

ORDINANCE NO. 834

AN ORDINANCE OF THE CITY OF SPRAGUE ESTABLISHING WATER SERVICE RATES AND APPLICATION PROCEDURES AND FEES, ESTABLISHING COSTS AND CHARGES FOR CONNECTION TO THE CITY WATER SYSTEM, ESTABLISHING OWNERSHIP AND MAINTENANCE, UTILITY DUE DATES, FEES AND CHARGES FOR DELINQUENT ACCOUNTS, EMERGENCIES, SETTING FORTH THE VIOLATIONS AND PENALTIES FOR FAILURE TO COMPLY, REPEALING ORDINANCE NO. 818 AND ALL OTHER CONFLICTING ORDINANCES.

THE CITY COUNCIL OF THE CITY OF SPRAGUE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I-WATER RATES

A. Inside City Limits

Base rate: The minimum monthly rate for service shall be \$29.00 for the first 1000 cubic feet (7,500 gallons) or fraction thereof.

Tier 1 Usage: \$0.75 for each 100 cubic feet (750 gallons) or fraction thereof in excess of the first 1,000 cubic feet (7,500 gallons) up to 10,000 cubic feet (75,000 gallons).

Tier 2 Usage: \$1.00 for each 100 cubic feet (750 gallons) or fraction thereof in excess of 10,000 cubic feet (75,000 gallons) up to 100,000 cubic feet (750,000 gallons).

Tier 3 Usage: \$1.50 for each 100 cubic feet (750 gallons) or fraction thereof in excess of 100,000 cubic feet (750,000 gallons).

B. Outside City Limits

Base rate: The minimum monthly rate for service shall be \$30.00 for the first 1,000 cubic feet (7,500 gallons) or fraction thereof.

Tier 1 Usage: \$0.75 for each 100 cubic feet (750 gallons) or fraction thereof in excess of the first 1,000 cubic feet (7,500 gallons) up to 10,000 cubic feet (75,000 gallons).

Tier 2 Usage: \$1.00 for each 100 cubic feet (750 gallons) or fraction thereof in excess of 10,000 cubic feet (75,000 gallons) up to 100,000 cubic feet (750,000 gallons).

Tier 3 Usage: \$1.50 for each 100 cubic feet (750 gallons) or fraction thereof in excess of 100,000 cubic feet (750,000 gallons).

C. School Rate

Base rate: The minimum monthly rate for service shall be \$29.00 for the first 1000 cubic feet (7,500 gallons) or fraction thereof.

Usage: \$0.75 for each 100 cubic feet (750 gallons) or fraction thereof in excess of the first 1,000 cubic feet (7,500 gallons).

D. Bulk Water Rate

Base rate: The minimum rate for service shall be \$30.00 for the first 1000 cubic feet (7,500 gallons) or fraction thereof.

Usage: \$0.75 for each 100 cubic feet or fraction thereof in excess of the first 1,000 cubic feet, which is equal to \$1.00 for each 1,000 gallons or part thereof.

E. Availability Charges

Where water service has been extended by the city to an account, that account shall pay the minimum rates, if the residence is occupied, as set forth above, even in the event of nonuse.

F. Annual Review

Water rates shall be reviewed annually. Any increase in rates deemed necessary to adequately cover water system expenses will be adopted in December and limited to no more than a five percent increase per year.

SECTION II-NEW SERVICE APPLICATION

A. Authorization

No person, party firm or corporation shall use any water from the municipal water supply system of the City of Sprague without first making appropriate application and obtaining authority to do so from the City Clerk's office or Director of Public Works.

B. Consumer deposits

Every applicant for, or user of, municipal water shall deposit as a guarantee of payment of water charges, a minimum sum of two months utility bill, which deposit may be increased by the Water Collector when it appears that the average two months bill for premises supplied is in excess of this sum.

