

CITY OF STANWOOD
Stanwood, Washington

ORDINANCE NO. 1290

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON,
ADJUSTING RATES TO BE CHARGED FOR SEWER AND
WATER UTILITY SERVICES; AMENDING SECTIONS
12.04.020, 12.16.005 AND 12.16.010 OF THE STANWOOD
MUNICIPAL CODE AND REPEALING ORDINANCE NO.1286.**

WHEREAS, the City Council has the authority to establish utility rates by ordinance, and

WHEREAS, the City needs to adequately provide for future replacement of sewer and water infrastructure on an ongoing basis, and

WHEREAS, the City's utilities are expected to be financially self sufficient, and

WHEREAS, the City, by and through a qualified consultant, FCS Group, conducted a study and analysis of the City's rates and charges and the anticipated needs of the sewer and water utilities, and

WHEREAS, on November 29, 2010, the Stanwood City Council held a public hearing to accept public comment concerning the proposed sewer and water utility rates, and

WHEREAS, on December 9, 2010 the City Council took action on Ordinance 1286. However, Ordinance 1286 was not adopted by a majority vote of the Council, and as such did not become effective;

WHEREAS, the Council intends by this action to repeal Ordinance No. 1286 and replace it with this ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD,
WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. SMC Section 12.04.020 Sewer rates is hereby amended to read as follows:

12.04.020 Sewer rates.

For the furnishing of service to the users and potential users of the city sanitary sewage system, the rates and charges per month are established for the classifications indicated below:

(1) Definitions.

- (a) “Base monthly charge” means the minimum charge to a user per month. For those users whose sewer charge is calculated based on water use, the base monthly charge includes water use up to the base monthly allowance.
- (b) “Units” means the number of dwelling units in a multifamily residence such as a duplex, apartment or condominium; or the number of separate rooms or living units in a nursing home, congregate care or assisted living facility; each having separate bathroom and/or kitchen facilities.
- (c) “Incremental rate” means the dollar amount charged per 100 cubic feet of water use above the base monthly allowance and applies to those users whose sewer fee is calculated based on water use.
- (d) “Sewer charge” means the dollar amount a user is charged for sewer service, calculated based on the sewer rates.
- (e) “Sewer rate” means the dollar amount a user is charged for sewer service per unit of measure. For example, a sewer rate may be in terms of dollars per 100 cubic feet of water used, dollars per student, or other units.
- (f) “Customer” means the legal property owner at time of meter reading.
- (g) “Account” means customer.
- (h) “Low-income household” means a household in which the total annual income is below the very low-income level for the Seattle/Everett area as established and amended by survey from time to time by the United States Department of Housing and Urban Development.
- (i) “Senior citizen” means a person of 62 years of age or older.
- (j) “Disabled person” means a person who qualifies for special parking privileges under RCW 46.16.381(1)(a) through (f), or a blind person as defined in RCW 74.18.020, or a person who qualifies for supplemental social security benefits due to a disability with a physical or mental impairment that substantially limits one or more major life activities, such as walking, seeing, hearing, speaking, learning, performing manual tasks, caring for oneself, etc.

(2) Rates and Charges.

- (a) Basis of Rates and Charges. Sewer charges shall be based on the monthly water use as recorded by the city water meters unless indicated otherwise in this section.

The charge for residential uses for the summer months, defined herein as June, July, August and September for accounts in utility meter books 01, 02, 06, 07 and 09, and July, August, September and October for accounts in utility meter books 03, 04, 05 and 08, shall be based on the lesser of the water use for the billing period or the average monthly water use for the preceding October through May, or November through June, period, respectively. If data for the full October through May, or November through June, periods are not available, the data will be averaged over the period for which data are available. For new accounts that begin in the defined summer months, the month's charge shall be based on the water use for that month. The charge for nonresidential uses for the months of June, July, August and September shall be based on the water use for that month unless indicated otherwise in this section. A user may elect, at his/her own expense, to install a separate water meter to measure water used for irrigation. An irrigation-only account will then be established and billed separately by the city.

