

**SILVER LAKE WATER & SEWER DISTRICT
SNOHOMISH COUNTY, WASHINGTON
RESOLUTION NO. 617**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SILVER
LAKE WATER & SEWER DISTRICT, SNOHOMISH COUNTY,
WASHINGTON, READOPTING WATER AND SEWER RATES AND
DEFINITIONS FOR CUSTOMER CLASSIFICATION AND REPEALING
RESOLUTION 574 AND 521.**

WHEREAS, RCW 57.08.081 authorizes the Silver Lake Water & Sewer District Board of Commissioners ("District") to fix rates and charges for furnishing sewer service and facilities to those to whom sewer service is available and for providing such service, and to fix rates and charges for providing water service, such rates and charges to be fixed as deemed necessary by the District Board of Commissioners so that uniform charges will be made for the same class of customer or service and facility; and

WHEREAS, RCW 57.08.081 authorizes the District Board of Commissioners in classifying customers to consider in its discretion several factors including the difference in cost to various customers, the location of the various customers within and without the District, the difference in cost of maintenance, operation, repair and replacement of the various parts of the system, the different character of the service furnished to various customers, the quantity and quality of the service and facility furnished, the time of its use, the achievement of water conservation goals and the discouragement of wasteful practices and any other matters which present a reasonable difference as a ground for a distinction in the establishment of water and sewer rates and charges; and

WHEREAS, pursuant to RCW 57.08.005, the District possesses full authority to regulate and control the use, content, distribution, and price of its water supply and water system and the use and operation of its sewer system and the rates to be charges relating thereto; and

WHEREAS, the Board of Commissioners of the Silver Lake Water and Sewer District directed staff to publish notice of a Public Hearing in the Administration Building of the Silver Lake Water & Sewer District 15205 41st Ave. SE, Bothell, WA. at 5:30 p.m., or as soon thereafter as can be heard, on Thursday, June 14, 2007, for the purpose of accepting public testimony on adjustment of and possible increase to customer water and sewer rates and service fees and charges; and

WHEREAS, staff published such notice in the Everett Herald on May 31, 2007 and June 7, 2007; and

WHEREAS, The Board of Commissioners, of the Silver Lake Water and Sewer District, held such hearing on June 14, 2007, accepting public testimony on adjustment of and possible increase to customer water and sewer rates and service fees and charges; and

WHEREAS, the District previously adopted Resolution 574 that readopted and adjusted water and sewer rates and the definitions for customer classes; and

WHEREAS, Resolution 574 authorized the District to increase water and sewer rates based on increases to the wholesale charges adopted by the City of Everett or the Alderwood Water and Wastewater District to the District; and

WHEREAS, the District previously adopted Resolution 521 that established water and sewer service rates for other services; and

WHEREAS, the District Board of Commissioners considered the policy issue of whether or not a customer connected to the District system should be billed for the District base rate for water and for sewer and have determined that all water and sewer accounts connected to the system shall be billed the base monthly rate, regardless of whether a customer's water meter is turned off or on; and

WHEREAS, to effect this policy the District Board of Commissioners now desires to establish the definitions for the status of customer accounts as either Active, Disconnected, or Terminated; and

WHEREAS, the water, sewer rates and service fees and charges set forth in this resolution on Exhibits A, B, and C attached hereto and made a part of this resolution shall be considered rates and charges for the District's sewer and water utilities; and it is found and declared that the classifications, rates, fees and charges set forth in Exhibits A, B, and C attached to this resolution are fair and equitable; and

WHEREAS, the water and sewer rates set forth in this resolution in Exhibits A and B are comprised significantly of charges for service for the production of water and the treatment of sewer that are changed annually by contract; and

WHEREAS, the City of Everett, the Alderwood Water & Wastewater District and the Clearview Water Supply Agency have indicated to the District that wholesale sewer and water charges billed to the District will be increased in the future, generally on an annual basis; and

WHEREAS, such increases will need to be paid by the District, and a direct pass through to each of the District customer classifications of such future increases to such wholesale charges from the City of Everett, the Alderwood Water and Wastewater District and the Clearview Water Supply Agency are fair and equitable when each such increase should occur; and

WHEREAS, staff has advised the Commissioners that a clerical error has resulted in the commercial and industrial per unit sewer rate not to be in alignment with the methodology to determine the rate and the Commissioners now desire the per unit rate to be calculated as a percentage of the base rate (Residential Equivalent Unit ERU); now, therefore,

BE IT RESOLVED by the Board of Commissioners of the Silver Lake Water & Sewer District, Snohomish County, Washington as follows:

1. **FINDINGS:** The Commissioners adopt as findings the preceding recitals to this Resolution.

