

**CITY OF STANWOOD
Stanwood, Washington**

ORDINANCE 1351

**AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON,
ADJUSTING UTILITY CONNECTION/DISCONNECTION FEES AND
AMENDING SECTION 3.30.150 OF THE STANWOOD MUNICIPAL
CODE.**

WHEREAS, the city council of the City of Stanwood has the authority to establish rates and fees by ordinance; and

WHEREAS, the city needs to adequately provide for the cost of providing connection/disconnection services; and

WHEREAS, the city's finance committee, based on its review of connection/disconnection fees, recommends an adjustment in 2014 to provide for the cost of providing business license services and economic development efforts.

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

Section 1. SMC Section 3.30.150 Finance and utility fees is hereby amended to read as follows:

3.30.150 Finance and utility fees.

Non-sufficient funds (NSF) fee	\$40.00
Water disconnection charges:	
Voluntary	\$27.50
Involuntary	\$15.00
Involuntary Frequent	\$55.00
Special trip	\$55.00
After hours	\$110.00
Water reconnection charges:	
Voluntary	\$27.50
Involuntary	\$15.00

Involuntary Frequent	\$55.00
Special trip	\$55.00
After hours	\$110.00
Meter read outside read cycle	\$15.00
Utility billing web search fee	\$25.00

Section 2. SMC Section 12.20.020 Assessing charges and penalties for nonpayment, disconnection and reconnection is hereby amended to read as follows:

12.20.020 Assessing charges and penalties for nonpayment, disconnection and reconnection.

(1) Delinquency. A utility account is considered delinquent when the customer or occupant receiving the service fails to pay the utility charges within the date set forth on the billing for such services.

Termination of service does not relieve the customer of the obligation to pay delinquent accounts and charges.

(2) Disconnection and Reconnection Charges.

- (a) There shall be a shutoff charge assessed for each voluntary or involuntary discontinuance of service; provided, that the shutoff charges shall be more if the utility department is required to make a special trip for a single account. The disconnection charges are set forth in SMC 3.30.150.
- (b) There shall be a reconnection charge assessed for each reconnection; provided, that the reconnection charge shall be more if the utility department is required to make a special trip for one account. The reconnection charges are set forth in SMC 3.30.150. If a customer insists upon a reconnection after 4:30 p.m. on weekdays, weekends or holidays, the fee for such after-hours reconnection is set forth in SMC 3.30.150.
- (c) If service is shut off by reason of an account being delinquent at a single premises more than once within a 12-month period, the shutoff and reconnection charges after the first time during the 12-month period shall be increased as set forth in SMC 3.30.150.
- (d) If service has been terminated for delinquent and unpaid charges, temporary restoration will be allowed for inspection related to a potential sale. The fee for such service is set forth in SMC 3.30.150.

(3) Late Penalty. For each notice sent to a utility customer advising the customer that an account is delinquent or the utility service will be discontinued by reason of the delinquency, there shall be a late penalty charge added to the account of five percent of the unpaid balances.

The finance director, or his/her designee, is authorized to waive the late penalty charge and disconnection and reconnection charges under the following circumstances:

- (a) Where a utility customer has made arrangements with the city, prior to the date the billing is due, for deferral of the payment of the bill;
- (b) Where a utility customer has not been delinquent in the previous 12 months; or
- (c) If an emergency arises where the water service needs to be disconnected.

(4) Other Fees and Charges.

- (a) If a utility account is dishonored by the drawer's bank by reason of insufficient funds, a surcharge, as specified in SMC 3.30.150, shall be added to the utility account, and shall be paid in full.
- (b) If a utility account is liened by reasons of nonpayment for up to four months, the customer shall be responsible for payment of all lien recording fees. These lien charges shall be assessed on utility account balances.
- (c) If a utility customer requests a meter read outside the regular read cycle, a charge, as specified in SMC 3.30.150, shall be added to the utility account.

Section 3. 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 4. Effective Date. This ordinance will become effective January 1, 2014.

PASSED by the City Council and APPROVED by the Mayor this 26th day of September, 2013.

CITY OF STANWOOD

By Leonard Kelly Mayor Pro Tem
Diane White, Mayor

Attest:

By Greg Thrumer
Greg Thrumer, City Clerk

Approved as to form:

By Grant K. Weed
Grant K. Weed, City Attorney