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11/03/04

ORDINANCE NO. 2236

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING SECTIONS 13.16.020, 13.16.030, AND 13.16.050(A) OF THE REDMOND MUNICIPAL CODE IN ORDER TO INCREASE WATER AND HYDRANT RATES AND TO REVISE THE METHOD OF DETERMINING INCOME FOR PURPOSES OF THE "LOW INCOME SENIOR CITIZEN" AND "LOW INCOME DISABLED CITIZEN" CREDIT FOR UTILITY CHARGES; AMENDING SUBSECTIONS 13.17.080(A) AND 13.17.080(E) AND ADDING A NEW SUBSECTION 13.17.080(F) TO THE REDMOND MUNICIPAL CODE IN ORDER TO REVISE THE TIME AT WHICH INTEREST MAY BE IMPOSED ON DELINQUENT ACCOUNTS, TO ACKNOWLEDGE A CHANGE IN STATE LAW REGARDING LIEN FILINGS, AND TO AUTHORIZE ADMINISTRATIVE ADJUSTMENT OF UTILITY CHARGES, FEES, PENALTIES, AND INTEREST UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, all costs to operate and maintain the water and sewer system continue to increase because of the general escalation of costs, and

WHEREAS, in order to cover such increased costs, it is necessary to increase rates and charges, and

WHEREAS, it is also desirable to provide for a more equitable and verifiable method of determining income for purposes of the "low income senior" and "low income disabled" discounts on utility charges as provided in Section 13.16.050 of the Redmond Municipal Code, and

WHEREAS, Section 13.17.080 of the Redmond Municipal Code should be updated to change the time at which interest charges will be imposed on delinquent accounts, to acknowledge an increase in the time period for filing liens for sewer service from six months to one year, and to provide for a means of adjusting utility charges, interest, administrative fees and penalties in the case of billing errors, mistakes, malfunctions of meters and other equipment and similar extenuating circumstances, now therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN

AS FOLLOWS:

Section 1. Water Rates. Section 13.16.020 of the Redmond Municipal Code is hereby amended to read as follows:

13.16.020 Water Service Rates and Charges.

A. Water service charges shall include a fixed monthly charge and a commodity charge. The fixed monthly charge shall apply to each meter. The commodity charge may vary with consumption depending upon classification, and shall apply for each meter. The commodity charge rate shall be per 100 cubic feet and shall be prorated for fractional parts of 100 cubic feet. The charges vary by service area and by season. Summer commodity charges shall apply for all service for which a billing statement is prepared starting June 1 and ending September 30. Water service rates and charges shall be in accordance with the following rate schedules:

- 1. REDMOND SERVICE AREA
 - a. Single-Family Residential

| Meter Size (inches) | Fixed Monthly Charge | Commodity Charge (per 100 CF per month) | | | |
|------------------------|----------------------------|---|------------|---------------|----------------|
| | | 0-5.00 | 5.01-11.00 | 11.01 - 20.00 | 20.01 and over |
| 5/8" x 3/4" & 3/4" | \$ 8.72 | \$ 1.23 | \$ 2.39 | \$ 3.54 | \$ 4.69 |
| 1" | 16.42 | 1.23 | 2.39 | 3.54 | 4.69 |
| 1 1/2" | 28.56 | 1.23 | 2.39 | 3.54 | 4.69 |
| 2" | 45.08 | 1.23 | 2.39 | 3.54 | 4.69 |

b. Multi Family Residential

| Meter Size (inches) | Fixed Monthly Charge | Commodity Charge (per 100 CF) | |
|---------------------|----------------------|----------------------------------|---------|
| | | Winter | Summer |
| 5/8" x 3/4" & 3/4" | \$ 11.55 | \$ 1.62 | \$ 2.49 |
| 1" | 19.15 | 1.62 | 2.49 |
| 1 1/2" | 31.40 | 1.62 | 2.49 |
| 2" | 46.75 | 1.62 | 2.49 |
| 3" | 120.00 | 1.62 | 2.49 |
| 4" | 158.00 | 1.62 | 2.49 |
| 6" | 290.00 | 1.62 | 2.49 |
| 8" | 443.00 | 1.62 | 2.49 |

c. Commercial

| Meter Size (inches) | Fixed Monthly Charge | Commodity Charge (per 100 CF) | |
|---------------------|----------------------|----------------------------------|---------|
| | | Winter | Summer |
| 5/8" x 3/4" & 3/4" | \$ 11.55 | \$ 1.62 | \$ 2.49 |
| 1" | 19.15 | 1.62 | 2.49 |
| 1 1/2" | 31.40 | 1.62 | 2.49 |
| 2" | 46.75 | 1.62 | 2.49 |
| 3" | 120.00 | 1.62 | 2.49 |
| 4" | 158.00 | 1.62 | 2.49 |
| 6" | 290.00 | 1.62 | 2.49 |
| 8" | 443.00 | 1.62 | 2.49 |

