

ORDINANCE NO. 2023-_____

AN ORDINANCE amending the Yakima Municipal Code to place certain fees and charges in the City of Yakima Master Fee Schedule.

WHEREAS, the City Council has previously adopted Ordinance 2022-040 on December 6, 2022 and Ordinance 2023-012 on April 4, 2023 removing certain fees from the Yakima Municipal Code; and

WHEREAS, these fees were to be placed in the City of Yakima Master Fee Schedule via resolution; and

WHEREAS, in the process of removing these fees, some verbiage was erroneously left in the Yakima Municipal Code; and

WHEREAS, the City Council of the City of Yakima find that it is in the best interest of the City and its residents to remove or revise the verbiage that was erroneously left in the Yakima Municipal Code; now, therefore,

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Section 7.60.105 of the City of Yakima Municipal Code is hereby amended to read as follows:

7.60.105 Rates, charges and fees for pretreatment program.

A. It is the purpose of this section to provide for the payment of rates, charges and fees for certain discharges to the wastewater system, to compensate the city for the cost of administration of the pretreatment program established in Chapter 7.65. Connection charges for dischargers subject to Chapter 7.65 are as set forth in Chapter 7.68 of this code.

B. Rates, Charges and Fees to Be Published. The wastewater manager shall maintain a schedule of current rates, charges and fees, shall post such schedule conspicuously, and shall make copies available to interested persons. Upon request, the wastewater manager shall prepare an estimate of annual fees for a significant industrial user.

C. Significant Industrial Users (SIUs). Commencing on the effective date of the ordinance codified in this section, SIU permit fee amounts shall be set at ninety percent of that amount identified in the industrial facility categories of WAC 173-224-040. The permit fee shall cover the costs of administering the SIU wastewater discharge permit program including inspections, technical assistance, education, and compliance administration. Costs associated with any sampling and testing shall be in addition to the permit fee. This annual fee is based on the state's fiscal year (July 1st through June 30th).

D. Monthly Base Fee for Minor Industrial Users (MIUs). Commencing on the effective date of the ordinance codified in this section and until amended pursuant to subsection F of this section, minor industrial users (as defined in Chapter 7.65) shall pay a monthly base fee for pretreatment service, as shown in the City of Yakima Master Fee Schedule adopted by city council via resolution.

The daily rate for MIUs shall be the monthly rate divided by 30.417. Significant industrial users shall not be subject to the base fee for minor industrial users.

E. Charges and Fees for Related Services. Commencing on the effective date of the ordinance codified in this section and until amended pursuant to subsection F of this section, significant industrial users shall pay the sampling and laboratory testing charges and fees provided in the City of Yakima Master Fee Schedule for those specific services described or listed below. All customers shall also be subject to the sampling, laboratory testing, and flat rate charges and fees provided in the City of Yakima Master Fee Schedule, in addition to any base rate provided for in subsection D of this section, but only for those services requested by the customer or provided as part of a required compliance inspection.

(1) Sampling Charge. The sampling charge includes sampler set-up, pick-up, and statistical analysis, as well as billing program charges from the customer service manager. The sampling fee is based on the length of the sampling period, pursuant to the City of Yakima Master Fee Schedule.

(2) Laboratory Testing Fees. A laboratory testing fee is assessed for each type of test conducted on each sample. Fees are assessed pursuant to the City of Yakima Master Fee Schedule adopted via resolution by the city council.

(3) Other related service fees are assessed on each of certain transactions or services, can be found in the City of Yakima Master Fee Schedule adopted via resolution by the city council.

F. Amendment of Base Rates, Charges and Fees.

(1) The base rate or rates ("rates" for purposes of this subsection) set forth in subsection D of this section may be amended from time to time by ordinance or resolution of the city council. Any such amendment shall be based upon changes in the city's cost of providing wastewater pretreatment service as reflected in the city's budget.

(2) The charges and fees set forth in subsection E of this section may be amended from time to time by ordinance or resolution of the city council upon recommendation of the wastewater manager. Such amendments shall be based on changes in the costs of providing sampling, laboratory and miscellaneous wastewater pretreatment services. In determining whether there has been a change in the costs of providing service, the city council may consider the city's expenses associated with obtaining services from private laboratories and other third persons, and the city's own administrative and other costs.

G. Money to Be Credited to Wastewater Operating Fund. All moneys collected pursuant to this section shall be paid into and credited to the wastewater operating fund as provided in Chapter 3.101.

Section 2.

