

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4848

AN ORDINANCE relating to utility service charge relief; amending Sections 7, 8, 9, 10 and 11 of Ordinance No. 4195, as amended by Ordinance No. 4458, and Sections 24.10.010, .020, .030, .040 and .050 of the Bellevue City Code; and establishing an effective date.

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

Section 1. Section 7 of Ordinance No. 4195, as amended by Section 7 of Ordinance No. 4458, and Section 24.10.010 of the Bellevue City Code are amended to read as follows:

24.10.010 Definitions.

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

A. "Direct billing customer" means a person or household who is directly billed for and responsible for payment to the city for utility service charges.

B. "Disabled" means a person described by BCC 24.10.030(A)(2).

C. "Income" means "disposable income," as that term is defined in RCW 84.36.383; plus the aggregate value of all gifts received during that year, excluding the first \$5,008.69 thereof. The aggregate value of all gifts excludable from income as provided in this chapter shall be adjusted for calendar year 1997 and each subsequent calendar year thereafter in accordance with BCC 24.10.050.

D. "Indirect billing customer" means a person or household who is not directly billed for city utility service charges, but for which household some or all of such charges are paid by a landlord, maintenance association or other third party and who is contributing to payment of those charges.

E. "Senior citizen" means a person described by BCC 24.10.030(A)(1).

F. "Kidney dialysis patient" means a person receiving home kidney dialysis treatments pursuant to BCC 24.10.030(A)(3).

Section 2. Section 8 of Ordinance No. 4195, as amended by Section 8 of Ordinance No. 4458, and Section 24.10.020 of the Bellevue City Code are amended to read as follows:

24.10.020 Utility service charges - Relief.

There is granted to persons who meet the qualifications and requirements of BCC 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 BCC 24.10.030 and 24.10.040 shall be reduced by an amount as set forth in BCC 24.10.030 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 such direct billing customer may, in lieu of receiving a billing reduction, receive a reimbursement pursuant to the provisions of BCC 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 BCC 24.10.030 and 24.10.040, the city shall pay to such indirect billing customers a reimbursement in an amount as set forth in BCC 24.10.030 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 such direct billing customer may, in lieu of receiving a one-time payment, receive quarterly payments pursuant to the provisions of BCC 24.10.030 and 24.10.040.

C. In determining the amount of relief granted under this section, the minimum water service charge shall not include any consumption charges beyond the average winter consumption for single family residences for direct billing customers; the average winter consumption for multi-family residences for indirect billing customers; and 17 ccf of water bi-monthly for home kidney dialysis patients.

Section 3. Section 9 of Ordinance No. 4195, as amended by Section 9 of Ordinance No. 4458, and Section 24.10.030 of the Bellevue City Code are amended to read as follows:

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24.10.030 Utility service charges - Qualifications and discount levels.

To qualify for the relief set forth in BCC 24.10.020, a person or member of the household must:

A. Meet one of the following criteria:

1. Be 62 years of age or older at all times during any period for which a billing reduction or reimbursement is requested; or

2. Be permanently disabled under the definitions of 42 U.S.C. § 1382c(a)(2), (3)(A), (3)(B), or (3)(C) and receiving funds from a disability program such as Supplemental Security Income, Social Security Disability Insurance or Disabled Veterans payments; or

3. Be receiving home kidney dialysis treatments, as confirmed by Northwest Kidney Centers; and

B. Have been a resident of the dwelling unit served by the city's utility at all times during any period for which a "reimbursement" is requested and have contributed to the payment of city utility charges from his or her income or resources; and

C. Have an income, as defined in BCC 24.10.010(C), during the calendar year immediately preceding the calendar year or portion thereof for which a billing reduction is requested not exceeding 42.5 percent of the median income level per household for such calendar year for the Seattle, King County Primary-Metropolitan Statistical Area (PMSA) as published by the Secretary of Housing and Urban Development in order to qualify for a 75 percent billing reduction or reimbursement pursuant to BCC 24.10.020. 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 BCC 24.10.050 and meet the requirements set forth in subsection (A)(1) or (A)(2) of this section; or

D. Have an income, as defined in BCC 24.10.010(C), during the calendar year immediately preceding the calendar year or portion thereof for which a billing reduction is requested not exceeding 50 percent of the median income level per household for such calendar year for the Seattle, King County Primary-Metropolitan Statistical Area (PMSA) as published by the Secretary of Housing and Urban Development in order to qualify for a 40 percent billing reduction or reimbursement pursuant to BCC 24.10.020. 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 BCC 24.10.050 and meet the requirements set forth in subsection (A)(1) or (A)(2) of this section; or

E. Meet the requirements set forth in subsection (A)(3) of this section to qualify for a billing reduction of 17 ccf of bi-monthly water use and sewerage volume.

Section 4. Section 10 of Ordinance No. 4195, as amended by Section 10 of Ordinance No. 4458, and Section 24.10.040 of the Bellevue City Code are amended to read as follows:

24.10.040 Claim filing requirements.

A. All claims for relief requested pursuant to this chapter must be filed with the utilities department of the city 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 utilities department as part of the claim for relief.

C. All claims for relief requested pursuant to this chapter shall be submitted to the utilities department in writing on a form provided by the 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 utilities department may publish rules and regulations to implement and administer this chapter.

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Section 5. Section 11 of Ordinance No. 4195, as amended by Section 11 of Ordinance No. 4458, and Section 24.10.050 of the Bellevue City Code are amended to read as follows:

24.10.050 CPI increase.

The aggregate value of all gifts excludable from income, as defined in BCC 24.10.010(C), and the median income level figures utilized pursuant to BCC 24.10.030 when the PMSA update is not available are modified to the extent of any modification in the National Consumer Price Index for Urban Wage Earners and Clerical Workers for the period ending in September of the applicable calendar year.

Section 6. The provisions of Sections 1-5 of this ordinance shall take effect and be in force on January 1, 1996.


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

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PASSED by the City Council this 11th day of December, 1995, and signed in authentication of its passage this 11th day of December, 1995.


(SEAL)



Donald S. Davidson, DDS, Mayor

Approved as to form:

Richard L. Andrews, City Attorney



Richard L. Kirkby, Assistant City Attorney

Attest:



Myrna L. Basich, City Clerk

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