

**CITY OF NORTH BONNEVILLE
ORDINANCE NO. 982**

**AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE AMENDING
NORTH BONNEVILLE MUNICIPAL CODE CHAPTERS 13.04 WATER SYSTEM,
13.12 SEWER SYSTEM AND 13.28 TELEVISION SYSTEM.**

WHEREAS, the City of North Bonneville, after careful consideration and study, has determined that references to utility billing dates should to be removed, and

WHEREAS, the City of North Bonneville has also determined that other sections of the municipal code should be updated and clarified, and

NOW, THEREFORE, the City Council of the City of North Bonneville does hereby ordain as follows:

SECTION 1.

NBMC Chapter 13.04 Water System
Shall be amended as follows:

13.04.050 Payment date.

A. The charges for water shall ~~be collected~~ accrue monthly, ~~and~~ if not paid on or before ~~twenty (20)~~ 20 days after the date of billing, the charges shall be deemed to be delinquent, a ~~ten dollar (\$10.00)~~ \$10.00 late fee will be added to the account and a notice of the delinquency shall be sent, allowing an additional ~~ten (10)~~ 10 days to pay full amount due or make payment arrangements. If payment or payment arrangements have not been made by the thirtieth day following the date of billing, ~~the Public Utility Manager shall discontinue~~ water service shall be discontinued until all charges have been fully paid, together with a ~~sixty dollar (\$60.00)~~ \$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%)~~ 20% percent overhead, but not less than ~~twenty dollars (\$20.00)~~ \$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 13.04.310.

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.

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, road maintenance and/or construction.

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~~ base fee 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. In addition to the base fee, the rate for each fire hydrant or stand pipe shall be \$1.66 per 100 cubic feet per month.

NBMC Chapter 13.12 Sewer System

Shall be amended as follows:

13.12.135 Rate schedule.

A. Base Rate.

The base rate for all customers shall be \$20.00 multiplied by the number of units served, except for those discussed in subparagraphs 1 and 2 below.

1. The base rate for a lodging facility shall be \$10.00 per unit.

2. There shall be no base rate for RV Parks that are not connected to the city's water system.

B. Consumption Charge.

In addition to the base rate, each customer shall pay \$3.37 per 100 cubic feet of water consumption, payable in increments of 100 cubic feet or any portion thereof. Water consumption

will be determined each year by averaging the customer's water meter reading during the months of November through February of the winter. This average monthly usage shall be applied to each customer's ~~monthly~~ bill until it is next updated. Average consumption shall be re-computed in March of each year.

1. Customers without previous history upon which to calculate an average consumption shall be charged according to the city-wide average consumption for their type of use (i.e. single family, multi-family, commercial) as of the preceding calculation.

2. For the purpose of calculation, customers who do not occupy their homes for any period in excess of one month between November 1st and March 1st shall be charged according to the city-wide average consumption for their type of use (i.e. single family, multi-family, commercial) as of the preceding calculation. If such residents notify the city of their absence, they shall be charged only the base rate during those months they are absent.

C. RV Parks.

RV Parks that are not connected to the city's water system shall provide the monthly accounting of the number of spaces available, occupied, and both occupied and lived in. To be counted as lived in space, an occupied space must only have been lived in 1 day during a given month. Such RV Parks shall be charged \$30.00 for each space both occupied and lived in, the base rate of \$20.00 for each space occupied and not lived in, and \$8.04 per month for unoccupied spaces.

D. Annual Increase.

On March 1st of each year, 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.

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 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."

C. The charges for sewer shall ~~be collected~~ accrue monthly, and if not paid on or before ~~twenty (20)~~ 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 ~~ten (10)~~ 10 days to pay full amount due or make payment arrangements.

13.12.210 Enforcement--Lien--Penalties and procedures.

A. The Clerk of the City of North Bonneville may use such means of collection as may be provided by the laws of the State of Washington or permitted by the Charter and ordinances of the City of North Bonneville.

B. Any delinquencies shall be levied against the property in the form of lien filed with the county of Skamania for the amount that is delinquent.

C. In the event it becomes necessary to file a lien, collection charges and interest charges established because of the nonpayment thereof shall be added to such charges together with a penalty in the amount of ~~ten (10) percent~~ 10% along with all filing fees.

D. Discharge into the public sewer system of the City of North Bonneville of any septic tank waste or other substance not conforming to Sections 13.12.170 and 13.12.185 shall be ~~enforceable by a fine not to exceed one thousand dollars (\$1,000.00)~~ subject to a fine in accordance with Section 7.01.020(E) for each infraction plus any cost that may have been incurred by the city including sampling, testing and time required for monitoring or correction of any effects caused by such discharge.

E. The Mayor ~~and Public Utility Manager~~ or their-his/her designees shall be representatives of the City of North Bonneville to administer and enforce the terms of this chapter.

NBMC Chapter 13.28 Television System
Shall be amended as follows:

13.28.060 Cable service--Billing.

A. The payment schedule as shown on the TV application form shall be in effect for all subscribers (premises) and said payment shall be in advance. If not paid on or before the twentieth day of the billing month said charges shall be deemed to be delinquent. Upon delinquency ~~the Utility Manager~~city staff shall be authorized and directed to forthwith cut off and discontinue cable service until all the charges have been fully paid. An additional charge of ~~twenty dollars (\$20.00)~~ \$20.00 will be assessed upon the resumption of said service.

B. Rate schedules, terms and conditions may be revised from time to time as deemed necessary by the city for continuous service. Channel line up and current rates are shown on the TV application form.

C. The monthly rate schedule for any transient facilities such as motels, hotels and RV parks, will be prorated on a ~~fifty (50) percent~~ 50% occupancy rate with the rate schedule remaining the same as designated for all other uses.

13.28.100 Penalties.

Any person found guilty of violating RCW 9A.56.220 as codified or hereafter amended, theft of cable service, shall be guilty of a gross misdemeanor punishable by a maximum of one ~~(1)~~ year in jail or by a fine of ~~five thousand dollars (\$5,000.00)~~ \$5,000.00 or by both such imprisonment ~~or~~ and fine. A person found guilty of violating any other section of this chapter shall be guilty of a civil infraction subject to a fine ~~not to exceed five hundred dollars (\$500.00)~~ in accordance with Section 7.01.020(D) for each infraction.

SECTION 2.

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 3.

Effective Date and Publication.

This ordinance shall become effective five days after its passage by the City Council, approval by the Mayor, and publication as provided by law.

PASSED BY THE CITY COUNCIL ON MARCH 8, 2011.

Don Stevens, Mayor

ATTEST:

John Spencer, City Clerk