

ORDINANCE NO. 1133

AN ORDINANCE OF THE CITY OF SNOQUALMIE, WASHINGTON, ESTABLISHING RATES FOR THE CITY'S COMBINED UTILITY, AMENDING SNOQUALMIE MUNICIPAL CODE SECTIONS 13.08.010, 13.10.050, 13.12.010, 13.12.040, 13.12.480 AND 13.12.900, AND REPEALING ORDINANCES 1074, 1075, AND 1091 AND FURTHER DEFINING LOW INCOME CUSTOMERS

WHEREAS, the City of Snoqualmie operates a combined water, wastewater and stormwater utility pursuant to RCW 35A.80.010 and Chapters 35.67 and 35.92 RCW; and

WHEREAS, water, sewer, and storm water services provided by the combined utility of the City of Snoqualmie are critical to the health and welfare of the citizens of the City; and

WHEREAS, the City is authorized by RCW 35A.80.010, RCW 35.67.020 and RCW 35.92.020 to fix, alter, regulate, maintain and control the rates and charges for services provided by its combined utility; and

WHEREAS, rate adjustments are necessary from time to time to ensure that sufficient revenue exists to properly maintain the City's combined utility and provide adequate services to customers of the combined utility; and

WHEREAS, a rate study has been conducted by FCS Group, and a public hearing held on the rates established herein as required by law; and

WHEREAS, although the City operates a combined utility, the City intends that each component of the combined utility should generate sufficient revenues to cover

its own expenses, so that no component of the combined utility unreasonably subsidizes any other component; and

WHEREAS, a rate increase is required in order to pay the costs of operating, maintaining and improving the City's combined utility; and

WHEREAS, the City produces Class A reclaimed water as a by-product of its wastewater treatment process and delivers it to a reservoir for use by the City's bulk rate customers; and

WHEREAS, the City monitors revenues and expenditures periodically to insure that revenues exceed expenditures and whether additional adjustments to the rates are required; and

WHEREAS, certain sections of the Snoqualmie Municipal Code relating to rates and charges should be repealed in full, and new sections adopted as set forth herein, to implement the recommended rates; and

WHEREAS, the requirements for low income senior customer class should be amended to include low income and disabled customers;

NOW THEREFORE, be it ORDAINED by the City Council of the City of Snoqualmie, Washington, as follows:

Section 1. Repeal of Certain Sections in Chapters 13.08, 13.10 and 13.12 of the Snoqualmie Municipal Code.

Sections 13.08.010, 13.10.050, 13.12.010, 13.12.040, 13.12.480, and 13.12.900 of the Snoqualmie Municipal Code are hereby repealed in their entirety.

Section 2. Adoption of New Section 13.08.010. A new section 13.08.010 of the

Snoqualmie Municipal Code is hereby adopted to read as follows:

13.08.010 Rates and charges.

The following monthly sewer rates and charges are hereby imposed:

- A. Residential: This customer class includes each separately metered single-family residence, trailer or mobile home in a trailer court or mobile home park, and each separately metered townhome or duplex residential unit.

	2014	2015	2016
Residential Rate (per unit)	\$42.16	\$45.20	\$48.51

- B. Multifamily: This customer class includes apartment, condominium, multiplex, and duplex structures that are served by a single, master water meter rather than individual residential unit meters.

	2014	2015	2016
Multifamily Rate (per unit)	\$38.61	\$38.61	\$38.61

- C. Commercial: This customer class includes without limitation hotels, schools, hospitals, churches, lodges, intermittently used buildings, government uses, potable irrigation, and commercial or industrial uses.

