

A meeting of the Newport City Council was held on November 17, 2014 at 6:00 PM in Council Chambers, City Hall, 200 S. Washington Avenue, Newport, Washington, with the following present:

	Shirley Sands	Mayor
	Ray King	City Administrator
	Nickole Schutte	Clerk/Treasurer
	Tom Metzger	City Attorney
Kenneth Smith		Mayor Pro Tem
Sam Brooks		Councilmember
Brad Hein		Councilmember
Mark Zorica		Councilmember (absent)
Keith Campbell		Councilmember

At 6:00 PM, Mayor Sands called the meeting to order followed by roll call and the pledge of allegiance. Councilmember Smith moved to excuse Councilmember Zorica's absence; Councilmember Hein seconded. Motion carried.

APPROVAL OF AGENDA:

Councilmember Hein moved to approve the agenda and the minutes from the November 03, 2014 Council Meeting; Councilmember Smith seconded. Motion carried.

MAYOR AND COUNCIL COMMENTS:

Mayor Sands stated that the workshop with West Bonner Water and Sewer District will be December 1st, 2014 @ 5:00 PM at City Hall. There will be continued discussion regarding water and sewer issues.

The Council discussed the report from Pend Oreille County Sheriff Botzheim reference all traffic accidents within the City during 2014. Most accidents occurred in the Safeway parking lot.

NEW BUSINESS:

A public hearing regarding revenue sources for 2015 was opened at 6:16 PM. Clerk/Treasurer Schutte gave the Council statistics of past revenues and average revenue sources within the state. She recommended \$1.00 increase to the basic water and sewer bills as well as a 2% increase in sewer utility tax and a 2% increase in garbage utility tax. Mrs. Schutte also asked to reallocate the property tax and sales tax revenue from a 70% current expense/30% street split to a 60% current expense/40% street split. The public hearing was closed at 6:26 PM.

Councilmember Smith moved to increase the basic water bill and sewer bill by \$1.00 per month and all other rates will be increased accordingly effective January 15, 2015. Councilmember Smith moved to increase the garbage utility tax to 10% and sewer utility tax to 10% effective January 15, 2015; Councilmember Campbell seconded. Motion carried.

** garbage utility tax will be effective 2/01/2015. ucs*

Councilmember Campbell moved to approve Resolution 111714 increasing the regular property tax levy to be collected in the 2015 tax year; Councilmember Smith seconded. Motion carried.

Councilmember Brooks moved to change the allocation of property tax and sales tax revenue to a 60% current expense/40% street split effective January 01, 2015; Councilmember Campbell seconded. Motion carried.

CITY ADMINISTRATOR COMMENTS:

City Administrator King spoke about the water system plan and West Bonner Water and Sewer District water and Newport City wells.

BILLS & PAYROLL:

Councilmember Hein moved to approve the bills and payroll; Councilmember Campbell seconded. Motion carried.

CLAIMS	59607-59633, EFT 1-5	\$69,217.73
PAYROLL	226-232, Direct Deposit Run 11/07/2014	\$45,228.04

ADJOURNMENT:

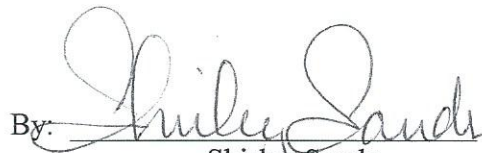
The meeting was adjourned at 7:15 PM.

Attest:



Nickole Schutte, MMC, CPFA
Clerk/Treasurer

By:



Shirley Sands
Mayor

RESOLUTION NO. 121514

A RESOLUTION OF THE CITY OF NEWPORT REVOKING ALL PRIOR FEE RESOLUTIONS AND ADOPTING A NEW FEE SCHEDULE.

WHEREAS, the City of Newport has adopted a fee schedule, and

WHEREAS, it is deemed necessary to update the fee schedule,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, OF THE CITY OF NEWPORT, WASHINGTON as follows:

SECTION 1: All prior fee resolutions are hereby revoked.

