

**CITY OF NORTH BONNEVILLE
ORDINANCE NO. 971**

AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, AMENDING NORTH BONNEVILLE MUNICIPAL CODE TITLE 13 BY AMENDING SECTION 13.04.050; REPEALING AND REPLACING SECTION 13.04.060; AMENDING SECTIONS 13.04.290, 13.04.310, 13.12.160 AND CHAPTER 13.16.

Whereas, the City of North Bonneville must maintain a positive balance in its utility accounts, and;

Whereas, the City of North Bonneville has not regularly updated its water rates to keep pace with inflation and other costs, and;

Whereas, the City of North Bonneville's water fund currently receives substantially less revenue than it expends for water services, and;

Whereas, the new rate structure will benefit senior citizens and those who conserve water, and;

Whereas, monthly billing may assist customers to budget for their utility payments,
NOW, THEREFORE;

**THE CITY COUNCIL OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, DOES
ORDAIN AS FOLLOWS:**

Section 1. Amending Chapter 13.04.050 Payment Date

Section 13.04.050 "Payment Date" is amended to read as follows:

13.04.050 Payment date.

A. The charges for water shall be collected ~~bimonthly~~ monthly and if not paid on or before twenty (20) days after the date of billing, the charges shall be deemed to be delinquent, a ten dollar (\$10.00) late fee will be added to the account and a notice of the delinquency shall be sent, allowing an additional ~~five (5)~~ ten days to pay full amount due or make payment arrangements. If payment or payment arrangements have not been made by the ~~twenty-fifth~~ thirtieth day following the date of billing, the Public Utility Manager shall discontinue water service until all charges have been fully paid, together with a sixty dollar (\$60.00) turn-on fee.

B. It is unlawful for any persons to tamper with, or in any manner deface any water meter or valve or otherwise re-establish the discontinued service except as provided in this section.

C. Where water service has been discontinued for any reason and the water is turned on by the customer or other unauthorized person, the water may then be shut off at the main or the meter removed. The charges for shutting off the water

at the main or removing the meter shall be computed to actual cost to the department plus twenty (20%) percent overhead, but not less than twenty dollars (\$20.00). These charges shall be billed to the offending customer and water shall not be furnished to the premises until such charges are paid. Any further violation shall constitute theft of a service and be subject to the penalty set forth in Section ~~13.04.320~~ 13.04.310.

Section 2. Repealing and replacing Section 13.04.060 Rate Schedule

Section 13.04.060 "Rate Schedule" is repealed in its entirety and shall be replaced by the following language:

The new section shall read:

13.04.060 Rate Schedule.

All water services shall be metered, and the meters shall be read bimonthly.

A. The minimum monthly service charge for water for all customers shall be \$17.00.

B. Multifamily dwellings shall have each dwelling unit individually metered and shall be billed accordingly. The minimum monthly service charge for water furnished to multifamily dwellings not individually metered shall be \$17.00 multiplied by the number of units serviced.

C. Meter Charge for Water Consumption.

The minimum service charge shall not include any water. All water shall be charged in increments of 100 cubic feet. In 2011 the rate shall be \$1.66 per 100 cubic feet.

On January 1st of each year thereafter, this rate shall increase according to the Consumer Price Index for All Urban Consumers (CPI-U) as of August of the previous year, rounded to the nearest penny.

D. Service for fire protection systems will be charged on a metered basis.

1. All fire protection systems (whether sprinkler or hydrant) shall be installed and billed as a separate service from any main water service.

2. All fire protection systems will be equipped with flow-detector check valves and backflow prevention valves at customer's expense.

3. Use of water through a fire protection system for uses other than fire protection is strictly prohibited. The city reserves the right to bring a civil action for damages against any person who uses water through a fire protection system for uses other than fire protection, according to RCW 80.28.240.

Section 3. Amending Section 13.04.290 Authorized Use of Hydrant and Hydrant Water

Section 13.04.290 “Authorized Use of Hydrant and Hydrant Water” is amended to read as follows:

13.04.290 Authorized use of hydrant and hydrant water.

A. Hydrant will not be approved for use if it is the sole hydrant available to service the area where it is located. Application for hydrant use shall be considered for the following purposes: construction, dust abatement, and/or road maintenance.

B. It is unlawful for any person other than an authorized city employee, authorized volunteer or member of the Fire Department to operate fire hydrants and hose outlets unless proper arrangements have been made for payment and the city has granted permission. Persons wishing to obtain permission for the use of a hydrant shall file a North Bonneville hydrant use application with the city. An authorized city employee will review and disapprove/approve use and/or location upon service request and filing of a hydrant use application. The costs to repair damage to a fire hydrant shall be the responsibility of the applicant.

The minimum charge for hydrant use shall be based according to the following as indicated on hydrant use application:

1 – 7 Days	\$125.00
8 – 14 Days	250.00
15 – 21 Days	375.00
22 – 31 Days	500.00

C. All hydrant use shall be relinquished if needed, in case of an emergency.

D. Charges for water consumed by the City of North Bonneville for fire hydrants shall be paid from the City General Fund and deposited into the water fund.

