

**SILVER LAKE WATER & SEWER DISTRICT
SNOHOMISH COUNTY, WASHINGTON
RESOLUTION NO. 666**

**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 CLASSIFICATIONS AND REPEALING
SECTIONS OF RESOLUTION NO. 637**

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 inside and outside the District's service boundaries, 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, previous District resolutions adopted by the Board of Commissioners have provided for and authorized the District to increase water and sewer rates based on increases to the wholesale charges for water and sewer billed to the District by the City of Everett and the Alderwood Water and Wastewater District; and

WHEREAS, notice of a public hearing by the District Commissioners to be held on March 24, 2011 to consider changes to water and sewer rates and charges was published in the Everett Herald on March 12, 2011; and

WHEREAS, in 2010 the Board of Commissioners hired FSC Group to prepare the 2010 Utility Rate Study; and

WHEREAS, on May 13, 2010, the Board of Commissioners received the 2010 Utility Rate Study which provided a wide range of financial analysis, rate predictions, customer class cost changes, and rate methodology options; and

WHEREAS, the Board of Commissioners met on July 16, 2010, August 13, 2010, September 10, 2010, November 5, 2010, and December 17, 2010 to discuss the 2010 Utility Rate forecast and provide direction to staff on water and sewer service rates and rate methodology; and

WHEREAS, the Board of Commissioners directed staff to prepare a resolution that would establish summer seasonal water rates, address the lower cost of service for fire meters; 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 present and future increases to such wholesale charges by the City of Everett, the Alderwood Water and Wastewater District and the Clearview Water Supply Agency, need to be made and based on information made available to the District from its wholesale providers, and such increases to District customer rates when using the direct pass through method are fair and equitable when each such increase should occur; and

WHEREAS, the State of Washington Public Works Trust Fund program has enacted rules that limit the access to Public Works Trust Fund loans to public water purveyors that have adopted a rate based water conservation program; and

WHEREAS, the State of Washington Department of Ecology has enacted rules that encourage water purveyors to adopt a rate based water conservation program; and

WHEREAS, the Board of Commissioners passed Resolution No. 626, adopting the District's Water Use Efficiency Program, that included a component for a rate based water conservation program; and

WHEREAS, the Board of Commissioners directed staff to prepare a resolution that would adopt a summer seasonal water rate based conservation model; and

WHEREAS, the summer seasonal water rate will be four consecutive months with customers billed bi-monthly water in even months the summer seasonal months shall be May, June, July and August, and with customers billed bi-monthly in odd months the summer seasonal months shall be June, July, August and September, and customers being billed monthly the summer seasonal months shall be May, June, July, and August; and

WHEREAS, the water and sewer rates and service fees and charges set forth in this resolution in Exhibits A and B 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 and B attached to this resolution are fair and equitable; and

WHEREAS, Resolution No. 666 provides for customer classification and information services definitions to provide guidance to staff to implement and administer utility service to various classes of customers in a variety of situations; and

WHEREAS, such definitions and guidance to staff help clarify for staff how to administer rates and charges to customers in various situations and setting forth such definitions and guidance in the same resolution that presents the water and sewer rate tables facilitate staff efforts to share such administrative matters with customers; and

WHEREAS, the Board of Commissioners has determined to now reiterate and republish in this resolution these definitions for customer classification and information services 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 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 & Sewer District.

Delinquent Notice – Door Hanger means when a notice is posted to or otherwise provided to a property informing the resident that their utility service is scheduled for disconnection due to non-payment of District utility or service 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 utility or service charges, non-compliance with back flow assembly regulations or other violations of District specifications and regulations. District personnel shall have the 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 to 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 for calculation of monthly sewer service charges for commercial or industrial customers means, the total cubic feet of water utilized by the user for a month divided by 750;

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.

Mobile Home Park means a residential use in which a tract of land is rented for the use of more than one (1) mobile or modular 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.

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 * 1.25 = \12.50).

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 fee simple interest of 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.

Summer Seasonal Water Rates mean that the water per unit (consumption) rate shall be higher for four (4) billing months of the summer. The Water Summer Seasonal months for bi-monthly customers billed every even month, currently Cycle 1 and Cycle 7, shall be May, June, July and August. The Water Summer Seasonal months for bi-monthly customers billed every odd month, currently Cycle 2, shall be June, July, August, and September. The Water Summer Seasonal months for customers billed monthly, currently Cycle 3, shall be May, June, July and August.

3. **ADOPTION OF RATES:**

The water and sewer rates and the service fees and charges set forth on Exhibits A and B, attached hereto are hereby adopted effective May 1, 2011. For the purposes of bi-monthly water and sewer rates, the 2011 rates shall be effective for Cycle 1 and Cycle 7 on May 1, 2011, billed June 2011. For the purposes of bi-monthly water and sewer rates, the 2011 rates shall be effective for Cycle 2 on June 1, 2011, billed in July 2011. For the purposes of monthly water and sewer rates, the 2011 rates shall be effective for Cycle 3, the 2011 rates shall be effective on May 1, 2011, billed in May 2011.

