

POSSIBLE MOTION

I MOVE TO approve Ordinance 2015-46 on
second and final reading.



City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

Coast Guard City, USA

Memo

To: Mayor McConnell and Assembly of the City and Borough of Sitka

From: Michelle Putz, Assembly Member

Date: September 2, 2015

Re: Ordinance to Repeal Vacation Rates / Discussion on Owner Status

Deputy Mayor Hunter and I are sponsoring the accompanying ordinance in order to initiate a discussion and possible change to the Sitka General Code regarding utility vacation rates. If passed in its current form, the attached ordinance would repeal all utility rates currently in effect for Municipal utilities.

At the present time, the Sitka General Code offers vacation rates for water, wastewater, and solid waste disposal. These rates are currently codified in three different Chapters within Title 15 of the Sitka General Code.

Deputy Mayor Hunter and I have decided to initiate a discussion and put forth the accompanying ordinance because we feel that vacation rates represent a form of a historic perquisite to our citizens. This historic entitlement, however, has the effect of lowering revenue, thus causing rate increases to be larger than otherwise required.

In regards to owner status, Matthew Hunter and I are not yet ready to put forward an ordinance for consideration. The issue is complicated and, while we have what we believe is a basic concept of what we wish to propose, not all of the details have been thoroughly coordinated with CBS Staff yet. In the course of the discussion on the accompanying ordinance, we may touch on some of the points we are considering vis-à-vis owner status.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2015-46

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA, ALASKA AMENDING SITKA GENERAL CODE TO REMOVE VACATION RATES AT CHAPTER 15.04 "SEWER SYSTEM," CHAPTER 15.05 "WATER SYSTEM," CHAPTER 15.06 "SOLID WASTE TREATMENT AND REFUSE COLLECTION" AND REMOVING REFERENCE TO VACATION RATES IN FOOTNOTES IN SECTION 15 OF THE SITKA GENERAL CODE

1. CLASSIFICATION. This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

2. SEVERABILITY. If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstances shall not be affected.

3. PURPOSE. This Ordinance amends Sitka General Code to remove vacation rates at Chapter 15.04 "Sewer System," Chapter 15.05 "Water System," Chapter 15.06 "Solid Waste Treatment and Refuse Collection" and removing reference to vacation rates in footnotes in Section 15 of the Sitka General Code. Due to budget concerns and the need for additional revenue, this exemption is being removed.

4. ENACTMENT. NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that Chapter 15.04 "Sewer System," Chapter 15.05 "Water System," Chapter 15.06 "Solid Waste Treatment and Refuse Collection" are amended to remove vacation rates and references to vacation rates in footnotes of Section 15 as follows:

Chapter 15.04
SEWER SYSTEM

~~15.04.330—Vacation rates.~~

~~15.04.330 Vacation rates.~~

~~There shall be a vacation rate of one-quarter the normal billing rate applied to qualifying utility accounts. A vacation rate is a Sitka resident's exemption from payment of residential sewer utility fees while on vacation and/or on absence from residence due to medical reasons or movement to the Pioneers' Home. Vacation and/or absence period must equal or exceed thirty continuous days and is limited to four months credit. Only one period of vacation rates per customer in any period of twelve consecutive months is allowed. The period of twelve consecutive months starts on the first day vacation rates apply. The residence must not be occupied during this period to which vacation rates apply. The resident must apply in writing prior to vacation and/or absence from residence to receive vacation rates. When the credit is applied at the end of the period, resident's~~

47 ~~account will be assessed a ten-dollar fee. Commercial accounts are not eligible for vacation rates.~~
48 ~~Notwithstanding the twelve consecutive month restriction described above, the municipal~~
49 ~~administrator will have the authority to allow extension of vacation rates on a case-by-case basis for~~
50 ~~medical absences upon application by the resident. Notwithstanding the requirement of prior~~
51 ~~application described above, preapplication may be waived by the municipal administrator for~~
52 ~~emergency medical absences. (Ord. 05-15 § 4(B) (part), 2005.)~~

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55 **Chapter 15.05**
56 **WATER SYSTEM**

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59 ~~15.05.630—Vacation rates.~~

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61 ~~**15.05.630 Vacation rates.**~~

62 ~~There shall be a vacation rate of one-quarter the normal billing rate applied to qualifying utility~~
63 ~~accounts. A vacation rate is a Sitka resident's exemption from payment of residential water utility~~
64 ~~fees while on vacation and/or on absence from residence due to medical reasons or movement to~~
65 ~~the Pioneers' Home. Vacation and/or absence period must equal or exceed thirty continuous days~~
66 ~~and is limited to four months credit. Only one period of vacation rates per customer in any period~~
67 ~~of twelve consecutive months is allowed. The period of twelve consecutive months starts on the~~
68 ~~first day vacation rates apply. The residence must not be occupied during this period to which~~
69 ~~vacation rates apply. The resident must apply in writing prior to vacation and/or absence from~~
70 ~~residence to receive vacation rates. When the credit is applied at the end of the period, resident's~~
71 ~~account will be assessed a ten-dollar fee. Commercial accounts are not eligible for vacation rates.~~
72 ~~Notwithstanding the twelve consecutive month restriction described above, the municipal~~
73 ~~administrator will have the authority to allow extension of vacation rates on a case-by-case basis for~~
74 ~~medical absences upon application by the resident. Notwithstanding the requirement of prior~~
75 ~~application described above, preapplication may be waived by the municipal administrator for~~
76 ~~emergency medical absences. (Ord. 05-15 § 4(C) (part), 2005.)~~

