

ORDINANCE NO. 2012-12-059

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON AMENDING MUNICIPAL CODE SECTION 15.04.070 TO EXPAND THE ELIGIBILITY FOR REDUCED UTILITY RATES FOR SENIOR, DISABLED AND NON-PROFIT LOW INCOME HOUSING ENTITIES.

WHEREAS, Chapter 35.67 RCW authorizes cities to provide water, sewer, and surface and storm water public-utility services and to fix, alter, regulate and control the rates and charges for the use of said public utilities; and

WHEREAS, cities may provide public utility services at reduced rates for low-income senior citizens, low-income disabled citizens, and/or other low-income citizens; and

WHEREAS, the City of Bellingham ("City") owns and operates public utilities; and,

WHEREAS, having recently passed Proposition 1 to provide through a property tax levy funding for affordable housing and to assist low income tenants, the citizens of the City have demonstrated a willingness to support with public funds low income housing; and,

WHEREAS, City Council wishes to expand the eligibility for reduced utility rates to include non-profit low income housing entities; and

WHEREAS, City Council wishes to expand the eligibility for reduced utility rates for low-income senior and disabled citizens by increasing the gross household income limit; and

WHEREAS, public input was sought, received and considered;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BELLINGHAM DOES HEREBY ORDAIN THAT:

Section 1: BMC Chapter 15.04.070 is shall be amended to read as follows:

15.04.070 - Reduced Rates for Low Income Senior and Disabled Citizens

A. Any low income senior or disabled citizen who satisfies the reduced rate criteria in this section and who lives in a residence receiving a separate City of Bellingham water or sewer service and water or sewer bill, is entitled to a rate reduction for water, sewer and storm and surface water utilities.

B. A senior aged 62 or older or a disabled person with a gross household income of \$35,000 or less in 2012 (adjusted annually thereafter using the Whatcom County low income property tax exemption qualifying annual household income eligibility limit) is entitled to

have their water, sewer and storm and surface water rates reduced by the following amounts:

Household Income Percent Reduction

0-50% of the qualifying income is a 75% reduction

Greater than 50%-75% of the qualifying income is a 50% reduction

Greater than 75%-100% of the qualifying income is a 25% reduction

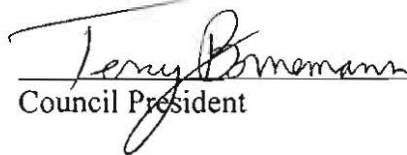
For purposes of this Section 15.04.070, "gross income" shall have the same definition as provided in 26 United States Code Section 61, as currently enacted or hereafter amended.

C. Nonprofit agencies providing affordable housing for low-income households and public housing authorities, such as the Bellingham Housing Authority or other similar entity, receiving public funds for low income housing may obtain a rate reduction of ten percent (10%) if the premises have rents restricted by a federal, state or city housing program for households earning less than 60% of Area Median Income (AMI).

D. All persons claiming the discount provided for in this section shall first be required to file an application with the City requesting the reduction. The application shall provide information sufficient for the City to verify the applicant's eligibility to participate in this reduced rate program. Customers receiving the rate reduction must renew their application annually in accordance with administrative procedures promulgated by the Finance Director.

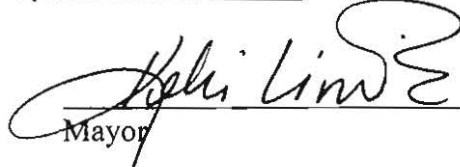
Section 2: Effective Date. This Ordinance shall take effect January 1, 2013.

PASSED by the Council this 10th day of December, 2012.




Council President

APPROVED by me this 18th day of December, 2012.



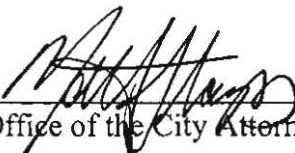
Mayor

ATTEST:



Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

Published:

December 14, 2012
