



ORDINANCE 2019-01

AN ORDINANCE OF THE SUNRISE WATER AUTHORITY BOARD OF COMMISSIONERS ADOPTING AMENDMENTS TO THE RULES AND REGULATIONS FOR WATER SERVICE.

WHEREAS, The Board of Commissioners of the Sunrise Water Authority, is authorized by Oregon Revised Statutes, Chapter 450, to adopt and promulgate Rules and Regulations concerning Authority functions, including the supply and use of water and property of the Authority; and,

WHEREAS, The Authority last adopted Rules and Regulations for Water Service on January 26, 2017; and,

WHEREAS, To assure the optimum degree of operational efficiency, while maintaining the highest degree of community, customer and user service possible, the Board proposes the Rules and Regulations, Section 7(xi), be amended to read as follows;

- (xi) After final construction and inspection of any main extension constructed by parties other than the Authority, formal documents legally conveying those assets to the Authority shall be submitted to the Board for their approval and acceptance. After acceptance by the Authority, the main extension (i.e. asset) shall become the sole property of the Authority and operated and maintained under the requirements of these Rules and Regulations. If the extension is constructed by a party other than the Authority, the party (and its contractor) shall be responsible for the warranty of the workmanship of that extension (asset) for a period of one year following the date of its acceptance by the Authority. In addition, a maintenance bond (or check) in the amount of 25% of the total construction costs shall be issued to the Authority by the party responsible for the extension (asset) construction which shall remain in effect throughout the one-year period of warranty following acceptance by the Authority. The Authority may waive the above maintenance bond requirement for any such extension that is constructed under a public improvement contract that requires a performance bond (as per ORS 279C.380) and is also subject to a one-year workmanship warranty, so long as the Authority is properly added as an additional obligee to the relevant performance bond, and,

WHEREAS, The Board of Commissioners has posted, in accordance with ORS 198.530, agenda notice of the Board's intent to consider an appropriate Ordinance to amend said Rules and Regulations; and,

WHEREAS, The Board of Commissioners has published legal notice of consideration of the Ordinance in accordance with ORS 198.540; and,

WHEREAS, The first reading of the Ordinance by title only in accordance with ORS

198.550 was done at the Regular Meeting of the Board of Commissioners held on June 26, 2019, there being present a quorum, and copies of said Ordinance having been made available for each person desiring a copy thereof;

WHEREAS, The second reading of the Ordinance by title only in accordance with ORS 198.550 was done at the Regular Meeting of the Board of Commissioners held on July 24, 2019, there being present a quorum, and copies of said Ordinance having been made available for each person desiring a copy thereof; and,

WHEREAS, The Board has held public hearing upon said proposed Rules and Regulations for Water Service, received public input thereupon and duly considered all comments and suggestions made with respect thereto, making such changes as, in its discretion, this Board felt appropriate and advisable.

NOW, THEREFORE, BE IT ORDAINED BY SUNRISE WATER AUTHORITY AS FOLLOWS:

1. The Rules and Regulations for Water Service shall be amended to read as shown in Attachment 1 to this Ordinance.

2. This Ordinance shall be effective 30 days after adoption.

Adopted by motion duly made by _____, seconded by _____, and approved by the Sunrise Water Authority Board of Commissioners this 24th day of July 2019.

AYES: _____

NAYS: _____

SUNRISE WATER AUTHORITY

Chair

Secretary