

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6473

AN ORDINANCE amending Chapter 24.10 of the Bellevue City Code, specifically amending sections 24.10.020, 24.10.040.A, and 24.10.060; providing for severability and establishing an effective date.

WHEREAS, the City of Bellevue operates water, sewer, and storm and surface water utilities and provides rate relief to low-income customers who meet certain criteria; and

WHEREAS, on January 17, 2019, the Bellevue City Council adopted Ordinance No. 6451, repealing and replacing Chapter 24.10 of the Bellevue City Code to reflect current median income levels, to provide a uniform discount rate and income requirements to simplify application to and administration of the rate relief program; and implementing a new Emergency Assistance Program; and

WHEREAS, this Ordinance contains amendments including housekeeping and other conformance amendments, which are necessary to more effectively administer the rate relief program and align the program with other city programs, and provide clarity for project applicants regarding program requirements, now, therefore,

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

Section 1. Section 24.10.020 of the Bellevue City Code is hereby amended to read as follows:

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 subsections C, D and E of this section, all billings by the city during the calendar year to direct billing customers during the time period in which such customers met 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 minimum water, sewerage and storm drainage service charges as prescribed by the city's water, sewerage and storm drainage rate ordinances then in effect. Direct billing customers who qualify for relief pursuant to BCC 24.10.030(A)(3) must meet the income requirements set forth in BCC 24.10.030(C) to qualify for relief from storm drainage service charges.

B. Indirect Billing Customers. Subject to subsections C, D and E of this section, for all billings paid to the city during the calendar year on behalf of indirect

billing customers during the time period in which such customers met 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 minimum water, sewerage and storm drainage service charges as prescribed by the city's water, sewerage and storm drainage rate ordinances then in effect. Indirect billing customers who qualify for relief pursuant to BCC 24.10.030(A)(3) must meet the income requirements set forth in BCC 24.10.030(C) to qualify for relief from storm drainage service charges.

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Section 2. Section 24.10.040.A of the Bellevue City Code is hereby amended to read as follows:

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 program 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. Indirect billing customers who file a claim for reimbursement at any time during the program 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.

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Section 3. Section 24.10.060 of the Bellevue City Code is hereby amended to read as follows:

A. The utilities department may grant eligible direct-billing customers, metered for a single household, emergency assistance of 100 percent reduction for up to four months of the aggregate of the minimum water, sewer and storm drainage service charges pursuant to BCC 24.10.020(C), 24.10.020(D) and 24.10.020(E) as prescribed by the city's water, sewerage and storm drainage rate ordinances then in effect and disconnection and reconnection fees. Direct billing customers, metered for a single household, qualify under the following criteria:

1. Total household income does not exceed 50 percent of median income for the last 30 days for the FMR area as defined in BCC 24.10.030; and
2. Have experienced a financial shock as described in subsection B of this section which may lead to a financial crisis if not resolved; and
3. Have completed an emergency assistance program application on a form provided by the utilities department where income eligibility and proof of hardship is verified.

B. "Financial shock" is defined as a recent, unexpected event or expense that threatens financial stability and, if not solved, may lead to a financial crisis. Utility service charges do not constitute a financial shock subject to emergency assistance under this chapter. A threat to a household's financial stability is anything that interferes with the ability of a household to cover necessary basic needs expenses, such as housing, utilities, food, health and/or other necessary expenses. To qualify for emergency assistance under this chapter, a program applicant must be able to provide documentation sufficient to demonstrate that the unexpected event or unforeseen expense has negatively impacted the household's financial stability.

C. The emergency assistance program application shall be certified by the applicant that, to the best of the applicant's knowledge, all information provided therein is true and correct. The utilities department reserves the right to audit any application to ensure eligibility and compliance with this chapter. The department may deny any application which contains any false or misleading representation of fact or may revoke eligibility for rate relief which was procured by fraud or by any false or misleading representation of fact in the application. Any funds reimbursed or the difference in rates discounted as a result of fraud or false or misleading representation of fact by the applicant shall be returned to the city. The city may use any lawful means necessary to seek repayment of said funds.

D. A qualifying customer may receive the emergency assistance only one time in any three-year period.

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Section 4. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

Section 5. This Ordinance shall take effect and be in force five (5) days after its passage and legal publication.

Passed by the City Council this 3rd day of September, 2019
and signed in authentication of its passage this 3rd day of September,
2019.

(SEAL)



John A. Cheliniak
John Chelminiak, Mayor

Approved as to form.
Kathryn L. Geria, City Attorney

Catherine A. Drews
Catherine A. Drews, Assistant City Attorney

Attest:

Charmaine Arredondo
Charmaine Arredondo, City Clerk

Published September 6, 2019.