2. **DEFINITIONS:** For the purposes of determining rate classification for water and sewer rates and service fees and charges, and capital facility fees or connection charges the following definitions shall apply, unless otherwise provided for:

Active Account Status means a customer has a water and/or sewer connection to the District's system.

Closing Tenant Account to Property Owner means property owner's account is re-activated after a tenant moves out and before a new tenant moves in.

Commercial means all customers discharging domestic flows to the District sewer system without one or more dwelling units. A School is not a commercial class customer.

Condominium means a multifamily dwelling structure consisting of attached dwelling units owned individually and not in common by one owner.

Delinquent Notice – Door Hanger means when a notice is posted or provided to a property informing the resident that their utility service is scheduled for disconnection due to non-payment of District utility charges, non-compliance with back flow assembly regulations or other violations of District specifications and regulations.

Delinquent Service Disconnection (Lock) means when the District disconnects or shuts off utility service to a property due to non-payment of charges. District personnel shall have authority to determine whether an account is locked off or not. Not locking a service shall not decrease the fee.

Disconnected Account Status means a customer that has requested their water and/or sewer connection be temporarily removed, for a period of time not the exceed 365 days, for the purposes of property improvement, reconstruction, or renovation.

Domestic User means any and all customers of the District discharging domestic wastewater only to the District sewerage system.

Domestic Wastewater means water carrying human waste, including kitchen, bath and laundry waste from residences, buildings, industrial establishments or other places, together with such groundwater infiltration or surface water as may be present.

Duplex, or Two-Family Dwelling, means a detached structure containing two dwelling units.

Dwelling Unit means any building or portion of a building which contains complete housekeeping facilities for one family, including provisions for sleeping, eating, cooking and sanitation, physically separated from any other dwelling unit which may be in the same building.

Estimated Closing Bill means the preparation by the District of a property's utility bill at a future date when requested by a customer, title company or escrow company, relating to the termination or closing of a water or sewer service account.

Equivalent Residential Unit or ERU means:

- a. For commercial customers, for calculation of monthly sewer service charges, an ERU equals the total cubic feet of water utilized by the user for a month divided by 750;
- b. For industrial customers, for calculation of monthly sewer service charges, an ERU equals the total cubic feet of sewage flow to the District's sewer system for a month divided by 750;
- c. For industrial customers, for calculation of General Facility Charges, an ERU equals the design capacity in total gallons of sewage such customer's facilities may deliver to the District sewer system in a month.

Final Billing and Account Termination means when a property owner or tenant moves out of a property and requests their account be closed on a certain date.

Flow Test Meter means when a customer requests the District to measure the water flowing through their meter to verify the meter's accuracy. The flow test can be performed by either the District or by the City of Everett, depending on the type of testing requested. If a customer's meter is found to be over-registering consumption, then the customer shall not be subject to the District's Flow Test fee.

Hotel means a building in which lodging is provided for guests for compensation and in which no provision is made for cooking in the rooms. Hotels are a commercial class customer.

Hydrant Rental means when a customer requests use of a metered hydrant for one or more days. Water consumption means the usage of water, as measured by the hydrant's meter, which will be charged in addition to the rental rate at the per unit water rate adopted by the District. The first day of service means the first day a customer takes possession of the hydrant from the District. Each subsequent day means each consecutive day.

Lock Off Service means when an account has been locked off, not due to delinquency, but by request of the customer or by action of District personnel to protect the water system.

Mobile Home Park means a residential use in which a tract of land is rented for the use of more than one (1) mobile home occupied as a dwelling unit.

Multifamily Structure means a structure or portion of a structure containing three (3) or more dwelling units, including mobile home parks with more than one dwelling unit.

New Account means creation of a customer billing record within the District's data processing system for each unique property location or service account.

Re-Read Meter means when a customer requests the District re-read their water meter after a billing statement has been generated to confirm the District's reading was correct. A customer whose water meter read on the billing statement is more than the re-read water meter shall not be billed a re-read charge.