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78 **Chapter 15.06**
79 **SOLID WASTE TREATMENT AND REFUSE COLLECTION**

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81 ~~15.06.060—Vacation rates.~~

82 ~~**15.06.060 Vacation rates.**~~

83 ~~There shall be a vacation rate of one-quarter the normal billing rate applied to qualifying utility~~
84 ~~accounts. A vacation rate is a Sitka resident's exemption from payment of residential solid waste~~
85 ~~treatment and waste collection utility fees while on vacation and/or on absence from residence~~
86 ~~due to medical reasons, or movement to the Pioneers' Home. Vacation and/or absence period~~
87 ~~must equal or exceed thirty continuous days and is limited to four months credit. Only one period~~
88 ~~of vacation rates per customer in any period of twelve consecutive months is allowed. The period~~

89 of twelve consecutive months starts on the first day vacation rates apply. The residence must not be
 90 occupied during this period to which vacation rates apply. The resident must apply in writing prior
 91 to vacation and/or absence from residence to receive vacation rates. When the credit is applied at
 92 the end of the period, resident's account will be assessed a ten-dollar fee. Commercial accounts are
 93 not eligible for vacation rates. Notwithstanding the twelve consecutive month restriction described
 94 above, the municipal administrator will have the authority to allow extension of vacation rates on a
 95 case-by-case basis for medical absences upon application by the resident. Notwithstanding the
 96 requirement of prior application described above, preapplication may be waived by the municipal
 97 administrator for emergency medical absence. (Ord. 05-15 § 4(C) (part), 2005.)

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100 15.04.320 Rates and fees.

101 A. Base rate: fifty-three dollars and seven cents per unit per month.

UNIT DESCRIPTION		UNIT
Residential/Dwelling Unit ⁽¹⁾		1.0 ⁽²⁾
Commercial (General, Miscellaneous) ⁽³⁾		1.0
Clubs and lodges without bar or restaurant		
Garages, service stations		
Offices including medical (10 or less employees)		
Shops and stores without food processing		
Commercial Specifics⁽³⁾ (1 Minimum) Plus	Per Each	
Bar, lounge, restaurant, snack bar	seat or stool	0.05
Barber, beauty shop (one station = 1.0)	station	0.6
Bowling alley	lane	1.0
Church	10 seats	0.1
Office/office space	over 10 employees	0.2
Hospital	bed	0.8
Meat market		3.0
Supermarket, grocery store with food process		8.0
Rest home	bed	0.2

UNIT DESCRIPTION		UNIT
Hotel, motel ⁽⁴⁾	room	0.3
Dormitory, boardinghouse ⁽⁴⁾	bed or room	0.3
RV park ⁽⁴⁾⁽⁶⁾	RV space	0.3
Bed and breakfast ⁽⁴⁾	room	0.15
Commercial laundry	wet machine	8.0
Launderette	wet machine	1.0
Schools, college, day care ⁽⁵⁾	10 students	0.4
Theater	10 seats	0.2
Car wash (no minimum)	stall	2.0

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⁽⁴⁾ Hotel, motel, B&B may count rooms only. Dormitory or boardinghouse must count beds or rooms. RV

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park count RV spaces with utility hookups. ~~(Vacation rates do not apply.)~~

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B. Sewer Service in Conjunction with Metered Water.

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c. Partial charges for services are prorated based on a thirty-day month. ~~Vacation~~

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~~credit(s) must be requested prior to departure.~~

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15.05.620 Rates and fees.

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A. Unmetered Water. Base rate: thirty-eight dollars and ninety-six cents per unit.

UNIT DESCRIPTION		UNIT
Residential/Dwelling Unit ⁽¹⁾		1.0 ⁽²⁾
Commercial (General, Miscellaneous) ⁽³⁾		1.0
Clubs and lodges without bar or restaurant		

UNIT DESCRIPTION	UNIT	
Garages, service stations		
Offices including medical (10 or less employees)		
Shops and stores without food processing		
Commercial Specifics⁽³⁾ (1 Minimum) Plus	Per Each	
Bar, lounge, restaurant, snack bar	seat or stool	0.05
Barber, beauty shop (one station = 1.0)	station	0.6
Bowling alley	lane	1.0
Church	10 seats	0.1
Office/office space	over 10 employees	0.2
Hospital	bed	0.8
Meat market		3.0
Supermarket, grocery store with food process		8.0
Rest home	bed	0.2
Hotel, motel ⁽⁴⁾	room	0.3
Dormitory, boardinghouse ⁽⁴⁾	bed or room	0.3
RV park ⁽⁴⁾⁽⁶⁾	RV space	0.3
Bed and breakfast ⁽⁴⁾	room	0.15
Commercial laundry	wet machine	8.0
Launderette	wet machine	1.0
Schools, college, day care ⁽⁵⁾	10 students	0.4
Theater	10 seats	0.2
Car wash (no minimum)	stall	2.0

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⁽⁴⁾ Hotel, motel, B&B may count rooms only. Dormitory or boardinghouse must count beds or rooms. RV parks count RV spaces with utility hookups. (~~Vacation rates do not apply.~~)

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5. **EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 22ND day of September, 2015.

Mim McConnell, Mayor

ATTEST:

Sara Peterson, CMC
Municipal Clerk