

ORDINANCE NO. 2006-06-063

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON, AMENDING BELLINGHAM MUNICIPAL CODE CHAPTER 15.04 RELATING TO PROHIBITED ACTS, REDUCED UTILITY RATES FOR LOW INCOME SENIOR AND DISABLED CITIZENS, AND DELINQUENCY.

WHEREAS, Bellingham Municipal Code Chapter 15.04 includes administrative regulations governing the City's utility services, including provisions regarding prohibited acts, senior and low income discount rates, and delinquencies; and,

WHEREAS, BMC Section 15.04.040 should be revised to include illustrative examples to help clarify what constitutes wasting water; and,

WHEREAS, BMC Section 15.04.070 sets forth a reduced utility rate for qualified low income senior and disabled citizens that includes qualifying criteria; and,

WHEREAS, the criteria lists a household income percentage that should be revised to clarify and capture all income percentages; and,

WHEREAS, the changes included herein will assist City staff and the citizens in appropriately implementing the discount to qualified low income senior and disabled citizens; and,

WHEREAS, the delinquent notice requirements in BMC 15.04.100 should be modified to prevent the City from being inserted into a private dispute; and,

WHEREAS, this Ordinance is in the best interests of the City of Bellingham and its utility customers;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1: Bellingham Municipal Code Section 15.04.040 is hereby amended as follows:

15.04.040 - Prohibited Acts

A. [UNCHANGED];

B. [UNCHANGED];

C. [UNCHANGED];

D. [UNCHANGED];

E. [UNCHANGED];

F. To waste water or allow it to be wasted. For purposes of this section, to waste water includes, by way of example and not limitation, applying water to a landscape in sufficient quantity to cause significant runoff of that water to impervious areas; to allow significant overspray onto impervious areas such as streets, sidewalks, and driveways; applying water to a landscape in sufficient quantity to cause substantial puddling of that water at the ground surface; allowing imperfect or leaking pipes or other fixtures; or to use toilets without self-closing valves; or to allow

any pipes or faucets to run open for more than 12 hours for any reason including to prevent the water service from freezing;

G. [UNCHANGED];

H. [UNCHANGED];

I. [UNCHANGED].

Section 2: Bellingham Municipal Code Section 15.04.070 is hereby amended as follows:

15.04.070 - Reduced Rates For Low Income Senior And Disabled Citizens

A. [UNCHANGED]

B. A senior aged 62 or older or a disabled person with a household income of \$23,000 or less in 2003 (adjusted annually thereafter for inflation as measured by the Consumer Price Index for Urban Consumers for Seattle, Tacoma, Bremerton) is entitled to have their rates reduced by the following amounts:

Household Income	Percent Reduction
0-50% of the qualifying income	75%
Greater than 50%-75% of the qualifying income	50%
Greater than 75%-100% of the qualifying income	25%

For purposes of this Section 15.04.070, "gross income" shall have the same definition as provided in 26 United States Code Section 61, as currently enacted or hereafter amended.

C. [UNCHANGED]

D. [UNCHANGED]

Section 3: Bellingham Municipal Code Section 15.04.100 is hereby amended as follows:

15.04.100 - Delinquency

A. [UNCHANGED]

B. The notice shall specify at least:

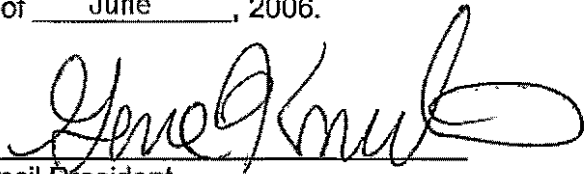
1. That payment for service is overdue, the total amount due, and that the statutory lien may be imposed.
2. That service will be shut off unless payment in full is made to the city within 10 days;
3. The address and telephone number of the Finance Department;
4. That a hearing may be requested;
5. That the City will charge a turn-on and turn-off fee before service is resumed following a shut off of service; and

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6. That service will not be shut off while a hearing is pending.

PASSED by the Council this 12th day of June, 2006.



Council President

APPROVED by me this 19th day of June, 2006.



Mayor

Attest: 

Finance Director

Approved as to form:



Office of the City Attorney

Published: June 16, 2006