

ORDINANCE NO. 2010-899

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, AMENDING SECTIONS 13.04.180, 13.04.200, AND 13.08.060 AND REPEALING CHAPTER 13.12 OF THE DEER PARK MUNICIPAL CODE TO ESTABLISH CERTAIN WATER AND WASTEWATER RATES AND CHARGES BY RESOLUTION AND REPEALING OUTDATED RATE PROVISIONS, CONTAINING A SEVERABILITY PROVISION, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City staff and Mayor recommend, and the City Council concurs, that rates for water and wastewater services should be set by resolutions passed by the City Council from time to time, to avoid repeated amendments to the Deer Park Municipal Code; and

WHEREAS, to accomplish this objective, Sections 13.04.180, 13.04.200 and 13.08.060 of the Deer Park Municipal Code should be amended and Chapter 13.12 of the Deer Park Municipal Code should be repealed; NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON DO ORDAIN
AS FOLLOWS:

Section 1. Section 13.04.180 of the Deer Park Municipal Code is hereby amended to read as follows:

13.04.180 Connection charges.

A. At the time of making an application for permit, the applicant shall pay a connection charge fee as established by resolution from time to time.

B. When the connection is to be made in or requires removal and replacement of asphalt, cement, or hard top surface street, there shall be an additional charge consisting of the city's actual cost for each connection over and above the connection fee required to be paid pursuant to subsection A of this section.

C. The connection charge for a connection larger than a two-inch service shall be the connection fee required to be paid pursuant to subsection A of this section, plus the actual costs incurred by the City to make the connection.

Section 2. Section 13.04.200 of the Deer Park Municipal Code is hereby amended to

read as follows:

13.04.200 Water rates designated.

A. Charges for water consumed and service provided by the city shall be established by resolution from time to time.

B. Taxes and overage of water used shall be in addition to the base rates established in DPMC 13.04.200(A). Charges for overage of water used shall be as established from time to time by resolution.

C. The city shall charge an indebtedness fee, designated by resolution from time to time, to all property connected to city service, with premises or buildings, residential or commercial, when said premises or buildings are vacant, when service has been terminated for nonpayment or when service is discontinued at the request of the owner.

1. For the purpose of this chapter, the indebtedness fee is that portion of the monthly utility bill that is for repayment of financial obligations of the city for utility improvements, plus applied taxes.

2. The indebtedness fee will be terminated upon receipt of an application, signed by the owner of the property or premises, requesting the abandonment of the service connection.

3. Should reconnection to service be desired, an application for service, signed by the property owner, accompanied by appropriate connection fees, must be submitted to the city.

4. The city's lien policy shall be in effect on these properties as in all other properties.

D. Bulk water shall be sold at the price designated by resolution from time to time, per 1,000 gallons, only after the issuance of a written permit for such water by the superintendent of water or the utility clerk. Bulk water sales shall occur through the city bulk water station or through city-owned construction meters under policies of the water utility.

E. The city will charge a water start-up fee, designated by resolution from time to time, for all residents requesting temporary shut-off.

{CDZW0154624.DOC;2\00003.900000\}

ORDINANCE NO. 2010-899

Page 2 of 5.

F. The rate for schools, churches and hospitals shall be according to the regular rates set forth by resolution from time to time. Water charges at the established rates will be charged against the property from the date on which the water is turned off, per request in writing signed by the owner as provided in this chapter.

G. All construction water will be charged to the property at the going rate set by resolution from time to time. A meter will be provided by the water department and will be read during the regular utility billing cycle

Section 3. Section 13.08.060 of the Deer Park Municipal Code is hereby amended to read as follows:

13.08.060 Rates and charges.

A. The rates and charges for wastewater service shall be set by resolution from time to time.

B. Taxes and excess wastewater charges related to overage of water usage shall be in addition to the base rates established in DPMC 13.08.060(A). Excess wastewater charges related to overage of water usage shall be as established from time to time by resolution.

Section 4. Chapter 13.12 of the Deer Park Municipal Code is hereby repealed.

Section 5. **Severability.** If any section, sentence, clause, or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

Section 6. **Publication.** The City Clerk is hereby directed to publish a summary of this ordinance consisting of the title of this ordinance.

Section 7. Effective Date. This Ordinance shall be effective at 12:01 a.m. on
January 1, 2011.

APPROVED:


MAYOR ROBERT WHISMAN

ATTEST/AUTHENTICATED:


DEBY CRAGUN, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

BY: 
CHARLES D. ZIMMERMAN

FILED WITH THE CITY CLERK	:	<u>11-15-2010</u>
FIRST READING DATE	:	<u>11-17-2010</u>
SECOND READING DATE	:	<u>12-01-2010</u>
THIRD READING DATE	:	<u>Waived</u>
PASSED BY THE CITY COUNCIL	:	<u>12-01-2010</u>
PUBLISHED	:	<u>12-03-2010</u>
EFFECTIVE DATE	:	<u>12-10-2010</u>
ORDINANCE NO.	:	<u>2010-899</u>

SUMMARY OF ORDINANCE NO. 2010-899

of the City of Deer Park, Washington

On the 01 day of December, 2010, the City Council of the City of Deer Park, passed Ordinance No. 2010-899 A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, AMENDING SECTIONS 13.04.180, 13.04.200, AND 13.08.060 AND REPEALING CHAPTER 13.12 OF THE DEER PARK MUNICIPAL CODE TO ESTABLISH CERTAIN WATER AND WASTEWATER RATES AND CHARGES BY RESOLUTION AND REPEALING OUTDATED RATE PROVISIONS, CONTAINING A SEVERABILITY PROVISION, AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 02 day of December, 2010.



DEBY CRAGUN, CITY CLERK