SECTION 2: The following schedule of fees is hereby adopted effective 01/15/2015. (Garbage Utility Tax effective 02/01/2015).

CITY OF NEWPORT FEES

BUILDING, CONSTRUCTION & ZONING FEES

Building Permit Fee	Current Adopted IBC Fee (Was UBC)		
Plumbing Permit Fee	Current Adopted UPC Fee		
Mechanical Permit Fee	Current Adopted IMC Fee (Was UMC)		
Plan Review Residence	_____	\$47.00 per hour	
Plan Review - Must submit approved stamped engineered plans.			
Plan Review Commercial	_____	65% of Bldg. Permit Fee	
Rezone Application *	\$350.00	\$400.00	
Rezone Application for 5 Acres Plus *	\$500.00	\$550.00	
Variance Request Application *	\$275.00	\$350.00	
Conditional Use Permit Application *	\$300.00	\$400.00	
Subdivision / Short Plat Application *	\$325.00	\$400.00	
Each Additional Lot *	\$150.00	\$200.00	
Lot Plat Application *	\$200.00	\$250.00	
Each Additional Lot *	\$150.00	\$200.00	
Planned Unit Development Application *	\$200.00	\$250.00	
Filing of Final Plat *	\$100.00	\$150.00	
Filing Extension of Completion After Issuance of the Preliminary Plat *	\$100.00	\$250.00	
Subdivision / Short Plat Variance Request *	\$175.00	\$250.00	
Boundary Line Adjustment Request *	\$25.00	\$50.00	

Copies per Page (outside printer)	Actual Cost
Police / Fire Reports	\$0.15 per page
Public Disclosure Request Copies	\$0.15 per page
Video Tape	Actual Cost
Audio Tape per Meeting	Actual Cost
Audio Tape (outside vendor)	Actual Cost
Fax per Page	\$1.00
NSF Check Return Charge	\$35.00
Lien Filing Fee	Actual cost plus \$25.00 per lien
Maps – City 8 ½” by 11”	\$0.15
Maps – Cit 11” x 17”	\$1.00
Maps – City 20” x 30”	\$5.00
Maps – City 3’ x 5’	\$8.00
Flood Zone Maps – Small	\$1.50
Zoning Maps – Small	\$3.00
Zoning Maps – Large	\$16.00

RENTAL OF CITY PARK & OTHER FEES

Reservation Fee per Pre-Scheduled Reserved Small Event	\$35.00
Small Event Clean-Up Deposit (refundable if cleaned)	\$50.00
Special Event Reservation Fee Large Event (without electricity)	\$75.00 per day
Special Event Reservation Fee Large Event (with electricity)	\$100.00 per day
Special Event Damage Deposit (refundable)	\$250.00
Rental – Council Chambers / Mtg Room per day (for profit groups)	\$35.00 \$75.00 per day

UTILITY BUSINESS & OCCUPATION TAX LEVIED

Telephone	6% of gross sales
Electricity & Electrical Energy	6% of gross sales
Natural, manufactured or mixed gas	6% of gross sales
Solid Waste	10%
Franchise Fee (Concept Communications)	5% of gross sales

WATER AND SEWER FEES

Residential ¾” Water Monthly Rate	\$24.10
Commercial ¾” Water Monthly Rate	\$24.10
Commercial 1” Water Monthly Rate	\$31.33

SEPA Checklist	\$500.00	\$600.00
Environmental Checklist Fee (EIS) *	\$300.00	\$350.00
Certificate of Occupancy (addl. Copies only)	\$30.00	
Copy of Comprehensive Plan	Actual Cost	
Mobile Home Installation Permit (Per Section)	\$50.00	\$100.00
Demolition Permit	\$20.00	\$25.00
Temporary Use Permit	\$20.00 per month/\$40.00 - 6 months	

* Plus actual costs incurred by City, such as advertising & engineering services will be the responsibility of the applicant.

