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## CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4195

AN ORDINANCE relating to utility occupation tax and utility service charge relief for certain senior citizens; amending Sections 4.10.190, 200, 210 and 220 of the Bellevue City Code; adding a new Chapter 24.10 to the Bellevue City Code; and repealing Ordinance No. 2819, Ordinance No. 2880, Sections 1, 7, 8, 9, 10 and 11 of Ordinance No. 3334, Sections 3, 4 and 5 of Ordinance No. 3360 and Section 4.10.185 of the Bellevue City Code.

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

Section 1. Section 1 of Ordinance No. 2147, as amended by Section 1 of Ordinance No. 2508 and as further amended by Section 1 of Ordinance No. 2787 and Section 2 of Ordinance No. 3334 and Bellevue City Code 4.10.190 are amended to read as follows:

4.10.190 Senior Citizen - Tax relief. There is granted to senior citizens who meet the qualifications and requirements of Sections 4.10.200 and 4.10.210, relief from the utility occupation tax of the city as follows:

- A. For all billings paid by the senior citizen during a calendar year for service charges to any organization which paid the utility occupation tax of the city, the city shall pay to said senior citizen a "reimbursement" in an amount equal to the utility tax which applied to said billings or, in lieu thereof, at the election of the senior citizen, a minimum amount determined in accordance with subsection B of this section.
- B. The minimum relief under this chapter for a calendar year is established to be fifty-five dollars and seventeen cents (\$55.17) and shall be adjusted for calendar year 1992 and each subsequent calendar year in accordance with Section 4.10.220, pro-rated for each month of residency in the city.

Section 2. Section 2 of Ordinance No. 2147 as amended by Section 2 of Ordinance No. 2508 and as further amended by Section 2 of Ordinance No. 2787, Section 1 of Ordinance No. 2904, Section 3 of Ordinance No. 3334 and Section 1 of Ordinance No. 3360 and Bellevue City Code 4.10.200 are amended to read as follows:

4.10.200 Senior citizens - Qualifications. To qualify for the relief set forth in Section 4.10.190, a senior citizen shall:

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- A. Be sixty-two years of age or older at all times during any period for which "reimbursement" is requested;
- B. Have an income during the calendar year, or part thereof, for which a "reimbursement" is requested from all sources whatsoever, not exceeding fifty percent (50%) of the median income level for such calendar year for the Seattle, King County Primary - Metropolitan Statistical Area (PMSA) for one person or two person households, whichever is applicable, as published by the Secretary of Housing and Urban Development. If the annual update of the PMSA is not available, the median income level shall be determined by adjusting the prior year median income level in accordance with Section 4.10.220. As used in this subsection, "income" means:
  - 1. "Disposable Income", as that term is defined in RCW 84.36.383, plus
  - 2. The aggregate value of all gifts, subsidies and benefits received during the calendar year for which a "reimbursement" is requested, excluding the first four thousand three hundred fifty dollars and ten cents (\$4,350.10) thereof.

The aggregate value of gifts, subsidies and benefits excludable from income as provided in this section shall be adjusted for calendar year 1992 and each subsequent calendar year in accordance with Section 4.10.220; and

- C. Have been a resident of the city at all times during any period for which a "reimbursement" is requested.

Section 3. Section 3 of Ordinance No. 2147 as amended by Section 4 of Ordinance No. 3334 and Bellevue City Code 4.10.210 are amended to read as follows:

4.10.210 Senior citizens - Claim Filing Requirements.

- A. All claims for relief under Sections 4.10.190 and 4.10.200 must be made annually and filed with the department of finance of the city at any time during the calendar year following the calendar year, or portion thereof, for which a "reimbursement" is requested.
- B. All billings for which claim is made under Sections 4.10.190 and 4.10.200 must be submitted to the department of finance as part of the claim for relief.
- C. All claims for relief shall be submitted to the department of finance in writing on a form provided by said department and certified by the claimant that to the best

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of the claimant's knowledge, all information provided in said claim is true and correct.

- D. The department of finance may publish rules and regulations to implement this section and Sections 4.10.185, 4.10.190, 4.10.200 and 4.10.220.

Section 4. Section 4 of Ordinance No. 2787 as amended by Section 5 of Ordinance No. 3334 and as further amended by Section 2 of Ordinance No. 3360 and Section 1 of Ordinance No. 3853 and Bellevue City Code 4.10.220 are amended to read as follows:

4.10.220 Senior Citizens - CPI Increases.

The amount of minimum relief established under Subsection B of Section 4.10.190 and the aggregate value of gifts, subsidies and benefits excludable from income under Section 4.10.200 and the median income level figure utilized when the PMSA update is not available pursuant to Section 4.10.200 are modified by any modification in the National Consumer Price Index for Urban Wage Earners and Clerical Workers for the period ending in September of the calendar year for which a "reimbursement" is requested.

