

CITY OF LYNNWOOD

ORDINANCE NO. 2529

AN ORDINANCE CREATING A NEW RATE STRUCTURE FOR WATER RATES, MODIFYING THE RATES CHARGED FOR WATER SERVICE; AMENDING SECTIONS 13.04.100, 13.04.105, 13.20.010, 13.20.030, 13.20.080, AND 13.24.030 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

WHEREAS, the City desires to move towards equity between the amount of water used and the amount paid by its customers; and

WHEREAS, The City desires to conserve our natural resources and to delay potential capital costs to supply more water; and

WHEREAS, the water rates structure was last adjusted in 1993;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO ORDAIN AS FOLLOWS:

Section 1. Section 13.04.100 of the Lynnwood Municipal Code is hereby amended as follows:

13.04.100 Residential Single-Unit.

"Residential single-unit" means all dwelling units occupied by one family or by not more than five unrelated persons, including but not limited to detached single-family residences, and zero-lot line buildings wherein the building is on a separate fee simple lot and used for residential purposes.

Section 2. Section 13.04.105 of the Lynnwood Municipal Code is hereby amended as follows:

13.04.105 Residential-Multiple-Unit.

"Residential-multiple-unit" means a residential building designed for two or more families, or for more than five unrelated persons, including but not limited to, duplexes, triplexes, fourplexes, apartment buildings, dormitories, boarding houses, rooming houses, and mobile homes in a mobile home park.

Section 3. Section 13.20.010 of the Lynnwood Municipal Code is hereby amended as follows:

13.20.010 Charges for domestic water.

The charges for domestic water service shall be based upon the size of meter installation, number of connection or units being serviced therefrom, and the water delivered through the service meter; the monthly rate for each meter size and the maximum water allowed as part of this minimum charge shall be:

Table I

WATER CUSTOMER CLASSIFICATION	MONTHLY BASE RATE (INCL. 5 CCF)	MONTHLY VOLUME CHARGE OVER 5 CCF
Residential Single-Unit	\$10.00	\$1.20
Senior Citizen	\$5.75	N/A
Residential-Multiple-Unit Per unit*	\$4.70	\$1.00
Commercial/Industrial (based on meter size)		
5/8-3/4 Inch Meter	\$10.00	\$1.30
1 Inch Meter	\$15.00	\$1.30
1-1/2 Inch Meter	\$22.50	\$1.30
2 Inch Meter	\$30.00	\$1.30
3 Inch Meter	\$55.00	\$1.30
4 Inch Meter	\$82.50	\$1.30
6 Inch Meter	\$157.50	\$1.30

* \$4.70 per unit plus volume over 5CCF per meter.

Section 4. Section 13.20.030 of the Lynnwood Municipal Code is hereby amended as follows:

13.20.030 Minimum charges.

The minimum monthly charge payable by each user (customer account) shall be as set forth in Section 13.20.010.

Section 5. Section 13.20.080 of the Lynnwood Municipal Code is hereby amended as follows:

13.20.080 Special water rate.

A residential single-unit special fixed rate, in the minimum monthly amount of \$5.75 per month, shall apply to all services to which water is available without regard to actual consumption, as follows:

A. Senior Citizens. Persons of the age of 61 years or older, meeting the qualifications specified in subsection (B) of this section, and RCW 84.36.381, shall be charged at a special water rate:

Single-family residence special fixed rate.....\$5.75 per unit

The minimum monthly charge shall apply to all services to which water is available without regard to actual consumption.

Qualifications for said rate shall be:

1. The property to which the utility service is extended shall have a valid property tax exemption from Snohomish County, pursuant to RCW 84.36.381 through RCW 84.36.385.

2. Claimants for said reduction shall occupy site as principle residence and be within the corporate limits of the city of Lynnwood and have a household income level no greater than and as prescribed in RCW 84.36.381.

B. Medical Necessity. Persons who require large quantities of water due to medical necessity (i.e., kidney dialysis) and who occupy the site as principal residence and are located within the corporate limits of the city of Lynnwood shall be charged the special water rate.

Section 6. Section 13.24.030 of the Lynnwood Municipal Code is hereby amended as follows:

13.24.030 Discontinuance of service by utility.

A. The water utility may refuse to supply, or may discontinue service to any customer, for violation of this title. As an additional concurrent method of enforcing the lien of the city for domestic water charges, at the end of 20 days after the date of billing of any such charges in the case of domestic water charges, the director of public works is authorized and directed to notify by first class mail sent to the customer at the service address that the account is delinquent and that the water will be shut off 13 days after date of such delinquency notice, and is directed to shut off water at that time and until such time as all charges, have been paid, which consist of service charges, penalties as set forth in LMC 13.20.050, and City staff time charges for site visits (turn-on and turn-off) as noted in TABLE A below. The utility may refuse or discontinue service to any customer who requires or uses such volume of water that water service to any other customer may be thereby impaired.

The utility shall discontinue service to any customer who makes an unauthorized connection to a city water line, bypasses a city water meter, or in any other way steals city water.

B. Discontinuance of service for any cause stated in this section shall not release the customer from his obligations to the city for payments of bills or charges.

C. Whenever service has been discontinued as provided above, and before service is restored, in addition to charges as provided in section "A" above, the utility may require the customer to make a deposit of \$50.00. The deposit may be held for up to two years depending on account history and used at any time to offset

outstanding balances due, should they reoccur. Upon transfer of account to a new owner, any unused deposit will be returned to the depositor. Restoration of service at the customer's request and after payment of all bills due shall be done at the convenience of the utility.

D.

TABLE A

Time when trip to account location occurs	Charge for each occurrence
8 am – 5 pm Monday – Friday except holidays	\$35
All other times including holidays	\$85

Section 7. 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 thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this Ordinance.

Section 8. Effective Date. This Ordinance shall take effect January 1, 2005 which is more than five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED THIS 11th day of October, 2004, and signed in authentication of its passage this 12th day of October, 2004.

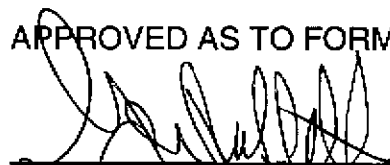


MIKE MCKINNON, MAYOR

ATTEST:


MICHAEL BAILEY
Finance Director

APPROVED AS TO FORM:


GREG RUBSTELLO
Lynnwood City Attorney