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

The water and sewer rates, service fees, and other charges set forth in Exhibits A and B attached hereto, 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 General 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.

The owner of property that has previously been voluntarily or involuntarily 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 may approve the request, under the District's most current new connection standards, and the property owner shall pay to the District the water and sewer connection charges in effect at the time of such reconnection and any other new account 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.

9. **WATER WHOLESALE RATES:**

Master meters shall be required for all municipal water purveyors purchasing water from the District. The water wholesale rates 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 municipal water or municipal purveyor, a different surcharge percentage or calculation method.

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

The water and sewer rates for water and/or sewer services outside the District 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 district or municipal water or sewer purveyor a different surcharge percentage or calculation method.

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.

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.

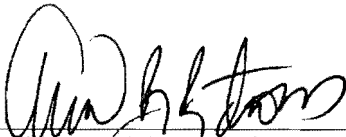
13. **EFFECTIVE DATE/REPEALER:**

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.

/

/


ADOPTED by the Board of Commissioners, at a regular meeting of the Silver Lake Water & Sewer District, Snohomish County, Washington this 24th day of March, 2011.



President and Commissioner



Secretary and Commissioner



Commissioner

I CERTIFY the above to be a true and correct copy of Resolution No. 666 adopted by the Board of Commissioners of the Silver Lake Water & Sewer District, this 24th day of March, 2011, 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

2011 Rate Table

Exhibit A - Water Rates

Customer Class	Base Rate		Per Unit Water Use (100 cu ft = 1 CCF)	
	Standard Of Measure	Monthly Base Rate	Winter	Summer
Residential				
Low Income Senior Citizen	Per Dwelling Unit	\$ 3.58	\$ 1.60	\$ 2.05
Single Family Residential	Per Dwelling Unit	\$ 7.30	\$ 1.60	\$ 2.05
Duplex	Per Dwelling Unit	\$ 7.30	\$ 1.60	\$ 2.05
Multi-Family	Per Dwelling Unit	\$ 7.30	\$ 1.60	\$ 2.05
Schools				
Schools	Per Meter	\$ 7.30	\$ 1.60	\$ 2.05
Commercial & Irrigation				
Commercial & Irrigation	Per 5/8" to 1" Meter	\$ 7.30	\$ 1.60	\$ 2.05
Commercial & Irrigation	Per 1.5" Meter	\$ 21.40	\$ 1.60	\$ 2.05
Commercial & Irrigation	Per 2" Meter	\$ 32.35	\$ 1.60	\$ 2.05
Commercial & Irrigation	Per 3" Meter	\$ 66.90	\$ 1.60	\$ 2.05
Commercial & Irrigation	Per 4" Meter	\$ 66.90	\$ 1.60	\$ 2.05
Commercial & Irrigation	Per 6" Meter	\$ 66.90	\$ 1.60	\$ 2.05
Commercial & Irrigation	Per 8" Meter	\$ 295.00	\$ 1.60	\$ 2.05
Wholesale Master Meter (Includes 25% SC)	Per 8" Meter	\$ 163.90	\$ 2.00	\$ 2.45
Fire Sprinklers				
5/8" Residential	Per 5/8" to 1" Meter	\$ 5.00	\$ 1.60	\$ 2.05
Commerical	Per 1.5" Meter	\$ 14.75	\$ 1.60	\$ 2.05
Commerical	Per 2" Meter	\$ 22.25	\$ 1.60	\$ 2.05
Commerical	Per 3-6" Meter	\$ 45.75	\$ 1.60	\$ 2.05
Commerical	Per 8" Meter	\$ 202.50	\$ 1.60	\$ 2.05
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.				
Bill Period Ending In	Billing Cycle #	Summer Seasonal Months		
Even Months	Cycles 1, 3, and 7	May - June - July - August		
Odd Months	Cycle 2	June - July - August - September		

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	\$ 35.85	N/A
Single Family Residential	Per Dwelling Unit	\$ 47.70	N/A
Duplex	Per Dwelling Unit	\$ 46.80	N/A
Multi-Family	Per Dwelling Unit	\$ 46.80	N/A
Schools	Per Water Meter	\$ 47.70	\$ 6.35
Commercial	Per Water Meter	\$ 47.70	\$ 6.35
Industrial	Per Water Meter	\$ 50.55	\$ 6.75
Alderwood Basin			
Low Income Senior Citizen	Per Dwelling Unit	\$ 35.45	N/A
Single Family Residential	Per Dwelling Unit	\$ 47.25	N/A
Duplex	Per Dwelling Unit	\$ 43.70	N/A
Multi-Family	Per Dwelling Unit	\$ 43.70	N/A
Schools	Per Water Meter	\$ 47.25	\$ 6.30
Commercial	Per Water Meter	\$ 47.25	\$ 6.30
Industrial	Per Water Meter	\$ 49.60	\$ 6.60
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.			
By Interlocal Agreement Cross Valley Sewer Customers shall be billed 117% of the above service rates.			