Ordinance No. 3864
(Amending or Repealing Ordinances)

CFN= 0110 – Water, Sewer & Drainage Rates & Policies
Water and Drainage Rates and Fees

(Amends Secs. 7.01.010; 7.01.020; 7.01.030; 7.01.040; 7.01.050; 7.01.060; 7.01.070; 7.01.080; 7.02.050; 7.02.060; 7.02.070; 7.02.080; 7.02.090; 7.02.100; 7.02.105; 7.02.250; 7.02.260; 7.02.270; 7.02.280; 7.02.300; 7.02.310; 7.05.090)

Amends Ords. 2370; 2371; 2394; 2495; 2732; 3042; 3043; 3143; 3181; 3224; 3453; 03459; 3461; 3486; 3488; 3527; 3534; 3627; 3779; 3819

Amended by Ord. 3901 (Secs. 7.02.300; 7.02.310; 7.05.090)
Amended by Ord. 3915 (Secs. 7.02.300; 7.02.310)  
Amended by Ord. 3981 (Sec. 7.05.090)
Amended by Ord. 4019 (Sec. 7.02.105)
Amended by Ord. 4021 (Sec. 7.05.090)
Amended by Ord. 4060 (Sec. 7.05.090)
Amended by Ord. 4064 (Sec. 7.02.105)

The date ["Beginning July 1, 1998"] has led to confusion. This date will be deleted from cover sheets of ordinance/resolution revision pages. This cover sheet will be deleted on electronic pages only, no other deletions or changes have been made to the document – 6/21/2012.
ORDINANCE NO. 3864

AN ORDINANCE of the City Council of the City of Kent, Washington, which relates to the 2008 fiscal year budget and amends various fees and rates established by the Kent City Code concerning water and drainage rates and fees, which fee amendments shall be assessed and collected beginning in the 2008 fiscal year budget.

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

ORDINANCE

SECTION 1. — Utility Service Billing. Chapter 7.01 of the Kent City Code, entitled "Utility Service Billing," is amended as follows:

CHAPTER 7.01
UTILITY SERVICE BILLING

Sec. 7.01.010. Administration of utility billing. The finance manager shall be responsible for billing for utility services and the administration and enforcement of utility accounts.

Sec. 7.01.020. Utility service applications. All applications for utility service on established accounts shall be made to the customer services finance division of the finance operations department. The written application shall be made by the owner or authorized agent of the property where service is requested. For new utility service, the application shall be made to the department of public works department for approval and then to the

Water and Drainage Rates and Fees
finance
customer services

division of 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 such agent to receive the utility service requested. An acknowledgment that the owner is legally liable for all service shall be included in this written authority.

Sec. 7.01.030. Utility accounts. All accounts for utility service shall be kept in the name of the owner. The owner may request, upon approval by the finance director, by written stipulation direct that the account shall be billed to a renter, tenant, or lessee. No change of ownership or occupancy shall affect the application of this chapter.

Sec. 7.01.040. Payments received. All money for the payment of utility bills shall be received by the finance manager or authorized agent.

Sec. 7.01.050. Utility bills – Due date – Collection.
A. All utility bills are due and payable in the office of the finance manager within fifteen (15) 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. If the twenty-first day falls on a legal holiday, Saturday, or Sunday, the first business day thereafter shall be considered the twenty-first day. When an account is delinquent in payment, the city will provide written notice of said delinquency to the occupant by mail, door hanger, or other form, and a delinquent notice fee in the amount of ten dollars ($10) will be assessed against the account. This delinquent notice fee shall be in addition to the service charges assessed in accordance with KCC 3.10.020. The notice shall advise the occupant of shutoff of utility service and the assessment of late payment or related fees added to the such-delinquent utility account. A schedule of these such-fees is on file with the customer services division of the finance department in the city clerk’s office.

B. When a charge for water service is delinquent, the service shall be subject to shutoff upon notice to the customer. Regulations governing issuance of notice, consistent with this chapter, shall be promulgated by the finance manager. The
service shall not be restored until full payment of the delinquent account is received, together with a water turn off/turn on charge of which is on file in the city clerk’s office. At the time service is turned off for delinquency, a turn off charge of thirty dollars ($30) shall be assessed against the account. Once all past due charges and fees are paid, and the account is current, the City will turn service back on. If more than one service turn off occurs in any twelve (12) month period due to delinquency, a charge in the amount of forty-five dollars ($45) shall be assessed against the account for each additional service turn off.