Commercial Rate	2014	2015	2016
Base charge per unit (based on water consumption up to 600 cubic feet)	\$45.21	\$51.99	\$59.79
Volume rate per 100 cubic feet or portion thereof based on water consumption above 600 cubic feet.	\$3.28	\$3.77	\$4.33

- D. Rates for sewer service outside the corporate limits shall be 1.5 times the rates within the City limits.
- E. In the event a customer is not connected to a water meter service, or a meter has broken, become out-of-order, or failed to accurately meter actual water usage, the customer shall be charged the base or minimum charge. For commercial customers, the base unit charge will be added to an estimated volumetric charge for the water used at the premises, based upon the average usage for the corresponding month of the preceding year, averaged over a three-month period including the preceding and following month. In the event there is no prior history for the preceding year, the charge shall be based upon the average water usage for the month for all customers of the municipal water supply system in the same service class.
- F. A “low income residential customer” means an individual:
1. Who owns or rents and resides in the residence where the discounted rate(s) are being requested;
 2. Whose residence has a separate water meter;
 3. Whose total household annual income meets the U.S. Department of Housing and Urban Development, Income Limits for Very Low Income in King County, Washington. Household annual income shall include income of a spouse or any co-resident(s), where “annual income” is defined as Adjusted Gross Income as indicated in the most recent Federal Income Tax return. In the absence of a Federal Income Tax return, the Director of Administrative Services may consider other documentation of household annual income; and
 4. Who is not nor is any other adult member of the household claimed as a dependent on another federal income tax return; and
 5. Who is named customer on the City’s utility bill or can prove that he or she is the named tenant in a lease or rental agreement for that residence.
- G. The Director of Administrative Services shall create an application form and a renewal form for residential customers requesting the low income residential customer discount provided by subsection H of this section.

1. Applications shall be available at City Hall or mailed to any City customer upon request.
 2. The low income residential customer seeking the low income discount must complete an application renewal form annually in order to continue receiving the low income residential customer discount.
 3. A notice of renewal of application will be mailed annually by the City to low income residential customers then receiving the discount. The completed renewal application form and required attachments must be returned to the City within 30 days or the discount will no longer apply.
 4. Discounts will commence on the next subsequent billing date following application.
 5. A low income residential customer who applied for and received the discount in the prior year, but who has failed to submit the renewal form within the required 30 days and whose low income customer discount was discontinued as a result, may request a one-time only retroactive application of the low income discount for not more than 2 billing cycles or two months.
 6. A low income residential customer is not eligible for the low income discount if his or her annual water consumption is in excess of 100 ccf (hundred cubic feet) per year on a calendar year basis. An applicant may appeal the criteria to the Director of Administrative Services and must provide a convincing justification for the excess usage.
- H. The sewer bill for a low income residential customer whose application is determined by the Director of Administrative Services to meet the criteria of subsections F and G above will be discounted by 30 percent.

Section 3. Adoption of New Section 13.10.050. A new section 13.10.050 of the Snoqualmie Municipal Code is hereby adopted to read as follows:

13.10.050 Rates and charges.

The following monthly sewer rates and charges are hereby imposed:

- A. Except as provided in subsection B of this section, the following monthly storm water rates per Equivalent Service unit (ESU) are hereby imposed for all developed

properties within the corporate limits of the city:

	2014	2015	2016
Per ESU	\$13.96	\$16.44	\$19.36

B. The rate for any new or remodeled commercial building that utilizes a permissive rainwater harvesting system shall be as follows:

	2014	2015	2016
Per ESU	\$12.55	\$14.75	\$17.35

C. A “low income residential customer” means individual:

1. Who owns or rents and resides in the residence where the discounted rate(s) are being requested;
2. Whose residences has a separate water meter;
3. Whose total household annual income meets the U.S. Department of Housing and Urban Development, Income Limits for Very Low Income in King County, Washington. Household annual income shall include that of a spouse or any co-resident(s), where “annual income” is defined as Adjusted Gross Income as indicated in the most recent Federal Income Tax return. In the absence of a Federal Income Tax return, the Director of Administrative Services may consider other documentation of household annual income; and
4. Who is not nor is any other adult member of the household claimed as a dependent on another federal income tax return; and
5. Who is named customer on the City’s utility bill or can prove that he or she is the named tenant in a lease or rental agreement for that residence.

D. The Director of Administrative Services shall create an application form and a renewal form for customers requesting the low income residential customer discount provided by subsection E of this section.

