

**SILVER LAKE WATER & SEWER DISTRICT
SNOHOMISH COUNTY, WASHINGTON
RESOLUTION NO. 756**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SILVER
LAKE WATER & SEWER DISTRICT, SNOHOMISH COUNTY,
WASHINGTON, ADOPTING WATER AND SEWER RATES AND
DEFINITIONS FOR CUSTOMER CLASSIFICATIONS AND REPEALING
RESOLUTION NO. 738.**

WHEREAS, RCW 57.08.081 authorizes the Silver Lake Water & Sewer District's Board of Commissioners ("District") to fix rates and charges for providing sewer service and facilities to those 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's 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's 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, the Clearview Water Supply Agency, and the Alderwood Water & Wastewater District ("Wholesale Providers"); and

WHEREAS, at the Board of Commissioners public meeting on March 22, 2018 the Commissioners discussed the expected increases to water and sewer rates charged to the District by the Wholesale Providers starting in 2018; and

WHEREAS, the Wholesale Providers, in accordance with their respective long-term agreements with the District, have provided written notice to the District of their respective 2018 Wholesale Sewer and Water Rate Increases; and

WHEREAS, such Wholesale Sewer and Water Rate Increases are determined by formulas and criteria set forth in each Wholesale Provider's Agreement with the District as applied to prior year's costs and expenses; and

WHEREAS, the District is contractually bound to the Wholesale Providers to pay such increases, and a direct pass-through in a fair and equitable manner to each of the District customer classifications of such future increases of such wholesale charges by the Wholesale Providers or other water or sewer service providers, needs to be made based on information made available to the District from its Wholesale Providers at this time, and such increases need to be fair and equitable to the various District customer classes when each such increase should occur; and

WHEREAS, subsequent to the adoption of this Resolution, should District staff determine that District water and sewer rates need to be increased in whole or in part due to District costs and expenses, then District Staff shall provide a report to the Board of Commissioners detailing the analysis that indicates rate increase(s) to cover these direct costs and expenses of the District is needed; and

WHEREAS, when District staff reports that all or part of a proposed rate increase for water and sewer utilities is due to direct costs and expenses of the District's operations, staff shall recommend to the Board of Commissioners that the Board schedule a Public Hearing on such proposed rate increase(s); and

WHEREAS, the Board of Commissioners shall consider scheduling a Public Hearing, inviting comments from the general public on any proposed rate increases that are in whole or in part, due to direct costs and expenses of the District; and

WHEREAS, the State of Washington Public Works Trust Fund program has enacted rules that limit 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, on April 27, 2017, the Board of Commissioners adopted Resolution No. 734, approving the District's Water Use Efficiency Program, which included a component for a rate-based Water Conservation Program; and

WHEREAS, the Board of Commissioners directed staff to implement 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; and the summer seasonal months shall be May, June, July, and August. Customers billed bi-monthly in odd months; the summer seasonal months shall be June, July, August and September. 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. 756 provides for customer classification and information services definitions to provide guidance to District 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, 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 District 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 preceding recitals to this Resolution are adopted in full by this reference.
2. **DEFINITIONS:** For the purpose of determining rate classifications 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 dwelling units. A school is a commercial class customer.

Condominium means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded pursuant Chapters 64.32 and 64.34 RCW.

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 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 the authority to determine whether an account is locked off or not. Not locking a service shall not decrease the District's fees, charges and rates applicable to such service or account.

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, food preparation, and sanitation, physically separated from any other dwelling unit which may be in the same building and with an exit, through a corridor or otherwise, to the outside. For the purposes of this definition, travel between dwelling units through a lockable door is physical separation. An Accessory Dwelling Unit (ADU) is a dwelling unit that is part of the same property as the main home. Fee simple interest in the real property upon which the ADU is located cannot be conveyed separately from the main home.

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 sewer General Facility Charges, an ERU equals the design capacity in total gallons of sewage that such customer's facilities may deliver to the District sewer system in 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 only one (1) dwelling unit and having a permanent foundation. 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 and 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, 2018. For the purposes of bi-monthly water and sewer rates, the 2018 rates shall be effective for Cycle 1 and Cycle 7 on May 1, 2018, billed June 2018. For the purposes of bi-monthly water and sewer rates, the 2018 rates shall be effective for Cycle 2 on June 1, 2018, billed in July 2018. For the purposes of monthly water and sewer rates, the 2018 rates shall be effective for Cycles 3 on May 1, 2018, billed in May 2018.

