

ORDINANCE NO. 2611

AN ORDINANCE AMENDING CHAPTER 13.12 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "WATER, SEWER, AND STORMWATER RATES"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 13.12 of the Moses Lake Municipal Code entitled "Water, Sewer, and Stormwater Rates" is amended as follows:

13.12.010 Residential Water Rates:

- A. The following shall be the monthly rate charge for water from the city water system from all residential living units within the corporate limits of the city and outside the corporate limits of the city after May 1, 2011:

Amount Used (in cubic feet)	Water Rate
0-500	\$21.65 per month
Over 500	\$.81 per 100 cu. ft. or portion thereof

- B. The following shall be the minimum monthly amounts charged according to each meter in service for all residential living units within the corporate limits of the city and outside the corporate limits of the city after May 1, 2011:

Meter Size (in inches)	Minimum Charge per Calendar Month	Water Delivered for Minimum (in cubic feet)
3/4 or smaller	\$21.65	500
1	\$25.70	1,000
1½	\$37.85	2,500
2	\$98.60	10,000

NOTE: All minimum charges are the base rate with all consumption in excess of five hundred (500) cubic feet computed at the over five hundred (500) cubic feet rate.

- C. Unmetered residential water services within the corporate limits of the city and outside the corporate limits of the city shall be based upon the following rate schedule after May 1, 2011:

Billing Cycle	Flat Rate
November through March	\$21.65 per month
April through October	\$43.30 per month

13.12.015 Dwellings With Two Living Units:

- A. The following shall be the monthly rate charged for water from the city system for a dwelling with two (2) separate living units within the corporate limits of the city and outside the corporate limits of the city with only one (1) meter serving two (2) living units or for two (2) houses on a single lot served by one (1) meter after May 1, 2011:

Amount Used (in cubic feet)	Water Rate
0-1,000	\$43.30 per month
Over 1,000	\$.81 per 100 cu. ft. or portion thereof

- B. The following shall be the minimum monthly amounts charged according to the size of each meter in service to a dwelling with two (2) separate living units with only one (1) meter to the living unit or for two (2) houses on a single lot served by one (1) meter within the corporate limits of the city and outside the corporate limits of the city after May 1, 2011:

Meter Size (in inches)	Minimum Charge per Calendar Month	Water Delivered for Minimum (in cubic feet)
3/4 or smaller	\$43.30	1,000
1	\$51.40	2,000
1½	\$75.70	5,000
2	\$197.20	20,000

13.12.020 Commercial Water Rates:

- A. The following shall be the monthly rate charged for water from the city water system for commercial users and dwellings with three (3) or more living units served by one (1) meter within the corporate limits of the city and outside the corporate limits of the city after May 1, 2011:

Amount Used (in cubic feet)	Water Rate
0-500	\$36.45 per month
Over 500	\$.81 per 100 cu. ft. or portion thereof

- B. The following shall be the minimum monthly amounts charged according to each meter in service for commercial users and dwellings with three (3) or more living units served by one (1) meter within the corporate limits of the city and outside the corporate limits of the city after May 1, 2011:

Meter Size (in inches)	Minimum Charge per Calendar Month	Water Delivered for Minimum (in cubic feet)
3/4 or smaller	\$36.45	500
1	\$40.50	1,000
1½	\$52.65	2,500
2	\$113.40	10,000
3	\$194.40	20,000
4	\$315.90	35,000
6	\$437.40	50,000
8	\$761.40	90,000
10	\$1,247.40	150,000

13.12.030 **Residential Sewer Rates:** The following shall be the monthly rate charged customers residing within the corporate limits of the city and outside the corporate limits of the city for sewer service from the city sewer system for single-family dwellings and each unit of a duplex with separate meters: flat rate, \$31.60 per month after May 1, 2011.

13.12.035 **Duplex Sewer Rates:** The following shall be the monthly rate charged customers residing within the corporate limits of the city and outside the corporate limits of the city for sewer service from the city sewer system for duplexes with only one (1) meter serving two (2) living units or for two (2) living units on a single lot served by one (1) meter: flat rate, \$63.20 per month after May 1, 2011.

13.12.040 **Commercial Sewer Rates:**

A. The following shall be the monthly rate charged customers residing within the corporate limits of the city and outside the corporate limits of the city for all chargeable water discharged into the city sewer system by commercial users and dwellings with three (3) or more living units served by one (1) meter after May 1, 2011:

Amount Used (in cubic feet)	Sewer Rate
0-1,000	\$33.20 per month minimum
Over 1,000	\$1.27 per 100 cu. ft. or portion thereof

B. For purposes of calculating sewer charges, chargeable water shall be defined as follows: Chargeable water shall be measured by the water consumed on the premises, whatever the source of such water, and the same will be metered either by a public utility meter or one installed and maintained by the owner of the premises at his own expense and approved and inspected by the city. Where the water is metered by a privately owned water meter and is used to determine sewer charges, the city shall be allowed access to the meter in order to read such meter. Where the use of water is such that a portion of all the water used does not flow into the sewer system, for whatever reason, but is lost by evaporation, irrigation, sprinkling or is used in manufacturing or in a manufactured product, or is lost for whatever reason, and the person in control provides proof of this fact and installs a meter or other measuring device approved by the city to measure the amount of water so used and so lost, or if the city is capable of determining the amount of sewage entering the city's sewer system by some other

mechanical means, this water may be deducted from the actual water consumption used in calculating the sewer charge.