1. Applications shall be available at City Hall or mailed to any City customer upon request.

2. The low income residential customer seeking the discount must complete an application renewal form annually in order to continue receiving the discount.
 3. A notice of renewal of application will be mailed annually by the City to low income residential customers then receiving the low income discount. The completed renewal application form and required attachments must be returned to the City within 30 days or the discount will no longer apply.
 4. Discounts will commence on the next subsequent billing date following application.
 5. A low income residential customer who applied for and received a low income discount in the prior year, and whose low income residential customer discount was discontinued as a result of the customer's failure to submit the renewal form within the required 30 days may request a one-time only retroactive application of the low income discount for not more than 2 billing cycles or two months.
 6. A low income residential customer is not eligible for the low income discount if their annual water consumption is in excess of 100 ccf (hundred cubic feet) per year on a calendar year basis. An applicant may appeal the criteria to the Director of Administrative Services and must provide a convincing justification for the excess usage.
- E. The storm water bill of a low income residential customers whose application is determined by the Director of Administrative Services to meet the criteria of subsections C and D above will be discounted by 30 percent.

Section 4. Adoption of New Section 13.12.010. A new Section 13.12.010 of the Snoqualmie Municipal Code is hereby adopted to read as follows:

3.12.10 Rates and charges.

The following rates and charges for all water are hereby imposed:

- A. Each ratepayer shall pay for water service based on the applicable meter size. Rates for water service shall consist of a monthly base service charge based on rate classification plus a volume charge based on rate class.
- B. Residential: This customer class includes each separately metered single-family residence, trailer or mobile home in a trailer court or mobile home park, and each separately metered residential unit in a townhome or duplex.
1. The base (minimum) service, according to meter size and location within or without the corporate limits of the city, for all residential water classifications, other than Class A reclaimed water, shall be as follows:

Meter Size	2014		2015		2016	
	Within City	Outside City	Within City	Outside City	Within City	Outside City
3/4"	\$24.81	\$37.22	\$26.49	\$39.74	\$28.27	\$42.41
1"	\$31.15	\$46.73	\$33.25	\$49.88	\$35.49	\$53.24
1-1/2"	\$51.62	\$77.43	\$55.10	\$82.65	\$58.82	\$88.23
2"	\$86.13	\$129.20	\$91.95	\$137.93	\$98.15	\$147.23
3"	\$129.32	\$193.98	\$138.05	\$207.08	\$147.37	\$221.06
4"	\$172.41	\$258.62	\$184.05	\$276.08	\$196.47	\$294.71
6"	\$258.44	\$387.66	\$275.89	\$413.84	\$294.51	\$441.77
8"	\$344.62	\$513.93	\$367.88	\$551.83	\$392.72	\$589.08

2. The following residential consumption rates are imposed for each 100 cubic feet (CCF) of usage for all water other than Class A reclaimed water according to location within or outside the corporate limits of the city:

Consumption (per CCF)	2014		2015		2016	
	Within City	Outside City	Within City	Outside City	Within City	Outside City
0-300	\$1.63	\$2.45	\$1.74	\$2.61	\$1.86	\$2.79

301-800	\$2.75	\$4.13	\$2.94	\$4.41	\$3.13	\$4.70
Over 801	\$3.43	\$5.15	\$3.67	\$5.50	\$3.91	\$5.87

C. Multifamily: This customer class includes apartment, condominium, multiplex, and duplex structures that are served by a single, master water meter rather than individual unit meters.

1. The base (minimum) service for each multifamily unit connected to the single master water meter other than Class A reclaimed water shall be as follows:

	2014		2015		2016	
	Within City	Outside City	Within City	Outside City	Within City	Outside City
Per Unit	\$24.81	\$37.22	\$26.49	\$39.74	\$28.27	\$42.41

2. The following multifamily volume rates are imposed for each 100 cubic feet (CCF) of usage for all water other than Class A reclaimed water according to location within or outside the corporate limits of the city:

	2014		2015		2016	
	Within City	Outside City	Within City	Outside City	Within City	Outside City
Per CCF	\$1.95	\$2.93	\$2.08	\$3.12	\$2.22	\$3.33

D. Commercial/Potable Irrigation: This customer class includes without limitation hotels, schools, hospitals, churches, lodges, intermittently used buildings, government uses, potable irrigation, and commercial or industrial uses.

