

ORDINANCE NO. 2002-03-016

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON, TO AMEND THE BELLINGHAM MUNICIPAL CODE BY ADDING SECTION 15.04.095, REVISING SECTION 15.04.240, AND DELETING SECTION 15.12.230 IN REGARDS TO THE FINANCE DIRECTOR'S AUTHORITY TO ADJUST WATER AND SEWER BILLS.

WHEREAS, Chapter 15.08.240(G) of the City of Bellingham Municipal Code establishes a process for the Finance Director to adjust water bills; and,

WHEREAS, Chapter 15.12.230 of the City of Bellingham Municipal Code establishes a process for the Finance Director to adjust sewer bills; and

WHEREAS, the code sections cited contain differing provisions for adjustment; and,

WHEREAS, a uniform methodology for calculating water and sewer bill leak adjustment is desired; and,

WHEREAS, it is in the public's best interest to establish a process that achieves water and sewer leak adjustment in a fair and uniform manner;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1: Bellingham Municipal Code 15.12.230 is hereby repealed in its entirety.

15.12.230 – Finance Director's Authority to Adjust Sewer Bills.

Repealed by Ordinance No. 2002-03-016.

Section 2: Bellingham Municipal Code 15.08.240 is hereby amended to repeal subsection 15.08.240G.

15.08.240 - Computation Of Use Rates

Use rates for water service and consumption are determined as follows:

- A.** Flat-rate water services shall be charged a monthly rate for each month of service or portion thereof.
- B.** Metered domestic water users will be charged a flat rate plus a charge for the actual water consumed over 1,200 cubic feet per month as recorded by the water meter.
- C.** Contract sales of water for reuse shall be as covered by agreement between the city and the water district or association. Rates shall be as provided in this chapter unless specifically modified by the agreement in recognition of substantial differences in service provided by the city.

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Amending BMC 15.12.240, and
Deleting BMC 15.12.230 - 1

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D. Standby service charges for fire protection will be charged for services connected to fire protection systems and private fire hydrants. Charges shall be determined as follows:

(1) Standby fire-protection services for private hydrants, standpipes and sprinkler systems will be charged a monthly rate determined by the size of the service connection.

(2) Maintenance of private fire hydrants may be done by contract and the charge therefor shall be as contained in the contractual agreement, but in no instance shall the annual fee be less than the annual hydrant maintenance fee.

E. The assessment for overhead and administrative charges, where required, is 20% of the total of labor and equipment costs.

F. Funds received for the connection charges shall be credited to the cumulative water reserve fund.

G. Repealed by Ordinance No. 2002-03-016.

Section 3: A New Section to Bellingham Municipal Code 15.04 is hereby added:

15.04.095 – Finance Director’s Authority To Adjust Water and Sewer Bills.

A. The Finance Director or the Finance Director’s Designee is authorized to adjust water and/or sewer bills for metered service customers in accordance with the following procedure:

1. When the customer has suffered a service break or leak in the portion of the service between the water meter and the external entrance to the premises or the first branch off of the service line, whichever occurs first.

2. No adjustment shall be allowed for any leaks or service breaks that occur after the external entrance to the premises. This shall include, by way of example and not limitation, leaks in toilets, faucets, water heaters, and spigots.

3. Each metered service shall only be allowed one adjustment during the life of that metered service.

4. The break or leak in the service line and its repair must be documented in a manner that is acceptable to the Finance Director or the Finance Director’s designee. Documentation shall include a licensed plumber’s itemized invoice, repair order, City of Bellingham Public Works Department inspection documentation or other documentation as necessary to support the adjustment request and to document any repairs.

5. A request for an adjustment shall be on form(s) provided by the Finance Department.

6. The Finance Director or the Finance Director’s Designee shall determine the amount of the adjustment in his or her discretion. The adjustment amount shall not exceed 50% of the amount determined to be the excess usage charge for water and 100% of the excess usage charge for sewer, provided that the excess water consumption did not enter the sewer system. No adjustment

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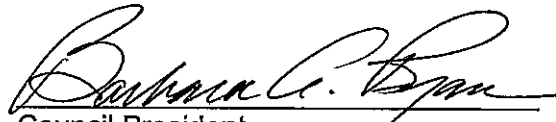
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for sewer charges shall be allowed if the excess consumption entered the sewer. Historical records may be used to assist in the determination of the adjustment amount.

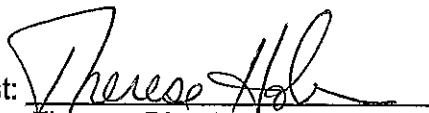
B. Any determination made under this section may be appealed in accordance with the procedures in BMC 15.04.120.


PASSED by the Council this 4TH day of MARCH, 2002.


Council President

APPROVED by me this 21st day of March, 2002.


Mayor

Attest: 
Finance Director

Approved as to form: 
Office of the City Attorney

Published: 3/22/02

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