(b) Rate Schedule Effective January 1, 2010 2011

<u>Classification</u>	<u>Base Monthly Charge</u>	<u>Incremental Rate</u>
<u>Residential:</u>		
<u>Individually Metered</u>	<u>\$35.89</u>	<u>\$5.01/100 cubic feet</u>
<u>Master Metered</u>	<u>\$35.89 times the number of units</u>	<u>\$5.01/100 cubic feet</u>
<u>Single-family residences</u>	<u>\$37.00</u>	<u>\$3.26/100 cubic feet</u>
<u>Multifamily residences</u>	<u>\$37.00 times the number of units</u>	<u>\$3.26/100 cubic feet</u>
<u>Commercial:</u>		
<u>Light commercial</u>	<u>\$42.48 \$35.89</u>	<u>\$3.26 \$5.01/100 cubic feet</u>
<u>Heavy commercial</u>	<u>\$80.41 \$40.80</u>	<u>\$3.48 \$5.83/100 cubic feet</u>
<u>General industrial</u>	<u>\$134.74 \$45.71</u>	<u>\$4.44 \$6.65/100 cubic feet</u>
<u>Schools:</u>		
<u>Without kitchen and/or gym facilities</u>	<u>\$42.48 plus \$1.47 per student and staff</u>	<u>Not applicable</u>
<u>With kitchen and/or gym facilities</u>	<u>\$87.87 plus \$1.47 per student and staff</u>	<u>Not applicable</u>
<u>Other:</u>		
<u>Hotels and guest houses</u>	<u>\$37.00 times the number of units</u>	<u>\$3.26/100 cubic feet</u>
<u>Churches, meeting halls, etc.</u>	<u>\$42.48</u>	<u>\$3.26/100 cubic feet</u>

All Other Uses (e.g.,
government, utilities, etc.)

\$3.26/100 cubic feet

~~(e) Additional Information. The school population to be applied for calculation of the sewer charge shall be the number of full-time staff and student equivalents as reported by the school district for the month of October of each year. This population shall be used for the school year beginning November 1st and for the school year until new October data are available. Schools shall be charged only the base monthly charge for the months of June, July and August as long as the facility remains unoccupied and the water consumption reflects an inactive status.~~

~~(d)(c) Sewer Service Outside the City Limits. Rates for services outside of the city limits of Stanwood shall be city rates as adopted, plus 45 percent.~~

(3) Base Monthly Allowances.

(a) The base monthly allowance shall be as follows:

Classification	Base Monthly Allowance
Residential:	
<u>Individually Metered</u>	<u>600 cubic feet per month</u>
<u>Mastered Metered</u>	<u>600 cubic feet per month times the number of units</u>
Single-family residences	600 cubic feet per month
Multifamily residences:	-
Units individually metered	600 cubic feet per month
One water meter for all units	600 cubic feet per month times the number of units
Commercial:	
Light commercial	600 cubic feet per month
Heavy commercial	600 cubic feet per month
General industrial	600 cubic feet per month
Schools:	Not applicable
Other:	-
Hotels and guest houses	600 cubic feet per month times the number of units
Churches, meeting halls, etc.	600 cubic feet per month

All Other Uses (e.g., government, utilities, 600 cubic feet per month etc.)

(b) The following conditions apply to the base monthly allowances:

(i) ~~—Multifamily Residences. No modifications given for unoccupied units when multiple units are on a single meter.~~

(4) Classification Descriptions.

(a) ~~—Residential: Individually Metered. Single Family Residences. This classification includes buildings for residential uses that are individually metered, and includes detached homes intended for use by single families.~~

~~(b)~~(a) ~~Residential: Master Metered. Multifamily Residences. This classification includes structures containing more than one residence that are metered through one master meter, and includes uses such as duplexes, triplexes, multiplexes, nursing homes, congregate care, convalescent care, assisted living facilities, condominiums and apartments.~~

(c) Light Commercial. This classification includes commercial uses not otherwise classified. It incorporates simple domestic waste generators such as offices, and small retail trade establishments, school without kitchen/gyms, hotels without restaurants, and churches/meeting halls.