1. The base (minimum) commercial/potable irrigation service, according to meter size and location within or outside the corporate limits of the city, for all water other than Class A reclaimed water shall be as follows:

Meter Size	2014		2015		2016	
	Within City	Outside City	Within City	Outside City	Within City	Outside City
3/4"	\$30.00	\$45.00	\$32.03	\$48.05	\$34.19	\$51.29
1"	\$37.66	\$56.49	\$40.20	\$60.30	\$42.92	\$64.38
1-1/2"	\$62.42	\$93.63	\$66.63	\$99.95	\$71.13	\$106.70
2"	\$104.15	\$156.23	\$111.18	\$166.77	\$118.68	\$178.02
3"	\$156.37	\$234.56	\$166.92	\$250.38	\$178.19	\$267.29
4"	\$208.47	\$312.71	\$222.54	\$333.81	\$237.56	\$356.34
6"	\$312.50	\$468.75	\$333.59	\$500.39	\$356.11	\$534.17
8"	\$416.70	\$625.05	\$444.83	\$667.25	\$474.85	\$712.28

2. The following commercial/irrigation volume rates are imposed for each 100 cubic feet of usage for all water other than Class A reclaimed water according to location within or without the corporate limits of the city:

	2014		2015		2016	
	Within City	Outside City	Within City	Outside City	Within City	Outside City
Per CCF	\$2.52	\$3.78	\$2.69	\$4.04	\$2.87	\$4.31

- E. Whenever two or more rate classifications are serviced by one meter, the higher of the utility rates are imposed on the customer.
- F. In computing the applicable water consumption charge for all customer classes, once the threshold is exceeded for each block, the next block's rate shall be used.
- G. In the event a customer is not connected to a meter service, or a meter has broken, become out-of-order or failed to accurately meter actual water usage, the customer shall be charged the base or minimum charge, together with an estimated charge for the water used at the premises, based upon the average usage for the corresponding

month of the preceding year, averaged over a three-month period including the preceding and following month. In the event there is no prior history for the preceding year, the charge shall be based upon the average water usage for the month for all customers of the municipal water supply system in the same service class.

H. A “low income residential customer” means an individual:

1. Who owns or rents and resides in the residence where the discounted rate(s) are being requested;
2. Whose residences has a separate water meter;
3. Whose total household annual income meets the U.S. Department of Housing and Urban Development, Income Limits for Very Low Income in King County, Washington. Total household annual income shall include that of a spouse or any co-resident(s), where “annual income” is defined as Adjusted Gross Income as indicated in the most recent Federal Income Tax return. In the absence of a Federal Income Tax return, the Director of Administrative Services may consider other documentation of household annual income; and
4. Who is not nor is any other adult member of the household claimed as a dependent on another federal income tax return; and
5. Who is named customer on the City’s utility bill or can proved that he or she is the named tenant in a lease or rental agreement for that residence.

I. The Director of Administrative Services shall create an application form and a renewal form for customers requesting a low income residential customer discount provided by subsection J of this section.

1. Applications shall be available at City Hall or mailed to any City customer upon request.
2. The low income residential customer seeking the discount must complete an application renewal form annually.
3. A notice of renewal of application will be mailed annually by the City to low income residential customers then receiving the low income discount. The completed renewal application form and required attachments must be returned to the City within 30 days or the discount will no longer apply.

4. Discounts will commence on the next subsequent billing date following application.
 5. A low income residential customer who applied for and received the discount in the prior year, and whose low income residential customer discount was discontinued as a result of the customer's failure to submit the renewal form within the required 30 days may request a one-time only retroactive application of the low income discount for not more than 2 billing cycles or two months.
 6. A low income residential customer is not eligible for the discount if his or her annual water consumption is in excess of 100 ccf (hundred cubic feet) per year on a calendar year basis. Applicant may appeal the criteria to the Director of Administrative Services and must provide a convincing justification for the excess usage.
- J. The water bill (including base and volume charges) of a low income or disabled residential customer will be discounted by 30 percent.
- K. The rate for retail customers of the municipal irrigation system for Class A reclaimed water shall be the base rate plus the volume rate specified below.
1. The base rate shall be based upon allocation of the existing total base among the current 755 Class A reclaimed water zones in the city's computer-controlled irrigation system as follows:

