

**COLVILLE CITY COUNCIL AGENDA ITEM
BRIEFING SHEET**

Meeting Date: **December 11, 2018**

Contact: **Vickie L. Strong, City Treasurer**

Topic or Problem Statement:

The City adopted language for different types of Interruption Services to a customer's water account which would allow utility customers to have their water turned off by the Water Department for a period of either two – five months or six months and longer. With these options, the customer would receive either a very reduced utility bill or no bill at all. This ordinance amends current Ordinance #1491 – Section I - 13.20.050 and also amends the Colville Municipal Code, Chapter 13.20.050, which updates the reference to Colville Municipal Code 13.04.180, pertaining to the updated language in Temporary Service Interruptions, Intermittent Service and Extended Service Interruption options.

Type of Briefing:

Information Only Discussion Only Decision Needed

Background of Situation:

The Interruption Services language for the water and sewer services in the City was put into place originally in 2008. There have been a few language changes over the years. Currently there is a proposed ordinance which recommends new changes to Ordinance No. 1490 N.S., Section 1, 13.04.180 and Chapter 13.04, Section 13.04.180 of the Colville Municipal Code, to include updated language pertaining to the Temporary Service Interruptions, Intermittent Service and Extended Service Interruption language. The updated language states the customer would be solely responsible for reviewing the language on their signed agreements with the Treasurer's Office, be aware of the expiration dates on those agreements, as well as the City informing the customers that we will not prorate utility bills if the customer leaves mid-month. If they do leave mid-month their agreement would become effective the beginning of the following month. This proposed ordinance references the updated language in Title 13.04 Water System - Chapter 13.04.180 of the Colville Municipal Code.

Goals and Objectives: i.e., CFP, Comprehensive Plan, Safety, etc.

Council goals: Colville is a community where people want to live and work; Colville is a safe and healthy place to live; Colville effectively delivers services.

Evaluate Alternatives or Options/Consequences of Inaction:

If Council does not adopt the proposed ordinance, it will create additional work for my staff to monitor these agreements as well as having to produce prorated utility bills. We should not be responsible for the individual agreements the customers have signed in regards to turning water services back on without prior contact from them requesting services be reinstated.

Funding Needed and Recommended Source (BARS #):

None.

Attachments:

1. Ordinances No. 1491, Colville Municipal Code Chapter 13.20, Section 13.20.050, and proposed language to the Colville Municipal Code Chapter 13.04, Section 13.04.180.

Recommended Action with Justification:

1. Approve the new ordinance as presented.

ORDINANCE NO. ____ N.S.

AN ORDINANCE OF THE CITY OF COLVILLE, AMENDING SECTION I, 13.20.050 OF ORDINANCE NO. 1491 N.S. AND AMENDING THE COLVILLE MUNICIPAL CODE, SECTION 13.20.050 OF CHAPTER 13.20, TEMPORARY SERVICE INTERRUPTIONS, INTERMITTENT SERVICE AND EXTENDED SERVICE INTERRUPTION.

The City Council of the City of Colville, Stevens County, Washington, does hereby ordain as follows:

SECTION I.

13.20.050 Temporary service interruptions, intermittent service and extended service interruption.

Refer to CMC 13.04.180.

SECTION II.

All other provisions of Ordinance No. 1491 N.S., and Chapter 13.20.050 of the Colville Municipal Code shall remain in full force and effect.

SECTION III.

This Ordinance shall take effect and be in force five (5) days from its passage, approval, and publication.

Passed and adopted by the City Council of the City of Colville, Washington the ____ day of _____, 2018.

Mayor Louis F. Janke

Attest: _____
Holly Pannell, MMC, PFO, City Clerk/
Human Resources Manager

Approved as to form:

McGrane & Schuerman, City Attorney

OrdSewerAmending
Adopted by Council on
Published on
Effective on

ORDINANCE NO. 1491 N.S.

AN ORDINANCE REPEALING ORDINANCES NOS. 361 N.S., 843 N.S., 870 N.S., 937 N.S., 1025 N.S., 1059 N.S., 1079 N.S., 1095 N.S., 1131 N.S., 1156 N.S., 1180 N.S., 1231 N.S., 1248 N.S., 1269 N.S., 1294 N.S., 1308 N.S., 1325 N.S., 1348 N.S., 1387 N.S., 1458 N.S., 1462 N.S. AND AMENDING THE CURRENT CHAPTER 13.20 OF THE COLVILLE MUNICIPAL CODE

The City Council of the City of Colville, Washington, does hereby ordain as follows:

SECTION I.