(d) Heavy Commercial. This classification includes commercial uses that have higher potential for problem wastes (high strength, problem constituents or large volume) than the light commercial classification. The heavy commercial classification includes laundries, dry cleaners, restaurants, cafes, grocery stores, medical clinics, funeral homes, photo development, veterinary clinics, dental clinics, schools with kitchens/ gyms, hotels with restaurants, etc.

(e) General Industrial. This classification includes uses that generate large volumes of wastewater or have high strength or problem wastewater. This classification includes manufacturing and processing facilities, etc.

~~(f) Hotels and Guest Houses. This classification includes buildings used for sleeping purposes by guests (transient lodging) such as motels, inns, hotels, and bed and breakfast inns. No modifications will be given for unoccupied units.~~

~~(g) Public/Institution. This classification includes government buildings, churches, meeting halls, school district administration offices unless they are situated within a school building, etc.~~

~~(h) Schools. This classification includes education facilities. If school district administration offices are located within the same building as where education classes are conducted, such administration staff shall be counted as school staff for the sewage charge calculation.~~

~~(i) Special. This classification is reserved for special cases that do not fit the other classes. The public works director shall determine whether a special classification and charge will apply and will recommend to city council such charges.~~

(5) Users with State Waste Discharge Permits, NPDES Permits or Pretreatment Agreements with the City. This classification includes businesses with a state waste discharge permit, NPDES permit or pretreatment agreement with the city. The monthly charge shall be based on the maximum amount of wastewater allowed by the permit or agreement unless a city-approved meter indicates a smaller amount was actually sent to the city's wastewater facilities. For businesses that do not yet have a permit or agreement, calculation of their charge shall be based on the most appropriate classification above.

(6) Users with High Strength Waste. The city shall have the right to charge an additional monthly sewer service charge for a high strength waste, which is defined herein as one with pollutant concentrations in excess of typical domestic wastewater. A surcharge is appropriate for waste strength conditions including, but not limited to, a total five-day biochemical oxygen demand and/or suspended solids concentration in excess of 300 milligrams per liter. The public works director will recommend to city council an appropriate monthly surcharge.

(7) Users with Multiple Classifications. In the event that any user of the city's sanitary sewage system, by the nature of its business, may fall within two or more of the above classifications, the rate for such user shall be the highest rate established for any such classification.

(8) Contract Rates. Rates for any user may be set by contract at the discretion of the city council. Users having their rates set by contract shall fall under this classification only during the duration of the contract term. Upon termination of said contract, the user will be charged under the other most applicable classification as determined by the finance director.

(9) Inactive Rates. An inactive rate is available to accounts where water consumption falls below 100 cubic feet per month for one continuous billing period or more. Inactive rates will only be available upon prior notice to the city. Inactive rates for all classifications shall be 50 percent of the minimum base monthly charge per classification.

(10) Low-Income Senior Citizen and Low-Income Disabled Rates.

(a) Low-income senior citizens or low-income disabled persons who are customers of the utility shall be eligible to apply for sewer service at 70 percent of the monthly minimum charge, and full charge for all overage consumption.

(b) Low-income households in which the principal financial resources are provided by a senior citizen or a disabled person, as defined in this chapter, may apply for these reduced rates. The city may require a customer who is receiving service at a reduced rate to provide information annually to confirm their continued eligibility for the reduced rate.

(c) The reduced rate provided by this subsection shall apply only to single-family residential services.

Section 2. SMC Section 12.16.005 Definitions is hereby amended to read as follows:

For the purposes of this chapter, the following definitions shall apply:

- (1) "Quantity allowed" means the number of hundreds of cubic feet of water that may be consumed for the monthly minimum charge.
- (2) "Overage" means the water that is consumed over the quantity allowed for each meter size in a month.
- (3) "Low-income household" means a household in which the total annual income is below the very low-income level for the Seattle/Everett area as established and amended by survey from time to time by the United States Department of Housing and Urban Development.
- (4) "Senior citizen" means a person 62 years of age or older.
- (5) "Disabled person" means a person who qualifies for special parking privileges under RCW 46.16.381(1)(a) through (f), or a blind person as defined in RCW 74.18.020, or a person who qualifies for supplemental social security benefits due to a disability with a physical or mental impairment that substantially limits one or more major life activities, such as walking, seeing, hearing, speaking, learning, performing manual tasks, caring for oneself, etc.
- (6) "Inactive" means an account with less than 100 cubic feet of water consumption per month for one continuous billing period or more.
- (7) "Customer" means the legal property owner at the time of meter reading.
- (8) "Account" means customer.

