

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1276-17**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, REPEALING ORDINANCE NO. 1252-16; ADOPTING A NEW WATER RATE SCHEDULE FOR SINGLE-FAMILY, MULTI-FAMILY AND COMMERCIAL WATER CUSTOMERS EFFECTIVE FOR THE DECEMBER 2017 BILLING; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to RCW 35.92.010 and RCW 35.92.025 the City through its legislative authority has the power and authority to establish rates for water service; and

WHEREAS, the city bills customers for the prior month of usage the rate shall be effective with the January 1, 2016 billing; and

WHEREAS, in 2016 the City conducted a one year rate study of the reasonable rates required to provide water service now and in the future; and

WHEREAS, the City conducted a comprehensive ten-year rate study in 2017; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1 Establishment of fees and charges for water service. Water rates are hereby established for the following categories of service as follows:

1. The words and phrases set out in this section are defined as follows:
 - A. "Low income senior citizen" means persons 62 years of age or older, on or before January 31st of the year of the filing for the discount. Low income is based on 125 percent of the federal poverty guidelines.
 - B. "Base rate" means the minimum monthly charge for water service.
 - C. "Rate" equals monthly base rate plus volume rate for each additional 100 cubic feet.
 - D. "Monthly base rate" is the rate tabulated in the two water rate schedules below. The rates differ for service within the city's corporate limits and without the city's corporate limits.
 - E. "Volume rate for each additional 100 cubic feet" refers to the applicable rate whether within the city's corporate limits or without for each additional 100 cubic feet or fraction thereof of water usage over the allowance set by the city council for the customer's unit.

3. For residential and commercial service inside the city limits all rates are per dwelling or commercial unit. An accessory dwelling unit is considered a dwelling unit.

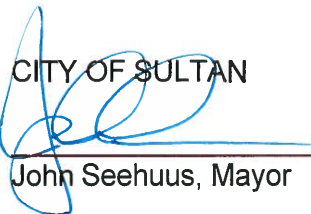
3. For residential and commercial service outside the city limits, the charges shall be one hundred fifty percent (150%) of the standard in-city rate as established by the city council. "Outside of the city limits" shall mean any property that qualifies for one or more of the following:

- A. A majority of the property is situated outside of city limits
- B. A majority of fixtures on the property are outside of city limits; or
- C. A majority of the value of improvements is outside city limits

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.


Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 16TH DAY OF NOVEMBER 2017.

CITY OF SULTAN



John Seehuus, Mayor

ATTEST/AUTHENTICATED:



Laura Koenig, City Clerk

Approved as to form:



Hillary Graber, City Attorney

Date of Publication: November 20, 2017

Effective Date: November 25, 2017