d. Irrigation and Cooling Tower

| Meter Size (inches) | Fixed Monthly Charge | | Commodity Charge (per 100 CF per month) |
|------------------------|----------------------|--------------|---|
| | Water Only Meter | Exempt Meter | |
| 5/8" x 3/4" & 3/4" | \$ 11.55 | \$ 0.00 | \$ 3.54 |
| 1" | 19.15 | 0.00 | 3.54 |
| 1 1/2" | 31.40 | 0.00 | 3.54 |
| 2" | 46.75 | 0.00 | 3.54 |
| 3" | 120.00 | 0.00 | 3.54 |
| 4" | 158.00 | 0.00 | 3.54 |

e. Fire Sprinkler – Single Family Residential

| Meter Size (inches) | Fixed Monthly Charge | Commodity Charge (per 100 CF) |
|--|----------------------|-------------------------------|
| 5/8" x 3/4" & 3/4" | \$ 2.65 | \$ 3.54 |
| 1" | 3.15 | 3.54 |
| 1 1/2" | 5.00 | 3.54 |
| 2" | 7.45 | 3.54 |
| The commodity charge shall apply to all water used except for water used during a fire event | | |

2. NOVELTY HILL SERVICE AREA

a. Single-Family Residential

| Meter Size (inches) | Fixed Monthly Charge | Commodity Charge (per 100 CF per month) | | | |
|---------------------|----------------------|---|------------|-------------|----------------|
| | | 0-5.00 | 5.01-11.00 | 11.01-20.00 | 20.01 and over |
| 5/8" x 3/4" & 3/4" | \$11.75 | \$ 1.67 | \$ 3.22 | \$ 4.78 | \$ 6.34 |
| 1" | 22.20 | 1.67 | 3.22 | 4.78 | 6.34 |
| 1 1/2" | 38.60 | 1.67 | 3.22 | 4.78 | 6.34 |
| 2" | 60.90 | 1.67 | 3.22 | 4.78 | 6.34 |

b. Multi Family Residential

| Meter Size (inches) | Fixed Monthly Charge | Commodity Charge (per 100 CF) | |
|---------------------|----------------------|-------------------------------|---------|
| | | Winter | Summer |
| 5/8" x 3/4" & 3/4" | \$ 15.60 | \$ 2.19 | \$ 3.36 |
| 1" | 25.85 | 2.19 | 3.36 |
| 1 1/2" | 42.35 | 2.19 | 3.36 |
| 2" | 63.20 | 2.19 | 3.36 |
| 3" | 162.00 | 2.19 | 3.36 |
| 4" | 213.00 | 2.19 | 3.36 |

c. Commercial

| Meter Size (inches) | Fixed Monthly Charge | Commodity Charge (per 100 CF) | |
|---------------------|----------------------|-------------------------------|---------|
| | | Winter | Summer |
| 5/8" x 3/4" & 3/4" | \$ 15.60 | \$ 2.19 | \$ 3.36 |
| 1" | 25.85 | 2.19 | 3.36 |
| 1 1/2" | 42.35 | 2.19 | 3.36 |
| 2" | 63.20 | 2.19 | 3.36 |
| 3" | 162.00 | 2.19 | 3.36 |
| 4" | 213.00 | 2.19 | 3.36 |

d. Irrigation and Cooling Tower

| Meter Size (inches) | Fixed Monthly Charge | | Commodity Charge (per 100 CF) |
|------------------------|----------------------|--------------|----------------------------------|
| | Water Only Meter | Exempt Meter | |
| 5/8" x 3/4" & 3/4" | \$ 15.60 | \$0.00 | \$ 4.78 |
| 1" | 25.85 | 0.00 | 4.78 |
| 1 1/2" | 42.35 | 0.00 | 4.78 |
| 2" | 63.20 | 0.00 | 4.78 |
| 3" | 162.00 | 0.00 | 4.78 |
| 4" | 213.00 | 0.00 | 4.78 |
| 6" | 392.00 | 0.00 | 4.78 |

e. Fire Sprinkler – Single Family Residential

| Meter Size (inches) | Fixed Monthly Charge | Commodity Charge (per 100 CF) |
|---|----------------------|----------------------------------|
| 5/8" x 3/4" & 3/4" | \$ 3.90 | \$ 4.78 |
| 1" | 4.65 | 4.78 |
| 1 1/2" | 7.35 | 4.78 |
| 2" | 10.95 | 4.78 |
| The commodity charge shall apply to all water used except for water used during a fire event | | |

Section 2. Hydrant Charges. Section 13.16.030 of the Redmond Municipal Code is

hereby amended to read as follows:

13.16.030 Hydrant Use Charges.

- A. Deposits shall be required for all Hydrant Use Permits.
- B. Hydrant Use Permit charges include daily and monthly fees and commodity charges when metered in accordance with the following schedule:

REDMOND SERVICE AREA

| | Type "A" | Type "B" | Type "C" |
|--------------------------------------|----------|----------|-----------|
| Deposit | \$500.00 | \$750.00 | \$1000.00 |
| Monthly Administrative Fee | 30.00 | 30.00 | 30.00 |
| Daily Fee | 6.10 | 20.40 | 2.04 |
| Commodity Charge (per 100 CF) | 0.00 | 0.00 | 3.54 |

NOVELTY HILL SERVICE AREA

| | Type "A" | Type "B" | Type "C" |
|--------------------------------------|-----------|-----------|-----------|
| Deposit | \$1000.00 | \$1250.00 | \$1500.00 |
| Monthly Administrative Fee | 45.00 | 45.00 | 45.00 |
| Daily Fee | 9.00 | 30.00 | 3.00 |
| Commodity Charge (per 100 CF) | 0.00 | 0.00 | 4.78 |

Section 3. Credit for Low Income Senior Citizens and Low Income Disabled

Citizens. Subsection 13.16.050 of the Redmond Municipal Code is hereby amended to read as follows:

A. Low Income Disabled and Low Income Senior Citizen Credit. A "low income disabled citizen" or "low income senior citizen" credit of 50 percent of monthly water, sewer, King County Wastewater Treatment, and storm drain charges shall be allowed to service users who make application therefore to the City and who qualify for such credit. For the purposes of this section, "low income senior citizen" means the head of a single-family household as defined by Internal Revenue Service regulations who has attained the age of 62 years and whose total income from all sources, including that of his or her spouse or cotenant, does not exceed the amount specified as "very low income" in the regulations of the United States Department of Housing and Urban Development (HUD) for Section 8 programs, as now existing or as hereafter amended. "Low income disabled citizen" means a person whose total income from all sources, including that of his spouse or cotenant, does not exceed the amount specified as "very low income" under the regulations of the United States Department of Housing and Urban Development for Section 8 programs, as now existing or as hereafter amended, and who is (1) a person qualifying for special parking privileges under RCW 46.16.381(1)(a) through (f); or (2) a blind person as defined in RCW 74.18.020; or (3) a disabled, handicapped, or incapacitated person as defined under any other state or federal program. The credit shall only be allowed from and after the date that the citizen makes application for the credit. The City shall not be liable for the failure of any qualified person to make application for the credit and there shall be no entitlement to such credit in the absence of an application therefore.

Section 4. Interest on Delinquent Accounts. Subsection 13.17.080(A) of the Redmond

Municipal Code is hereby amended to read as follows:

A. Interest shall be charged for any sewer or storm water fee or charge, or any portion thereof, which has not been paid within sixty days of the due date. The interest rate shall be 8 percent per annum computed on a monthly basis. This interest charge shall be billed on each regular billing as the charges become applicable.

Section 5. Liens. Section 13.17.080(E) of the Redmond Municipal Code is hereby

amended to read as follows:

E. The additional and concurrent method of enforcing the lien of the City for the delinquent and unpaid sewer and storm water fees and charges by turning off the water service to the premises to which water and sanitary sewer services are furnished shall not be exercised after two years from the date of recording of the lien notice, as provided by law, except to enforce payment of one year's charges for which no lien notice is required by law to be recorded.

Section 7. Authority to Make Adjustments. A new subsection 13.17.080(F) is hereby added to the Redmond Municipal Code to read as follows:

F. The Finance Director and/or the Public Works Director, or their respective designees, shall have the authority to adjust the amount of any service charges and to waive all or any portion of the interest charges and administrative fees established by this section in the case of errors, malfunctions of meters or other system components, excusable neglect, undue hardship, uncollectible debt, or other similar extenuating circumstance.

Section 8. Severability. If any section, sentence, clause or phrase of this ordinance or any of the regulations adopted or amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the adopted or amended regulations.

Section 9. Effective Date. This ordinance, being the exercise of a power specifically delegated to the City's legislative body, is not subject to referendum, and shall take effect and be in full force five days after passage and publication of a summary, provided that the rates set forth in Sections 1 and 2 above and the amendments to Sections 13.16.020 and 13.16.030 of the Redmond Municipal Code made by such sections shall be charged for all utility service for which a billing statement is prepared and mailed to the customer on or after January 1, 2005.

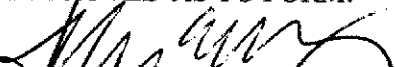
APPROVED:


MAYOR ROSEMARIE M. IVES

ATTEST/AUTHENTICATED:


CITY CLERK BONNIE MATTSON

APPROVED AS TO FORM:


CITY ATTORNEY JAMES E. HANEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. 2236

November 24, 2004
November 30, 2004
December 6, 2004
December 11, 2004