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ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3334

AN ORDINANCE granting to certain senior citizens relief from the City's Utility Occupation tax and from Water, Sewer and Storm and Surface Water Utility service charges; specifying the qualifications and requirements for persons to be entitled to such relief; empowering the Department of Finance to make rules and regulations to implement such relief; adding a new Section 4.10.185 to the Bellevue City Code; amending Sections 1 and 2 of Ordinance No. 2147 and Bellevue City Code Sections 4.10.190 and 4.10.200, as last amended by Sections 1 and 2 of Ordinance No. 2787; amending Section 3 of Ordinance No. 2147 and Bellevue City Code Section 4.10.210; amending Section 4 of Ordinance No. 2787 and Bellevue City Code Section 4.10.220; amending Sections 1 and 2 of Ordinance No. 2819, as amended by Sections 1 and 2 of Ordinance No. 2880; and amending Section 3 of Ordinance No. 2819.

WHEREAS, because of increased costs of living there is a continuing need to relieve certain senior citizens residing in the City of Bellevue from the effects of the City's Utility Occupation tax and from Water, Sewer and Storm and Surface Water Utility service charges; and

WHEREAS, by Chapter 116, Laws of 1979, the City has been expressly authorized to provide utility services at reduced rates to low income senior citizens; and

WHEREAS, the City Council of the City of Bellevue desires to assist senior citizens who receive fixed limited incomes, and who therefore suffer severely from increased costs of living; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. There is hereby added to the Bellevue City Code a new Section 4.10.185 to read as follows:

4.10.185 Senior citizens - Definitions.

As used in this chapter, the following terms shall have the following meanings:

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- A. "Benefit year" shall mean the twelve month period ending on December 31st of any year during which a senior citizen has paid service charge billings to an organization described in Section 4.10.190;
- B. "Qualifying year" shall mean the twelve month period ending on December 31st of the year immediately preceding the benefit year.
- C. "Senior citizen" shall mean a person described by subsection A of Section 4.10.200.

Section 2. Section 1 of Ordinance No. 2147 as last amended by Section 1 of Ordinance No. 2787 and Bellevue City Code Section 4.10.190 are each hereby amended to read as follows:

4.10.190 Senior citizens - Tax relief.

There is granted to senior citizens who meet the qualifications and requirements of Sections 4.10.200 and 4.10.210, relief from the utility occupation tax of the City as follows:

- A. For all billings paid by the senior citizen during a benefit year for service charges to any organization which paid the utility occupation tax of the City, the City shall reimburse said senior citizen for the utility tax which applied to said billings or, in lieu thereof, at the election of the senior citizen, a minimum amount determined in accordance with subsection B of this Section.
- B. The minimum relief under this chapter for a benefit year is established to be forty-three dollars, adjusted for benefit year 1984 and each subsequent benefit year in accordance with Section 4.10.220, prorated for each month of residency in the City.

Section 3. Section 2 of Ordinance No. 2147 as last amended by Section 2 of Ordinance No. 2787 and Bellevue City Code Section 4.10.200 are each hereby amended to read as follows:

4.10.200 Senior citizens - Qualifications.

To qualify for the relief set forth in Section 4.10.190, a senior citizen shall:

- A. Be sixty-two years of age or older on the first day of the benefit year;

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- B. Have an income during the qualifying year, from all sources whatsoever, not exceeding eight thousand eight hundred dollars if a single person, or, a combined income of husband and wife, from all sources whatsoever, not exceeding eleven thousand seven hundred dollars if a married person, adjusted for qualifying year 1984 and each subsequent qualifying year in accordance with Section 4.10.220; and
- C. Have been a resident of the City of Bellevue during all or a portion of the benefit year.

Section 4. Section 3 of Ordinance No. 2147 and Bellevue City Code Section 4.10.210 are each hereby amended to read as follows:

4.10.210 Senior citizens - Requirements.

- A. All claims for relief under Sections 4.10.190 and 4.10.200 must be made annually and filed with the Department of Finance of the City of Bellevue during the first sixty days of the year following the benefit year.
- B. All billings for which claim is made under Sections 4.10.190 and 4.10.200 must be submitted to the Department of Finance as part of the claim for relief.
- C. All claims for relief shall be submitted to the Department of Finance in writing on a form provided by said department and certified by the claimant.
- D. The Department of Finance shall publish rules and regulations to implement this section and Sections 4.10.185, 4.10.190, 4.10.200, and 4.10.220.

Section 5. Section 4 of Ordinance 2787 and Bellevue City Code Section 4.10.220 are each hereby amended to read as follows:

4.10.220 Senior citizens - C.P.I. increases.

The amount of minimum relief established under subsection B of Section 4.10.190 and the amounts of maximum income allowed by subsection B of Section 4.10.200 are hereby increased by any increase in the Seattle-Everett Consumer Price Index for Urban Wage Earners and Clerical Workers for the period ending in September of the benefit year or qualifying year, as the case may be.

Section 6. The amendments contained in Sections 1 through 5 of this Ordinance shall apply to all billings paid on or after January 1, 1984.

