

ORDINANCE NO. 2020-09

AN ORDINANCE OF THE CITY OF VADER, WASHINGTON, RELATING TO CHARGES FOR SANITARY SEWER SERVICES WITHIN THE CITY OF VADER, AMENDING CHAPTER 17.08 OF THE VADER MUNICIPAL CODE, ADDING NEW SECTION 17.08.001 REGARDING RATES AND CHARGES, AND NEW SECTION 17.08.002 REGARDING METHOD OF BILLING, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City recently finished converting ordinances to and the sewer rates were placed Chapter 17.08 of Vader Municipal Code and this chapter needs further revisions; and

WHEREAS, the City needs to update its sewer code and reorganize the three sewer chapters in the Vader Municipal Code (Ch. 17.04, 17.08 and 17.16); and

WHEREAS, code sections regarding rates and fees shall all be consolidated into Chapter 17.08 VMC for ease of public use; and

WHEREAS, the City Council adopted this Ordinance at its Regular Meeting on August 14, 2020; **NOW, THEREFORE**

**THE CITY COUNCIL OF THE CITY OF VADER, WASHINGTON,
HEREBY ORDAINS AS FOLLOWS:**

Section 1. A new section 17.08.001 is hereby added to the Vader Municipal Code to read as follows:

17.08.001 Rates and charges.

(a) *Connection fees.* A hook-up or connection charge shall be made to each property owner for connection by the city to the owner's property line for the connection to the city sewer line within the city limits, and outside the city limits for, each single-family dwelling or duplex or mobile/modular home for each front lot dimension of 50 feet in width or fraction thereof. No more than one single-family connection shall be allowed on a lot of less than 50 feet by 120 feet. All costs associated with the construction of the main sewer line extensions or side sewer line construction shall be borne by the party requesting the same. The connection charge shall be in an amount as established by the city council from time to time.

(b) *Bringing current unused services.* The city council, hereby establishes that for any service that has not been in use for a period of five consecutive years or more, the

property owner shall be charged any necessary costs for meters, parts, or labor required to bring the service for water or sewer up to current standards.

(c) *Sewer main extension and inspection.* The extension shall be installed in accordance with the applicable city standards and shall be inspected by the utility department personnel and/or city engineer to ensure the installation is in conformity with the city specifications and city engineering standards. The cost of inspection by the utility department personnel and/or city engineer shall be borne by the person requesting the sewer main extension.

(d) *Sewer service.* All rates, charges and fees shall be, and are hereby adopted by resolution. Billing rates shall be assessed as follows:

1. *Base Rate Category 1:* Each single-family residence, apartment, and each unit of a duplex, with Sewer Service attached and with an active Vader Water Utility account shall pay the Base Rate for the first four thousand-five hundred (4,500) gallons used per month. The Overage Rate for Category 1 shall be assessed at the set rate per one hundred (100) gallons or any fractional part thereof in excess of nine thousand (9,000) gallons per two-month billing cycle, during the months of September through April in addition to the Base Rate. During the months of May through August, the Summer Months Overage Rate shall be assessed based on the overage amounts from the most recent previous Winter Months Period average for the location. If the homeowner's sewer account does not have a record of at least one (1) full billing cycle (full two-month billing cycle) during the previous Winter Months Period, then they shall be billed based upon the actual usages for that initial Summer Months Period. The following year and each year thereafter, the homeowner shall be billed for the Summer Months Period at the most recent previous Winter Months Period average.

EXAMPLE: Usage amounts per two-month billing cycle:

Bill Cycle	Actual Usage	Billed at Usage	Base Rate	Overage Amount	Total
Sep/Oct	9,500 gal	9,500gal	\$20.00	\$1.00	\$21.00
Nov/Dec	9,150gal	9,150gal	\$20.00	\$0.30	\$20.30
Jan/Feb	8,500gal	8,500gal	\$20.00	\$0	\$20.00
Mar/Apr	9,350gal	9,350 gal	\$20.00	\$0.70	\$20.70

The overage amount during Summer Months Period is based on the Winter Months Period average, which is the total of the usage for the Sep/Oct, Nov/Dec, Jan/Feb and the Mar/Apr billing cycles divided by 4 [for the 4 billing cycles]. So in this case the Winter Months Period average usage would be:

Sep/Oct	9,500 gal
Nov/Dec	9,150gal
Jan/Feb	8,500gal
Mar/Apr	<u>9,350gal</u>
Total	36,500gal ÷ 4 (no. of billing cycles) = 9,125gal

Using the example above the Summer Months Periods of May/June and July/August will be billed the average usage amount of 9,125 gallons or the actual usage amount, whichever is less.

