

## ORDINANCE NO. 2286 (2019)

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, ESTABLISHING NEW USER RATES FOR SINGLE FAMILY RESIDENTIAL, COMMERCIAL BUSINESS AND INDUSTRIAL, MULTIFAMILY RESIDENTIAL, AND IRRIGATION RATE CLASSIFICATIONS FOR WATER SERVICES WITHIN AND OUTSIDE THE CITY LIMITS OF THE CITY OF BOTHELL; AMENDING SECTIONS 18.06.250, 18.06.320 AND 18.06.330 OF THE BOTHELL MUNICIPAL CODE TO REVISE AND CLARIFY APPLICATION AND BILLING PROCESSES; AND PROVIDING FOR AN EFFECTIVE DATE; AND FOR SUMMARY PUBLICATION

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WHEREAS; It is the goal of the City of Bothell water utility to provide safe, reliable, and appealing water service delivered in sufficient quantity and pressure; and

WHEREAS; It is the City Council's vision to provide water utility management in a manner that is fiscally responsible; and

WHEREAS; The City Council reviews the water utility service charges annually to ensure the long-term fiscal viability of the utility; and

WHEREAS, the City Council deems it necessary to increase the user rates for water service within and without the City limits of the City of Bothell; and

WHEREAS; the City Council's deems it necessary to revise and clarify the application and billing processes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BOTHELL, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 18.06.250 of the Bothell Municipal Code is hereby amended to read as follows, with new text shown by underline and deleted text shown in strikethrough.

### **18.06.250 Rates – All users within city limits.**

The following charges shall be made by the city for furnishing water service within the city limits:

#### A. Single-Family Residence Rate Classification.

1. Scope. The single-family residence classification includes all residential structures serviced by a single meter and designed and built for a family unit wherein are carried on

the usual functions of living, sleeping and preparation of meals (“household”), and, except as provided for below, the rooms have not been altered to provide for the functions of more than one household and separate households are not maintained. It is the intent of this classification to include:

- a. A single-family residence which includes an accessory dwelling unit within the residential structure; and
  - b. One common wall dwelling unit.
  - c. Accessory structures with plumbing, common to single-family residential structures, including, but not limited to, garages, greenhouses, cabanas and workshops, shall not cause a change in classification to multifamily or commercial.
2. Low-Income Discount. Qualified low-income elderly customers shall be entitled to a 25 percent discount as set forth in BMC 18.06.255.
3. Base Bi-Monthly Meter Charge. The base (minimum) meter bi-monthly charges for all single-family residence user classifications within this section are as follows:

<b>Meter Size (inches)</b>	<b>Bi-Monthly Charge</b>
5/8, 3/4	<del>\$28.62</del> <u>\$29.48</u>
1	<del>\$59.19</del> <u>\$60.97</u>
1-1/2	<del>\$108.89</del> <u>\$112.16</u>
2	<del>\$169.31</del> <u>\$174.39</u>

4. Use Charges. Water usage during the bi-monthly billing period within this section shall be charged as follows:

<b>C.F. in Excess of:</b>	<b>Up to (including):</b>	<b>Charge per 100 C.F.</b>
0	1,000	<del>\$2.81</del> <u>\$2.89</u>
1,001	2,000	<del>\$4.13</del> <u>\$4.25</u>

<b>C.F. in Excess of:</b>	<b>Up to (including):</b>	<b>Charge per 100 C.F.</b>
2,001	3,000	<del>\$5.33</del> <u>\$5.49</u>
3,001	5,000	<del>\$6.78</del> <u>\$6.98</u>
5,001		<del>\$7.75</del> <u>\$7.98</u>

**B. Commercial, Business and Industrial Rate Classification.**

1. Scope. The commercial, business and industrial rate classification covers all commercial, business and industrial water accounts, whether for profit or nonprofit, including convalescent centers and nursing homes.

2. Base Bi-Monthly Meter Charge. The base (minimum) bi-monthly meter charges for all commercial user classifications within this section are as follows:

<b>Meter or Line Size (inches)</b>	<b>Bi-Monthly Charge</b>
5/8, 3/4	<del>\$33.50</del> <u>\$34.51</u>
1	<del>\$78.98</del> <u>\$81.35</u>
1-1/2	<del>\$143.29</del> <u>\$147.59</u>
2	<del>\$225.49</del> <u>\$232.25</u>
3	<del>\$443.39</del> <u>\$456.69</u>
4	<del>\$688.94</del> <u>\$709.61</u>
6	<del>\$1,371.03</del> <u>\$1,412.16</u>
3/4 dedicated fire line	<del>\$19.97</del> <u>\$20.57</u>

<b>Meter or Line Size (inches)</b>	<b>Bi-Monthly Charge</b>
1 dedicated fire line	<del>\$24.74</del> <u>\$25.48</u>
1-1/2 dedicated fire line	<del>\$28.85</del> <u>\$29.72</u>
2 dedicated fire line	<del>\$42.49</del> <u>\$43.76</u>
3 dedicated fire line	<del>\$121.58</del> <u>\$125.23</u>
4 dedicated fire line	<del>\$155.57</del> <u>\$160.24</u>
6 dedicated fire line	<del>\$237.94</del> <u>\$245.08</u>
8 dedicated fire line	<del>\$333.18</del> <u>\$343.18</u>

3. Use Charges. Water usage during the bi-monthly billing period shall be additionally charged as follows:

Winter consumption (November – June)    ~~\$3.16~~ \$3.25 per 100 c.f.

