

Proposed Revisions to Portland City Code Chapter 17.36

This document is formatted with proposed additions underlined and proposed deletions ~~stricken out~~. Commentary is in *italic font*. This document only includes sections of Code to which BES is proposing changes.

17.36.020 Definitions.

The following definitions apply to this Chapter:

[Subsections A through I are unchanged.]

- J.** “**Impervious Area**” means the area of a property that does not allow rainwater to percolate naturally into the ground. ~~The City classifies the following as impervious areas for billing purposes: roofs; paved areas such as driveways, parking lots, or walkways; and areas of property that are covered by porous pavement. The City does not bill for the following impervious areas: public rights-of-way; outdoor recreation areas that are available to the general public without condition or restriction; and areas covered by compacted soils and compacted gravels.~~

[Subsections K through DD are unchanged.]

17.36.050 User Charges.

Sewer user charges are established and made effective as follows:

[Subsections A through E are unchanged.]

- F.** Stormwater Management Services. Ratepayers who receive a direct or indirect benefit from City stormwater management services are subject to the user charge. The ratepayer identified on the City utility billing account is assumed to be the user of stormwater management services and responsible for the user charge. If the property is not subject to other City utility charges, the Director will determine the ratepayer responsible for the user charge.

1. Billing Components. *[Unchanged.]*
2. Basis for charge. User charges are calculated based on the user’s proportionate share of City stormwater management services as estimated by the amount of impervious area on the user’s siteproperty. Unless the siteproperty has been measured to the satisfaction of the Director, the property’s impervious area is assumed to be equal to the average impervious area for the user’s class. The following areas are included in a property’s impervious area calculation for billing purposes: roofs; paved areas such as, but not limited to, driveways, parking lots, and walkways; and areas of the property that are covered by porous pavement. The following areas are not included in a property’s impervious area calculation for billing purposes: rights-of-way that have been dedicated to the public and over which the City exercises regulatory jurisdiction and management; outdoor recreation

areas owned by governmental bodies that are available to the general public, excluding parking lots and buildings; and areas covered by compacted soils and compacted gravels.

3. Dwelling units. [*Unchanged.*]
4. Properties other than dwelling units or with five or more dwelling units. [*Unchanged.*]
5. Clean River Rewards. [*Unchanged.*]

G. [*Unchanged.*]

17.36.090 Adjustment of Bills.

A. The Director may make an adjustment of up to \$500 to a ratepayer's utility account when it is deemed necessary for the proper conduct of the business of the Bureau to do so.

A.B. When the Director determines that a billing error has occurred, the Director may authorize an adjustment of the ratepayer's utility account for the period of the error, not to exceed 3 years from the date the error is identified.

B.C. Except as set forth in this Subsection, a ratepayer's eligibility for an adjustment will end 6 months after the date a final bill was issued for the subject account. The Director may authorize an adjustment to the outstanding balance of a closed utility account more than 6 months after the issuance of the account's final bill if:

1. The ratepayer was billed for sanitary sewer services for a property that was not connected to the City's sewer system;
2. The error is discovered after the 6 month deadline for adjustments to a final bill;
3. The request is made in writing by the ratepayer of record at the time the billing error occurred; and
4. The adjustment is limited to the sanitary sewer user charge.

C.D. Adjustments will be in the form of credits or additional charges to active utility accounts. The City may not issue refunds for billing adjustments unless approved by the Director. Refunds are chargeable to the Sewer System Operating Fund.

D.E. Ratepayers who receive a back billing or a delayed billing will be offered the opportunity to pay the balance due over a set period based on current City collection policies.