Section 3. SMC Section 12.16.010 Water service rates is hereby amended to read as

follows:

(1) For the furnishing of service to users and potential uses of the city water system, the rates and charges per month are established for the classifications indicated below.

(2) Water Service Rates – Metered Water. The following rates will be applied for monthly water service:

(a) Monthly Minimum Charges by Meter Size – Effective January 1, 2010.

<u>Meter Size (inches)</u>	<u>Quantity Allowed (hundreds of cubic feet)</u>	<u>Monthly Minimum Base Charge</u>
<u>3/4</u>	<u>6</u>	<u>\$18.98</u>
<u>1</u>	<u>10</u>	<u>\$31.69</u>
<u>1-1/2</u>	<u>20</u>	<u>\$63.19</u>
<u>2</u>	<u>40</u>	<u>\$101.14</u>
<u>3</u>	<u>80</u>	<u>\$189.76</u>
<u>4</u>	<u>150</u>	<u>\$316.32</u>

(a) Monthly Minimum Charges by Meter Size – Effective January 1, 2011

<u>Meter Size (inches)</u>	<u>Quantity Allowed (hundreds of cubic feet)</u>	<u>Monthly Minimum Base Charge</u>
<u>3/4</u>	<u>6</u>	<u>\$19.09</u>
<u>1</u>	<u>10</u>	<u>\$31.87</u>
<u>1-1/2</u>	<u>20</u>	<u>\$63.56</u>
<u>2</u>	<u>40</u>	<u>\$101.73</u>
<u>3</u>	<u>80</u>	<u>\$190.86</u>
<u>4</u>	<u>150</u>	<u>\$318.16</u>

(b) Charges for Consumption in Excess of the Quantity Allowed (by Hundreds of Cubic Feet) – ~~Effective January 1, 2010~~ Effective January 1, 2011.

- (i) All amounts in excess of quantity allowed, unless included in the monthly minimum base charge, shall be charged at ~~\$2.49~~ \$2.50 per each 100 cubic feet over the base quantity allowed.

(c) Effective January 1, 2012 a 5% increase will be applied to the 2011 Monthly Minimum Charges by Meter Size and to the 2011 Charges for Consumption in Excess of the Quantity Allowed.

(d) Effective January 1, 2013 a 5% increase will be applied to the 2012 Monthly Minimum Charges by Meter Size and to the 2012 Charges for Consumption in Excess of the Quantity Allowed.

(ee) Water Service Outside the City Limits. Rates for services outside of the city of Stanwood shall be city rates as adopted, plus 45 percent.

(3) Conditions.

(a) In computation of bi-monthly bills for service, the monthly minimum base charge and the quantity allowed for each rate block shall be multiplied by two.

~~(a)~~(b) ~~(b)~~ When multiple dwelling units, each having bathroom and/or kitchen facilities within a building, are served by a single meter connection, the minimum charge per month shall be the minimum monthly charge for a three-quarter-inch meter times the number of dwellings served by the single meter.

Section 4. Repealer. Ordinance No. 1286 is hereby repealed for the reason that it is replaced by this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 6. Effective Date. This ordinance will become effective January 1, 2011.

PASSED by the City Council and APPROVED by the Mayor this 13th day of January, 2011.

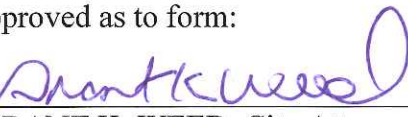
CITY OF STANWOOD

By 
DIANNE WHITE, Mayor

ATTEST:

By 
MELISSA COLLINS, City Clerk

Approved as to form:

By 
GRANT K. WEED, City Attorney

Date of Publication: _____