

ORDINANCE No. 189567

* Authorize the Bureau of Environmental Services to reimburse the property owner at 7017 SE Mitchell Ct for sewer user fees paid to the City, in the amount of \$2,290 (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Marguerite Congoran (the Owner) has been the ratepayer at the property located at 7017 SE Mitchell Court (the Property) since December 15, 2004. 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 December 15, 2004 until April 19, 2019.
2. In May 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 \$2,910.00 from December 15, 2004 to April 19, 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 \$620.00 to the Owner, for the most recent three years of sewer users fees collected from the Owner, on May 30, 2019.

NOW, THEREFORE, the Council directs:

- a. The Bureau of Environmental Services to reimburse the Owner, Marguerite Congoran, \$2,290.00 in sewer user fees collected in error by the City, from the Owner, from December 15, 2004 to January 25, 2016.

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: JUN 19 2019
Commissioner Nick Fish

Prepared by: Eli Rosborough
Date prepared: May 31, 2019

Mary Hull Caballero
Auditor of the City of Portland

By 

Deputy

Agenda No.
ORDINANCE NO. 189567
 Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: FISH</p>	<p>CLERK USE: DATE FILED <u>JUN 11 2019</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Wheeler</p> <p>Position 1/Utilities - Fritz <i>[Signature]</i></p> <p>Position 2/Works - Fish <i>[Signature]</i></p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Environmental Services Bureau Head: Michael Jordan <i>[Signature]</i></p> <p>Prepared by: Eli Rosborough Date Prepared: May 31, 2019</p> <p>Financial Impact & Public Involvement Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date 06/19/2019</p>	<p>ACTION TAKEN:</p>

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	✓	