

**ORDINANCE NO. 2007-12-108**

**AN ORDINANCE OF THE CITY OF BELLINGHAM AMENDING BELLINGHAM MUNICIPAL CODE CHAPTER 15.12 TO MODIFY SEWER UTILITY RATES AND CHARGES.**

**WHEREAS**, the Bellingham Municipal Code currently sets forth sewer rates and charges; and,

**WHEREAS**, the City completed a sewer comprehensive plan, including a study of what will be required as part of a capital improvement program to accommodate an increasing demand for service; and,

**WHEREAS**, an analysis was done by an independent consultant to evaluate the feasibility of executing the sewer comprehensive plan, including the capital improvement program, in light of the financial obligations of the sewer utility, including such items as operating and maintenance expenses, and the current rates and charges; and,

**WHEREAS**, the sewer rates and charges should be revised to reflect increasing capital and operating expenses and to make up the estimated shortfall between the required future financial obligations necessary to implement the sewer comprehensive plan and the estimated future revenue;

**NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

**Section 1.** BMC Chapter 15.12.170 is hereby amended as follows:

**15.12.170 - Calculation Of Charges.**

**A.** Charges imposed to connect to and receive city sewer service shall consist of the following:

1. A system development charge determined pursuant to 15.12.175(A).
2. The connection fee for the specific property involved, as determined by the Department of Public Works, to insure that each connected property bears its equitable share of the cost of the system, plus interest pursuant to 15.12.175(C) and (D).

**B.** Monies collected as provided under this section shall be deposited in a capital cash line within the sewer fund.

**C.** Credits.

1. If a water service is exchanged for a larger service, the sewer demand charge shall be due and payable along with the water demand charge. Credit for previous services shall be given according to current rates.

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**City of Bellingham**

CITY ATTORNEY

210 Lottie Street

Bellingham, Washington 98225

Telephone (360) 676-6903

2. If a water service is exchanged for a smaller service, no refund of the sewer demand charge will be given.

3. If an abandoned service is reactivated within three years of abandonment, credit shall be given for the service reactivated. Value of the credit shall be the current charges for the service reactivated.

4. If an abandoned service is reactivated after three years of abandonment, credit shall be given only up to the amount previously paid.

**Section 2.** BMC Chapter 15.12.175 is hereby amended as follows:

**15.12.175 - Sewer System Development Charge Imposed.**

**A.** The system development charges for new sewer service or exchange services shall be determined by the size of the water service serving the premises and shall be imposed as follows:

1. Beginning on January 1, 2008, and continuing thereafter, the charge shall be:

<b>Water Service Type</b>	<b>Sewer System Development Charge</b>
Single-Family Residential	\$ 5,536.00
3/4" meter	\$ 8,304.00
1" meter	\$ 13,840.00
1-1/2" meter	\$ 27,680.00
2" meter	\$ 44,288.00
3" meter	\$ 88,576.00
4" meter	\$139,400.00
6" meter	\$276,855.00
8" meter	\$442,969.00
10" meter	\$692,139.00

2. Beginning on January 1, 2009, and continuing thereafter, the charge shall be:

<b>Water Service Type</b>	<b>Sewer System Development Charge</b>
Single-Family Residential	\$ 7,637.00
3/4" meter	\$ 11,456.00
1" meter	\$ 19,093.00
1-1/2" meter	\$ 38,185.00
2" meter	\$ 61,097.00
3" meter	\$122,193.00
4" meter	\$190,927.00
6" meter	\$381,911.00
8" meter	\$611,058.00
10" meter	\$954,778.00

For meter sizes greater than 4", the system development charge may be adjusted if it can be shown through an engineering analysis that the actual meter flow equivalents are less than shown above. For industrial connections, the system development charge shall equal the anticipated peak daily flow divided by 405, times \$2,750.

B. The connection fees hereunder shall accrue interest at the rate fixed at the Federal Reserve rate for a 10-year Treasury Note, as determined on the recording date of the Statement of Intent to Collect; PROVIDED, that interest shall only be accrued for a period not to exceed 10 years; and PROVIDED FURTHER, that no interest shall be collected within the first 90 days of recording of the Statement of Intent to Collect; and PROVIDED FURTHER, that the aggregate amount of the interest shall not exceed the equitable share of the cost of the system allocated to a given property owner.

**Section 3.** BMC Chapter 15.12.180 is hereby amended as follows:

**15.12.180 - Flat-Rate Services - Sewer Use Rates.**

A. Flat-rate services are charged a monthly rate for each month or portion of a month in which service is received. The flat rate applies to any unmetered or metered single family dwelling-unit on a single family zoned lot that is connected to the city's sewer system; and to any dwelling unit that is connected to the city's water system, and abuts a city right-of-way or utility easement within the corporate limits of the city containing a sewer main, thereby being capable of receiving sewer service.

B. The use rate for flat-rate service is \$25.83 per month in 2008 for single-family dwellings. Beginning on January 1, 2009, the use rate will be \$27.51 until December 31, 2009. Beginning on January 1, 2010, the use rate will be \$29.30 until December 31, 2010. Beginning on January 1, 2011, the use rate will be \$31.20 until December 31, 2011. Beginning on January 1, 2012, the use rate will be \$33.23 until December 31, 2012. Beginning on January 1, 2013, the use rate will be \$35.39 until December 31, 2013. Thereafter, the rate shall be adjusted annually by the inflationary factor tied to the Consumer Price Index, All Urban Consumers (CPI-U), Seattle-Tacoma-Bremerton index.