The sewer charges for triplexes and apartments, mobile home parks, schools, hospitals and other commercial establishments with increased usage for irrigation, only if their landscaping exceeds five thousand (5,000) square feet, shall be computed on the average consumption during the previous non-irrigation season, unless the user elects to install, at his expense, an approved measuring device to measure water not entering the sewer system. When a user has a swimming pool or cooling units discharging to the sanitary sewer, he must install an approved meter to determine the amount of water exempt from sewer charges during the irrigation season. The irrigation season shall be defined as the period in which statements are mailed for the April through November billing cycles.

- C. Sewer rates for commercial uses discharged into the sewer system may be separately determined by the City Council, based upon both volume and chemical characteristics of the sewage. The City Council reserves the privilege to require pre-treatment of any material discharged into the sewerage system, or to prohibit discharge into the system of industrial wastes that, because of either volume or concentration, will overload existing sewerage facilities.
- D. All air-conditioning and refrigeration units that are installed, replaced or that have capacity increased after the effective date of the ordinance codified in this chapter shall be required to install recirculating units. Disposal may not be accomplished by discharging into the sanitary sewer system.

13.12.042 Stormwater Rates: The following shall be the monthly rate for stormwater fees on residential and non-residential properties.

- A. Residential properties shall be charged five dollars and ten cents (\$5.10) per each living unit.
- B. Non-residential properties shall be charged the following rates per Table 13.12:

Table 13.12.042

Category	Impervious Ground Cover (s.f)	Rate
Non-residential 1	Up to 6,000	\$5.10
Non-residential 2	6,001 to 15,000	\$8.65
Non-residential 3	15,001 to 30,000	\$12.70
Non-residential 4	30,001 to 60,000	\$25.35
Non-residential 5	60,001 to 120,000	\$50.65
Non-residential 6	120,001 to 240,000	\$101.30
Non-residential 7	More than 240,000	\$151.95

- C. Undeveloped property shall not be charged a stormwater fee.
- D. Non-residential property owners may submit a request for the following credits to the stormwater fees. Residential properties are not eligible for credits. The credits are not cumulative. Requests for credit shall be submitted to the Municipal Services Director on forms provided by the Municipal Services Department.

1. A credit of up to eighty percent (80%) may be approved for non-residential properties for portions of on-site stormwater discharges to privately maintained on-site treatment facilities that are in compliance with an active National Pollutant Discharge Elimination System (NPDES) permit. A copy of the NPDES permit and the associated Stormwater Pollution Prevention Plan shall be provided to the Municipal Services Director with the application for credit. No credits will be approved for stormwater discharged to facilities that are maintained and serviced by the stormwater utility.
 2. A credit of up to fifty percent (50%) may be approved for non-residential property for portions of on-site stormwater discharges to privately maintained stormwater systems that meet best management practices of the most current version of the *Stormwater Management Manual for Eastern Washington*, meet all City of Moses Lake requirements, and are approved by the Municipal Services Director.
 3. A credit of up to ten percent (10%) may be approved for non-residential property for portions of on-site stormwater discharges from roofs of non-residential buildings to privately maintained stormwater facilities that utilize a permissive rainwater harvesting system that complies with the Department of Ecology's requirements and is approved by the Municipal Services Director.
- E. Approval of credit shall be indicated by a credit application that is signed by the Municipal Services Director. Approved credits are effective for the first full month's billing cycle following the date of approval. Credits may be approved for multiple billing cycles, provided that conditions of approval are continuously met by the applicant. Credits are not retroactive to current or prior billings. Credits for future billing cycles may be revoked by the Municipal Services Director if on-site conditions change; if federal, state, or local regulations change such that on-site stormwater treatment facilities are no longer current or acceptable; or if the ordinance for stormwater is revised by City Council.
- F. The above stormwater rates will become effective May 1, 2011.

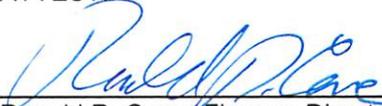
Section 2. This ordinance shall take effect on May 1, 2011.

Adopted by the City Council and signed by its Mayor on March 22, 2011.



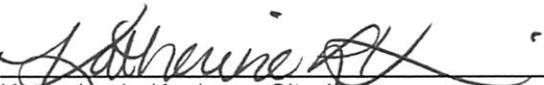
Jon Lane, Mayor

ATTEST:



Ronald R. Cone, Finance Director

APPROVED AS TO FORM:



Katherine L. Kenison, City Attorney