

**CITY OF LYNNWOOD**

**ORDINANCE NO. 2657**

*City of Lynnwood*

MAR 05 2007

**SCANNED**

AN ORDINANCE AMENDING SURFACE WATER UTILITY RATES FOR SURFACE WATER SERVICE TO PROVIDE NECESSARY REVENUES TO FUND CAPITAL PROJECTS AND ONGOING MAINTENANCE AND OPERATION OF THE SURFACE WATER SYSTEM AND TO PRESERVE THE SOLVENCY OF THE UTILITY; AND AMENDING SECTION 13.35.015E AND SECTION 13.35.070 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

WHEREAS, the City desires to base surface water rates on the actual cost of providing all maintenance and operations services and capital construction costs; and

WHEREAS, the new surface water rates are necessary in order to meet the revenue requirements of the utility; and

WHEREAS, the surface water rate structure was last adjusted in 1991;

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

Section 1. Section 13.35.015E of the Lynnwood Municipal Code is hereby amended as follows:

E. "Equivalent residential unit (ERU)" means 2,900 square feet comprised of a configuration of development, or impervious surfaces on a site, estimated to contribute an amount of runoff to the city's storm and surface water drainage system which is approximately equal to that created by the average single-family residential site.

Section 2. Section 13.35.070 of the Lynnwood Municipal Code is hereby amended as follows:

**13.35.070 Utility charges.**

The following surface water utility rates and charges are hereby established for all sites in the city as set forth in Table 1 below. These rates and charges shall be in effect and assessed beginning January 1, of each year, except for the 2007 rates, which shall be in effect and assessed beginning on February 1, 2007.

A. Single-family residential sites: one ERU per month for each single-family residential unit on a site. This uniform rate is based on each single-family residential site being equal to one equivalent residential unity (ERU). Each duplex on a site shall be charged one ERU.

B. Undeveloped sites: undeveloped sites shall not be charged under this system and structure of rates.

C. Other sites: the charge for all other developed sites shall be based upon the total amount of measured impervious surface divided by one ERU, and rounded down to the nearest whole number. The actual total monthly service charge shall be computed by multiplying the measured ERUs for a site by the monthly rate per ERU. All sites will be charged for at least one ERU. Sites will be billed as a single surface water account when a site contains multiple water meters and/or businesses on a site. Owners/managers will be responsible for any allocation of the surface water charge among tenants.

D. Special surface water rate: persons of the age of 61 years or older, meeting the qualifications specified in this section and RCW 84.36.381, shall be charged at the rate of 0.5 ERUs.

**Table 1**

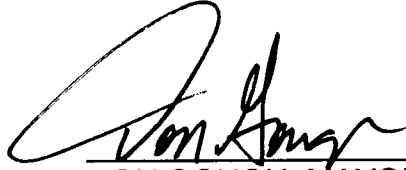
<b>Customer Class</b>	<b>Rate Calculation</b>
Single-family residential/ duplexes	1 ERU
Multifamily/ Commercial Industrial sites	Measured s.f. of impervious areas = # of billed ERUs
Special Surface Water Rates	1 ERU x 0.5

<b>Customer Class</b>	<b>2007 Mo. Rate</b>	<b>2008 Mo. Rate</b>	<b>2009 Mo. Rate</b>	<b>2010 Mo. Rate</b>	<b>2011 Mo. Rate</b>	<b>2012 Mo. Rate</b>
Single-family residential/ duplexes	\$4.25	\$5.09	\$5.84	\$6.70	\$7.56	\$8.53
Multifamily/ Commercial Industrial sites	\$4.25/ ERU	\$5.09	\$5.84	\$6.70	\$7.56	\$8.53
Special Surface Water Rate	\$2.13	\$2.55	\$2.92	\$3.35	\$3.78	\$4.27

**Section 3. 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 4. Effective Date. This Ordinance shall take effect February 1, 2007 which is more than five (5) days after passage and publication of an approved summary thereof consisting of the title.

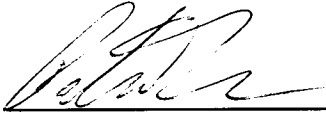
PASSED THIS 11th day of December, 2006, and signed in authentication of its passage this 15<sup>th</sup> day of December, 2006.



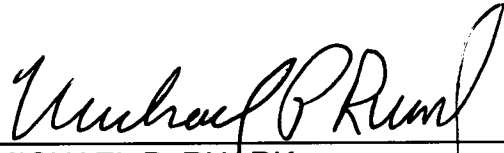
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DON GOUGH, MAYOR

ATTEST:

APPROVED AS TO FORM:



\_\_\_\_\_  
PATRICK L. DUGAN  
Interim Finance Director



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MICHAEL P. RUARK  
City Attorney