C. The use rate for unmetered duplexes is \$51.66 per month in 2008. Beginning on January 1, 2009, the use rate will be \$55.02 until December 31, 2009. Beginning on January 1, 2010 the use rate will be \$58.60 until December 31, 2010. Beginning on January 1, 2011, the use rate will be \$62.40 until December 31, 2011. Beginning on January 1, 2012, the use rate will be \$66.46 until December 31, 2012. Beginning on January 1, 2013, the use rate will be \$70.78 until December 31, 2013. Thereafter, the rates may be adjusted annually by the City Council and reflect, at a minimum, an inflationary factor tied to the Consumer Price Index, All Urban Consumers (CPI-U), Seattle-Tacoma-Bremerton index.

**Section 4.** BMC Chapter 15.12.190 is hereby amended as follows:

**15.12.190 - Metered Services - Sewer Use Rates.**

For all metered services that are connected to the city's sewer system, including multiple dwelling units, commercial services, institutional and those industrial users not subject to Chapter 15.20 of this title, the use rate is based on the volume of water used on the premises, as follows:

**A. The use rate shall be as follows:**

1. In 2008, Multiple Dwelling Units, including metered duplexes, shall have a use rate of \$25.83 for the first eight hundred cubic feet of water used plus \$2.71 for each additional one hundred cubic feet of water, or fraction thereof, used.
2. In 2009, Multiple Dwelling Units, including metered duplexes, shall have a use rate of \$27.51 for the first eight hundred cubic feet of water used plus \$2.89 for each additional one hundred cubic feet of water, or fraction thereof, used.
3. In 2010, Multiple Dwelling Units, including metered duplexes, shall have a use rate of \$29.30 for the first eight hundred cubic feet of water used plus \$3.08 for each additional one hundred cubic feet of water, or fraction thereof, used.
4. In 2011, Multiple Dwelling Units, including metered duplexes, shall have a use rate of \$31.20 for the first eight hundred cubic feet of water used plus \$3.28 for each additional one hundred cubic feet of water, or fraction thereof, used.
5. In 2012, Multiple Dwelling Units, including metered duplexes, shall have a use rate of \$33.23 for the first eight hundred cubic feet of water used plus \$3.49 for each additional one hundred cubic feet of water, or fraction thereof, used.
6. In 2013, Multiple Dwelling Units, including metered duplexes, shall have a use rate of \$35.39 for the first eight hundred cubic feet of water used plus \$3.72 for each additional one hundred cubic feet of water, or fraction thereof, used.
7. In 2008, Commercial, Institutional and Industrial (medium strength) shall have a use rate of \$23.78 for the first eight hundred cubic feet of water used plus \$2.97 for each additional one hundred cubic feet of water, or fraction thereof, used.
8. In 2009, Commercial, Institutional and Industrial (medium strength) shall have a use rate of \$25.32 for the first eight hundred cubic feet of water used plus \$3.16 for each additional one hundred cubic feet of water, or fraction thereof, used.
9. In 2010, Commercial, Institutional and Industrial (medium strength) shall have a use rate of \$29.96 for the first eight hundred cubic feet of water used plus \$3.37 for each additional one hundred cubic feet of water, or fraction thereof, used.

10. In 2011, Commercial, Institutional and Industrial (medium strength) shall have a use rate of \$31.90 for the first eight hundred cubic feet of water used plus \$3.59 for each additional one hundred cubic feet of water, or fraction thereof, used.

11. In 2012, Commercial, Institutional and Industrial (medium strength) shall have a use rate of \$33.97 for the first eight hundred cubic feet of water used plus \$3.82 for each additional one hundred cubic feet of water, or fraction thereof, used.

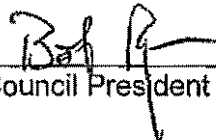
12. In 2013, Commercial, Institutional and Industrial (medium strength) shall have a use rate of \$36.17 for the first eight hundred cubic feet of water used plus \$4.07 for each additional one hundred cubic feet of water, or fraction thereof, used.

B. Upon expiration of the rates in subsection A. above, the rates may be adjusted annually by the City Council and reflect, at a minimum, an inflationary factor tied to the Consumer Price Index, All Urban Consumers (CPI-U), Seattle-Tacoma-Bremerton index.

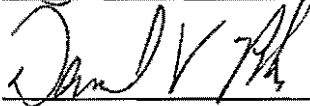
**Section 5. Effective Date and Implementation Date.**

This Ordinance shall take effect pursuant to the terms of the Bellingham City Charter but the implementation of these requirements will begin on January 1, 2008.

PASSED by Council this 10th day of December, 2007.

  
\_\_\_\_\_  
Council President

APPROVED by me this 21st day of December, 2007.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Finance Director

Approved as to Form:

  
\_\_\_\_\_  
Office of the City Attorney

Published: December 14, 2007

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