

ORDINANCE NO. 3597

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE ESTABLISHMENT OF THE SERVICE RATE FOR THE KIRKLAND STORMWATER UTILITY AND CREATING A NEW CHAPTER 15.56 OF THE KIRKLAND MUNICIPAL CODE.

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

Section 1. There is hereby added to the Kirkland Municipal Code a new Chapter 15.56 entitled "Monthly Service Rates" to read as follows:

Chapter 15.56

15.56.010 SERVICE RATES ESTABLISHED.

The monthly service rates to be paid to the City by the owners of developed land within the City of Kirkland are established as set forth in this Chapter. The rate for stormwater services shall be charged whether the premises are occupied or vacant.

15.56.020 MONTHLY STORMWATER UTILITY SERVICE RATES.

The monthly Stormwater Utility rates are based on the impervious surface area.

A. Single-family residential parcels. The average impervious area for a single family residence is 2,600 square feet. This is based on the measurement of over 300 parcels. This value is referred to as an equivalent service unit (ESU). The single-family service charge shall be equivalent to one ESU and shall be a flat rate of \$3.00.

B. All other customers, including commercial and multi-family residential. The service charge for all classes other than single family residences will be based on the number of ESU's. The actual measured impervious area of each individual site will be divided by 2,600 square feet to determine the number of ESU's of the individual site. The computed rate shall not be less than that for one ESU. The Stormwater Utility service rate for these customers shall be \$3.00/ESU.

C. Late fees. All fees and charges arising under this Chapter which are past due or delinquent shall be charged a late fee of 8% per annum.

15.56.030 SERVICE TO CONDOMINIUM.

For the purposes of Chapter 15.52. Stormwater utility rate shall be computed by measuring the impervious area of the entire condominium site and dividing by 2,600 square feet per ESU. The "total" service fee shall be the number of ESU's multiplied by the rate/ESU as set forth in

Chapter 15.52.020 (B). The rate for each "condominium unit" shall then be determined by dividing the entire service fee by the number of units.

15.56.040 QUALIFIED SENIOR CITIZEN RATE.

(a) The rates to be charged to a qualified low-income senior citizen single-family residential customer shall be:

(1) Stormwater Service Fee

(A) Fifty percent of the basic charge per ESU as set forth in 15.56.020(A).

(b) For the purposes of this section, "qualified low-income senior citizen" means a person who meets the following qualifications:

(1) Resides in a single-family residential unit;

(2) Customer and spouse, if married, must be sixty-two years of age or older; and

(3) Gross income received by customer and spouse, if married, shall not exceed (from all sources of income), as to either single persons or married persons as the case may be, the annual low-income index generated by the county for use in federal housing and community development block grant programs in the county.

(c) Proof of qualification, including verification of gross income level, shall be made by affidavit of qualification signed under oath by the senior citizen customer and then filed with the city. The affidavit of qualification form shall be furnished by the city. The city, in its discretion, may also require the senior citizen customer to provide copies of his or her Social Security benefits statement and federal income tax return for the previous year. In addition, the city, in its discretion, may require any customer paying the qualified senior citizen rate to produce updated proof of qualification at any time in accordance with the provisions of this subsection. A customer paying the qualified senior citizen rate must promptly notify the city if the customer no longer meets the criteria for receiving the qualified senior citizen rate.

(d) A single-family residential customer who is either disabled or blind, according to Social Security criteria, and who also meets the qualification of subparagraphs (1) and (3) of subsection (b) of this section shall for the purposes of this section be a qualified senior citizen customer.

Section 2. If any provision 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 is not affected.

Section 3. This Ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 7th day of October, 1997.

SIGNED IN AUTHENTICATION thereof this 7th day of October, 1997.

Thomas R. Kelly
MAYOR

Attest:

Jane Kelly
City Clerk

Approved as to Form:

Neil Bond
City Attorney

SUNDIORDIN.DOC:GS/n