AMUSEMENT LICENSES

Amusement Licenses – Music Jukebox (semi-annual)	\$12.00	(Ord. #263 & 539)
Amusement Licenses – Games / Video etc. (semi-annual)	\$15.00	(Ord. #263 & 539)
Amusement Licenses	\$40.00 per device	

FALSE ALARM PENALTIES

1 ST response	Warning
2 nd response	\$50.00
3 rd response	\$100.00
4 th + response	\$150.00

(If not paid within 60 days there will be a 50% increase and the balance will be sent to collections.)

CODE ENFORCEMENT FEES

Dog Licenses – Spayed or Neutered	\$10.00	(Ord. #1079)
Dog Licenses – Not Altered	\$50.00	(Ord. #1079)
Dog Licenses Late Penalty (purchased after Feb. 28)	\$10.00	(Ord. #928)
Dog Impound	\$25.00	(Ord. #928)
Dog Boarding Costs per Day (City)	\$5.00	(Ord. #928)
Right of Way Obstructions	\$85.00 + Restitution (Ord. #1073)	

COPYING, MAPS & OTHER MISC. FEES

Photo Copying per Page	\$0.15
Envelope for Mailing	Actual Cost
Mailed Copies Postage	Actual Cost
Copy of Annual Budget	Actual Cost

Commercial 1 ½" Water Monthly Rate	\$48.20
Commercial 2" Water Monthly Rate	\$65.07
Commercial 3" Water Monthly Rate	\$96.40
Commercial 4" Water Monthly Rate	\$127.73
Commercial 6" Water Monthly Rate	\$192.80
Residential ¾" Sewer Monthly Rate	\$37.40
Commercial ¾" Sewer Monthly Rate	\$37.40
Commercial 1" Sewer Monthly Rate	\$48.62
Commercial 1 ½" Sewer Monthly Rate	\$74.80
Commercial 2" Sewer Monthly Rate	\$100.98
Commercial 3" Sewer Monthly Rate	\$149.60
Commercial 4" Sewer Monthly Rate	\$198.22
Commercial 6" Sewer Monthly Rate	\$299.20
Water	12% of gross sales (4% = fire protection) (no tax on installation charges)
Sewer	10% of gross sales (no tax on installation charges)

Monthly outside residential water	Basic water rate + 25%
Monthly outside residential sewer	Basic sewer rate + 25%
Water Overage Rate - 10% ¾" Monthly Water Rate after allowed gallons	
Sewer Overage Rate - 10% ¾" Monthly Sewer Rate after allowed gallons	
Water Late Fee	\$5.00
Sewer Late Fee	\$5.00
Voluntary water turnoff	\$10.00
Shutoff for nonpayment	\$30.00
Adjustment on leaks	25% of water and sewer overage amount
Water & Sewer Annual Payment	5% discount
Standby Water Fee (Fire Protection Devices)	\$5.00
City Fire Hydrant Fee	\$10.00
Privately Owned Unmetered Fire Hydrants	\$10.00
Office Rent (Water)	\$600.00
Water Meter Testing	Actual Cost
Bulk Water Fee (up to 10,000 gallons)	Minimum Cost of Water
Bulk Water Fee (over 10,000 gallons)	Water Overage Rate

