

CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1341-21

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, REPEALING
ORDINANCE NO. 1276-17; ADOPTING A NEW WATER RATE SCHEDULE
FOR SINGLE-FAMILY, MULTI-FAMILY AND COMMERCIAL WATER
CUSTOMERS EFFECTIVE FOR THE JULY 2021 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 Council endeavors to provide water utility management in a manner that is fiscally responsible; and

WHEREAS, the City bills customers for the prior month of usage, the rate shall be effective with the July 1, 2021 and January 1, 2022 billings; and

WHEREAS, The City of Sultan each year increases the utility rates to meet with the inflationary increases in the services the City provides; and

WHEREAS, over the last several months of the COVID-19 pandemic, residents and businesses have struggled with their utility payments, many of them asking for assistance through a variety of public programs; and

WHEREAS, the Governor of the State of Washington has placed additional restrictions on businesses and gatherings, severely impacting the economy of Sultan and the State; and

WHEREAS, the City acknowledges rate increases during a pandemic are a challenge for many residents and business; and

WHEREAS, the Mayor declared a state of emergency on March 26, 2020 due to the outbreak of Covid-19; and

WHEREAS, the Mayor, under the authority of RCW 38.52.070(2) issued Executive Order 01-2020, postponing the rate increase scheduled for December 1, 2020 for a sixty day period; and

WHEREAS, the City Council discussed the issue and has determined it is in the best interests of the residents and businesses of Sultan to delay the rate increase until June 2021 (effective for the July 1, 2021 billing);

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

Section 1. Repealing Ordinance 1276-17. City of Sultan Ordinance No. 1276-17 is hereby repealed in its entirety.

Section 2. Establishing 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.

2. 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 3. 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 4. 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 11th DAY of February 2021.

CITY OF SULTAN



Russell Wiita, Mayor

ATTEST/AUTHENTICATED:



Tami Pevey, City Clerk

Approved as to form:



Hillary Evans, City Attorney

Date of Publication: February 16, 2021
Effective Date: February 22, 2021