Ordinance No. 2371
(Amending or Repealing Ordinances)

CFN=599 – Water System Plan Amendments
Passed - 11/1/1982
Procedures for Utility Applications & Billing – Amending KCC Ch. 9.02

Amended by Ord. 3864
ORDINANCE NO. 2371

AN ORDINANCE of the City of Kent, Washington, relating to utilities; amending Chapter 7.02 of the Kent City Code; providing procedures for applications for utilities service, establishing procedures for billing for utilities service, designating the City Treasurer as the person responsible for accepting payment for utilities service, and providing procedures for handling delinquent utilities accounts; repealing Ordinances 1775, 1820, 1955, and 2300.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 7.02 of the Kent City Code is amended as follows:

"7.02.040. APPLICATION. All applications for utility service for garbage and storm drainage, and for service on established accounts of water (garbage and storm drainage) shall be made to the Kent Finance Department. The written application shall be made by the owner or authorized agent of the property where service is requested. For a new service for water or sewer, the application shall be made to the Department of Public Works, which, after approval, will then be taken to the Finance Department to be processed in the normal manner. Whenever an application for utility service is made by an agent, the agent shall submit written authority from the owner authorizing said agent to receive that utility service requested. Included in this written authority will be an acknowledgment that the owner is legally liable for all service.

"7.02.080. UTILITY ACCOUNTS. All accounts for water, sewer, garbage, and storm drainage shall be kept in the name of the owner; PROVIDED, (however,) that whenever the owner by written stipulation directs that the account shall be billed to a renter, tenant or lessee, and within such stipulation acknowledges his legal liability for the payment of said account, said account may be billed to the renter, tenant or lessee. No change of ownership or occupancy shall affect the application of this Chapter.

"7.02.120. PAYMENTS RECEIVED. All moneys received for the payment of utility bills shall be by the (Supervisor of) City Treasurer (or (Accounting)) or (her) authorized agent.
7.02.160. DELINQUENT UTILITY BILLS. All utility bills are due and payable in the office of the City Treasurer within ten (10) days after the billing date appearing on the bill. Bills not paid within twenty-one (21) days of the billing date shall be considered delinquent; PROVIDED, that when the 21st day falls on a legal holiday, Saturday or Sunday, the first business day thereafter shall be considered the 21st day. If it becomes necessary to mail out a past due reminder for a delinquent utility account, a fee of $5.00 will be added to such utility account.

(1) Delinquent Water Bill.

A. When a charge for water service is delinquent, the service shall be subject to shut-off (without) upon notice to the customer. Regulations governing issuance of notice, consistent with this Chapter, shall be promulgated by the Director of Finance. The service shall not be restored until full payment of the delinquent account is received, together with a water turn-off/on charge of Twenty-Five dollars ($25).

B. Whenever a water service is in the name of a renter, tenant or lessee, and is subject to turn-off for delinquency, the Utilities Department will send a duplicate notice of delinquency to the owner of record shown on the application for service.

(2) Delinquent Sewer Bill.

A. When a charge for sewer service is delinquent, the City shall have a lien for delinquent and unpaid charges, plus penalties, which lien shall be effected in accordance with RCW 35.67.210. Liens for sewer service shall be effective for a period not to exceed six months delinquent charges without the necessity of any writing or recording. In order to make such a lien effective for more than six months, the Director of Finance will cause to be filed for record in the Office of Records and Elections of King County a notice setting forth the amount of the delinquency, the name of the owner or reputed owner who owes the bill and the description of the lot, tract or parcel to which such lien shall attach. This lien may be foreclosed in action in Superior Court.

B. (Pursuant to RCW 35.67.200,) A charge (of eight percent per annum) may be added to any delinquent and unpaid charge for sewer service in the maximum amount allowed by RCW 35.67.200.

(3) Delinquent Garbage Bill.
When a charge for garbage service is delinquent, the City shall have a lien for delinquent and unpaid charges, plus penalties which lien shall be effected in accordance with RCW 35.21.130-150; i.e., the lien must be filed with the King County Department of Records and Elections within 90 days of the date the service was provided. Foreclosure on the lien must be commenced in Superior Court within 8 months of the time the lien was recorded, and can include all delinquent and unpaid charges from the beginning of the 90 day period until the time of foreclosure.

(4) Provided, that the remedies set forth above are not meant to be exclusive and that the City may use any alternate method of collecting delinquent charges that is available under common law or the laws of the State of Washington."

Section 2. A new Section 7.02.010 is added to the Kent City Code as follows:

"7.02.010. MUNICIPAL UTILITY BILLING DEPARTMENT. There is created a Municipal Utility Billing Department under the supervision of the Director of Finance. The Director of Finance shall report to the City Administrator."

Section 3. Ordinances 1775, 1820, 1955, and 2300 are hereby repealed.

Section 4. This ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as provided by law.

ATTEST:

Isabel Hogan, Mayor

Marie Jensen, City Clerk

APPROVED AS TO FORM:

P. Stephen DiJulio, City Attorney
PASSED the 1 day of Nov, 1982.
APPROVED the 2 day of Nov, 1982.
PUBLISHED the 5 day of Nov, 1982.

I hereby certify that this is a true copy of Ordinance No. 2371, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

(SEAL)
MARIE JENSEN, CITY CLERK