Water Meter & Parts

Cost plus 25%

Sludge Processing per Gallon

\$0.12

\$0.16

WATER & SEWER CONNECTION CHARGES

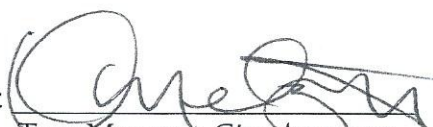
Residential Water Connection Charge ¾" **	\$3,000.00
Commercial Water Connection Charge ¾" **	\$3,000.00
Commercial Water Connection Charge 1" **	\$4,000.00
Commercial Water Connection Charge 1 ½ " **	\$6,000.00
Commercial Water Connection Charge 2" **	\$8,000.00
Commercial Water Connection Charge 3" **	\$12,000.00
Commercial Water Connection Charge 4" **	\$16,000.00
Commercial Water Connection Charge 6" **	\$24,000.00
Residential Sewer Connection Charge ¾" **	\$5,000.00
Commercial Sewer Connection Charge ¾" **	\$5,000.00
Commercial Sewer Connection Charge 1" **	\$7,000.00
Commercial Sewer Connection Charge 1 ½ " **	\$10,000.00
Commercial Sewer Connection Charge 2" **	\$13,000.00
Commercial Sewer Connection Charge 3" **	\$20,000.00
Commercial Sewer Connection Charge 4" **	\$27,000.00
Commercial Sewer Connection Charge 6" **	\$40,000.00

**Connection charges must be paid at the time of connection to our service and do not include the actual costs for meters, material, labor and administration which will be added to the connection fees set forth above. The meter must be paid for before the meter will be installed.

Penalty for violating any ordinance of the City except in cases where a different punishment is prescribed by any ordinance of the city is a fine not to exceed \$500.00 or by imprisonment not to exceed 30 days or both.

APPROVED AND ADOPTED THIS 15TH DAY OF December 2014.

BY: 
Shirley Sands, Mayor

APPROVED AS TO FORM BY: 
Tom Metzger, City Attorney

ATTEST: 
Nickole Schutte, Clerk/Treasurer

ORDINANCE NO. 2009

AN ORDINANCE OF THE CITY OF NEWPORT, WASHINGTON INCORPORATING VARIOUS WATER AND SEWER FEES AND CHARGES INTO THE CURRENT CITY OF NEWPORT FEE SCHEDULE AND AMENDING VARIOUS ORDINANCES AND SECTIONS OF THE NEWPORT MUNICIPAL CODE TO REFLECT THIS CONSOLIDATION

THE CITY COUNCIL OF THE CITY OF NEWPORT, WASHINGTON DO ORDAIN AS FOLLOWS:

SECTION 1: AMENDMENTS:

- (1) Ordinance No. 1042 Section 1 and Section 13.08.040 of the Newport Municipal Code concerning water connection fees are each amended to read as follows:

13.08.040 Service connection fee.

A. No connections with a water main shall be made without a permit being issued and 24 hours' notice having been given to the public works field supervisor or designee, and the payment of the connection fee. All such connections shall be made and all such work done at the expense of the applicant, who shall also furnish material necessary for the work; all such connections shall be made under the supervision of the public works field supervisor or designee and no connections shall be covered until the work has been inspected by him or his designee within five working days. Applications for such connections must be made to the city clerk/treasurer. Applicants when applying for connection permits shall provide the city clerk/treasurer with an "as built" diagram, indicating the location and depth of the service line.

B. The connection fees to be paid to the city clerk/treasurer shall be as set forth in the City's current fee schedule and shall be payable at the time such application is made. The water connection fees do not include the actual costs for materials, labor and administration which will be added to the connection fees in the current fee schedule.

- (2) Ordinance No. 734 Section 2 and Section 13.08.110 of the Newport Municipal Code concerning Shutoff Boxes are each amended to read as follows:

13.08.110 Curb Stops (Corporate Stops).

A. Curb stops or service boxes shall be placed on every service pipe, and shall be located between the curblines and the sidewalk line where this is practicable. Curb stops shall be so located that they are easily accessible and shall be protected from frost.

B. All water users whose connection to the city water system is not capable of being physically shut off, or without disrupting the service of another user served by the same meter or service line, and whose water charges are not paid as provided in this chapter, shall be assessed a late charge as set forth in the City's current fee schedule for each water service billing that remains unpaid on the twentieth day of the month following the billing. Enforcement of payment therefore is chargeable to the water user. Each such delinquency shall be a separate offense.

