

**ORDINANCE No. 188875**

\* Authorize the Bureau of Environmental Services to reimburse property owner at 26 N Stafford Street for sewer user fees, paid to the City, in the amount of \$3,276. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Kathyn Vaughan (the Owner) purchased the property at 26 N Stafford Street (the Property) on April 1, 1996. A sewer utility account was placed in Kathyn Vaughan's name and she became responsible for sewer user fees at the property on May 6, 1996.
2. In February of 2018 the Owner discovered, through the process of selling her home, that the property is not connected to the public sewer system. BES confirmed that the property is not connected to the public sewer by reviewing a sewer scope.
3. The Owner paid sewer user fees for the Property, to the City, in an amount estimated to be \$4,379.32 from May 6, 1996 to December of 2017. The Owner did not receive sewer service from the City for these user fees.
4. City Code section 17.36.090 A allows the Director of the Bureau of Environmental Services to authorize sewer adjustments for billing errors limited to the most recent three years of billing. BES issued a reimbursement of \$1,103.32 for three years (2014 – 2017) of sewer user fees to the Owner on March 2, 2018.

NOW, THEREFORE, the Council directs:

- a. The Bureau of Environmental Services reimburse Kathyn Vaughan \$3,276.00 in sewer user fees, the total of sewer user fees collected in error by the City from the Owner from 1996 - 2013.

Section 2. The Council declares that an emergency exists in order to reimburse the Owner for funds that were collected in error. Therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **MAR 28 2018**

Commissioner Nick Fish  
Prepared by: B. Jonas Biery  
Date Prepared: March 2, 2018

**Mary Hull Caballero**  
Auditor of the City of Portland  
By

*Susan Larsons*  
Deputy

Agenda No. **188875**  
**ORDINANCE NO.**  
 Title

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INTRODUCED BY Commissioner/Auditor:	CLERK USE: DATE FILED <u>MAR 20 2018</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Wheeler Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By: <u><i>Susan Parsons</i></u> Deputy
<b>BUREAU APPROVAL</b> Bureau: Environmental Services Bureau Head: Michael Jordan Prepared by: Sherril Peterson Date Prepared: March 2, 2018	<b>ACTION TAKEN:</b>
Financial Impact & Public Involvement Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>HS</i>	
Council Meeting Date 3/28/2018	

**AGENDA**

**TIME CERTAIN**   
 Start time: \_\_\_\_\_

**Total amount of time needed:** \_\_\_\_\_  
 (for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
**Total amount of time needed:** \_\_\_\_\_  
 (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz <input checked="" type="checkbox"/>	
2. Fish	2. Fish <input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman <input checked="" type="checkbox"/>	
4. Eudaly	4. Eudaly <input type="checkbox"/>	
Wheeler	Wheeler <input checked="" type="checkbox"/>	