I. Sewer System

Chapter 13.20

RATES AND CHARGES

Sections:

13.20.010	Sewer Service - Connection - Application
13.20.020	Rates and charges.
13.20.030	Delinquent accounts - Late charges.
13.20.040	Person billed.
13.20.050	Temporary service interruption, intermittent service and extended service interruption.
13.20.060	City Council may alter rates.
13.20.070	Charges to be lien upon property - Foreclosure.

13.20.010 Sewer service - Connection - Application.

All persons or property owners wishing to connect to the city of Colville sewer system must first contact the City of Colville Water Department to initiate the preapproval application process. Once the size, location and means of connection are agreed upon, the preapproval application will be formalized and signed by the Municipal Services Administrator. The signed preapproval application for sewer services shall then be paid in full to the city of Colville Treasurer's department.

No connection shall be scheduled or made until such time the City of Colville Water Department receives the preapproval application stamped "paid in full" by the city of Colville Treasurer's Department.

13.20.020 Rates and charges.

A. Monthly Base Rate. The monthly sewer service rates shall be set at the following amount:

EFFECTIVE JANUARY 1, 2011					
CLASS	YEAR 2011	YEAR 2012	YEAR 2013	YEAR 2014	YEAR 2015
	6% INC	9½% INC	9½% INC	9½% INC	9½% INC
RESIDENTIAL	\$ 53.00	\$ 58.04	\$ 63.55	\$ 69.59	\$ 76.20
MULTI-UNIT @ 80%	\$ 42.40	\$ 46.43	\$ 50.84	\$ 55.67	\$ 60.96
SENIOR/ DIS	\$ 26.50	\$ 29.02	\$ 31.77	\$ 34.79	\$ 38.10
COMMERCIAL	\$ 45.00	\$ 49.28	\$ 53.96	\$ 59.08	\$ 64.69
** USE CHG **	\$ 6.25	\$ 6.84	\$ 7.49	\$ 8.21	\$ 8.99
** Usage Charge is based on monthly water consumption per (1,000) thousand gallons used					

B. Definitions.

1. **Single Residential Unit.** A "single residential unit" is defined as one residential living quarters served by one water meter and discharging to the sanitary sewer system.

All single residential units will be billed at the base monthly rate for one as stated above.

2. **Multi-Unit Residential.** A "multi-unit residential" is defined as a building having two or more dwelling units served by one water meter and discharging to the sanitary sewer system. This includes apartments, assisted living facilities and mobile home parks.

All multi-unit residential, per unit, will be billed at the base monthly rate for each unit as stated above.

3. **Commercial Units.** A "commercial unit" is defined as all other units not containing residential living quarters served by one water meter. This includes firms, businesses, corporations, hotels, motels and industrial water consumption users. All commercial, per unit, will be billed at the base monthly rate for each unit as stated above. All commercial units that receive water and discharge to the city's sanitary sewer system will receive a sewer base rate as stated per ordinance.

4. **Certain Commercial Units.** A reduction of (10) ten percent will be applied to the sewer usage charge which is calculated based on the monthly water consumption for commercial laundromats and car washes.

5. **Combination Accounts.** Where more than one usage exists, such as combination of residential/multi-family and commercial, within the Commercial 2 and Commercial 3 zones, the City Treasurer will calculate a combination rate as necessary. See the zoning map located at the office of Building and Planning.

C. **Definition.** "Winter water use period" is defined as the period November through April.

D. **Taxes.** Any state and/or city utility tax charges shall be in addition to the charges as set forth above.

13.20.030 Delinquent accounts – Late Charges.

A. All utility bills shall be due immediately upon billing and be delinquent if not paid in full on or before the (15) fifteenth day following the month in which services were rendered.

B. Utility bills are mailed by the last working day of each month for which the services

were rendered and are due on or before the (15) fifteenth day of the following month and will be declared delinquent if payment is not received in the City Treasurer's office by 3:00 p.m. on that day. A \$5.00 per month late charge will be added to all past due accounts with balances over \$5.00.

C. If the utility account has an unpaid balance (30) thirty days past the due date, a shut-off notice will be mailed on the (31) thirty-first day stating services will be terminated in (7) seven calendar days. If a utility account is a rental and the bill is addressed to the landlord only, and the city has not been notified of the tenant's name and mailing address, a shut off notice will be attached to the front door of the residence stating water/sewer services will be terminated for non-pay in (7) seven calendar days from date posted on the door.