E. The rate for each fire hydrant or stand pipe shall be ~~one dollar and twenty-five cents (\$1.25)~~ \$1.66 per 100 cubic feet per month. ~~and billed the last month of each calendar year.~~

Section 4. Amending Chapter 13.04.310 Penalties

Section 13.04.310 Penalties is amended to read as follows:

13.04.310 Penalties.

Any person ~~who violates~~ violating any of these terms of this chapter shall ~~upon conviction be punished by a fine no less than two hundred fifty dollars (\$250.00).~~ The second violation shall be punishable by a fine no less than five hundred dollars (\$500.00) be subject to a fine in accordance with Section 7.01.020(C) for each infraction.

Section 5. Amending Chapter 13.12.160 Collection

Section 13.12.160 "Collection" is amended to read as follows:

13.12.160 Collection.

A. The Clerk of the City of North Bonneville is directed to collect the sewer service charges and connection fees as provided for herein.

B. Sewer service ~~fees~~ charges, when collected, shall be paid into a fund designated as the "sewer fund." Connection fees, when collected, shall be paid into a fund designated as the "sewer reserve fund." ~~Five hundred dollars (\$500.00) of the connection fee shall be paid into the Sewer Fund through the year 2005.~~

C. The charges for sewer shall be collected ~~bimonthly~~ monthly, and if not paid on or before twenty (20) days after the date of billing, the charges shall be deemed to be delinquent and a notice of the delinquency shall be sent, allowing an additional ~~five (5)~~ ten days to pay full amount due or make payment arrangements.

Section 6. Amending Chapter 13.16 Low Income Senior Water/Sewer Provisions

Chapter 13.16, Low Income Senior Water/Sewer Provisions is amended to read as follows:

LOW INCOME SENIOR WATER/SEWER PROVISIONS

Sections:

13.16.010 Eligibility.

13.16.020 Rates.

13.16.030 Application.

13.16.010 Eligibility.

Low income senior ~~water and~~ sewer rates are available inside the City of North Bonneville, Washington to individuals who meet the following conditions:

A. The ~~water/sewer~~ account shall be in the name of the individual owner or renter applying for low income senior's ~~water~~ sewer rates.

B. The individual shall be or exceed sixty-two (62) years of age at the time of filing.

C. The gross income of a single individual from all sources shall be less than twenty-two (22%) percent (or 25% for a household of two or more individuals) of the median income based on the number of members in the household as established by the Department of Health, Education and Welfare under the provisions of Sections 2002(a)(5)(B), 2002(a)(6)(A)(B), and 2002(A)(14)(A) of Title XX of the Social Security Act in an annual enclosure from the Department of

Social and Health Services for the proceeding calendar year. Income shall be further defined and stated as follows: "Income" or "Combined Income" shall include all retirement and social security benefits. Further it includes such items as investment income in the form of dividends from stock, interest on savings accounts and bonds, capital gains, gifts and inheritances, net rental income from real estate and also disability payments, and annuities. Reimbursement for losses is not to be considered as income. Easily convertible assets shall not exceed five thousand dollars (\$5,000.00) for a single-person household or eight thousand dollars (\$8,000.00) for a household of two or more individuals. Reimbursement for losses is not to be considered as income.

~~D. The gross income for a household of two (2) or more individuals with a combined income from all sources shall be less than twenty-five (25) percent of the median income based on the number of members in the household as established by the Department of Health, Education and Welfare under the provisions of Sections 2002(a)(5)(B), 2002(a)(6)(A) and (B), and 2002(2)(14)(A) of Title XX of Social Security Act in an annual enclosure from the Department of Social and Health Services for the proceeding calendar year. Such income shall be further defined and stated as follows: "Combined Income" shall include all retirement and social security benefits. Further it includes such items as investment income in the form of dividends from stock, interest on savings accounts and bonds, capital gains, gifts and inheritances net rental income from real estate and also disability payments and annuities.~~

~~Reimbursement for losses is not to be considered as income. Easily convertible assets shall not exceed eight thousand dollars (\$8,000.00).~~

E. Low income senior ~~water and sewer~~ rates shall not be available to individuals residing in federally subsidized housing.

F. Income reported shall be substantiated by the current income tax return of the applicant or applicants.

13.16.020 Rates.

~~Water and s Sewer rates shall be charged at eighty (80) percent of the single-family residential base rate. Any water usage over the allotted amount will be charged at 1.25 per one hundred (100) cubic feet of water.~~

13.16.030 Application.

Individuals must apply for low income senior ~~water and sewer~~ rates at City Hall. Application forms and information shall be provided at that time. Re-application for these rates must be made annually by or before December 31st.

Section 7. Severability.

If any section, sentence, clause or phrase of this Ordinance shall 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, sentence, clause or phrase of this Ordinance.

Section 8. Effective Date and Publication.

A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect five days after publication, but not before January 1, 2011.

PASSED BY THE CITY COUNCIL ON NOVEMBER 9, 2010.

Don Stevens, Mayor

ATTEST:

John Spencer, City Clerk

APPROVED AS TO FORM:

Teunis J. Wyers, City Attorney

Published:

Effective Date: