1199-ORD
12/02/10

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5974

AN ORDINANCE establishing revised sewerage service charges; repealing Ordinance No. 5848; providing for severability; and establishing an effective date.

WHEREAS, the Environmental Services Commission has reviewed the Sewer Utility budget and rate proposal, held a public hearing thereon and recommended approval of the proposal; and

WHEREAS, it is in the public interest to establish the following amended schedule of rates and charges for the sewerage service area for the Sewer Utility of the City of Bellevue; now, therefore,

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

Section 1. Charges Established. There are hereby established and shall be collected from each user in the sewerage service area for the Sewer Utility of the City of Bellevue sewerage service charges as hereinafter provided.

Section 2. Single Family Residential Structures.

A. The service charge for single-family residential units shall be $72.20 per bimonthly billing period in 2011 and $72.20 per bimonthly billing period in 2012, plus a volume charge based on the bimonthly winter-average water consumption for the structure, as follows:

Winter-Average Cubic Feet Consumed	Charge Per Hundred Cubic Feet of Water	
	2011	2012
0 to 5,000	$2.71	$2.82
Over 5,000	$3.50	$3.65

B. For purposes of these charges, winter-average consumption is the average bimonthly water volume recorded on three normal meter readings during the period of December 15 through June 15 of the preceding year. Winter-average consumption for each residence will be recomputed before the start of each year and that volume will be used to compute the bimonthly sewer volume charge for the residence for the entire calendar year.

C. For those residences that are not Bellevue water customers, actual meter reading data necessary to compute the residence's winter-average water consumption will be obtained from the customer's water district, whenever possible.

Where that data is unavailable and for new structures where water consumption data necessary to compute actual winter-average consumption has not been recorded, bimonthly sewer volume charges for the residence will be based on Bellevue's system-wide winter-average residential consumption of 1,500 cubic feet for a two-month period.

Section 3. Multifamily Residential Structures or Facilities.

The service charge for each multifamily residential structure or facility shall be $74.41 for 2011, and $74.44 for 2012 per bimonthly billing period for each dwelling unit, plus $6.05 for 2011 and $6.14 for 2012 per 100 cubic feet of water consumed by such structure or facility in excess of 1,100 cubic feet per dwelling unit during each bimonthly billing period.

For the purposes of this Section 3, "multifamily residential structure or facility" shall mean any residential structure or facility containing two or more dwelling units, including but not limited to duplexes, triplexes, apartment buildings, condominiums, and parcels containing two or more separate dwelling units, but shall not include hotels. motels or trailer parks. Mixed-use structures that include both multi-family dwelling units and commercial non-residential units and that are served by one water meter shall be billed as multi-family.

Section 4. Non-residential Structures or Facilities.

A. The service charge for non-residential structures or facilities shall be based on water consumption by each structure or facility and shall be computed as follows:

$7.25 for 2011, and $7.36 for 2012 per 100 cubic feet of water consumption per bimonthly billing period.

Provided, there shall be a minimum charge of $112.74 for 2011 and $114.43 for 2012 per bimonthly billing period.

For purposes of this Section 4, "non-residential structure or facilities" shall mean any structure or facility not governed by Section 2 or Section 3 of this ordinance and shall include, but not be limited to, any commercial, industrial, business, trade, school or municipal structure or facility.

Section 5. King County/METRO Charges. In addition to these rates and charges for sewerage service established in this ordinance, or otherwise established by the City, the following King County/METRO charges are imposed to ensure compliance with Section 204 of Public Law 92-500 (22 U.S.C. 1251) CFR Part 35, Subpart E:

A. A "surcharge" in an amount to be determined as provided in King County/METRO Resolution Nos. 2315 and 2557 (now incorporated into Title 28 of the King County Code, Chapter 28.84.060), as now constituted or hereafter amended, said charge to be added to the customer's regular bill.

B. An "Industrial Cost Recovery (ICR)" charge in an amount to be determined as provided in King County/METRO Resolution Nos. 2556 and 3374 (now incorporated into Title 28 of the King County Code, Chapter 28.84.060), as now constituted or hereafter amended, said charge to be billed separately to qualifying industrial customers on an annual basis.

C. An administrative charge of $15.50 shall be added to each customer bill that contains a King County/METRO "surcharge" or "ICR charge."

D. The City of Bellevue, in cooperation with King County/METRO, shall maintain such records as are necessary to document that its sewerage charges comply with the above-cited federal laws and regulations and King County/METRO regulations.

Section 6. User Charges - Outside. The charges for each user outside the city or town limits of Bellevue, Clyde Hill, Hunts Point, Medina and Yarrow Point shall be the sum of any applicable charges under Sections 2, 3, 4 and 5 of this ordinance.

Section 7. User Charges - Inside. The charges for each user inside the city or town limits of Bellevue, Clyde Hill, Hunts Point, Medina and Yarrow Point shall be the sum of any applicable charges under Sections 2, 3, 4 and 5 multiplied by the percentage indicated below for that city or town:

Bellevue	105.4856%
Clyde Hill	110.3273%
Hunts Point	107.2506%
Medina	103.2207%
Yarrow Point	105.4856%

provided that the percentages set forth above may be administratively adjusted by the Utility Department Director to reflect any increase or decrease in any franchise fee required to be paid to such city or town by the Utility.

Section 8. The Utilities Department Director shall have authority under this ordinance to adopt procedures necessary for the efficient and equitable administration of the sewer rate structure.

Section 9. Severability. If any section of this ordinance, or any portion of any section of this ordinance, or its application to any person or circumstance, is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances, shall not be affected.

Section 10. Repeal. Ordinance No. 5848 is repealed as of January 1, 2011; provided, however, that any charges made for sewerage service under Ordinance No. 5848 are not invalidated by the repeal of that ordinance.

Section 11. Effective Date. Sections 1-9 of this ordinance shall take effect on January 1, 2011, shall apply to service provided on and after that date and shall

ORIGINAL

supersede all existing schedules of charges as of that date. The specific sewerage service charges for 2011, as hereinbefore indicated, shall take effect on January 1, 2011 and shall remain in effect through and including December 31, 2011. The specific sewage service charges for 2012, as hereinbefore indicated, shall take effect on January 1, 2012, and shall remain in effect until amended by the City Council.

Section 11. This ordinance shall take effect and be in force five (5) days after its passage and legal publication.

Passed by the City Council this 6th day of December, 2010 and signed in authentication of its passage this 6th day of December, 2010.

(SEAL)

Don Davidson, DDS
Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Mary Kate Berens, Deputy City Attorney

Attest:

Myrna L. Basich, City Clerk

Published December 9, 2010