C. All multiple water users (such as tenants of an apartment complex) will be notified of delinquency before water shutoff.

D. The City is only responsible for repairs up to the curb stop. Any repairs past the curb stop will be the responsibility of the land owner.

- (3) Ordinance No. 1097 Section 1 and Section 13.08.170 of the Newport Municipal Code concerning water rates are each amended to read as follows:

13.08.170 Water rates inside city limits.

A. All property upon which any building has been or may hereafter be erected having a connection with any mains or pipes which may hereafter be constructed and used in connection with the city water system shall pay the minimum rates based upon meter size as set forth in the City's current fee schedule. The monthly rates are calculated based upon the meter size servicing the property and on one equivalent residential unit (ERU) which is the equivalent of 10,000 gallons usage per month.

B. Leaks.

When due to a broken water pipe or plumbing fitting whether above or below ground, any water user has used, according to the customer's meter, an amount of water which is substantially greater than the amount of water which has been used during a similar period in prior years, the customer may apply to the finance department for an adjustment under this section.

If evidence is presented to the city documenting the existence of a broken pipe or other plumbing fitting and if the customer has not received a reduction of their water bill due to a broken pipe or plumbing fitting in the previous 24 months, the finance department shall reduce the bill in question to the average amount billed to such property for similar

periods in previous years on the condition that the customer pays the percentage set forth in the City's current fee schedule.

In the event that the water bill is reduced pursuant to the previous paragraph, the sewer overage bill will be reduced to the average amount billed to such property for similar periods in previous years on the condition that the customer pays the percentage set forth in the City's current fee schedule.

The finance department is not authorized to reduce water billings due to broken pipes or fittings if the customer has received a reduction within the previous 24 months due to a broken pipe or fitting. Further, the finance department is not authorized to reduce water billings due to leaking toilets, faucets, hose bibs or other fixtures.

All repairs must occur within 10 days of discovery of the broken pipe or other plumbing fitting. In order to avoid a waste of water, the public works department may discontinue service to any premises if the owner or occupant refuses to make necessary repairs. If the resident is not home and it is observable that water is being lost through leakage, the department at its option may terminate water service and shall leave written notice as to its action and the reason therefore.

Customers requesting a reduction of their water billing who have received a previous reduction within 24 months and customers requesting relief from water bill liability caused by leaking fixtures such as toilets, faucets, hose bibs, etc., may request reduction of their billing from the city council.

In the event strict application of this subsection is deemed by the city administrator to result in grossly excessive water or sewer charges, the city administrator is authorized to make any billing adjustment deemed necessary to avoid a gross injustice.

- (4) Ordinance No. 734 and Section 13.08.210 of the Newport Municipal Code concerning water rates outside city limits are each amended to read as follows:

13.08.210 Water rates outside city limits.

Minimum water rates to users outside the corporate limits of the city, but contiguous thereto and within the state, shall be the same as those charged for water service inside the corporate limits of the city as set forth in NMC 13.08.170, except that all charges for such water users outside the corporate limits of the city, and all consumption over the gallons allowed per month, shall be computed as set forth in NMC 13.08.190, and the total therefore shall be increased by a fee set forth in the City's current fee schedule.

Ordinance No. 917 Section 1 and Section 13.08.230 of the Newport Municipal Code concerning shutoff for nonpayment are each amended to read as follows:

13.08.230 Shutoff for nonpayment.

The water supply may be shut off to any premises for which the water billing remains unpaid beyond the period set forth in NMC 13.08.220. After water service has been shut off, the water service shall not be restored except upon payment of the amount of arrears, together with a shutoff and restoration fee set forth in the City's current fee schedule.

- (6) Ordinance No. 819 Section 1 and Section 13.08.290 of the Newport Municipal Code concerning late charges are each amended to read as follows:

13.08.290 Water late charge.

In the event that a water bill is not paid on or before the twentieth day of the month received, a monthly late charge in the amount set forth in the City's current fee schedule will be assessed, which shall be paid with the payment of the water bill.

