

CITY OF LYNNWOOD

ORDINANCE NO. 894

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF TITLE 14 OF THE LYNNWOOD MUNICIPAL CODE, SEWER UTILITY, BY DEFINING PROPERTY OWNER'S RESPONSIBILITY FOR CHARGES, AND DISCONTINUING REQUIREMENT FOR CUSTOMER DEPOSITS UNDER CERTAIN CONDITIONS.

THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO ORDAIN AS FOLLOWS:

Section 1. That Title 14, Section 14.40.080 which reads as follows:

14.40.080 Deposit. When an application is made to the utility department for the sewage service by any person other than the owner or purchaser of the premises for which sewer service is requested, such as a renter, lessee, or tenant of said premises, said applicant shall be required to make a sixteen dollar and fifty cent deposit with the utility department to be held by the department during the entire term of service for such applicant.

At the termination of service to such a user having a deposit with the utility department, if all sewer utility charges are paid in full, the sewer utility will refund the deposit in full to the user. However, if any charges are not paid in full, the sewer utility shall apply all or as much of the deposit as may be necessary to pay the unpaid charges; any balance remaining will be returned to the user. If such user, after having made a deposit with the sewer utility, becomes the owner or purchaser of the premises served, the deposit provided for herein will be applied to the sewer utility charges of the user subsequent to the user's notifying the sewer utility in writing of his ownership or contract to purchase said premises.

Be and the same is hereby repealed and a new section added to read as follows:

14.40.080 Deposit for service and return. All renter, lessee, or tenant deposits with the sewer utility at the time of passage of this ordinance will revert to the depositor no later than December 31, 1977 provided sewer charges are paid in full. In those cases where charges are not paid in full, any charges owing the sewer utility shall be deducted from said deposit and any balance will be refunded to the depositor.

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Section 2. That a new section, 14.40.045, be added, which reads as follows:

14.40.045 Responsibility of Property Owner. All accounts for sewer shall be kept in the name of the owner of the property and not in the name of the tenant; and the owner only or his legally authorized agent shall be held responsible for sewer charges. All accounts that are in the name of the rentor, lessee, or tenant of the property and not in the name of the owner at the time of passage of this ordinance, shall have until December 31, 1977 to comply with the provisions of this ordinance.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid, or unconstitutional, by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall take effect and be in force effective January 31, 1977, after its passage, approval and publication as required by law.

PASSED by the City Council, City of Lynnwood, this 24th day of January, 1977, and signed in authentication of its passage this 24th day of January, 1977.


M. J. HRDLICKA, Mayor

ATTEST:


R. W. NOACK, City Clerk

APPROVED AS TO FORM:


J. GAYLORD RIACH, City Attorney

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