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Section 7. Senior citizens - Utility service charges -
Definitions. As used in Sections 7 through 11 of this Ordinance and in
Sections 1, 2 and 3 of Ordinance No. 2819, as amended by this Ordinance,
the following terms shall have the following meanings:

- A. "Benefit year" shall mean the twelve month period ending
December 31st of any year during which utility service
charges are paid to the City of Bellevue by, or for the
residence of, a senior citizen;
- B. "Direct billing customer" shall mean a senior citizen who is
directly billed for and who pays the City of Bellevue for
utility service charges;
- C. "Indirect billing customer" shall mean a senior citizen who
is not directly billed for City of Bellevue utility service
charges, but for whose residence some or all of such charges
are paid by a landlord, maintenance association or other
third party;
- D. "Qualifying year" shall mean the twelve month period ending
December 31st of the year immediately preceding the benefit
year; and
- E. "Senior citizen" shall mean a person described by subsection
A of Section 2 of Ordinance No. 2819, as amended by this
Ordinance.

Section 8. Section 1 of Ordinance No. 2819 as amended by Section 1
of Ordinance No. 2880 is hereby amended to read as follows:

Section 1. Senior citizens - Utility service charges -
Relief. There is hereby granted to senior citizens who meet
the qualifications and requirements of Sections 2 and 3 of
this Ordinance, relief from the City's water, sewer and storm
drainage utility service charges as follows:

- A. Direct billing customers. Subject to subsection C of
this Section, all billings by the City during the
benefit year to direct billing customers who meet the
qualifications and requirements of Sections 2 and 3 of
this Ordinance shall be reduced by an amount equal to
75% of the aggregate of the minimum water, sewerage and
storm drainage service charges as prescribed by the
City's water, sewerage and storm drainage rate
ordinance(s) then in effect.

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- B. Indirect billing customers. Subject to subsection C of this Section, for all billings paid to the City during the benefit year for indirect billing customers who meet the qualifications and requirements of Sections 2 and 3 of this Ordinance, the City shall reimburse such indirect billing customers in an amount equal to 75% of the aggregate of the minimum water, sewerage and storm drainage service charges as prescribed by the City's water, sewerage and storm drainage rate ordinance(s) then in effect.
- C. In determining the amount of relief granted under this Section, the minimum water service charge shall not include any consumption charges for water consumed beyond 1,000 cubic feet bi-monthly.

Section 9. Section 2 of Ordinance No. 2819 as amended by Section 2 of Ordinance No. 2880 is hereby amended to read as follows:

Section 2. Senior citizens - Utility service charges - Qualifications. To qualify for the relief set forth in Section 1 of this Ordinance, a senior citizen shall:

- A. Be 62 years of age or older on the first day of the benefit year;
- B. Have an income during the qualifying year, from all sources whatsoever, not exceeding eight thousand eight hundred dollars, if a single person; or a combined income of husband and wife, from all sources whatsoever, not exceeding eleven thousand seven hundred dollars, if a married person. Such maximum incomes shall be increased for qualifying year 1984 and each subsequent qualifying year by any increase in the Seattle-Everett Consumer Price Index for Urban Wage Earners and Clerical Workers for the period ending in September of the qualifying year.
- C. Have been a resident of the City of Bellevue during all or a portion of the benefit year.

Section 10. Section 3 of Ordinance No. 2819 is hereby amended to read as follows:

Section 3. Senior citizens - Utility service charges - Requirements.

- A. All claims for relief under this Ordinance must be made annually and filed with the Department of Finance of the City of Bellevue within the following times:

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1. Direct billing customers who file their claim during the first sixty days of the benefit year shall be eligible for a reduction in their billings effective as of the first billing date of the benefit year. Any such customer who files a claim thereafter shall be eligible for a reduction effective as of the billing date next following the date of filing.
 2. Indirect billing customers shall file their claim during the first sixty days of the year following the benefit year.
- B. All billings for which claim is made under this Ordinance must be submitted to the Department of Finance as part of the claim for relief.
- C. All claims for relief shall be submitted to the Department of Finance in writing on a form provided by said department and certified by the claimant.
- D. The Department of Finance of the City shall publish rules and regulations to implement this Ordinance.

Section 11. The amendments contained in Sections 7 through 10 of this Ordinance shall apply to all billings to direct billing customers dated on or after January 1, 1984, and to all billings for indirect billing customers paid on or after January 1, 1984.

Section 12. This Ordinance shall be published by posting it in the three official posting places of the City, and shall take affect and be in force five days after the date of posting.

PASSED by the City Council this 19th day of December 1983, and signed in authentication of its passage this 19th day of December 1983.

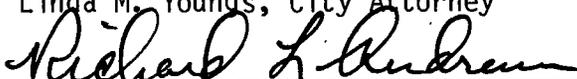
(SEAL)



Roy/A. Ferguson, Mayor

Approved as to form:

Linda M. Youngs, City Attorney



Richard L. Andrews, Assistant City Attorney

Attest:



Marie K. O'Connell, City Clerk

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