

**SILVER LAKE WATER & SEWER DISTRICT
SNOHOMISH COUNTY, WASHINGTON
RESOLUTION NO. 629**

**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 NO. 617 NO. AND 581.**

WHEREAS, RCW 57.08.081 authorizes the Silver Lake Water & Sewer District Board of Commissioners ("District") to fix rates and charges for providing 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 charged relating thereto; and

WHEREAS, the District Board of Commissioners directed staff to publish notice of a Public Hearing to be held 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, February 28, 2008, and on Thursday, May 22, 2008, 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, notice of a public hearing held on February 28, 2008 on such water and sewer rates, service fees, and charges was published in the Everett Herald on February 13, 2008 and notice of public hearing on May 22, 2008 was published in the Everett Herald on May 8, 2008; and

WHEREAS, On February 28, 2008, the Commissioners held a public hearing to discuss utility rates and utility rate calculation methods. The Commissioners at that time directed

staff to develop utility rates using the calculation methods and policies selected by the Commissioners and to schedule a second hearing; and

WHEREAS, the District Board of Commissioners held such hearing on May 22, 2008, continued to May 29, 2008, accepting public testimony on the adjustment of and possible increase to customer water and sewer rates and service fees and charges; and

WHEREAS, the District previously adopted Resolution No. 617 that adopted and adjusted water and sewer rates and the definitions for customer classes; and

WHEREAS, Resolution No. 617 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 No. 581 that established that wholesale water rates and sewer service rates for individual sewer customers outside the District's corporate boundaries would be charged at a rate of 125% for water and sewer services; and

WHEREAS, the District previously adopted Resolution No. 581 that established a General Facility Fee to be paid by the owner of the property located outside the District's corporate boundaries as a condition to use the Silver Lake Water and Sewer District infrastructure; and

WHEREAS, the water and sewer rates and service fees and charges set forth in 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 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 between the District and the other municipal entities; and

WHEREAS, the City of Everett, the Alderwood Water & Wastewater District and the Clearview Water Supply Agency have notified the District that wholesale sewer and water charges billed to the District by those entities 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, the District Commissioners have reviewed certain water and sewer utility rate calculations and have directed that sewer accounts for schools be charged under the commercial customer class methodology of base rate plus consumption rather than a per student rate to better reflect their actual sewer usage; and

WHEREAS, the District Commissioners has reviewed certain water and sewer utility rate calculations and has directed that once the District begins mailing high consumption notices to customers, the District will provide one meter re-read without a service fee annually upon customer request; 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, which are fully incorporated herein by this reference.
2. **DEFINITIONS:** For the purpose 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.

Commercial means all customers discharging domestic flows to the District sewer system without one or more dwelling units. A School is a commercial class customer.

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

Customers outside the District's Corporate Boundaries means any customer, either an individual, corporate, or public agency, which is located outside the corporate boundaries of the Silver Lake Water and Sewer District.

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 fee outlined in Exhibit C shall be paid to the District by the customer requesting the flow test. The flow test may 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 a water meter 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 that the District's reading was correct. The fee outlined in Exhibit C shall be paid to the District by the customer requesting that the meter be re-read. 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 means when a customer is not at their property at the time scheduled for an inspection, or their infrastructure is not ready for inspection, or the infrastructure fails inspection and District personnel must return to the property to perform their duties. The fee outlined in Exhibit C shall be paid to the District by the customer requesting a rescheduling inspection. 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.

Surcharge means a percentage or fixed dollar amount in excess of an adopted water or sewer rate. A surcharge of 25% shall equate to the water or sewer rate times 1.25 equals the surcharge rate. For example, a service rate of \$10.00 shall equate to a surcharge rate of \$12.50 (\$10.00 times 1.25 = \$12.50).

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 privately owned 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 fee 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 Unit (SFD) 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 a meter 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, in effect and applicable at the time of such 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, attached hereto and are incorporated herein by this reference are hereby adopted effective June 1, 2008. For the purposes of bi-monthly water and sewer rates, these rates shall be effective for Cycle 1 on June 21, 2008, billed August 2008. For the purposes of bi-monthly water and sewer rates, these rates shall be effective for Cycle 2 on July 22, 2008, billed in September 2008. For the purposes of monthly water and sewer rates, these rates shall be effective for Cycles 3 and 7 on June 1, 2008, billed in June 2008.

4. **OTHER CHARGES, ASSESSMENTS, AND FEES:**

The water and sewer rates, service fees, and other charges set forth on Exhibits A, B, and C attached hereto do not include and are not in lieu of any Utility Local Improvement District assessments, permit fees, connection charges, general facility fee or any other fees or charges of the District heretofore or hereafter adopted.

5. **ACCOUNT STATUS:**

Accounts shall either have a status of Active, Temporary Disconnection or Terminated.

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, that their water and/or sewer service at their property be temporarily disconnected 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 and delinquent 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. No monthly service charges shall apply to or be billed to property that is a Terminated account.

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 account fees and charges at the rate set forth by the Board of Commissioners in effect at the time their request for reconnection and utility service is received.

