

0029-ORD
12/05/96

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4947

AN ORDINANCE revising storm and surface water drainage rates and charges for the Storm and Surface Water Utility of the City of Bellevue; amending Sections 3 and 4 of Ordinance No. 2429, as amended; and establishing an effective date.

WHEREAS, the Storm and Surface Water Utility, with the advice and assistance of a rate consultant, has reviewed the financial condition of the Utility and has reviewed the rates and charges provided by Ordinance No. 2429, as amended, and the policies upon which said rates and charges were established; and

WHEREAS, the Environmental Services Commission has reviewed the proposed modifications to the Utility's rates and charges and has recommended adoption of said modified rates and charges; and

WHEREAS, it is therefore necessary and in the public interest to establish the following amended schedule of rates and charges for the Storm and Surface Water Utility of the City of Bellevue; now, therefore,

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

Section 1. Section 4 of Ordinance No. 2429, as most recently amended by Section 1 of Ordinance No. 4722, is further amended to read as follows:

Section 4. There is hereby levied upon all real property within the City of Bellevue which contributes drainage water to or which benefits from the function of the Storm and Surface Water Utility of the City of Bellevue, and there shall be collected from the owners thereof, bimonthly service charges based on the square footage of the properties and on the appropriate intensity of development classification(s) of such properties, such that for each 2,000 square feet of area or increments thereof, the property shall be charged a bimonthly amount for 1997 and 1998 as follows:

<u>Year</u>	<u>Wetland</u>	<u>Undeveloped</u>	<u>Light Development</u>	<u>Moderate Development</u>	<u>Heavy Development</u>	<u>Very Heavy Development</u>
1997	\$0.00	\$0.39	\$2.29	\$2.87	\$4.30	\$5.73
1998	\$0.00	\$0.39	\$2.36	\$2.96	\$4.43	\$5.91

and each account shall be charged an additional bimonthly customer charge in the amount of \$2.18 per billing in 1997 and \$2.21 per billing in 1998.

Section 2. Section 3 of Ordinance No. 2429, as most recently amended by Section 2 of Ordinance No. 4722, is hereby further amended to read as follows:

Section 3. The Storm and Surface Water Utility may reclassify an individual parcel of property to the next lower classification of intensity than would be indicated by its percentage of impervious surfaces based on hydrologic data to be submitted by the property owner or his agent to the Utility, which demonstrates a hydrologic response substantially similar to that of a parcel of property of such lower classification of intensity.

The City Council finds that, in the case of some parcels of property of more than 35,000 square feet in size, in addition to the conditions set forth in paragraph 1 of this section, there may be intensities of development on portions of such parcels of property which differ significantly from other portions of such property in terms of hydrologic response. To provide for consideration of the variation in intensity of development which may be present on such parcels of property, the Storm and Surface Water Utility may classify portions of such parcels of property in any of the classifications defined in Section 2 on the basis of hydrologic response. Provided, however, that at least 35,000 square feet shall be classified in the most intense classification appropriate to a portion of the parcel of property.

The City Council further finds that the total area subject to the "combined" calculation for large lots may, at the option of the property owner, be capped at 66,000 square feet (excluding wetlands) for properties with no more than 35,000 square feet of developed area in the "light" or "moderate" intensity categories. The charges for the remaining undeveloped land may be deferred, at the option of the property owner, to the date of development of the property or to the date of closing on the sale of the property, whichever is earlier, and collected by the Utility, with interest accruing from the initial date of deferral at the prevailing interest rate for City bonded indebtedness. The Utilities Department Director is authorized to develop procedures for the implementation of the capping option and deferred charges, including recording of a notice of such deferred charges on the title of such property.

The City Council further finds that those properties that qualify under this section may have a lesser impact on storm water quantity. Where the owner demonstrates that the hydrologic response of the property is further mitigated through natural conditions, on-site facilities or actions of the property owner that reduce the City's costs in providing surface water quantity or quality services, the property owner may apply for a credit against the surface water charge otherwise applying to the property. The Utilities Director is authorized to develop and adopt procedures for the implementation of the provision of such credits.

Section 3. The revised bimonthly service charges and bimonthly customer charges established in Sections 1 and 2 of this ordinance shall take effect on January 1, 1997. The specific charges for 1997, as hereinbefore indicated, shall take effect on January 1, 1997 and shall remain in effect through and including December 31, 1997. The specific charges for 1998, as hereinbefore indicated, shall take effect on January 1, 1998 and shall remain in effect until amended by the City Council. Notwithstanding the foregoing, the last paragraph in Section 2 of this ordinance, which provides for a potential credit against surface water charges, shall take effect on January 1, 1998.

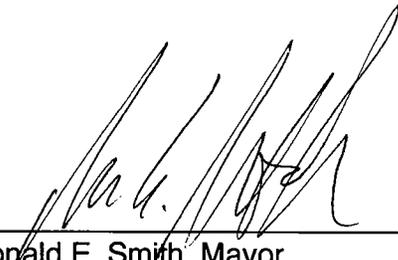
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Section 4. This ordinance shall take effect and be in force on five (5) days after its passage and legal publication.

PASSED by the City Council this 9th day of December, 1996, and signed in authentication of its passage this 9th day of December, 1996.

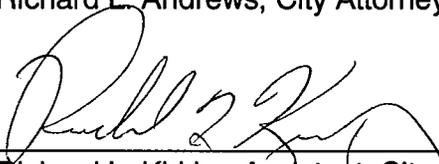
(SEAL)



Ronald E. Smith, Mayor

Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Kirkby, Assistant, City Attorney

Attest:



Myrna L. Basich, City Clerk

Published December 13, 1996