

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5965

AN ORDINANCE amending Sections 24.10.020 and 24.10.030 of the Bellevue City Code; providing for severability; and establishing an effective date.

WHEREAS, the City of Bellevue desires to update certain provisions of Chapter 24.10 BCC to correct outdated consumption rates at the lowest billing tier from 17 to 20 ccf (hundreds of cubic feet);

WHEREAS, the City of Bellevue has determined that updating certain provisions of Chapter 24.10 BCC to reflect corrected rates for billing purposes will improve clarity and application of those portions of the Bellevue City Code; and

WHEREAS, the Environmental Service Commission reviewed the consistency improvements to Chapter 24.10 BCC and recommends adoption of such amendments by the City Council.

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

Section 1. Section 24.10.020(c) of the Bellevue City Code is hereby amended to read as follows:

24.10.020 Utility service charges – Relief.

There is granted to persons who meet the qualifications and requirements of BCC 24.10.030 and 24.10.040 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 calendar year to direct billing customers who meet the qualifications and requirements of BCC 24.10.030 and 24.10.040 shall be reduced by an amount as set forth in BCC 24.10.030 of the aggregate of the sewerage, storm drainage and minimum water service charges as prescribed by the city's water, sewerage and storm drainage rate ordinances then in effect; provided, that such direct billing customer may, in lieu of receiving a billing reduction, receive a reimbursement pursuant to the provisions of BCC 24.10.030 and 24.10.040.

B. Indirect Billing Customers. Subject to subsection C of this section, for all billings paid to the city during the calendar year on behalf of indirect billing customers who meet the qualifications and requirements of BCC 24.10.030 and 24.10.040, the city shall pay to such indirect billing customers a reimbursement in an amount as set forth in BCC 24.10.030 of the aggregate of the sewerage, storm drainage and minimum water service charges as prescribed by the city's water, sewerage and storm drainage rate ordinances then in effect; provided, that such

indirect billing customer may, in lieu of receiving a one-time payment, receive quarterly payments pursuant the provisions of BCC 24.10.030 and 24.10.040.

C. In determining the amount of relief granted under this section, the minimum water service charge shall not include any consumption charges beyond the average winter consumption for single-family residences for direct billing customers; the average winter consumption for multifamily residences for indirect billing customers; and 20 ccf of water bimonthly for home kidney dialysis patients.

Section 2. Section 24.10.030(E) of the Bellevue City Code is hereby amended to read as follows:

24.10.030 Utility service charges – Qualifications and discount levels.

To qualify for the relief set forth in BCC 24.10.020, a person or member of the household must:

A. Meet one of the following criteria:

1. Be 62 years of age or older at all times during any period for which a billing reduction or reimbursement is requested; or

2. Be permanently disabled under the definitions of 42 U.S.C. Section 1382c(a)(2), (3)(A), (3)(B) or (3)(C) and receiving funds from a disability program such as Supplemental Security Income, Social Security Disability Insurance or Disabled Veterans payments; or

3. Be receiving home kidney dialysis treatments, as confirmed by Northwest Kidney Centers; and

B. Have been a resident of the dwelling unit served by the city's utility at all times during any period for which a "reimbursement" is requested and have contributed to the payment of city utility charges from his or her income or resources; and

C. Have an income, as defined in BCC 24.10.010(C), during the calendar year immediately preceding the calendar year or portion thereof for which a billing reduction is requested not exceeding 42.5 percent of the median income level per household for such calendar year for the Seattle-King County Primary-Metropolitan Statistical Area (PMSA) as published by the Secretary of Housing and Urban Development in order to qualify for a 75 percent billing reduction or reimbursement pursuant to BCC 24.10.020. If the annual update of the PMSA is not available, the median income level shall be determined by adjusting the prior year median income level in accordance with BCC 24.10.050 and meet the requirements set forth in subsection (A)(1) or (2) of this section; or

D. Have an income, as defined in BCC 24.10.010(C), during the calendar year immediately preceding the calendar year or portion thereof for which a billing

reduction is requested not exceeding 50 percent of the median income level per household for such calendar year for the Seattle-King County Primary-Metropolitan Statistical Area (PMSA) as published by the Secretary of Housing and Urban Development in order to qualify for a 40 percent billing reduction or reimbursement pursuant to BCC 24.10.020. If the annual update of the PMSA is not available, the median income level shall be determined by adjusting the prior year median income level in accordance with BCC 24.10.050 and meet the requirements set forth in subsection (A)(1) or (2) of this section; or

E. Meet the requirements set forth in subsection (A)(3) of this section to qualify for a billing reduction of 20 ccf of bimonthly water use and sewerage volume.

Section 3. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 4. This ordinance shall take effect and be in force thirty (30) days after passage and legal publication.

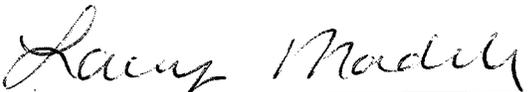
Passed by the City Council this 20th day of September, 2010 and signed in authentication of its passage this 20th day of September, 2010.

(SEAL)

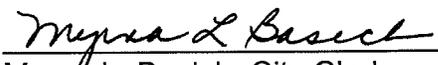

Don Davidson, DDS
Mayor

Approved as to form:

Lori M. Riordan, City Attorney


Lacey Madche, Assistant City Attorney

Attest:


Myrna L. Basich, City Clerk

Published September 23, 2010