

ORDINANCE NO. 2000-09-058

AN ORDINANCE AMENDING BELLINGHAM MUNICIPAL CODE SECTION 15.08.250 RELATING TO WATER USE RATES AND INCREASING THE RATE UP TO \$5.00 PER MONTH FOR UNMETERED SINGLE-FAMILY USERS AND A PROPORTIONATE AMOUNT FOR METERED USERS TO FUND LAND ACQUISITION AND OTHER LAND PRESERVATION MEASURES IN THE LAKE WHATCOM WATERSHED AND AUTHORIZING ESTABLISHMENT OF AN ADVISORY BOARD TO GUIDE THE ACQUISITION PROCESS.

WHEREAS, the protection of the Lake Whatcom Reservoir, the drinking water source for the City of Bellingham and others, is of utmost public health importance to the citizens of Bellingham and others who obtain water from the lake; and

WHEREAS, the City, County, and Water District 10 Joint Resolution No. 92-68, signed in 1992, recognized the importance of protecting Lake Whatcom and its watershed as a reservoir and the major drinking source for the County; and

WHEREAS, the Lake Whatcom Reservoir Management Program for 2000 places a high priority on and outlines tasks that will further the implementation of an acquisition program;

WHEREAS, the City's Comprehensive Plan requires that before-the-fact prevention take precedence over after-the-fact mitigation or treatment; and

WHEREAS, a Citizen's Task Force of the Lake Whatcom Reservoir Management Program is currently developing criteria to prioritize land for preservation, determining options for preserving and enhancing high priority lands, and mechanisms for integrating these options with identified priority areas; and

WHEREAS, recognizing that a truly comprehensive program of education, land use regulation and enforcement, monitoring, and review as well as land acquisition and preservation is essential to preserving water quality in the Lake Whatcom Reservoir, and the City Council will continue its active support and encouragement of the Lake Whatcom Reservoir Management Program with Whatcom County and Water District 10; and

WHEREAS, an increase in the water use rate is an appropriate funding source for the acquisition of land and other land preservation measures within the Lake Whatcom Watershed; and

WHEREAS, an Advisory Board will need to be established to provide citizen input, advice, and oversight regarding the potential acquisition of land within the watershed,

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

City of Bellingham
CITY ATTORNEY
210 Lottie Street
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Section 1. Section 15.08.250 of the Bellingham Municipal Code shall be amended to read as follows:

15.08.250 Water Rates and Charges

A. The rates charged for each shut-off or turn-on are:

- (1) During normal work hours: \$15.00 each; and
- (2) After normal work hours: \$50.00 each.

B. The hydrant fee assessed for each lineal foot of main extension or portion thereof is: \$3.00.

C. Demand charges are as follows:

(1) For a new or exchanged service:

<u>Type of Service</u>	<u>Charge</u>
Residential	\$300
3/4" meter	\$500
1" meter	\$833
1-1/2" meter	\$1,667
2" meter	\$2,667
3" meter	\$5,000
4" meter	\$8,333
5" meter	\$16,667
6" meter	\$26,667

(2) A charge of 16 cents per square foot is imposed on all buildings where new or additional floor space is constructed.

(3) For all services located outside the corporate limits of the City, the demand charge is computed in the same fashion, except that an additional surcharge of 50% is imposed.

D. Water use rates are:

(1) Flat rate, single family residences:

2000 \$18.00 per month
2001 \$23.00 per month

(2) Flat rate, unmetered duplexes:

2000 \$36.00 per month
2001 \$46.00 per month

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(3) Metered:

- 2000 \$18.00 per month plus \$0.95 per 100 cubic feet of water consumed in excess of 1,200 cubic feet; and
2001 \$23.00 per month plus \$1.22 per 100 cubic feet of water consumed in excess of 1200 cubic feet;

(4) Industrial Water

- a. For consumption of the first 40,000 hundred cubic feet (ccf) per day the charge shall be \$0.095 per ccf.
- b. For consumption between 40,001 and 42,000 ccf the charge shall be \$0.10 per ccf.
- c. For consumption between 42,001 and 44,000 ccf the charge shall be \$0.105 per ccf.
- d. For consumption between 44,001 and 46,000 ccf the charge shall be \$0.11 per ccf.
- e. For consumption between 46,001 and 48,000 ccf the charge shall be \$0.115 per ccf.
- f. For consumption between 48,001 and 50,000 ccf the charge shall be \$0.120 per ccf.
- g. For consumption between 50,001 and 52,000 ccf the charge shall be \$0.125 per ccf.
- h. For consumption between 52,001 and 54,000 ccf the charge shall be \$0.13 per ccf.
- i. For consumption between 54,001 and 56,000 ccf the charge shall be \$0.135 per ccf.
- j. For consumption between 56,001 and 58,000 ccf the charge shall be \$0.14 per ccf.
- k. For consumption between 58,001 and 60,000 ccf the charge shall be \$0.145 per ccf.
- l. For consumption between 60,001 and 62,000 ccf the charge shall be \$0.15 per ccf.