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 a 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 by 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 a 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, and, following the payment of the final bill in full, 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 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 twenty five percent (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 for properties outside the District's corporate boundaries to which the District serves water or sewer or both shall include a charge that is twenty five (25%) more than the rates set forth in Exhibit "A" and Exhibit "B" of this Resolution. 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. Provided any property outside the District's corporate boundaries served water and/or sewer by the District that meets any of the following conditions shall not be charged a surcharge:

- a. Property located north of 100 St. SE.
- b. Property isolated from service from any other purveyor of such services by topography, critical areas, steep slopes and the like.
- c. Areas consisting of not more than five lots served by the District.
- d. Developments within the corporate boundaries of another provider, yet served by the District on an interim basis while awaiting construction of system improvements to be served by the other provider.

- e. Developments within the corporate boundaries of another provider in an area in which system development for both providers is in place, yet certain customers outside the District's corporate boundaries can only be served by the District's system(s).

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 therein. 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 and superseded.

ADOPTED by the Board of Commissioners, at a regular meeting of the Silver Lake Water & Sewer District, Snohomish County, Washington this 12th day of April, 2018.



President and Commissioner




Secretary and Commissioner



Commissioner

I CERTIFY the above to be a true and correct copy of Resolution No. 756, adopted by the Board of Commissioners of the Silver Lake Water & Sewer District, this 12th day of April, 2018, 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

2018 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	\$ 3.75	\$ 2.00	\$ 2.45
Single Family Residential	Per Dwelling Unit	\$ 7.60	\$ 2.00	\$ 2.45
Duplex	Per Dwelling Unit	\$ 7.60	\$ 2.00	\$ 2.45
Multi-Family	Per Dwelling Unit	\$ 7.60	\$ 2.00	\$ 2.45
Outside District Boundaries at 125%	Per Dwelling Unit	\$ 9.50	\$ 2.50	\$ 3.06
Schools				
Schools	Per Meter	\$ 7.60	\$ 2.00	\$ 2.45
Commercial & Irrigation				
Commercial & Irrigation	Per 5/8" to 1" Meter	\$ 7.60	\$ 2.00	\$ 2.45
Commercial & Irrigation	Per 1.5" Meter	\$ 22.30	\$ 2.00	\$ 2.45
Commercial & Irrigation	Per 2" Meter	\$ 33.70	\$ 2.00	\$ 2.45
Commercial & Irrigation	Per 3" Meter	\$ 69.70	\$ 2.00	\$ 2.45
Commercial & Irrigation	Per 4" Meter	\$ 69.70	\$ 2.00	\$ 2.45
Commercial & Irrigation	Per 6" Meter	\$ 69.70	\$ 2.00	\$ 2.45
Commercial & Irrigation	Per 8" Meter	\$ 307.10	\$ 2.00	\$ 2.45
Wholesale Master Meter at 125%	Per 8" Meter	\$ 170.60	\$ 2.50	\$ 3.06
Fire Sprinklers				
5/8" Residential	Per 5/8" to 1" Meter	\$ 5.20	\$ 2.00	\$ 2.45
Commercial	Per 1.5" Meter	\$ 15.35	\$ 2.00	\$ 2.45
Commercial	Per 2" Meter	\$ 23.15	\$ 2.00	\$ 2.45
Commercial	Per 3-6" Meter	\$ 47.60	\$ 2.00	\$ 2.45
Commercial	Per 8" Meter	\$ 210.60	\$ 2.00	\$ 2.45
Future rate increases in the wholesale water charge to the District by either the City of Everett or the Clearview 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		

2018 Rate Table

Exhibit B - Sewer Rates

Customer Class	Base Rate		Per Unit Base Rate Includes (7.5 Units)
	Standard Of Measure	Monthly Base Rate	
Everett Basin			
Low Income Senior Citizen	Per Dwelling Unit	\$ 41.65	N/A
Single Family Residential	Per Dwelling Unit	\$ 55.45	N/A
Duplex	Per Dwelling Unit	\$ 54.35	N/A
Multi-Family	Per Dwelling Unit	\$ 54.35	N/A
Schools	Per Water Meter	\$ 55.45	\$ 7.40
Commercial	Per Water Meter	\$ 55.45	\$ 7.40
Industrial	Per Water Meter	\$ 58.80	\$ 7.85
Alderwood Basin			
Low Income Senior Citizen	Per Dwelling Unit	\$ 42.35	N/A
Single Family Residential	Per Dwelling Unit	\$ 56.45	N/A
Single Family Res. - Outside District	Per Dwelling Unit	\$ 70.55	N/A
Duplex	Per Dwelling Unit	\$ 52.20	N/A
Multi-Family	Per Dwelling Unit	\$ 52.20	N/A
Schools	Per Water Meter	\$ 56.45	\$ 7.55
Commercial	Per Water Meter	\$ 56.45	\$ 7.55
Industrial	Per Water Meter	\$ 59.25	\$ 7.90
Future rate increases in the wholesale sewer treatment charge to the District by either the City of Everett or the 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.			