Section 5. The amendments contained in Sections 1, 2, 3 and 4 of this Ordinance shall apply to all billings paid on or after January 1, 1990.

Section 6. A new Chapter 24.10 is added to the Bellevue City Code to be titled "Senior Citizens Utility Service Charge Relief".

Section 7. A new Section 24.10.010 is added to the Bellevue City Code, to read as follows:

Section 24.10.010 Definitions

As used in this chapter the following terms shall have the following meanings:

- A. "Direct billing customer" shall mean a senior citizen who is directly billed for and who pays the City of Bellevue for utility service charges.
- B. "Indirect billing customer" shall mean a senior citizen who is not directly billed for City of Bellevue utility service charges, but for whose residence some or all of such charges are paid by a landlord, maintenance association or other third party.
- C. "Senior citizen" shall mean a person described by Section 24.10.030.

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- D. "Income" shall mean "Disposable Income", as that term is defined in RCW 84.36.383; plus the aggregate value of all gifts, subsidies and benefits received during that year, excluding the first four thousand three hundred fifty dollars and ten cents (\$4,350.10) thereof. The aggregate value of all gifts, subsidies and benefits excludable from income as provided herein shall be adjusted for calendar year 1992 and each subsequent calendar year thereafter in accordance with Section 24.10.050.

Section 8. A new Section 24.10.020 is added to the Bellevue City Code to read as follows:

Section 24.10.020. Senior Citizens - Utility Service Charges - Relief. There is hereby granted to senior citizens who meet the qualifications and requirements of Sections 24.10.030 and 24.10.040, relief from the City's water, sewer and storm drainage utility service charges as follows:

- A. Direct billing customers. Subject to subsection C of this Section, all billings by the City during the calendar year to direct billing customers who meet the qualifications and requirements of Sections 24.10.030 and 24.10.040 shall be reduced by an amount, depending on the customer's income level as set forth in Section 24.10.030, equal to either forty percent (40%) or seventy-five percent (75%) of the aggregate of the sewerage, storm drainage and minimum water service charges as prescribed by the City's water, sewerage and storm drainage rate ordinances then in effect; provided that said direct billing customer may, in lieu of receiving a billing reduction, receive a reimbursement pursuant to the provisions of Section 24.10.030 and 24.10.040.
- B. Indirect billing customers. Subject to subsection C of this Section, for all billings paid to the City during the calendar year on behalf of indirect billing customers who meet the qualifications and requirements of Sections 24.10.030 and 24.10.040, the City shall pay to such indirect billing customers a "reimbursement" in an amount, depending on the indirect billing customer's income level as set forth in Section 24.10.030, equal to either forty percent (40%) or seventy-five percent (75%) of the aggregate of the sewerage, storm drainage and minimum water service charges as prescribed by the City's water, sewerage and storm drainage rate ordinances then in effect.
- C. In determining the amount of relief granted under this Section, the minimum water service charge shall not include any consumption charges for water consumed beyond 1,000 cubic feet bi-monthly for multi-family residences

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and 2,000 cubic feet bi-monthly for single family residences.

Section 9. A new Section 24.10.030 is added to the Bellevue City Code to read as follows:

Section 24.10.030. Senior Citizens - Utility Service Charges - Qualifications. To qualify for the relief set forth in Section 24.10.020, a senior citizen shall:

- A. Be sixty-two years of age or older at all times during any period for which a billing reduction or reimbursement is requested; and
- B. Have been a resident of the City at all times during any period for which a billing reduction or reimbursement is requested; and
- C. To qualify for a seventy-five percent (75%) billing reduction, pursuant to Section 24.10.020, have an income during the calendar year immediately preceding the calendar year or portion thereof for which a billing reduction is requested, from all sources whatsoever, not exceeding forty-two and one-half percent (42.5%) of the median income level for such calendar year for the Seattle, King County Primary - Metropolitan Statistical Area (PMSA) for one person or two person households, whichever is applicable, as published by the Secretary of Housing and Urban Development. If the annual update of the PMSA is not available, the median income level shall be determined by adjusting the prior year median income level in accordance with Section 24.10.050; or
- D. To qualify for a forty percent (40%) billing reduction, pursuant to Section 24.10.020, have an income during the calendar year immediately preceding the calendar year or portion thereof for which a billing reduction is requested, from all sources whatsoever, not exceeding fifty percent (50%) of the median income level for such calendar year for the Seattle, King County Primary - Metropolitan Statistical Area (PMSA) for one person or two person households, whichever is applicable, as published by the Secretary of Housing and Urban Development. If the annual update of the PMSA is not available, the median income level shall be determined by adjusting the prior year median income level in accordance with Section 24.10.050; or
- E. To qualify for a seventy-five percent (75%) reimbursement or a forty percent (40%) reimbursement pursuant to Section 24.10.020, have an income during the calendar year, or portion thereof, for which a reimbursement is requested not exceeding the amounts set forth in Subsection C and Subsection D of this Section respectively.

