

Repealed By 2062 Date: _____ORDINANCE NO. 1112

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON RELATING TO THE KIRKLAND SEWER SYSTEM, ESTABLISHING RATES AND FEES TO BE CHARGED, AND THE MANNER OF PAYMENT AND PENALTIES FOR THE NON-PAYMENT OF SAME, AND REPEALING ORDINANCE NO. 893.

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. The owner of each lot or parcel of real property within the area served by the sewerage system of the City of Kirkland upon which such human occupation, or use for any purpose, shall at his expense install suitable toilet facilities therein and connect the same directly with the proper public sewer in accordance with the provisions and specifications of Ordinance No. 874 of the City of Kirkland within sixty (60) days after the date of official notice to do so, provided that said public sewer is within 200 feet of the property line; shall be as set forth in Section 3 of this ordinance.

Section 2. Each lot or parcel of real property required by this ordinance, or any other ordinance of the City of Kirkland, or any law of the State of Washington, to be connected to the sewerage system of the City of Kirkland, shall be subject to a monthly sewerage charge as herein established whether such lot or parcel of real property is actually connected to the sewerage system or not:

A. Establishment of Rate Zones. For the purpose of this ordinance, the following rate zones are hereby established:

Zone 1. All of the area lying within the City limits of the City of Kirkland, and served by the existing sanitary sewerage system of the City of Kirkland, including any properties which under Section 1 hereof could have been required to connect to said sewer (whether actually connected thereto or not) as of the date of adoption of this ordinance.

Zone 2. All of the area within the City limits of the City of Kirkland as of the date of adoption of this ordinance not served by sanitary sewers nor lying within Zone 1, and any area hereafter annexed to the City unless a different zone is specified for such area at the time of its annexation.

Zone 3. All of the areas lying outside of the City limits of the City of Kirkland as of the date of adoption of this ordinance served by the Kirkland Sewerage System, and any area within the system not included in Zone 1 or Zone 2.

B. Monthly Sewerage Service Rate. The sewerage service rate to be charged monthly by the City of Kirkland shall be determined as follows:

<u>Classification</u>	<u>Rate Within Zone 1</u>	<u>Rate Within Zone 2</u>	<u>Rate Within Zone 3</u>
Single-Family Residence	\$ 4.00	\$ 5.50	\$ 5.50
Multiple-Family Residence	\$.45 per 100 cu. ft. of water consumed but not less than \$3.00 per apartment.	\$.60 per 100 cu. ft. of water consumed but not less than \$4.50 per apartment.	\$.60 per 100 cu. ft. of water consumed but not less than \$4.50 per apartment.
School Buildings	\$.45 per 100 cu. ft. of water consumed.	\$.60 per 100 cu. ft. of water consumed.	\$.60 per 100 cu. ft. of water consumed.
All Others	\$.45 per 100 cu. ft. of water consumed up to & including 30,000 cu. ft. & \$.25 per 100 cu. ft. consumed in excess of 30,000 cu. ft. but not less than \$4.00 per establishment.	\$.60 per 100 cu. ft. of water consumed up to & including 30,000 cu. ft. & \$.40 per 100 cu. ft. consumed in excess of 30,000 cu. ft. but not less than \$5.50 per establishment.	\$.60 per 100 cu. ft. of water consumed up to & including 30,000 cu. ft. & \$.40 per 100 cu. ft. of water consumed in excess of 30,000 cu. ft. but not less than \$5.50 per establishment.

C. Definition. "Apartments" and "Establishments".

For the purpose of this section, the term "Apartment" and "Establishment" shall each mean that portion of a building whether a room or combination of rooms which taken together are used or held by the owner or person, association, partnership or corporation entitled to its possession as a separate unit.

D. Exceptions - General: Where the use of water is such that a portion of all of the water used does not flow into the City of Kirkland sewerage system, but is lost by evaporation, irrigation, sprinkling or other causes, or is used in manufacturing or in a manufactured product and the person in control provides proof of this fact, and installs a meter or other measuring method approved by the City to measure the amount of water so used and so lost, no charge shall be made for sewerage services because of water so used or lost.

E. Schools: The rate to be charged for each school shall be determined by the zone in which the school is located with the following rates applicable in the different zones.

Zone 1. The school will be charged fifteen cents per student per month determined by the student enrollment at the beginning of the school year and adjusted at school mid-year.

The rates for June, July and August shall be \$8.00 per month, except that schools used for summer school shall pay the per student rate on actual count for full-time students and at one-half the rate for part-time enrollment.

Zone 2. The school will be charged twenty-five cents per month determined by the student enrollment at the beginning of the school year and adjusted at the school mid-year. Rates for June, July and August shall be \$11.00 per month, except that schools used for summer school shall pay the per student rate on actual count for full-time students and at one-half the rate for part-time students.

Zone 3. Shall be the same as Zone 2 except that where the school has installed its own trunk line to transport sewage to an existing facility the Zone 1 rate shall apply.

F. Exemptions - Apartments and Establishments:

When two or more separate units (as defined above) share jointly the use of a toilet facility, the appropriate minimum rate as set forth in sub-section 3-B shall be reduced to \$1.00 for each such separate unit in Zone 1, \$2.50 for each such separate unit within Zone 2, and \$2.50 for each such separate unit within Zone 3.

Attached to this ordinance and made a part hereof is a map of the City of Kirkland and its sanitary sewerage system, including proposed extensions thereto. Boundaries of the zones herein established have been superimposed thereon. The boundaries so shown on said map are intended for general information and illustrative purposes only and wherever the boundaries so shown, and the definition of zones shall be in conflict as to the appropriate zone rate or fee to be charged to any particular parcel of property, the zone boundary definition shall prevail.

Section 3. Charges and fees to be imposed at the time of connection to the system. The following charges and fees shall be paid to the City of Kirkland at such time and as application is made for connection to the Kirkland Sanitary Sewer System:

<u>Charge or Fee</u>	<u>Zone 1</u>	<u>Zone 2</u>	<u>Zone 3</u>
Sewer Permit	\$ 25.00	\$ 25.00	\$ 25.00
Stub-in	125.00	125.00	200.00
Connection Charge	100.00	100.00	200.00
Trunkage Fee	None except where required under sub-paragraph 3-B	150.00	None except where required under sub-paragraph 3-B

- 3-B. Trunkage fee required in Zones 1 and 3:
No trunkage fee shall be charged within either Zone 1 or Zone 3, except where the City must extend the trunk line in order to provide service and enable connection. In all cases within Zones 1 and 3 where the trunk line is so extended, the trunkage fee shall be \$150.00 for each connection.
- 3-C. A sewer permit is required for each structure where a common line serves more than one structure.
- 3-D. Subdivisions and developments:

In all zones where sanitary sewer collection facilities are installed by and at the expense of the subdivider or developer only a trunkage fee of \$150.00, together with a sewer permit fee of \$25.00 per connection, shall be paid by the developer as to connections made to the developer-installed facility. Where any connections are made to existing sewer facilities all appropriate zone charges and fees shall be paid as to each such connection.

Section 4. Charges for sanitary sewerage services (as well as all other utility services) furnished by the City of Kirkland shall be billed to the owner of the property to which the services are rendered provided that when the owner and tenant in possession, in writing, file with the Utilities Department a request that the billing be sent to the tenant, the Superintendent of the Utilities Accounting Division may, in his discretion, grant such request, subject to such reasonable conditions as he finds are appropriate.

Section 5. All charges for sanitary sewerage services furnished by the City of Kirkland (as well as all other utilities services) shall be due and payable to the Utilities Supervisor of the City of Kirkland on date shown on the face of the bill. Charges for said services remaining unpaid at the close of business on the 10th day following said billing date shall be considered delinquent and, if not paid by the 20th day following said billing date shall be automatically subject to an additional charge, as a penalty, of 10%. If the delinquent charges and penalty are still unpaid at the close of business on the 30th day following said billing date, the services shall be discontinued and the water shut off without notice. Services will not be resumed until all delinquent charges and penalties, together with a fee of \$10.00 shall have been paid. All billings shall be completed to the nearest five (5¢) cents.

Section 6: All charges for connections and for sewerage service, penalties levied pursuant to R.C.W. 35.67.190 and other penalties in this ordinance provided, including interest thereon, shall be a lien upon the property for which such connection is made or sewerage service rendered, respectively, superior to all other liens and encumbrances whatsoever, except for general taxes and local and special assessments. The Superintendent of the Utilities Accounting Division or the City Clerk is hereby authorized and directed, prior to the expiration of six (6) months from the first day of the first month for which such charges are unpaid, to certify to the Auditor of King County, Washington, all such charges as a lien upon such property in the manner provided for in R.C.W. 35.67.200 et seq. and such property shall be subject to foreclosure pursuant to the terms of such Chapter.

Section 7. Ordinance No. 893 of the City of Kirkland be, and it hereby is repealed.

Section 8. This ordinance shall be in force and take effect five (5) days from and after its passage by the Council and publication as required by law.

PASSED by the City Council in regular meeting on the 2nd day of October, 1967.

SIGNED in authentication thereof on the 2nd day of October, 1967.

James G. Jant
Mayor

Attest:

Allan W. Lucas
Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:

Joseph E. Thomas
City Attorney

Ordinance No. 1112