Customer	Zones	2014	2015	2016
Per Zone Cost		\$5.78	\$6.17	\$6.59
City of Snoqualmie	358	\$2,069.00	\$2,205.00	\$2,356.00
Residential Owners Association	239	\$1,381.00	\$1,472.00	\$1,573.00
Business Park Owners Association	122	\$705.00	\$752.00	\$803.00
Snoqualmie Ridge Joint Committee	16	\$92.00	\$99.00	\$105.00
Venture Corporation	16	\$92.00	\$99.00	\$105.00

Bandera Murray/Franklin	4	\$23.00	\$25.00	\$26.00
TOTAL	755	\$4,362.00	\$4,652.00	\$4,968.00

2. There shall be added to the base rate a volume rate per 100 cubic feet as follows:

Rate	2014	2015	2016
Per 100 cubic feet	\$2.19	\$2.34	\$2.49

- L. Rates for bulk customers shall be based upon the volume of water delivered to the customer's reservoir.

1. In the case of the Eagle Lake Reservoir at the Snoqualmie Ridge Golf Course, which also serves as the reservoir for reclaimed and/or raw water for the municipal distribution system for retail customers, the rate shall be based upon the difference between the amount of water delivered to the reservoir and the amount of water supplied from the municipal pump station at Eagle Lake to retail customers.
2. The rate for bulk customers shall be a volume rate as follows:

Rate	2014	2015	2016
Per 100 cubic feet	\$0.64	\$0.68	\$0.73

Section 5. Adoption of New Section 13.12.040. A new Section 13.12.040 of the Snoqualmie Municipal Code is hereby adopted to read as follow:

13.12.040 Utility Payment – Due date – Delinquency – Shutoff for nonpayment – Lien.

- A. Meters shall be read and water consumption charged on a monthly basis. Meter readings shall be made on as close to the same cycle date as possible allowing for variation up to seven days because of holidays, Saturdays and Sundays, and differing lengths of calendar months. Such deviations will not be construed as a change in the normal monthly billing cycle. The City may estimate meter readings for billing purposes when City staff is unable to gain access to the premises during

the regularly scheduled read, when the meter has been tampered with or is not functioning properly, or when circumstances such as snow, frost, flooding or other emergencies make reading the meter impossible or unsafe. The City may alter or reroute the meter reading and billing cycle dates when it is in the best interest of the City.

- B. The City will bill for water, sewer, and stormwater services (utility services) monthly. For ratepayers receiving water and sewer services, or water, stormwater and sewer services, or water and stormwater services, there shall be a combined bill (utility bill).
- C. The City will mail, using the United States Postal Service, a utility bill to the ratepayer's address, or at the option of the ratepayer, email a notice that the bill is available in electronic format (when available). Ratepayers are responsible for providing the City with a valid address and contact information and notifying the City of any changes in such information. Failure to receive or open a bill does not release the ratepayer from obligation of payment when due.
- D. Billing for utility service will commence as of the date the water meter is installed.
- E. All charges for utility service during a monthly billing period shall be due and payable upon receipt. The charges for any monthly billing remaining unpaid 15 days after the current billing due date shall be deemed delinquent. For any monthly utility service billing that is delinquent, a finance charge of one and one-half percent per month shall be assessed on the delinquent amount.
- F. If any charges for utility service remain delinquent for two monthly billing cycles, and are not paid within 15 days after the second monthly billing, the city shall mail a final notice advising the customer and/or occupants of the premises that water service will be shut off on a date specified in the notice seven days after the date of noticing unless all delinquent amounts are paid within seven days. A charge of \$20.00 shall be assessed for the city's costs for preparing such shutoff notice.
- G. In the event of a bona fide dispute as to the amount of the total due for the utility bill, the following procedure shall be employed:
 - 1. The customer shall first attempt to resolve the matter with the utility clerk.

