

**CITY OF SULTAN, WASHINGTON
ORDINANCE NO. 1125-11**

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON,
TO ADOPT RECYCLE SERVICE RATES; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS the City has entered into a contract with Allied Waste to provide recycling services within the city; and

WHEREAS, the rates may be adjusted on annual basis based on the Consumer Price Index (CPI) in accordance with Section 6.2 of the contract with Allied Waste; and

WHEREAS, Allied Wasted notified the City on September 1, 2010 of the CPI of 1.05% for US Cities from June 2009 to June 2010; and

WHEREAS, the city approved increasing the recycle rate with adoption of annual resolution #10-19 establishing fees for service; and

WHEREAS, rates adopted by ordinance require an ordinance to change the rates;

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

Section 1. Establish rates and charges for recycle service as follows:

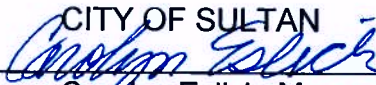
1. Recycling (Per Dwelling Unit Per Month) Single family detached and multi-family units (duplex, triplex, and fourplex) 64 or 96 gallon toter.....	\$9.35
Multi-family units of five units or larger 64 or 96 gallon toter/unit.....	\$9.35
Qualified low income senior citizens.....	\$4.68
Yard Waste Voucher (<u>per pickup</u>).....	\$8.40

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 on January 1, 2011.

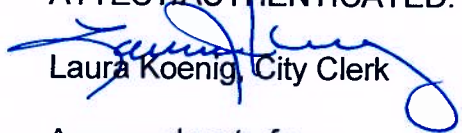
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 8TH
DAY OF NOVEMBER 2011.

CITY OF SULTAN

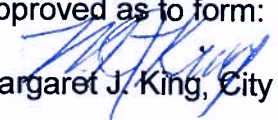


Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:


Laura Koenig, City Clerk

Approved as to form:


Margaret J. King, City Attorney

Published: 12-12-11

**CITY OF SULTAN
WASHINGTON**

ORDINANCE NO. 1124-11

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON,
REPEALING ORDINANCE NO. 1056-09 ADOPTING A NEW
DECREASED WATER GENERAL FACILITIES CHARGE;
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 also to establish a reasonable connection charge as a condition to granting the right to connect to the City's water system; and

WHEREAS, the city council adopted Ordinance No. 1056-09 effective August 22, 2009 establishing the water general facilities charge ("connection charge") per equivalent residential unit at \$6,199 if paid after November 30, 2009; and

WHEREAS, the City has completed the 2010 Water System Plan in accordance with the Washington Administrative Code 246-290-100 which requires water purveyors to update their water system plans every six years; and

WHEREAS, the City of Sultan held first reading on October 27, 2011 to adopt the 2010 Water System Plan; and

WHEREAS, as a part of the 2010 Water System Plan analysis, the City has conducted an investigation of the historic costs of its water system and of interest and other factors influencing that cost for the purpose of determining an appropriate connection charge; and

WHEREAS, the City wishes to establish charges that reflect the equitable share of the cost of the system for connection to the system; and

WHEREAS, the City of Sultan held a public hearing on September 22, 2011 and received no public comment on adopting the 2010 Water System Plan and decreasing the general facilities charge to connect to the City's water system from \$6,199 to \$3,694;

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

Section 1. Establishment of the Water General Facilities Charge. The Water General Facilities Charge is hereby imposed on all parties seeking to connect to the water system a water general facilities charge as follows:

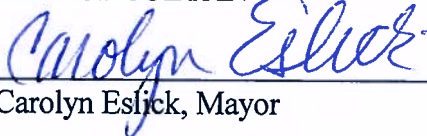
1. The charge per equivalent residential unit shall be, if paid before the city's close of business on November 30, 2011, \$6,199. If paid thereafter, the charge per equivalent residential unit shall be \$3,694.
2. The GFC may be adjusted annually during the budget process to capture capital costs from the 6-year Capital Improvement Plan (CIP) and changes in the Engineering News Record Construction Cost Index
3. A \$1,000 additional charge shall be assessed for water meter, installation and inspection for units not within an approved development or plat.
4. A \$300.00 additional charge shall be assessed for water meter, installation and inspection for units within an approved development or plat.
5. The charges imposed by this subsection shall be in addition to any charges due under an approved latecomer or cost recovery contract.

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, but no sooner than December 1, 2011.

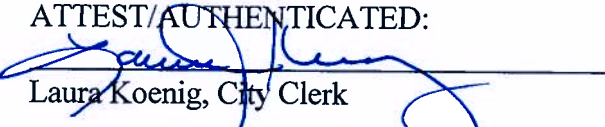
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 10th DAY OF November, 2011.

CITY OF SULTAN



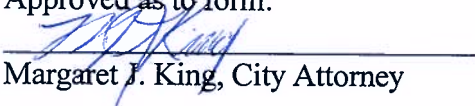
Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:



Laura Koenig, City Clerk

Approved as to form:



Margaret J. King, City Attorney

Date of Publication: 11-17-11

Effective Date: 11-22-11