

# ORDINANCE No. 189518

\* Authorize the Bureau of Environmental Services to reimburse the property owner at 6037 NE 32<sup>nd</sup> Pl for sewer user fees paid to the City in the amount of \$3,879 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. John Atherton (the Owner) has been the ratepayer at the property located at 6037 NE 32<sup>nd</sup> Place (the Property) since September 24, 1999. Since July 1, 1993, sewer user fees have been billed to Portland ratepayers who cause or permit the discharge of sanitary sewage from a property in their possession into sewer facilities owned or maintained by the City. The Owner was billed sewer user fees for the Property from September 24, 1999 until February 20, 2019.
2. In April 2019 the Owner discovered, through an inspection of the sanitary system on their property which was performed by a private contractor, that the property is not connected to the City sanitary sewer system. The Bureau of Environmental Services reviewed documentation provided by the Owner and reviewed City plumbing records to confirm that the property is not connected to the City sanitary sewer system.
3. The Owner paid sewer user fees for the Property, to the City, in an amount estimated to be \$5,211.00 from September 24, 1999 to February 20, 2019. The Owner did not receive sanitary 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. The Bureau of Environmental Services issued a reimbursement of \$1,332.00 to the Owner, for the most recent three years of sewer users fees collected from the Owner, on April 29, 2019.

NOW, THEREFORE, the Council directs:

- a. The Bureau of Environmental Services to reimburse the Owner, John Atherton, \$3,879.00 in sewer user fees collected in error by the City, from the Owner, from September 24, 1999 to November 17, 2015.

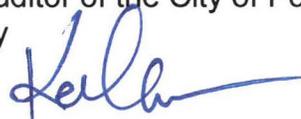
Section 2. The Council declares that an emergency exists in order to reimburse the Owner as expeditiously as possible. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: MAY 29 2019  
Commissioner Nick Fish

Prepared by: Eli Rosborough  
Date prepared: April 29, 2019

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

By



Deputy

Agenda No.  
**ORDINANCE NO. 189518**  
 Title

\* Authorize the Bureau of Environmental Services to reimburse the property owner at 6037 NE 32<sup>nd</sup> Place for sewer user fees, paid to the City, in the amount of \$3,879.00 (Ordinance)

INTRODUCED BY Commissioner/Auditor: <b>FISH</b>	CLERK USE: DATE FILED <b>MAY 21 2019</b>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Wheeler Position 1/Utilities - Fitz Position 2/Works - <i>[Signature]</i> Position 3/Affairs - Hardesty Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland  By: <i>[Signature]</i> Deputy
<b>BUREAU APPROVAL</b> Bureau: Environmental Services Bureau Head: Michael Jordan <i>[Signature]</i> Prepared by: Eli Rosborough Date Prepared: April 29, 2019 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>ACTION TAKEN:</b>
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date <del>06/05/2019</del> <b>5/29/19</b>	

**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	✓	
2. Fish	2. Fish	✓	
3. Hardesty	3. Hardesty	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	_____	