

**ORDINANCE NO. 2012-05-025**

**AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON AMENDING BELLINGHAM MUNICIPAL CODE SECTIONS BMC 15.08.200, BMC 15.08.230(B), BMC 15.12.165, AND BMC 15.12.170 REGARDING FEES RELATED TO REACTIVATION OF ABANDONED WATER AND SEWER SERVICE.**

**WHEREAS**, the City Council finds that providing a specified credit for system development charges to properties when customers reactivate abandoned services is consistent with fairness and the equitable allocation of system development costs,

**WHEREAS**, the credit provided should be based on the last service size in use, and

**WHEREAS**, City Council finds that passing this Ordinance is in the best interests of the citizens of the City of Bellingham.

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

**Section 1: BMC 15.08.200 is amended as follows:**

**15.08.200 - Abandoned Services**

**A.** An abandoned service is any water service that has not been used for a period of 3 years or longer except for services installed as part of a main extension and not put into service, which will not be considered abandoned. Abandonment under this section shall not relieve the property owner or other responsible party of any financial responsibility for charges incurred at the premises for water service.

**B.** A property with an abandoned City water service located outside the City's corporate limits but within the City's Urban Growth Area may apply for one new single-family water service with a service meter size of one inch or the same size service meter as the water service previously abandoned whichever is smaller.

**C.** A new water service for a premises where an abandoned service exists may use the existing abandoned water service if it is determined to be in satisfactory condition by the Director of Public Works or his designee. If the abandoned service is reactivated without modification, the applicant shall be refunded that portion of the fees and charges expressly stated for service installation. A credit for the system development charge shall be provided as set forth in BMC 15.08.230. All other fees and charges shall be the same as for a new service.

**Section 2: BMC 15.08.230(B) is amended as follows:**

- B. System development charge credits are available and shall be calculated as follows:
1. If an existing service is exchanged for a larger service, credit shall be given for the smaller service at the current rate.
  2. No refunds will be given for exchange or reactivation to smaller size services.
  3. If an abandoned service is reactivated, credit shall be given for the last service size in use. Flat Rate Single Family service will be considered a 5/8" service. Value of credit shall be current charge for that size service irrespective of whether a fee was ever collected.
  4. The system development charge for single-family residential shall be subject to review by the Public Works Department using the Uniform Plumbing Code and the AWWA "Sizing Water Service Lines and Meters;" except that standby fire protection services shall be sized based upon fire flow requirements determined by the Fire Department and not included in the calculation of the system development charge pursuant to BMC 15.08.250(C).

**Section 3: BMC 15.12.165 is amended as follows:**

**15.12.165 - Abandoned Service.**


- A. An abandoned service is any sewer service that has not been used for a period of 3 years or longer except for services installed as part of a main extension and not put into service, which will not be considered abandoned. Additionally, an abandoned water service under BMC 15.08.200 shall also mean the sewer service is abandoned. Abandonment under this section shall not relieve the property owner or other responsible party of any financial responsibility for charges incurred at the premises for sewer service.
- B. A property with an abandoned City sewer service located outside the City's corporate limits but within the City's Urban Growth Area may apply for one new single-family sewer service.
- C. A new sewer service for a premises where an abandoned service exists may use the existing abandoned sewer service if it is determined to be in a satisfactory condition in writing by a licensed plumber, a copy of which shall be provided to the Department of Public Works. A credit for the system development charge shall be provided as set forth in BMC 15.12.170. All fees and charges shall be the same as for a new service.

**Section 4: BMC 15.12.170 is amended as follows:**

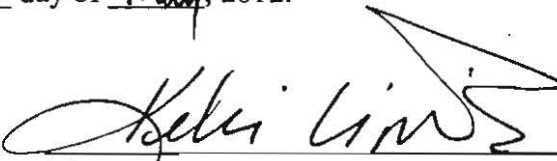
C. Credits for system development charge.

1. If a water service is exchanged for a larger service, the system development charge shall be due and payable along with the water demand charge. Credit for previous services shall be given according to current rates.
2. If a water service is exchanged for a smaller service, no refund of the system development charge will be given.
3. If an abandoned service is reactivated, credit shall be given for the last service size in use. Flat Rate Single Family service will be considered a 5/8" service. Value of the credit shall be the current charges for the service reactivated, irrespective of whether a fee was ever collected.

PASSED by the Council this 7th day of May, 2012.

  
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Council President

APPROVED by me this 15th day of May, 2012.

  
\_\_\_\_\_  
Mayor

Attest:   
\_\_\_\_\_  
Finance Director

Approved as to form:

  
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Office of the City Attorney

Published: May 11, 2012

Ordinance Amending BMC 15.08.200, BMC 15.08.230(B),  
BMC 15.12.165, and BMC 15.12.170

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