C. Return of Deposit

The deposit may be returned to the depositor after one year, if the depositor is the owner of the property, and has paid the utility bill every month without delinquencies of 30 days or more. The deposit will also be returned or applied to the utility bill if the depositor requests a discontinuance of service. Renters will have their deposit returned or applied to the utility bill when they leave the rental premises, rather than have their deposit returned after one year. No interest is paid on the return of deposit. (BARS Manual, PT 3, CH 6, Page 8).

SECTION III-NEW SERVICE INSTALLATION

In the case of a new service, both inside and outside city limits, the City of Sprague shall bring the water to the property line of the applicant and shall install the tap, service line, meter with box and shut-off valve. The property owner shall be responsible for payment of all necessary costs, including parts and labor, associated with bringing water to the property line. The Director of Public Works shall make all decisions on the construction of line. Connection and installation of water service lines from the property line to the user's outlet shall be made by the applicant and all work must conform to the most recent applicable edition of the Uniform Plumbing Code. An inspection by the Director of Public Works will be required before the water service is made active. A connection fee for installation of a new water service will be established by resolution of the City Council. The connection fee will be in addition to the actual installation costs.

SECTION IV-OWNERSHIP AND MAINTENANCE

- A. All water mains, piping, meters, taps, valves, etc., up to the property line of the user shall be owned and maintained by the City of Sprague both inside and outside of the city limits.
- B. The service pipes and connections from the main, to and including a service line, shut-off, meter and meter box, shall be within the exclusive control of the city, and no person shall tamper or interfere with such connections or meter for any purpose. In the event the connections or meters require repair, it shall be the duty of the owner or occupier of the premises to notify the Director of Public Works or City Clerk's office.
- C. No connections shall be made with or fittings applied to the water mains of the city nor shall any repairing of the mains be done by any person, party, firm or corporation without the approval of the Director of Public Works.

SECTION V-PAYMENT REGULATIONS

- A. Utility bills are due and payable when presented as these are charges for the previous month. Payment due date is the 15th of each month. When the 15th of the month falls on a weekend or holiday, the due date is the first day City Hall is open after the 15th. A bill becomes delinquent at 5:00 p.m. on the 25th day of the month the bill is presented. When the 25th day of the month falls on a weekend or holiday, all bills are due and payable on the first day City Hall is open after the 25th. If not paid in full by 5:00 p.m. on the 25th day of the following month, the property receiving the utility service shall be subject to immediate shut-off. In addition, the party responsible for paying the bill is subject to all penalties; which include a \$10.00 late charge, a \$25.00 turn-off fee and a \$25.00 turn-on fee.
- B. Failure to pay in full all outstanding utility bills may result in a lien on the property receiving utility services. If a lien becomes necessary, the foreclosure proceedings on the lien will begin six (6) months from the time the debt starts. (Reference RCW 53.67.230 and RCW 35.21.140). Any and all costs of said lien, including interest and court costs, shall be paid by said owner.
- C. The fee for a non-sufficient funds (NSF) check tendered in payment of a utility bill will be charged as established by the City Council and as posted in the City Clerk's office. From that time on, the city may only accept cash from that customer for payment of city utilities.
- D. A utility bill can be prorated for a partial month if applicable under the circumstances, such as moving in or out of a premise. It is up to the responsible party to notify the City Clerk in time to make the adjustment.
- E. Failure to comply with the regulations set in this section may result in water being turned off until payment is made. Should the occupant of the premises turn on the water after it has been turned off for non-payment, a penalty of one hundred dollars (\$100) shall be due and owing, in addition to any other fees, charges or penalties.

- F. Before utility service is shut-off, the person paying the utility bill will receive at least one (1) delinquent notice by mail and will also receive a hand delivered shut-off notice. If the occupant is not at home, the shut-off notice can and will be attached to the premises.
- G. Payments on delinquent accounts will be applied in the following order: Late fee, penalties and interest; garbage charges; sewer charges; water charges.
- H. At the option of the City Clerk, a customer may pay the current bill due plus 1/3 (one third) of the past due amount. This amount must be paid every month until entire amount is paid. If the customer fails to make the payment for a month, then the entire amount of the utility bill is due and payable and shut-off regulations will be enforced.