Bill Cycle	Actual Usage	Billed at Usage	Base Rate	Overage Amount	Total Bill
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May/Jun	10,500gal	9,125gal	\$20.00	\$0.25	\$20.25
Jul/Aug	8,950gal	8,950gal	\$20.00	\$0.00	\$20.00

(2) *Rate category 2.* Each school and commercial building with sewer service, attached or detached shall pay the base rate for category 2 for the first 4,500 gallons used per month. The overage rate for category 2 shall be assessed to the account at the set rate per 100 gallons or any fractional part thereof in excess of 9,000 gallons per two-month billing cycle, in addition to the base rate.

(3) *Rate category 3.* Each sewer account that qualifies for the low income-senior citizen discount shall pay the base rate and overage rate in the same manner and usage amounts as rate category 1, but at the category 3 set rate amounts.

(4) *Rate category 4.* Each sewer account that has been approved by the city council as a nonprofit/charitable community organization with sewer service, attached or detached shall pay the base rate for category 4 for the first 500 gallons used per month. The overage rate for category 4 shall be assessed to the account at the set rate per 100 gallons or any fractional part thereof in excess of 1,000 gallons per two-month billing cycle, in addition to the base rate."

(e) *Purpose.* The hook-up or connection fees provided herein shall be for connections to the public sewer system where the city will make connection to the main line or side sewer line.

Section 2. A new section 17.08.002 is hereby added to the Vader Municipal Code to read as follows:

17.08.002. Method of sewer billing and payments.

(a) A new account is charged an administrative fee when making application for service.

(b) Every two-month billing period the city shall procure water meter readings for each utility customer that is provided sewer service by the city on the first or second of the billing month. Bills shall be mailed by the 15th day of billing month and shall be past due on the tenth day of the next month. Any bills not paid by 1:00 p.m. on the tenth day of the next month shall be deemed to be late. If the tenth day of the next month falls on a day city hall is closed, the utility bill shall be deemed late if not paid in its entirety by 1:00 p.m. on the next business day. Late notices will be issued on the 11th day of the next month (or the first business day after the tenth) for any bills remaining due.

(c) The city clerk-treasurer shall cause a notice to go to each customer and property owner of such delinquency on the 11th day of the month following the month of billing. If the 11th day is on a non-business day, then the notice shall be sent out on the next business day. The notice shall assess a late charge and shall notify the customer that their account is subject to collections and a lien is being placed on the property of service unless payment in full is received by the 25th day (or the next business day after the 25th) of the same month. A final notice shall be sent to the property owner and sewer customer on the 26th

day (or next business day) informing them that the account is being turned over to a collection agency and additional charges will be applied and/or a lien will be attached to the property. At that time an administrative fee shall be assessed to the customer's account. Sewer service in another location shall not be granted until said bill is satisfied, and any and all charges are paid in full.

(d) The city reserves the right to install a shut-off valve to prevent sewer service to any given property, and the bill for the expense shall be billed to the property owner. Any and all charges provided for, when the same becomes delinquent and unpaid, shall constitute a lien against the property to which the service has been furnished. In the event an occupant of the premises moves to another location within the system and applies for water with the county, sewer service shall be denied at such new location until fees and charges for service at the first location are fully paid. A shut-off valve on the sewer shall be installed at the new location once the property owner has been notified, and the bill for the expense sent to the property owner. The city clerk-treasurer shall record a lien in the office of the county auditor against the property for which the service was connected or provided in the event of delinquency. Such liens shall include the delinquent charges and the property owner shall be responsible for all costs incurred by the city, including attorney fees, for preparing and recording a lien and the court enforcement thereof.

(e) The late charges and administrative fees imposed by this section shall be in amounts as established by the city council from time to time.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 5. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Vader and attested by the City Clerk in authentication of such passage on this 14th day of August, 2020.

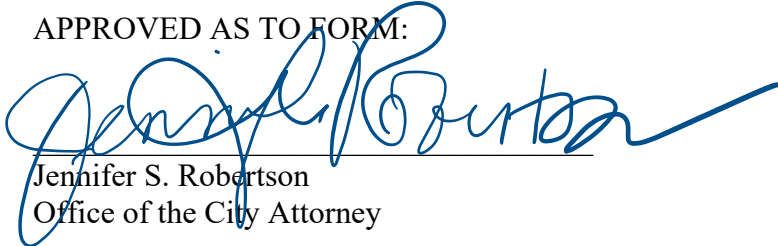
APPROVED by the Mayor this 14th day of August, 2020.

Joe Schey, Mayor

ATTEST/AUTHENTICATED:

Dianne Floyd
City Clerk/Treasurer

APPROVED AS TO FORM:



Jennifer S. Robertson
Office of the City Attorney

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO: 2020-09