- (7) Ordinance No. 734 Section 9 and Section 13.08.300 of the Newport Municipal Code concerning water annual payment election are each amended to read as follows:

13.08.300 Water Annual Payment Election.

The payer of the monthly water charge may elect to pay the full year's water service charges in advance. The full year's water service shall be determined by multiplying the monthly water service charge by 12 and then receiving a discount as determined by the City's current fee schedule.

- (8) Ordinance No. 734 Section 5 and Section 13.08.310 of the Newport Municipal Code concerning voluntary shutoff are each amended to read as follows:

13.08.310 Voluntary turnoff.

Should any water user desire to have the water service to their premises or garden spots/irrigation discontinued for any reason, the user shall make application to the city clerk and pay the fee set forth in the City's current fee schedule. There will be no additional fee for restoring the water service to the premises.

) Ordinance No. 734 Section 6 and Section 13.08.330 of the Newport Municipal Code concerning monthly rates for fire protection devices are each amended to read as follows:

13.08.330 Standby water fee.

A monthly fee, as set forth in the City's current fee schedule, is fixed for unmetered standby water service for fire protection devices.

(10) Ordinance No. 734 Article 7 Section 1 and Section 13.08.340 of the Newport Municipal Code concerning fire hydrants are each amended to read as follows:

13.08.340 City fire hydrants. The city shall pay for each city-owned fire hydrant the sum set forth in the City's current fee schedule, which shall be deposited to the city water fund. These charges shall be paid from the city current expense fund annually.

(11) Ordinance No. 734 Article 7 Section 6 and Section 13.08.390 of the Newport Municipal Code concerning unmetered hydrants are each amended to read as follows:

13.08.390 Privately owned unmetered fire hydrants.

There is fixed a monthly charge as set forth in the City's current fee schedule for unmetered privately owned fire hydrants.

(12) Ordinance No. 734 Article 7 Section 3 and Section 13.08.360 of the Newport Municipal Code concerning office rent are each amended to read as follows:

13.08.360 Office rent.

There is fixed an annual rental as set forth in the City's current fee schedule for the office space used by the city water department, which shall be paid from the city water fund and deposited to the city current expense fund.

(13) Ordinance No. 734 Article 8 Section 1 and Section 13.08.400 of the Newport Municipal Code concerning penalties are each amended to read as follows:

13.08.400 Penalty for violation.

It is unlawful for any water user to violate any of the terms and conditions provided in this chapter. Upon conviction of any such violation the person so charged shall be subject to the penalties set forth in the City's current fee schedule.

- (14) Ordinance No. 1098 Section 1 and Section 13.20.020 of the Newport Municipal Code concerning sewer rates are each amended to read as follows:

13.20.020 Sewer rates inside city.

A. All property upon which any building is now or may hereafter be erected which requires a sewer connection with the city sewer system shall be subject to the monthly rate set forth in the City's current fee schedule. The monthly rates are calculated based upon the water meter size servicing the property and on one equivalent residential unit (ERU), which is the equivalent of 10,000 gallons usage per month.

B. Residential (R) Combined Services.

Where more than one user is served through the same water meter, which shall include but not be limited to duplexes, more than one dwelling on the same meter, or any other combination served by the same meter, each unit shall be classified as a separate sewer user and shall pay the minimum rate as set forth in subsection A of this section.

C. It is declared to be the policy of the city that in the determination of the classification of any premises for the determination of the monthly sewer service rate where there may exist some doubt as to which classification shall prevail, the classification providing for the largest monthly sewer service rate shall apply.