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- m. For consumption between 62,001 and 64,000 ccf the charge shall be \$0.155 per ccf.
- n. For consumption between 64,001 and 66,000 ccf the charge shall be \$0.16 per ccf.
- o. For consumption between 66,001 and 68,000 ccf the charge shall be \$0.165 per ccf.
- p. For consumption between 68,001 and 70,000 ccf the charge shall be \$0.17 per ccf.

(5) The late-payment penalty is \$1.00 or 1% per month of the amount owing, whichever is greater.

E. The standby fire protection service rate is \$25.00 per year.

F. The tampering fee is \$50.00 per occurrence.

G. Water rates and charges for services outside the City limits are 150% of the aforementioned rates and charges, except the cost reimbursable installation fee described by this Chapter.

H. The water rate increase provided for in 15.08.250 (D) (1), (2) and (3) shall be used to fund land acquisition and other land preservation measures in the Lake Whatcom Watershed. Acquisitions and other land preservation measures and prioritization of such, and allowed uses and improvements to acquired property shall be determined by the City Council. Land preservation measures include, but are not limited to, items such as purchases of transfer of development rights, conservation easements, access/use rights, and their associated maintenance and administration expenses. Funds generated by the water rate increase may also be used for repayment and debt service on bonds or other financing instruments used to further the stated objectives of watershed land acquisition and other land preservation measures.

Section 2. A new Chapter 2.90 shall be added to Title 2 – Administration of the Bellingham Municipal Code to read as follows:

2.90.010 Watershed Advisory Board Authorized

A. There is authorized a Watershed Advisory Board (the “Board”) to provide citizen advice and oversight regarding potential land acquisition and preservation measures within the watershed to protect and improve the quality of the City’s water supply.

B. The Board shall be constituted by joint legislative action of the City, Whatcom County, and Water District 10. The number of Board members shall be established in such joint legislative action.

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2.90.020 Terms of Appointment

Each member shall serve for a period of three years, provided that the initial members shall be assigned staggered terms. Members may serve no more than two consecutive terms. Any vacancy in the membership of the Board shall be filled in the same manner as the original appointment, with the replacement serving the remainder of the unexpired terms.

2.90.030 Compensation – Conflicts of Interest

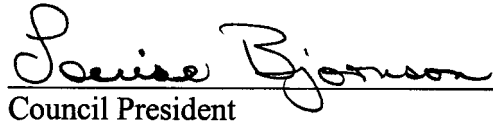
Board members shall serve without compensation from the City, or from any trust, donation or legacy to the city for their services as such members; but this limitation shall not preclude a member or his/her firm receiving compensation from the city under contract or otherwise for services rendered outside his/her duties as a Board Member; provided, that any Board member having an interest or who contemplates acquiring an interest in any particular transaction, contract, or project must disqualify himself/herself from any official action contributing towards an official recommendation to the City on that subject.

2.90.040 Authority and Duties

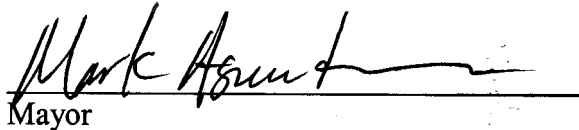
A. The Board shall advise the City, Whatcom County and Water District 10 regarding recommended land acquisition and land preservation measures.

B. The board shall undertake its functions based upon the selection criteria adopted by the City, Whatcom County, and Water District 10, which is anticipated to occur in early 2001.

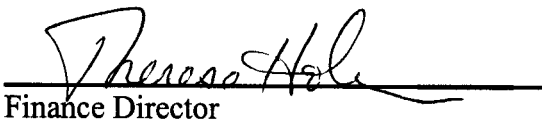
PASSED by Council this 18TH day of SEPTEMBER, 2000.


Council President

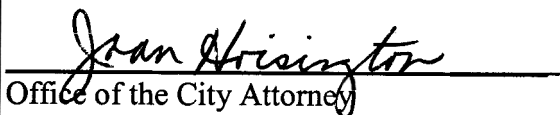
APPROVED by me this 25th day of Sept., 2000.


Mayor

ATTEST:


Finance Director

APPROVED AS TO FORM:


Office of the City Attorney

Published: 9/22/00

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