SECTION VI-TURN ON AND OFF OF WATER

- A. It is unlawful for any person, party, firm or corporation, other than authorized city employees or agents, to turn on or off water at any point in the streets, avenues, alleys or public highways, in the city or at the property line outside the city without first obtaining written permission from the City Clerk's office or the Director of Public Works.
- B. The provisions of paragraph A shall apply to use of water from city fire hydrants wherever located. Use of water from the city fire hydrants shall also require application of and payment for, pursuant to the bulk water fee provisions of this ordinance.
- C. Any person, party, firm or corporation may discontinue receipt and use of municipal water service, when a property is vacant, by giving notice to the City Clerk and paying in full all due fees and charges. Water service shall then be turned off by a city employee. Should the user choose to resume service at a later date, request must be made to the City Clerk and a consumer deposit according to Section II of this ordinance may be required, if none is on deposit at the time of request.

SECTION VII-EMERGENCIES

- A. Should the Mayor of the City of Sprague declare an emergency for the reason of draught, water shortage or for any other reason, it shall thereafter be unlawful for any person, party, firm or corporation to use water from the municipal water system for the purpose of irrigation or yard watering.
- B. In the event of an emergency such as system damage or failure requiring immediate repair or reconstruction, or where other such cause or reason creates an emergency, the supply of water from the municipal water system may be discontinued for such time as may be reasonably required to eliminate the cause of emergency. In no event shall the city be liable for any damages caused as a result of any discontinuance of service under this section.

SECTION VIII-WITHDRAWAL FROM FIRE HYDRANTS

It is unlawful for any person, party, firm or corporation to withdraw water from the fire hydrants within the corporate limits of the city without first obtaining permission from the City Clerk's office or Director of Public Works. The City Council does ordain that all bulk water obtained

from fire hydrants pursuant to Section VI shall not apply to the duly authorized agents, employees of the city and to fire department personnel acting within the scope of their duties.

SECTION IX-CONTAMINATION OF THE WATER SYSTEM

No person, party, firm or corporation shall pump or inject water or any other substance into the water system. The cost of purging, disinfecting and restoration of the system to normal use shall be borne by the person, party, firm or corporation responsible for the contamination of the water system.

SECTION X-UNAUTHORIZED USE

It is unlawful for any person, party, firm or corporation supplied with the water from the municipal water system in compliance with this ordinance, to supply in any way, other persons, parties, firms or corporations occupying neighboring property who have not applied for and received permission to use water from the city water system as required by Section II of this ordinance.

SECTION XI-UNIFORM PLUMBING CODE

All persons using water from the municipal water system shall comply with the requirements of the most recent addition of the Uniform Plumbing Code.

SECTION XII-PENALTIES

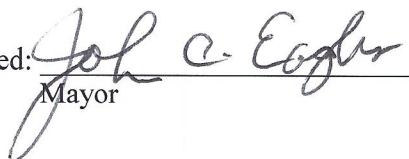
Failure to comply with any condition of this ordinance having to do with the municipal water system of the City of Sprague, could result in a minimum fine of twenty-five dollars (\$25.00) in addition to any utility, service line, and/or meter charges, fees, or penalties already imposed and due.

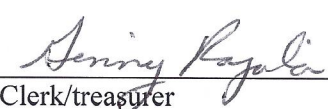
SECTION XIII-OLD ORDINANCES REPEALED AND EFFECTIVE DATE

Ordinance No. 818 and all other previous water ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall take effect April 1, 2014 after its passage, approval and publication.

ADOPTED AND APPROVED THIS 5th DAY OF March, 2014.

Approved: 
Mayor

Attest: 
Clerk/treasurer

Approved as to form:

City Attorney