Before water/sewer service will be reinstated, the account holder must pay the full amount in utility charges in arrears and all assessments before service is restored to the premises.

Whenever a water/sewer service is in the name of a renter, tenant or lessee, and is subject to turnoff for delinquency, the utility billing department shall send a duplicate notice of delinquency to the owner of record.

Failure to receive mail will not be recognized as a valid reason for failure to pay rates when due.

If a multiple residential rental unit has an unpaid balance of (30) thirty days past the due date, a shut off notice will be mailed to the owner and individual notices of the shut off will be attached to the front door of each unit stating water/sewer services will be terminated for non-pay in (7) seven calendar days from date posted on doors.

If the landlord fails to pay for water/sewer services, any tenant who requests that the services be placed in his/her name may deduct from their rent due all reasonable charges paid by the tenant to the city for such services. See RCW 59.18.240.

D. In case of nonpayment of fees and charges for water/sewer within (7) seven days after the date of such fees and charges become delinquent and after compliance with the city's notice procedures, the water/sewer services shall be shut off. A one-time charge of \$50.00 shall be added to cover administrative, clerical and other employee or employee-related expenses. The water/sewer service shall remain shut off until the account is paid in full.

E. Reconnect a Utility Service that has been Disconnected for Nonpayment. When a utility service has been disconnected for nonpayment the payments must be received before 2:30 p.m. for same-day reconnections, and must include all of the charges stated in subsection C of this section.

There will be an additional fee of \$100.00 for any same day connections on payments received after 2:30 p.m.

There will be no reconnections for non-pay utility accounts over a weekend or holiday.

F. Water Shut Off Notice – Appeal Process. Refer to CMC 13.04.120 (F).

13.20.040 Person billed.

The utilities shall stay in the property owner's name, and the city shall bill the owner of the served property for the payment of utility rates and charges specified in this title; however, the owner may have the bills mailed in care of a tenant, or agent with a signed

utility update form, but this shall not relieve the owner from liability for utility rates and charges. When a utility account is in a tenant's name, the owner or the owner's designee shall notify the city in writing within (14) fourteen days of the termination of the rental agreement and vacation of the premises.

13.20.050 Temporary service interruption, intermittent service and extended service interruption.

Refer to CMC 13.04.180.

13.20.060 City Council may alter rates.

The City Council shall have the right and authority to provide by a later ordinance for subsequent alterations of rates as fixed by this chapter.

13.20.070 Charges to be lien upon property – Foreclosure.

A. All charges for connections and for sewerage service provided for in this chapter, together with penalties and interest thereon, shall be a lien upon the property with which such connection is made for sewerage service rendered respectively, superior to all other liens and encumbrances whatsoever except for general taxes and local special assessments.

B. The City Treasurer is authorized and directed prior to the expiration of six months from the first day of the first month for which such charges were unpaid to certify to the county auditor all of such charges as a lien upon such property in the manner provided for in Chapter 193 of the Session Laws of Washington of 1941 (RCW 35.67.200 through 35.67.260) and such property shall be subject to foreclosure pursuant to the terms of the chapter.

C. As an additional and concurrent method of enforcement of the lien of the city for sewer services, charges and penalty, the city may, after delinquency, shut off the water/sewer services to the premises. Service shall not be restored until the delinquent bill, service charge, penalty thereon, and the reconnection fee specified in subsection (D) of section 13.20.030 shall have been paid in full.

SECTION II.

Ordinance Nos. 361 N.S., 843 N.S., 870 N.S., 937 N.S., 1025 N.S., 1059 N.S., 1079 N.S., 1095 N.S., 1131 N.S., 1156 N.S., 1180 N.S., 1231 N.S., 1248 N.S., 1269 N.S., 1294 N.S., 1308 N.S., 1325 N.S., 1348 N.S., 1387 N.S., 1458 N.S., and 1462 N.S. are hereby repealed in their entirety.

SECTION III.

This Ordinance shall take effect and be in force (5) five days from its passage, approval and publication.

Passed and adopted by the City Council of the City of Colville, Washington the 11th day of December, 2012.

Deborah Rarrick

Mayor Deborah Rarrick

Attest:

Holly Pannell

Holly Pannell / CMC, PFO, City Clerk/
Human Resources Manager

Approved as to form:

Joan M. Conger

City Attorneys McGrane & Schuerman

13.20.050 Temporary service interruption, intermittent service and extended service interruption.  SHARE

Refer to CMC 13.04.180. (Ord. 1491 NS § 1, 2012. Formerly 13.20.029).