Rescheduling Inspections Due to No Show means when a customer is not at their property at the time scheduled for an inspection and District personnel must return to the property to perform their duties. Customers that call and reschedule their appointments prior to staff being dispatched to the property shall not be charged a rescheduling fee.

Return Check (Item) means when a customer payment, by check, cashier's check, ACH, or other method is returned unpaid to the District by their commercial bank for any reason.

Service Calls – Customer's Line Failure means when a customer requests the District respond to their property and assist with repairing or assessing a problem with their service line.

Service Turn On/Turn Off Meter means when a customer requests the District to turn their meter on or off.

Side Sewer Inspection – New Connection means when a new side sewer connection is made to the main sewer line or when the location of an existing side sewer is changed requiring a new as-built drawing to be created. Customers shall not be charged the side sewer inspection when the repairs to their side sewer lines do not require either a new connection to the main sewer line or a revised as-built drawing being created.

Single-family Dwelling (SFD) Unit means a detached structure containing one (1) dwelling unit and having a permanent foundation or attached dwelling units with separate ownership of each dwelling unit including the respective underlying real property for such dwelling unit. Each single-family dwelling unit shall have its own water meter.

Terminated Account Status means a customer that has requested their water and/or sewer connection be permanently removed from the District's system or the District has determined that a water or sewer connection has been abandoned or should otherwise be terminated.

Unauthorized Reconnection means when an account has been disconnected or shut off by the District for the non-payment of utility charges or action to protect the water system and the customer reconnects (turns on the service) without authorization by the District.

Vandalism to Meter Set means any damage done to a meter; including but not limited to, broken locks, meter sets, jumping service, stripping fixtures, breaking meters, breaking or disconnecting radio equipment, filling meter boxes, blocking access, or other activities that damages District equipment or inhibits District personnel from conducting operations.

Water Main Tapping means when the District taps a water line to provide a service connection for a customer.

Water Meter Installation Charge means when a customer requests a new meter be installed to serve their property or that an existing meter be relocated to a new location. The short side of the street means the shorter distance from the water line to the property. The long side of the street means the longer distance from the water line to the property.

Water Meter or Side Sewer Removal means when a customer requests in writing that their water meter or side sewer connection be removed from the District's system and their account terminated. Re-connection to the water or sewer system shall require the payment of all connection, permit, and other fees associated with a new connection.

3. **ADOPTION OF RATES:** The water and sewer rates and the service fees and charges set forth on Exhibits A, B and C in this resolution are hereby adopted effective July 1, 2007. For the purposes of bi-monthly and monthly water and sewer rates, the District Manager shall make these rates effective for Cycles 1, 3, and 7 effective July 1, 2007. For the purposes of bi-monthly water and sewer rates, the District Manager shall make these rates effective for Cycles 2 effective August 1, 2007.

4. **OTHER CHARGES ASSESSMENTS AND FEES:**
The rates and charges set forth on Exhibits A, B, and C are not in lieu of any U.L.I.D. assessments, permit fees, connection charges, general facilities fees or any other fees or charges of the District heretofore or hereafter adopted.

5. **ACCOUNT STATUS:**
The rates, fees and charges set forth on Exhibits A, B, and C are not in lieu of any utility local improvement district assessments, permit fees, connection charges, general facilities fees or any other fees or charges of the District heretofore or hereafter adopted.

6. **ACTIVE ACCOUNTS:**
Any customer receiving utility service to property that is connected to the water and/or sewer system and not on any other status is an active account. Active accounts shall be billed the rates for water and sewer service in effect at the time such service is available to or provided to the property. An Active Account may be shut-off from service by action of the District or request of the property owner. Shutting off a water meter will not change an

account's active status.

7. TEMPORARY DISCONNECTION OF A WATER OR SEWER SERVICE:

Any property owner in the District may request in writing, on a form provided by the District, to temporarily disconnect their water and/or sewer service at their property for the purposes of property improvements, service relocation, or other renovations. Upon receipt of written request to temporarily disconnect a water and/or sewer service, if the request is granted by the District, the District shall remove the meter and/or inspect the capping of the sewer line in a manner prescribed by the District and place the account on Disconnected Account status for a period not to exceed three hundred sixty-five (365) days. An account on disconnected status shall be billed the base monthly service rate as adopted by the Board of Commissioners. The account party for any account placed on Disconnected Status shall pay all delinquent charges prior to the water or sewer service being re-established. In addition to the monthly service rates, the District shall charge the customer the costs of removing, re-installing, and inspecting the water and or sewer service at the rates adopted by the Board of Commissioners.