Summer consumption (July – October)    ~~\$5.41~~ \$5.57 per 100 c.f.

C. Water Consumption Through Meters Greater Than Six Inches in Size. Any customer desiring a connection to the city water system through a meter greater than six inches must make an application to the director of public works showing justification for a special rate under this subsection. The city staff must report to the council on any special rate application. A special classification with a different rate must be approved by the city council, and the customer must enter into a written agreement with the city regarding the same.

D. Multifamily Residential Rate Classification.

1. Scope. The multifamily residential rate classification covers all multifamily residential structures and single-meter dwelling unit developments in the city, excepting those developments covered in subsection F of this section, and includes:

- a. Any mobile home park, cabin court, trailer court, duplex, triplex, fourplex, multi-unit apartment building or condominium building;
  - b. Two or more single-family dwellings or a common wall single-family residential structure;
  - c. Laundry buildings, recreation buildings and other secondary buildings in multifamily residential developments including associated pools and spas; and
  - d. Boarding homes, group homes and retirement homes, but not including convalescent centers or nursing homes.
2. Low-Income Discount. Qualified low-income elderly customers shall be entitled to a 25 percent discount as set forth in BMC 18.06.255.
3. Base Bi-Monthly Meter Charge. The base (minimum) meter charges per two months for all multifamily residential user classifications within this section are as follows:

<b>Meter Size (inches)</b>	<b>Bi-Monthly Charge</b>
5/8, 3/4	<del>\$36.06</del> <u>\$37.14</u>
1	<del>\$79.72</del> <u>\$82.11</u>
1-1/2	<del>\$150.96</del> <u>\$155.49</u>
2	<del>\$235.97</del> <u>\$243.05</u>
3	<del>\$472.42</del> <u>\$486.59</u>
4	<del>\$753.71</del> <u>\$776.32</u>

4. Use Charges. Water usage during the bi-monthly billing period shall be additionally charged as follows:

Winter consumption (November – June)	<del>\$2.85</del> <u>\$2.94</u> per 100 c.f.
Summer consumption (July – October)	<del>\$4.22</del> <u>\$4.35</u> per 100 c.f.

5. Residential Unit Charge. Each residential unit will be charged ~~\$4.32~~ \$4.45

6. Domestic Meters Used for Fire Flow. Multifamily accounts that have fire sprinkler systems approved by the fire marshal that receive the water through the building's domestic meter shall be charged the base bi-monthly meter rate at the rate for the next lower sized meter. A written request must be submitted to the finance department requesting this rate adjustment. (Example: a one-and-one-half-inch meter would be charged the meter rate for a one-inch meter.) Single-family combination domestic/fire meter shall be billed at the three-fourths-inch residential rate.

E. Irrigation Rate Classification.

1. Scope. Irrigation rate classification covers all meters dedicated to irrigation use.
2. Base Bi-Monthly Meter Charge. The base (minimum) meter charge per two months:

Meter Size (inches)	Bi-Monthly Charge
5/8, 3/4	<del>\$26.50</del> <u>\$27.30</u>
1	<del>\$53.76</del> <u>\$55.37</u>
1-1/2	<del>\$98.45</del> <u>\$101.40</u>
2	<del>\$152.24</del> <u>\$156.81</u>

3. Use Charges. All consumption will be charged at the rate of ~~\$7.26~~ \$7.48 per 100 c.f.

F. Regional Facility Charges. In addition to the facilities charges that are currently collected in accordance with a separate resolution of the council, future contracts with water suppliers may require the collection of "regional facilities charges" that compensate investment in the regional water production and delivery system. These fees will be collected with the local facility charges and passed through to the appropriate agency.

Section 2. Section 18.06.320 of the Bothell Municipal Code, is hereby amended to read as follows

**18.06.320 Rates – Application.**

Charges to the owners of property with new structures shall commence on the date that the water meter is installed and ~~the building served is actually occupied, unless before~~

~~such actual occupancy the water meter registers 500 cubic feet or more, in which case charges shall continue thereafter regardless of amount of usage.~~

Section 3. Section 18.06.330 of the Bothell Municipal Code is hereby amended to read as follows

**18.06.330 Billing – Payment.**

A. Billing Period. Water service charges provided for in this chapter shall be billed by the ~~finance~~ Public Works Department. Property owners shall be billed every other month on or about the twenty-fifth day of the month and charges shall be due on the twentieth day of the following month ~~20 days~~ after the date of invoice.

