

**IMPACT STATEMENT**

**Legislation title:** \* Authorize the Bureau of Environmental Services to reimburse the property owner at 7017 SE Mitchell Court for sewer user fees, paid to the City, in the amount of \$2,290.00 (Ordinance)

**Contact name:** Sherri Peterson  
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**Presenter name:** B. Jonas Biery

**Purpose of proposed legislation and background information:**

The Bureau of Environmental Services (BES) protects public health, water quality and the environment. It provides sewer and stormwater collection and treatment services to accommodate Portland's current and future needs. BES protects the quality of surface and ground water and conducts activities that protect and restore our watersheds. The services provided by BES are paid by our ratepayers through user fees approved annually by Council.

In August 2016, via Ordinance No. 187926, City Council authorized changes to PCC 17.36 to more clearly allow the BES Bureau Director to authorize reimbursement payments to customers for billing errors. Assuming certain conditions are met, the Bureau Director is authorized to reimburse for up to three years of billing errors. Requests for reimbursement beyond that period may be put forth to City Council for authorization.

Marguerite Congoran has paid sewer user fees for the property located at 7017 SE Mitchell Court, for the discharge of wastewater in to the city sanitary sewer system, since December 15, 2004. In May of 2019, BES was notified by Marguerite Congoran that the property is not, and has not been, connected to the City sanitary sewer system. BES has confirmed that Marguerite Congoran was the ratepayer, the property is not connected to the city sanitary system, and sewer user fees were billed and collected in error. Under the authority of City Code section 17.36.090.A., BES has provided Marguerite Congoran a credit for the most recent three years of sewer user fees billed in error. However, PCC 17.36.090.A. does not allow the Bureau to grant adjustments, waive fees, or pay refunds prior to the most recent three years.

This ordinance facilitates fair and equitable BES sewer billing by ensuring the ratepayer is not charged for services that the City has not provided. This ordinance authorizes the Bureau to estimate sewer user fees which were billed to and paid by Marguerite Congoran in error between December 15, 2004 and January 25, 2016 and to refund those fees to the ratepayer.

The ordinance is requested on an emergency basis so that funds that were charged and collected in error can be provided to the ratepayer in a timely manner.

**Financial and budgetary impacts:**

No budget changes or additional costs are expected to result from this Ordinance.

**Community impacts and community involvement:**

The proposed ordinance will benefit BES ratepayers by ensuring equitable, accurate and appropriate sewer user billing.

**100% Renewable Goal:**

This action has no positive or negative impact on the City's goal of meeting 100 percent of community-wide energy needs with renewable energy by 2050.