The District Manager is authorized to terminate any account on Disconnected Account Status for more than three hundred sixty-five (365) days and file a lien against the property to which utility service was previously made available or provided in the manner set forth in RCW 57.08.081 or as amended for any outstanding charges.

8. TERMINATION OF WATER OR SEWER SERVICE:

Any property owner in the District may request in writing, on a form provided by the District, that District water and/or sewer service be terminated to their property. Upon receipt of a written request for termination of a water and/or sewer service, if the request is granted by the District, the District shall prepare a final bill to the customer, remove the water meter and cap the sewer line in a manner prescribed by the District once all fees and charges are paid. An account that has been terminated from the system shall be placed on Terminated Account Status.

The owner of property that has previously been disconnected from the District's water or sewer system may request that the property be reconnected to the water or sewer system. If utility service is available, the District approves the request and the property is reconnected to the District's water or sewer system, the property owner shall pay to the District the water and sewer connection charges in effect at the time such reconnection and any other new accounts fees and charges at the rate set forth by the Board of Commissioners at the time their request for reconnection and utility service is received.

The District shall provide written notice, mailed to the property owner on record in the District's billing database to the eight (8) water and sewer customers currently identified by the District as the owners of property which has been disconnected from the District's water or sewer systems. The eight (8) customers shall have until August 30, 2007 to write the District to request their service to their respective properties be reconnected to the District's water or sewer system. If the District does not receive a written response from the property owner by August 30, 2007, the District Manager is authorized to undertake all actions

necessary to effect and insure the physical disconnection of the property from the District's water and sewer systems and terminate their water and/or sewer service.

9. **SEVERABILITY:** Should any part or provision of this resolution be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the resolution as a whole, or any part thereof other than the part declared to be invalid.

10. **EFFECTIVE DATE/REPEALER:** The provisions of this resolution shall be effective the date set forth below, provided the provisions set forth in Section 3 herein regarding the adoption of water and sewer rates and service fees and charges shall be effective July 1, 2007. Any and all prior sections of District Resolutions providing for water and sewer rates or customer classification or information services definitions in conflict with this Resolution are hereby repealed.

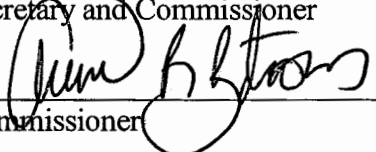
ADOPTED by the Board of Commissioners, at a regular meeting of the Silver Lake Water & Sewer District, Snohomish County, Washington this 14 day of June, 2007.



President and Commissioner



Secretary and Commissioner



Commissioner

I CERTIFY the above to be a true and correct copy of Resolution No. 617 adopted by the Board of Commissioners of the Silver Lake Water & Sewer District, this 14 day of June, 2007, as said Resolution appears in the records of the Silver Lake Water & Sewer District.



Secretary of the Silver Lake Water & Sewer District Board of Commissioners

Exhibit A - Water Rates

Customer Class	Base Rate		Per Unit
	Standard Of Measure	Monthly Base Rate	Monthly Water Use (100 CCF)
Low Income Senior Citizen	Per Dwelling Unit	\$ 3.29	\$ 1.37
Single Family Residential	Per Dwelling Unit	\$ 6.69	\$ 1.37
Duplex	Per Dwelling Unit	\$ 6.69	\$ 1.37
Multi-Family	Per Dwelling Unit	\$ 6.69	\$ 1.37
Schools	Per Meter	\$ 6.69	\$ 1.37
Commercial & Irrigation	Per 1" Meter	\$ 6.69	\$ 1.37
Commercial & Irrigation	Per 1.5" Meter	\$ 19.59	\$ 1.37
Commercial & Irrigation	Per 2" Meter	\$ 29.60	\$ 1.37
Commercial & Irrigation	Per 3" Meter	\$ 61.29	\$ 1.37
Commercial & Irrigation	Per 4" Meter	\$ 61.29	\$ 1.37
Commercial & Irrigation	Per 6" Meter	\$ 61.29	\$ 1.37
Commercial & Irrigation	Per 8" Meter	\$ 270.06	\$ 1.37
Future rate increases in the wholesale water charge to the District by either the City of Everett or the Clearview Water Supply Agency shall be passed on to each class of customer as an increase to these rates.			

