

**SILVER LAKE WATER & SEWER DISTRICT  
SNOHOMISH COUNTY, WASHINGTON  
RESOLUTION NO. 724**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SILVER LAKE WATER & SEWER DISTRICT, SNOHOMISH COUNTY, WASHINGTON, ADOPTING A LOW INCOME SENIOR CITIZEN/DISABLED PERSON WATER AND SEWER RATE PROGRAM AND REPEALING RESOLUTION No. 641.**

**WHEREAS**, RCW 57.08.014 provides certain powers to the Silver Lake Water & Sewer District's Board of Commissioners ("District") to adjust or delay the water and sewer service rates for low income senior citizens and low income disabled persons (senior/disabled); and

**WHEREAS**, the Board of Commissioners adopted Resolution No. 641 establishing a low income senior rate for water and sewer charges on July 9, 2009; and

**WHEREAS**, in 2009, the Board of Commissioners received a written communication from a customer requesting the Low Income Senior Rate Program include persons with disabilities; and

**WHEREAS**, the Board of Commissioners reviewed the financial costs of the current Low Income Senior/Disabled Rate Program, including the growth in the number of customers receiving the low income senior or disabled rates and the annual costs of providing low income senior or disabled rates; and

**WHEREAS**, Resolution No. 641 established a qualifying income threshold of \$35,000 for a single senior citizen or \$40,000 for married or co-tenant senior citizens, which was based on the qualifying income threshold for the Snohomish County Low Income Property Tax Program; and

**WHEREAS**, Snohomish County has changed the criteria used to determine when senior or disabled citizens are eligible to qualify for its Low Income Property Tax Program to be a household income of \$40,000 and the qualifying age to 61 years old; and

**WHEREAS**, the Board of Commissioners directs District staff to maintain future criteria for the District's Low Income Senior/Disabled Rate Program at the same criteria as the Snohomish County Low Income Property Tax Program; and

**WHEREAS**, the Board of Commissioners recognizes that increased costs and expenses support an increase in the income threshold amount to define low income for purposes of the District's Low Income Senior/Disabled Reduced Rate Program and increases to water and sewer rates due to on going significant capital improvement projects to protect water

quality and the environment can be an undue financial burden on low income senior/disabled customers of the District; and

**WHEREAS**, lower rates to customers who qualify for the District's Low Income Senior/Disabled Rate Program should help such customers continue to live independent lives and contribute to the Silver Lake community; 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 eligibility, the following definitions apply unless otherwise provided for:

**Disabled person** means person who is receiving permanent Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), Veteran Disability Compensation (VDC), Non-Grant Medical Assistance (NGMA), receiving permanent disability insurance benefits, or qualifies for state permanent disability benefits or qualification for other institutional or governmental programs that provide a determination of a disability that is permanent in nature. The General Manager may review additional information or records supplied by an applicant that documents the applicant's ability to qualify for the aforementioned programs.

**Full Time Resident** means a person, or persons, who reside at the property for which the water and sewer service is provided.

**Low Income Senior/Disabled Rate Applicant** means a person who has submitted a completed Low Income Senior/Disabled Rate Application including any supporting documentation requested by the District to determine their eligibility for the discounted water and sewer rates.

**Low Income Senior/Disabled Rate Application** means a form developed by the General Manager or designee, to review the status, qualifications, and residency of a Low Income Senior/Disabled Rate applicant.

**Property Owner** means person or legal entity that owns the property for which the water and sewer service is provided.

**Senior Citizen**, for the purposes of this resolution, means a person who is 61 years of age or older at the time of their application for low income rates.

**Qualifying Low Income** means the gross income adopted by the Board of Commissioners to qualify a Low Income Senior/Disabled Rate Applicant for the discounted water and sewer rates.

3. **APPLICATION REQUIREMENT:** The Low Income Senior/Disabled Rate Applicant must complete a Low Income Senior/Disabled Rate Application provided

by the District. The Low Income Senior/Disabled Rate Application shall include a signed declaration certifying, under penalty of perjury, that all material representations of the applicant are true and correct and that the signator(s) will promptly notify the District in writing should such individual(s) move to a new location or experience a change in income that would disqualify the signator(s) from receiving the reduced water and sewer rates and agree to pay the District for any undercharging that has been or will be made if it is determined that the signator(s) is not qualified for the reduced water and sewer rates.

4. **QUALIFYING ANNUAL LOW INCOME:** The Low Income Senior/Disabled Rate Applicant must have an annual gross household income of less than \$40,000 per year to qualify for the Low Income Senior/Disabled Rate Program. The General Manager shall have the authority to change the qualifying low income threshold based on changes adopted by Snohomish County for qualification for the Low Income Senior/Disabled Rate Property Tax Program.
5. **RESIDENCY REQUIREMENT:** The Low Income Senior/Disabled Rate Applicant must be the property owner and full-time resident of the property receiving water and sewer service in the District or the full-time resident tenant(s), that by written agreement with the property owner is required to pay the District's water and sewer bills and that the property owner is authorized to receive a copy of the District's water and sewer bill.
6. **SUBSEQUENT INCOME OR RESIDENCY VERIFICATION:** The District may request an applicant receiving the reduced Low Income Senior/Disabled Rates to resubmit supporting documentation verifying their eligibility in the program. The District may cancel a customer's eligibility to receive the adjusted Low Income Senior/Disabled Rate if the customer has not responded to a written request to provide supporting documentation to verify their eligibility in the program.
7. **BACK BILLING FOR UNDERCHARGES DUE TO DISQUALIFICATION:** Low Income Senior/Disabled Rate customers shall inform the District of changes to income levels that may disqualify them from receiving the adjusted Low Income Senior/Disabled Rate. The District shall back bill a customer for any undercharges due to either disqualification or false or inaccurate supporting documentation.
8. **DISCOUNTED AMOUNT:** The Low Income Senior/Disabled Rates shall be 75% of the single family residential rate paid by property owners in the same sewer basin as the senior/disabled low income District customer resides.
9. **AUTHORITY TO PREPARE DOCUMENTS TO IMPLEMENT RESOLUTION:** The General Manager and District Staff are hereby authorized and directed to prepare and use District Application forms and other documents, and to develop administrative processes to implement a Senior/Disabled Rate Reduction Program in accordance with the terms of this Resolution.

10. **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.

11. **REPEALER:** Resolution No. 641 is hereby repealed.

**ADOPTED** by the Board of Commissioners, at a regular meeting of the Silver Lake Water & Sewer District, Snohomish County, Washington this 24<sup>th</sup> day of March, 2016.

  
\_\_\_\_\_  
President and Commissioner

  
\_\_\_\_\_  
Secretary and Commissioner

  
\_\_\_\_\_  
Commissioner

**I CERTIFY** the above to be a true and correct copy of Resolution No. 724, adopted by the Board of Commissioners of the Silver Lake Water & Sewer District, this 24<sup>th</sup> day of March, 2016, 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