B. Delinquent Accounts. All charges for water utility services furnished by the city shall be due and payable to the city on the date shown on the face of the bill. Charges for services remaining unpaid at the close of business on the twentieth day following the billing date shall be considered delinquent and automatically subject to an additional late charge, as a penalty. Late charges shall be as established by resolution of the city.

C. Delinquent Accounts – Water Lien. The city shall have a lien against the premises to which water service was furnished for up to four months' delinquent water service charges.

D. NSF Checks. Pursuant to Chapter 62A.3-515 RCW, if a check received in payment for water service charges is dishonored by nonacceptance or nonpayment, the city shall charge a reasonable handling fee fixed from time to time by resolution of the city council. If the check is not paid within 15 days after notice of dishonor, sent by certified mail to the last known address of the person responsible therefor, the drawer of said check shall be liable for interest, collection costs and attorneys' fees incurred in collecting the dishonored check. In addition, in the event of a court action on the dishonored check, after notice and the expiration of 15 days, the city shall be entitled to damages in the amount of three times the face value of the check or \$300.00, whichever is less, pursuant to Chapter 62A.3-515 RCW.

E. Water Leaks – Adjustments to Bill. For property owners whose billing is based on water consumption, adjustments in billing charges may be made in the event of increased water usage due to leaks in the property owner's system. If a property owner wishes an adjustment in a billing charge due to a water leak, a written request must be submitted to the finance director. The written request shall include the name, address, telephone number and service address, if different than above, of the property owner requesting the adjustment, the date and proof of adequate repair of the leak which may be established by receipt or billing for repair work and/or materials if the repair was accomplished by the property owner. Credit shall be posted to the account on the billing following submittal of

proof of repair for a period extending up to 120 days prior to the date of repair. The charge for water shall be based on the water consumption history and other factors which, in the determination of the finance director, affect the property owner's water consumption. Water charges for overages shall be at the wholesale rate of water charged to the city.

F. Responsibility of Water Charges. Charges for water service shall be the responsibility of the property owner. (Ord. 2104 § 2, 2012; Ord. 1849 § 2, 2001; Ord. 1848 § 4, 2001; Ord. 1634 § 1, 1996).

Section 4. Severability. If any section, sub-section, sentence, clause or phrase 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 of constitutionality of any other section, sub-section, sentence, clause or phrase of this ordinance.

Section 5. Savings. The enactments of this ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this ordinance.

Section 6. Referendum and Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect January 1, 2020, which is not less than five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title.

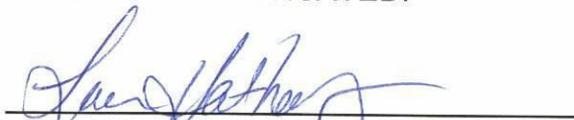
Section 7. Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

APPROVED:



ANDREW J. RHEAUME  
MAYOR

ATTEST/AUTHENTICATED:

  
LAURA HATHAWAY  
CITY CLERK

APPROVED AS TO FORM:



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PAUL BYRNE  
CITY ATTORNEY

FILED WITH THE CITY CLERK: 10/10/2019  
PASSED BY THE CITY COUNCIL: 10/15/2019  
PUBLISHED: 10/18/2019  
EFFECTIVE DATE: 1/1/2020  
ORDINANCE NO.: 2286 (2019)

**SUMMARY OF ORDINANCE NO. 2286 (2019)**

City of Bothell, Washington

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On the 15th day of October, 2019, the City Council of the City of Bothell passed Ordinance No. 2286 (2019). A summary of the content of said Ordinance, consisting of the title, is provided as follows:

AN ORDINANCE OF THE CITY OF BOTHELL, WASHINGTON, ESTABLISHING NEW USER RATES FOR SINGLE FAMILY RESIDENTIAL, COMMERCIAL BUSINESS AND INDUSTRIAL, MULTIFAMILY RESIDENTIAL, AND IRRIGATION RATE CLASSIFICATIONS FOR WATER SERVICES WITHIN AND OUTSIDE THE CITY LIMITS OF THE CITY OF BOTHELL; AMENDING SECTIONS 18.06.250, 18.06.320 AND 18.06.330 OF THE BOTHELL MUNICIPAL CODE TO REVISE AND CLARIFY APPLICATION AND BILLING PROCESSES; AND PROVIDING FOR AN EFFECTIVE DATE; AND FOR SUMMARY PUBLICATION

The full text of this Ordinance will be mailed upon request.

  
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LAURA HATHAWAY  
CITY CLERK

FILED WITH THE CITY CLERK: 10/10/2019  
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