

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 2369

AN ORDINANCE revising sewerage service charges for the Waterworks Utility of the City of Bellevue, establishing certain sewer charges to comply with the Federal Water Pollution Control Act, as amended, and amending Sections 3 and 5 of Ordinance 2177 and repealing Section 4 thereof.

WHEREAS, the City of Bellevue has a long term sewage disposal contract with the Municipality of Metropolitan Seattle ("Metro") dated July 21, 1966 which contract obligates Metro to accept the City of Bellevue's sewage subject to such reasonable rules and regulations as may be adopted from time to time by the Metropolitan Council; and

WHEREAS, Section 204 of Public Law 92-500, amending the Federal Water Pollution Control Act (33 U.S.C. Section 1251 et seq.) and regulations adopted pursuant thereto require that agencies receiving grants for sewerage treatment works and any component agency tributary to the grantee's system adopt charges incorporating an industrial cost recovery system and equitable user fees; and

WHEREAS, under said laws and regulations an industrial cost recovery ("ICR") system must provide for payment by certain industrial users of said treatment works of that portion of the cost of construction of such works which is allocable to the treatment of such industrial wastes; and

WHEREAS, under said laws and regulations user fees must provide for payment by customers of a proportionate share of the costs of operation and maintenance for waste treatment services, including a surcharge fee ("Surcharge") for high strength industrial wastes; and

WHEREAS, by Resolution No. 2310 adopted June 26, 1975, the Metropolitan Council established certain rules and regulations for the disposal of industrial wastes including in Section 9 thereof an ICR system to comply with said federal laws and regulations; and

WHEREAS, by Resolution No. 2315 adopted June 26, 1975, the Metropolitan Council established certain rules and regulations for the disposal of sewage including in Section 13 thereof the requirement that its component agencies assess a Surcharge as part of its user fees to comply with said federal laws and regulations; and

WHEREAS, by Resolutions No. 2556 and 2557 adopted July 15, 1976, the Metropolitan Council established administrative procedures and methods of calculating said Surcharge and ICR charges effective January 1, 1977 and assigned billing and collecting responsibilities therefor to its component agencies, and

WHEREAS, it is necessary that the City of Bellevue, comply with said federal laws and regulations and Metro regulations by assessing said fees and charges where applicable and by insuring that the City's other rates and charges for sewage service are equitable; and

WHEREAS, it is necessary and in the public interest to make certain revisions to the schedule of rates for sewerage service established by Ordinance 2177, as hereinafter provided, now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 3 of Ordinance 2177 is hereby amended to read as follows:

The service charge for each multi-family residential structure or facility located outside the city limits of Bellevue shall be \$8.32 per bi-monthly billing period for each dwelling unit, plus \$0.64 per 100 cubic feet of water consumed by such structure or facility in excess of 1300 cubic feet per dwelling unit during each bi-monthly billing period.

The service charge for each multi-family residential structure or facility located inside the city limits of Bellevue shall be 105.095% of the appropriate charge as determined above.

For purposes of this section "multi-family residential structure or facility" shall mean any residential structure or facility containing three or more dwelling units, including but not limited to triplexes, apartment buildings, trailer parks, and parcels containing three or more separate dwelling units, but shall not include hotels and motels.

The charges established under this section shall apply to sewer service provided on or after March 1, 1977.

Section 2. Section 4 of Ordinance 2177 is hereby repealed, said repeal to take effect on March 1, 1977.

Section 3. Section 5 of Ordinance 2177 is hereby amended to read as follows:

The service charge for non-residential structures or facilities located outside the city limits of Bellevue shall be based on the water consumption by each such structure or facility and shall be computed as follows:

\$0.73 per 100 cubic feet of water consumption, up to and including 100,000 cubic feet of consumption per bi-monthly billing period.

\$0.57 per 100 cubic feet of water consumption, in excess of 100,000 cubic feet of consumption per bi-monthly billing period,

Provided, there shall be a minimum charge of \$11.60 per bi-monthly billing period.

The service charge for all non-residential structures and facilities located inside the city limits of Bellevue shall be 105.095% of the appropriate charge as determined above.

For purposes of this section "non-residential structure or facility" shall mean any structure or facility not governed by Section 2 of Ordinance 2177 or Section 3 of Ordinance 2177, as amended by this ordinance, and shall include, but not be limited to, any commercial, industrial, business, trade, school or municipal structure or facility.

The charges established under this section shall apply to sewer service provided on and after March 1, 1977.

Section 4. In addition to those rates and charges for sewage service established by Ordinance 2177, as amended by this ordinance, or otherwise established by the City, the following Metro charges to insure compliance with Section 204 of Public Law 92-500 (33 U.S.C. Section 1251 eq seq.) CFR Part 35 Subpart E are hereby imposed:

- A. A "Surcharge" in an amount to be determined as provided in Metro Resolutions No.'s 2315 and 2557, copies of which have been given Clerk's Receiving No. 4001, as now constituted or hereafter amended, said charge to be added to the customer's regular bill.
- B. An "ICR charge" in an amount to be determined as provided in Metro Resolutions No.'s 2310 and 2556, copies of which have been given Clerk's Receiving No. 4002, as now constituted or hereafter amended, said charge to be billed separately to qualifying industrial customers on an annual basis.

The charges established under this section shall take effect on January 1, 1977.

Section 5. The City of Bellevue, in cooperation with Metro, shall maintain such records as are necessary to document that its sewage charges comply with the above-cited federal laws and regulations and Metro regulations.


Section 6. If any section of this ordinance, or any portion of any section of this ordinance, or its application to any person or circumstances, is held invalid, the remainder of the ordinance or the application of the provision to other persons and circumstances, shall not be affected.

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Section 7. This ordinance shall take effect and be in force five days after its passage, approval and legal publication.

PASSED by the City Council this 13 day of December 1976, and signed in authentication of its passage this 13 day of December, 1976.

(SEAL)

  
M. F. Vanik  
M. F. Vanik, Mayor

Approved as to form:

Lee Kraft  
Lee Kraft, City Attorney

Attest:

Patricia K. Weber  
Patricia K. Weber, City Clerk

Published December 31, 1976