directly into the marine waters of Puget Sound. For purposes of computing surface water charges, the area of each parcel shall be rounded to the nearest 500-square foot increment (the area of premises less than 250-square feet shall be set at 500 square feet) and the appropriate rate from Table III shall be multiplied by the number of such increments in the parcel. In addition to the area charge listed above, the City shall charge a monthly fixed fee of:



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**Effective January 1, ~~2017~~2019: \$7,178.10**

**Effective January 1, ~~2018~~2020: \$7,658.36**

D. Single-family residential parcels will be assigned the “Moderate” Basic Category of Development for determination of monthly charges, except that all single-family residential parcels of 15,000 square feet or less inspected by the Environmental Services Department and placed in a different Basic Category of Development shall pay the rate assigned to such Basic Category of Development. Single-family residential parcels of 15,000 square feet or more shall pay at the moderate rate for the first 15,000 square feet and the remainder at the undeveloped rate, unless the parcel is inspected by the Environmental Services Department and placed in a different Basic Category of Development, in which case the first 15,000 square feet shall pay the rate assigned to such Basic Category of Development and the remainder at the undeveloped rate. The fixed charge will be computed only once per parcel per month, regardless of area.

E. Residential customers who qualify as low-income senior or low-income disabled under TMC 12.06.165 B shall be eligible for a 30 percent reduction from the regular storm drainage charges. The determination of low income senior and low income disabled status shall be made as set forth in TMC 12.06.165 B. Individuals must submit an application documenting such determination for review and acceptance by the Director to qualify for this reduction. The effective date for the rate reduction shall be the first day of the billing period in which the Director’s acceptance is granted.

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