2. If the dispute cannot be resolved between the customer and the utility clerk, the customer shall have the opportunity to discuss or take this to the Director of Administrative Services whose decision shall be final.
 3. Water shutoff shall be delayed during the period necessary to resolve the dispute only in the event the customer contacts the utility clerk during regular business hours more than 48 hours prior to the scheduled shutoff date and pays such portion of the disputed bill as customer acknowledges to be due. The acceptance of such payment shall not be deemed to have waived the city's right to collect the entire balance finally determined to be due, or to impair any right to shut off service if such additional amount is not paid immediately.
 4. If the basis of the customer's dispute concerns the accuracy of his water meter, the city shall conduct a test thereof; provided, the customer shall first deposit by money order or check a sum as established by council equivalent to the actual cost of conducting the test. In the event the meter is determined to have been inaccurate so that the customer has been charged for more water than the actual quantity delivered, the customer's deposit shall be refunded and the city shall bear the cost of the test, and shall further refund to the customer for excess charges for a period not exceeding six months. If the meter is determined to be accurate or inaccurate so the customer was charged for less than the actual quantity of water delivered, the customer's deposit shall be applied to the cost of the test.
- H. In the event water service is shut off for nonpayment, and the customer has not requested a determination of any disputed amount as set forth in the immediately preceding subsection and complied with the conditions thereof, water service shall not be turned on until all delinquent charges and assessments have been paid, together with the charge for turning off the service.
- I. The city shall have a lien upon the premises served for all delinquent and unpaid utility charges and assessments authorized by this chapter. The utilities clerk shall prepare a notice of claim of lien and forward it to the county auditor's office for recording for all accounts remaining delinquent more than four monthly billing cycles. The lien established shall be enforceable in the manner provided by law. The

city shall also assess its actual costs of recording and/or releasing liens under this section

Section 6. Adoption of New Section 13.12.900. A new Section 13.12.040 of the Snoqualmie Municipal Code is hereby adopted to read as follow:

13.12.900 Violations.

- A. The following are declared to be unlawful and punishable as misdemeanors subject to a penalty of \$1,000 and/or imprisonment for 30 days. Each day of violation shall constitute a separate offense.
1. Making any connection to the municipal water supply system other than under the supervision of the public works department, or without paying the connection charge.
 2. Turning on water service after the same has been shut off pursuant to SMC 13.12.040. If water service is turned on after the same has been shut off pursuant to SMC 13.12.040, there shall be a rebuttable presumption that the person in whose name on the utility account was established was the person who turned on the water service.
 3. Failing to permit access to a meter by the public works department for the purpose of reading, inspecting or maintaining it.
 4. Endangering, threatening or intimidating any public works department employee while the employee is attempting to read, inspect or maintain a meter.
 5. Making any connection to or otherwise tampering with any fire hydrant, except by permit issued pursuant to SMC 13.12.025.
- B. In addition to the criminal sanctions provided, the foregoing violations shall also result in disconnection from the municipal water supply system, and the customer shall not be reconnected until a connection charge has been paid; provided, the

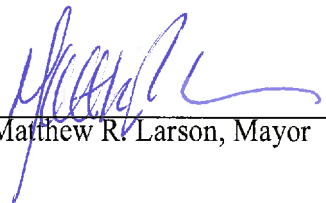
customer may petition council for a review of the determination of the public works department if disconnected pursuant to this section.

Section 7. Ordinances 1075, 1074 and 1091 are herewith repealed.

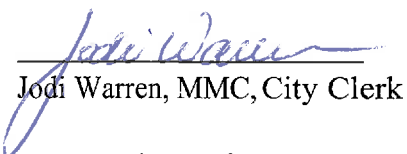
Section 8. This ordinance shall be effective from and after its adoption and the expiration of five days after its publication, as provided by law, provided, the effective date of the rates established herein shall be the first of the month next following the effective date of this ordinance.

Section 9. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

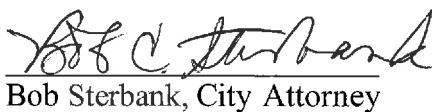
PASSED by the City Council of the City of Snoqualmie, Washington, this 9th day of June 2014.


Matthew R. Larson, Mayor

Attest:


Jodi Warren, MMC, City Clerk

Approved as to form:


Bob Sterbank, City Attorney