Section 10. A new Section 24.10.040 is added to the Bellevue City Code to read as follows:

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Section 24.10.040. Senior Citizen - Claim Filing Requirements.

- A. All claims for relief requested pursuant to this chapter must be filed with the Department of Finance of the City of Bellevue during the time periods as follows:
1. Direct billing customers who file a claim for a billing reduction at any time during the calendar year shall be eligible for a reduction in their billing effective as soon thereafter as their claim may be administratively reviewed, approved, and processed.
  2. Direct and indirect billing customers who file a claim for reimbursement at any time during the calendar year following the calendar year or portion thereof for which a reimbursement is requested shall be eligible for such reimbursement as soon thereafter as their claim may be administratively reviewed, approved and processed.
- B. All billings for which a claim is made under this chapter must be submitted to the Department of Finance as part of the claim for relief.
- C. All claims for relief requested pursuant to this chapter shall be submitted to the Department of Finance in writing on a form provided by said department and certified by the claimant that, to the best of the claimant's knowledge, all information provided therein is true and correct.
- D. The Department of Finance of the City may publish rules and regulations to implement and administer this chapter.

Section 11. A new Section 24.10.050 is added to the Bellevue City Code to read as follows:

Section 24.10.050 Senior Citizens - CPI Increase The aggregate value of all gifts, subsidies and benefits excludable from income under Section 24.10.030 and the median income level figure utilized pursuant to Section 24.10.030 when the PMSA update is not available are modified by any modification in the National Consumer Price Index for Urban Wage Earners and Clerical Works for the period ending in September of the applicable calendar year.

Section 12. Section 6 through Section 11 of this Ordinance shall apply to all billings to direct billing customers dated on or after January 1, 1990 and shall apply to all billings paid on behalf of indirect billing customers on or after January 1, 1990; provided that no direct billing customer who receives a billing reduction for calendar year 1990 or portion thereof shall also be eligible for a reimbursement pursuant to Section 6 through Section 11 of this Ordinance for the same period for which such billing reduction has already been provided.

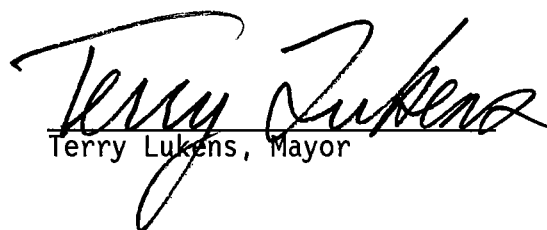
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Section 13. Ordinance No. 2819; Ordinance No. 2880; Sections 1, 7, 8, 9, 10 and 11 of Ordinance No. 3334 and Section 4.10.185 of the Bellevue City Code; and Sections 3, 4 and 5 of Ordinance No. 3360 are hereby repealed.

Section 14. This ordinance shall take effect and be in force five days after passage and publication.

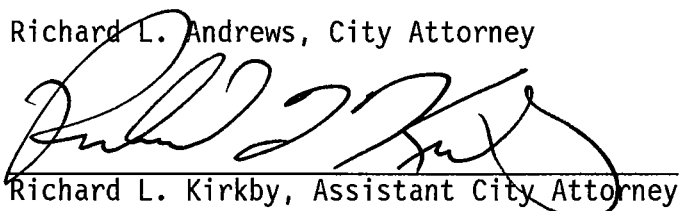
PASSED by the City Council this 10<sup>th</sup> day of December, 1990, and signed in authentication of its passage this 10<sup>th</sup> day of December, 1990.

(SEAL)

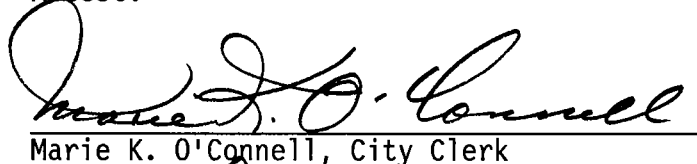
  
Terry Lukens, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

  
Richard L. Kirkby, Assistant City Attorney

Attest:

  
Marie K. O'Connell, City Clerk

Published December 14, 1990