10.05.015 Fire code plan review and inspection fees.

A. General. Fees as set forth in The City of Yakima Master Fee Schedule adopted by city council via resolution shall be paid to the city for review of building plans for compliance with Chapter 10.05 YMC and for inspection of construction for compliance with Chapter 10.05 YMC. Existing buildings, and special events licensed pursuant to Chapter 9.70 YMC, and other events requiring fire and life safety inspection, will be subject to an annual fire and life safety inspection, and fees for such inspections shall be paid as set forth in The City of Yakima Master Fee Schedule adopted by city council via resolution.

B. Fees Required for Plan Review. For construction projects for which the fire code requires submittal documents, the hourly plan review fee indicated in The City of Yakima Master Fee Schedule adopted by city council via resolution, shall be charged for the time to perform the plan review. The plan review fees required by this section are separate from the inspection fees required by this section, and are in addition to any inspection fees. When submittal documents are incomplete or are changed so as to require additional plan review, additional plan review fees shall be charged at the rate shown in The City of Yakima Master Fee Schedule adopted by city council via resolution.

C. Fees Required for Construction Inspection. For construction projects for which the fire code requires inspection, the hourly inspection fee set forth in The City of Yakima Master Fee Schedule adopted by city council via resolution shall be charged for the time to perform the inspection. The inspection fees required by this section are separate from the plan review fees required by this section, and are in addition to any plan review fees.

D. Fees Required for Annual Fire and Life Safety Inspection. For existing buildings, and for special events for which the fire code or other applicable city codes require fire inspection, the inspection fee set forth in The City of Yakima Master Fee Schedule adopted by city council via resolution shall be charged based on the area to be inspected or for the time to perform the inspection, as applicable. The fees required by this section are separate from the plan review fee and construction inspection fee set forth in subsections B and C of this section, and are in addition to such fees.

E. Fees Required for Fire System Records Management. Independent fire system service providers shall submit copies of fire system inspection and/or maintenance reports within thirty days of completed inspection service. An administrative fee as set forth in the City of Yakima Master Fee Schedule adopted by city council via resolution will be charged to the service provider for each system inspection/maintenance report submitted. Independent fire system service providers performing inspection and maintenance on fire protection systems requiring inspection and maintenance by the state-adopted International Fire Code and associated NFPA standards shall submit copies of the service and inspection reports to the Yakima fire department (YFD). Upon receipt of the reports, the fire department shall:

1. Verify that the service was performed by a qualified fire system service company or individual;
2. Review the service report to determine if the service was completed in full with no deficiencies;
3. In the event there are deficiencies in the report, YFD shall provide an inspection, either on site, by telephone or by email, and shall affirmatively verify the necessary deficiency correction has been completed. Service providers shall provide documentation of the completed corrections.
4. Maintain the submitted service records in a databank.

For purposes of this section, a fire protection system includes, but is not limited to: carbon dioxide fire extinguishing systems, Halon 1301 fire extinguishing systems, dry-chemical extinguishing systems, wet-chemical extinguishing systems, water-based fire protection systems, fire alarm systems, smoke and heat vents, fire doors, hood and duct systems, water-mist systems, clean-agent extinguishing systems, and private fire hydrants.

F. Fees Required for Reinspections. For construction inspections, associated with fire code compliance, a fee shall be charged for reinspection for each inspection that must be made: (1) because work for which inspection is called by the permittee is not complete and ready for inspection; (2) when the inspection record card is not posted or otherwise available on the work site; (3) when the approved plans are not readily available to the inspector; (4) for failure to provide access on the date for which inspection is requested; or (5) when corrections required by an inspector are not satisfactorily made when the permittee calls for a follow-up inspection for corrections. No reinspection fee shall be incurred for verification of corrections when such corrections are satisfactorily made. To obtain a construction reinspection, the permittee must pay the reinspection fee stated in The City of Yakima Master Fee Schedule adopted by city council via resolution in advance.

G. Reinspection fees for compliance with the annual fire and life safety inspections are assessed in accordance with the fee rates set forth in The City of Yakima Master Fee Schedule adopted by city council via resolution.

1. For vacant occupancies, deduct twenty-five dollars from the fee schedule. Vacant occupancies shall contain no storage and be unoccupied at time of inspection to qualify for the reduction.
2. The hourly rate listed in the City of Yakima Master Fee Schedule adopted by city council via resolution, charged in thirty-minute increments, will be applied if the "per square foot" fee schedule amounts above do not cover the time spent inspecting at the hourly rate, up to a maximum charge of two hundred dollars.

H. Severability. If any part of this section is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this section.

Section 3. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication by law and by City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 5th day of July, 2023.

ATTEST:

Janice Deccio, Mayor

Rosalinda Ibarra, City Clerk

Publication Date: July 7, 2023

Effective Date: August 6, 2023