D. Sewer Overage Rates.

1. It is declared to be the policy of the city that the monthly overage rates shall be based on the water meter readings for each property served for the period of October 15th through April 14th; provided, that the water meters shall be read monthly for designated commercial classifications as determined by the mayor or designee. All readings in excess of the gallons allowed per month as set forth in subsection A of this section shall be considered overages, and shall be subject to an overage rate as set forth in the city's current fee schedule. The overage rate shall be determined by adding the total gallons of water used for the period of October 15th through April 14th (total winter gallons used), minus the gallons allowed per month (total winter gallons allowed per month) divided by six, multiplied by the overage rate per 1,000 gallons, and the total thereof shall be added to the monthly sewer service charge until readjusted according to the next October 15th reading through April 14th reading.

Provided, however, that any sewer overage amount due from a commercial customer whose meter is read monthly and whose water and sewer usage is almost exclusively for washing and drying clothing, such as a Laundromat, shall have their monthly overage

amount reduced by five percent to account for the water which evaporates in the drying process and does not enter the sewer system.

2. Annual Overage Payment Election.

The payer of the monthly overage rate as determined in subsection (D)(1) of this section may elect to pay the full year's sewer overage rate in advance without benefit of a discount on or before May 20th of each year commencing May 20, 1993. The following formula will be used to calculate overage rates from the October 15th reading through April 14th reading:

Total Winter Gallons Used minus Total Winter Gallons Allowed divided by six months times Overage Rate per 1,000 Gallons equals Overage Rate per Month.

E. Sewer Annual Payment Election.

The payer of the monthly sewer charge may elect to pay the full year's sewer service charges in advance. The full year's sewer service shall be determined by multiplying the monthly sewer service charge by 12 and then receiving a discount as determined by the City's current fee schedule.

- (15) Ordinance No. 818 Section 2 and Section 13.20.040 Subsection (B) of the Newport Municipal Code concerning late charges are each amended to read as follows:

(B) Sewer late charge.

In the event that a sewer bill is not paid on or before the twentieth day of the month received, a monthly late charge in the amount set forth in the City's current fee schedule will be assessed, which shall be paid with the payment of the sewer bill.

- (16) Ordinance No. 818 Section 3 and Section 13.20.025 of the Newport Municipal Code concerning sewer rates outside city limits is amended to read as follows:

13.20.025 Sewer rates outside city limits.

Minimum sewer rates to users outside the corporate limits of the city and within the state of Washington, shall be the same as those charged for sewer service inside the corporate limits of the city as set forth in NMC 13.20.020 subsection A, except that all charges for such sewer services outside the corporate limits of the city and all consumption over the gallons allowed per month, shall be computed as set forth in NMC 13.20.020 subsection D, and the total therefore shall be increased by a fee set forth in the City's current fee schedule.

- (17) Ordinance No. 1043 Section 1 and Section 13.20.050 of the Newport Municipal Code concerning connection charges are each amended to read as follows:

13.20.050 Sewer Connection charge.

A. In addition to the foregoing rates and charges, the city shall charge for each connection made with the sewerage system the charges set forth in the City's current fee schedule.

B. The connection charge shall become due and payable prior to completing the connection to the sewage system and if not so paid on or before said date, it shall become delinquent and shall bear interest at the rate set forth in the City's current fee schedule from the date of delinquency until paid.

UTILITY BUSINESS AND OCCUPATION TAX LEVIED

- (18) Ordinance No. 1050 Section 1 and Ordinance No. 1065 Section 1 and Section 3.12.030 of the Newport Municipal Code concerning Utility Business and Occupation Taxes are each amended to read as follows:

3.12.030 Levied.

There is hereby levied upon, and there shall be collected from, every person, firm or corporation engaged in carrying on the following business for hire or for sale of a commodity or a service within or partly within the corporate limits of the city of Newport a tax, to be known as a "utility tax" for the privilege of so doing business as herein defined, to wit:

A. Upon any telephone business there shall be levied a tax equal to the percentage set forth in the City's current fee schedule, of the total gross operating revenues, including revenues from intrastate toll, derived from the operation of such business with the city of Newport. Gross operating revenues for this purpose shall not include charges which are passed on to the subscribers by a telephone company pursuant to tariffs required by regulatory order to compensate for the cost to the business of the tax imposed by this section nor shall gross operating revenues include that portion of network telephone service which represents charges to another telecommunications company, as defined in RCW 80.04.010 for connecting fees, switching charges, or carrier access charges relating to intrastate toll telephone services, or for access to, or charges for, interstate services, or charges for network telephone service that is purchased for the purpose of resale, or charges for mobile

telecommunications services provided to customers whose place of primary use is not within the city.

1. "Telephone business" as used in this chapter means the business of providing access to a local telephone network, local telephone network switching service, toll service, or coin telephone service, or providing telephone video, data, or similar communication or transmission for hire, via a local telephone network, toll line or channel, or similar communication or transmission system. It includes cooperative or farmer-line telephone companies or associations operating an exchange. "Telephone business" does not include the providing of competitive telephone service as defined below.

2. "Competitive telephone service" as used in this chapter means the providing by any person, firm or corporation of telephone equipment, apparatus, or service, other than toll service, which is of a type which can be provided by persons, firms or corporations that are not subject to regulation as telephone companies under RCW Title 80 and for which a separate charge is made.

B. There is hereby levied a tax on the sale, delivery or distribution of electricity and electrical energy and for the privilege of carrying on said business, such tax to be equal to the percentage set forth in the City's current fee schedule, of the total gross operating revenues derived from sales of such electricity to ultimate users within the city of Newport; provided, however, that there shall not be any tax levied for the installation charges of electrical units.

C. There is hereby levied a tax on the sale of natural, manufactured or mixed gas for residential, commercial or industrial consumption and for the privilege of carrying on said business, such tax to be equal to the percentage set forth in the City's current fee schedule, of the gross operating revenues from such sales of natural, manufactured or mixed gas within the limits of the city of Newport.

D. Upon the sale, delivery, distribution or furnishing of water for domestic, business or industrial consumption, effective January 1, 2011, a tax equal to the percentage set forth in the City's current fee schedule, of the total gross income from such sales, of which four percent is for fire protection costs; provided, that there shall not be a tax levied upon installation charges for individual consumer water service lines and meters.

E. Upon the furnishing of sanitary sewerage collection and disposal services for discharge by domestic, business or industrial customers, a tax equal the percentage set forth in the City's current fee schedule, of the total gross income from such

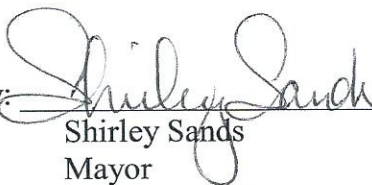
business; provided, that there shall not be any tax levied upon installation charges for individual customer sewer laterals and connections.

F. Upon every person, firm or corporation engaged in or carrying on the business of solid waste collection, hauling and disposal, a tax equal to the percentage set forth in the City's current fee schedule, of the total gross income from such business in the city.

SECTION 2: SEVERABILITY: If any part of this Ordinance is held by a court of competent jurisdiction to be unconstitutional or otherwise unenforceable, such finding shall not invalidate any other part of this Ordinance.


SECTION 3: EFFECTIVE DATE: This Ordinance shall take effect and be in full force as of January 15, 2015.

PASSED AND ADOPTED THIS 15th DAY OF DECEMBER 2014.

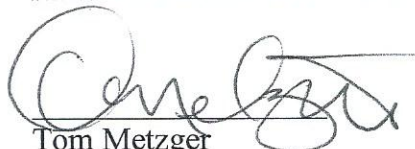
By: 
Shirley Sands
Mayor

garbage utility
tax effective
2/1/15 see
Resolution
121514

ATTEST:


Nickole Schutte
City Clerk/Treasurer

APPROVED AS TO FORM:


Tom Metzger
City Attorney