9. **WATER WHOLESALE RATES:**

Master meters shall be required for all water districts and any other municipal water purveyor purchasing water from the District. The water wholesale rates are set forth in Exhibit A shall include the base meter charge and an overage charge that is 25% more than the overage charge provided in Exhibit A. The Board of Commissioners may approve by interlocal agreement with a water and/or sewer district or municipal water purveyor a different surcharge percentage or calculation method. The surcharge shall not apply to the fees set forth in Exhibit C.

10. **WATER OR SEWER SERVICE OUTSIDE THE DISTRICT BOUNDARIES:**

The water and sewer rates for water or sewer services outside the District corporate boundaries shall include a charge that is 25% more than the rates set forth in Exhibit A and Exhibit B. The Board of Commissioners may approve by interlocal agreement with a water and/or sewer district or municipal water purveyor a different surcharge percentage or calculation method. The surcharge shall not apply to the fees set forth in Exhibit C.

11. **GENERAL FACILITY CHARGES – SEWER SERVICE OUTSIDE THE DISTRICT BOUNDARIES:**

Properties outside the District's corporate boundaries using or benefiting from the use of the District's water and sewer general facilities shall pay a General Facility Charge as adopted by the District as a condition of water and sewer service by either Cross Valley Water District or Silver Lake Water and Sewer District.

12. **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.


13. **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 the dates set forth herein. 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, modified and superseded to be in accordance with the foregoing.

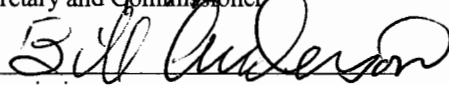
ADOPTED by the Board of Commissioners, at a regular meeting of the Silver Lake Water & Sewer District, Snohomish County, Washington this 29th day of May, 2008.



President and Commissioner

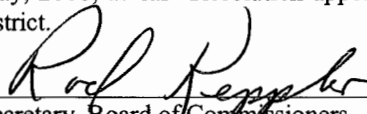


Secretary and Commissioner



Commissioner

I CERTIFY the above to be a true and correct copy of Resolution No. 629 adopted by the Board of Commissioners of the Silver Lake Water & Sewer District, this 29th day of May, 2008, as said Resolution appears in the records of the Silver Lake Water & Sewer District.



Secretary, 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	\$ 3.39	\$ 1.40
Single Family Residential	Per Dwelling Unit	\$ 6.90	\$ 1.40
Duplex	Per Dwelling Unit	\$ 6.90	\$ 1.40
Multi-Family	Per Dwelling Unit	\$ 6.90	\$ 1.40
Schools	Per Meter	\$ 6.90	\$ 1.40
Commercial & Irrigation	Per 1" Meter	\$ 6.90	\$ 1.40
Commercial & Irrigation	Per 1.5" Meter	\$ 20.20	\$ 1.40
Commercial & Irrigation	Per 2" Meter	\$ 30.53	\$ 1.40
Commercial & Irrigation	Per 3" Meter	\$ 63.21	\$ 1.40
Commercial & Irrigation	Per 4" Meter	\$ 63.21	\$ 1.40
Commercial & Irrigation	Per 6" Meter	\$ 63.21	\$ 1.40
Commercial & Irrigation	Per 8" Meter	\$ 278.54	\$ 1.40
Wholesale Master Meter (Includes 25% SC)	Per 8" Meter	\$ 154.77	\$ 1.75
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.			
Accounts outside the District shall be billed 125% of the above service rates.			

Exhibit B - Sewer Rates

Customer Class	Base Rate		Per Unit
	Standard Of Measure	Monthly Base Rate	Base Rate Includes (7.5 Units)
Everett Basin			
Low Income Senior Citizen	Per Dwelling Unit	\$ 29.93	N/A
Single Family Residential	Per Dwelling Unit	\$ 39.85	N/A
Duplex	Per Dwelling Unit	\$ 39.08	N/A
Multi-Family	Per Dwelling Unit	\$ 39.08	N/A
Schools	Per Water Meter	\$ 39.85	\$ 5.31
Commercial	Per Water Meter	\$ 39.85	\$ 5.31
Industrial	Per Water Meter	\$ 42.24	\$ 5.63
Alderwood Basin			
Low Income Senior Citizen	Per Dwelling Unit	\$ 28.25	N/A
Single Family Residential	Per Dwelling Unit	\$ 38.99	N/A
Duplex	Per Dwelling Unit	\$ 35.66	N/A
Multi-Family	Per Dwelling Unit	\$ 35.66	N/A
Schools	Per Water Meter	\$ 38.99	\$ 4.52
Commercial	Per Water Meter	\$ 38.99	\$ 4.52
Industrial	Per Water Meter	\$ 41.14	\$ 4.77
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.			
Accounts outside the District shall be billed 125% of the above service 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
Delinquent Notice Type Fees		
Delinquent Service Disconnection	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	After First Visual Staff Reread	\$ 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 - SLWSD	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	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)
After Business Hours		
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.		