Exhibit B - Sewer Rates

Customer Class	Base Rate		Per Unit
	Standard Of Measure	Monthly Base Rate	Base Rate Includes
Everett Basin			(7.5 Units)
Low Income Senior Citizen	Per Dwelling Unit	\$ 28.33	N/A
Single Family Residential	Per Dwelling Unit	\$ 37.72	N/A
Duplex	Per Dwelling Unit	\$ 36.99	N/A
Multi-Family	Per Dwelling Unit	\$ 36.99	N/A
Schools	Per Attending Student	\$ 0.50	N/A
Commercial	Per Water Meter	\$ 37.72	\$ 5.03
Industrial	Per Water Meter	\$ 39.83	\$ 5.31
Alderwood Basin			(7.5 Units)
Low Income Senior Citizen	Per Dwelling Unit	\$ 27.07	N/A
Single Family Residential	Per Dwelling Unit	\$ 37.36	N/A
Duplex	Per Dwelling Unit	\$ 34.17	N/A
Multi-Family	Per Dwelling Unit	\$ 34.17	N/A
Schools	Per Attending Student	\$ 0.48	N/A
Commercial	Per Water Meter	\$ 37.36	\$ 4.33
Industrial	Per Water Meter	\$ 39.42	\$ 4.57
Future rate increases in the wholesale sewer treatment charge to the District by either the City of Everett or the Alderwood Water and Wastewater District shall be passed on to each class of customer as an increase to these rates.			

Exhibit C - Service Fees and Charges

Service Description	Standard of Measure	Fee Amount
New/Closed Account Type Fees		
New Account Setup Fee	Per Request	\$ 30.00
Estimated Closing Bill (Escrow)	Per Request	\$ 10.00
Final Billing and Account Termination	Per Request	\$ 20.00
Closing Tenant Account to Property Owner	Per Request	\$ 5.00
Delinquent Notice Type Fees		
Delinquent Notice - Door Hanger	Per Unit	\$ 37.00
Delinquent Service Disconnection (Lock)	Per Unit	\$ 62.00
Unauthorized Reconnection	Per Unit	\$ 75.00
Vandalism to Meter Set	Per Incident	T & M - \$65.00 Minimum
Other Service Type Fees		
Re-Read Meter	Per Request	\$ 37.00
Service Turn On/Turn Off Request	Per Request	\$ 37.00
Lock Off Service	Per Request	\$ 25.00
Return Check (Item) Fee	Per Item	Bank Service Charge plus \$15.00
Flow Test Meter - SLWD	Per Test	\$ 37.00
Flow Test Meter - City of Everett	Per Test	\$ 180.00
Side Sewer Inspection - New Connection	Per Inspection	\$ 480.00
Side Sewer Inspection - Existing Connection	Per Inspection	No Charge
Re-Scheduling Inspection Due to No Show	Per Request	\$ 40.00
Service Calls - Customer's Line Failure	Per Request	\$37.00 Per Hour - \$74.00 Minimum
Water Meter Installation Charge (Short Side)	Per Installation Meter	T & M - \$200.00 Minimum
Water Meter Installation Charge (Long Side)	Per Installation Meter	T & M - \$200.00 Minimum
Water Main Tapping Charge	Per Tap	T & M - \$200.00 Minimum
Water Meter or Side Sewer Removal	Per Request	T & M - \$200.00 Minimum
Hydrant Rental	First Day	\$15.00 - plus water consumption rate (Per CCF)
Hydrant Rental	Each Additional Day	\$5.00 - plus water consumption rate (Per CCF)
Other Service Type Fees		
Voluntary Turn On or Turn Off	Per Request	55.50 Per Hour - \$111.00 Minimum
Service Calls - Customer's Line Failure	Per Request	55.50 Per Hour - \$111.00 Minimum
Time and Materials (T & M) includes staff time, supplies, and equipment use.		
Bank Service Charge is the rate charged to the District by its Commercial bank		