C. Whenever a water service is in the name of a renter, tenant, or lessee, and is subject to turnoff for delinquency, the customer services division of the finance department division will attempt to provide send a duplicate delinquent notice of delinquency to the owner of record shown on the application for service. Although a duplicate delinquent notice may be sent in accordance with this subsection, the ten dollar ($10) delinquent notice charge will not be assessed against the account a second time.

D. Delinquent bills.

1. **System of sewerage.** Pursuant to RCW 35.67.331 and KCC 7.06.010, the combined sanitary sewage collection and disposal system (sewage) and the storm and surface water utility (drainage), are all combined as the system of sewerage. In addition to the provisions of subsection (A) of this section, delinquent and unpaid rates and charges for sewage and drainage service shall be subject to Chapter 35.67 RCW, and shall be deemed delinquent and unpaid rates and charges for sewer service subject to subsection (2) below.

2. **Delinquent sewer service rates and charges; interest; water service cut off.**

   a. When a charge for sewerage 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 sewerage service shall be effective for a period not to exceed six (6) months of delinquent charges without the necessity of any writing or recording. In order to make such a lien effective for more than six (6) months, the finance manager shall file for recording
in the office of the King County auditor 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. For each lien recorded or released, the city shall assess against the sewerage account a fee in the amount of fifteen dollars ($15) in payment of the city's costs incurred in preparing and recording each lien or lien release. This fee is in addition to the actual fees charged to the City by King County to record or release a lien, which fees will also be assessed against the account. This lien may be foreclosed in action in superior court pursuant to RCW 35.67.220 et seq.

b. Interest shall be added to any delinquent and unpaid charge for sewer service in the maximum amount allowed by RCW 35.67.200.

Sec. 7.01.060. Utility Bills – Alternate collection procedure. As an additional method of collecting the delinquent charges and concurrent method of enforcing the lien authorized by RCW 35.67.200 et seq. and KCC 7.01.050, the city may cut off water service from the premises to which such sewerage service was furnished after the charges become delinquent and unpaid, until the charges and delinquent account are paid. The right to enforce the lien by cutting off and refusing water service shall not be exercised after two (2) years from the date of the recording of sewerage lien notice except to enforce payment of six (6) months of charges for which no lien notice is required to be recorded.

Sec. 7.01.070. Additional remedy. The remedies set forth in KCC 7.01.050 and 7.01.060 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.

Sec. 7.01.080. Lifeline utility rate. The lifeline utility rate is available only to utility customers qualifying under the following criteria:

A. The utility account shall be in the name of the individual owner or renter certifying eligibility for the lifeline utility rate.
B. That individual shall be or exceed sixty-two (62) years of age at the time of filing or be permanently and totally disabled.

C. For a household of one (1) or more individuals, the adjusted gross personal income for all individuals living in the household, as determined by Internal Revenue Service individual tax forms filed for the previous year, shall not exceed the income limits set annually by the federal Department of Housing and Urban Development ("HUD") concerning eligibility for HUD assisted housing programs.

D. Only one (1) service charge reduction per utility will be given for each applicant and for each property served.

E. The service under which the lifeline utility rate is assessed shall be for single-family residential purposes only.

F. Individuals must apply for the lifeline utility rate through the customer services division of the city's finance department located at the Centennial Center, 400 West Gowen St., Kent, Washington. The application must be notarized and may be required to be submitted annually.

G. Determination of eligibility shall be made by the city's finance director, or his or her designee, based upon the information given in the eligible customer's application.

H. Upon approval of the application, the household will receive the reduced utility rate for water, sewer, solid waste, and storm utilities beginning the first day of the month following the date of the application.

SECTION 2. - Cross Connections. Chapter 7.02 of the Kent City Code is amended to revise the code provisions relating to cross-connections made to the city's water system, specifically amending sections 7.02.050 through 7.02.100, and adopting a new section 7.02.105 as follows:
Sec. 7.02.050. Cross-connection restrictions - Purpose. It is the purpose of KCC 7.02.050 through 7.02.105 to protect the health of consumers receiving water from the city by protecting the public water system of the city from actual or potential contamination.

Sec. 7.02.060. Cross-connection restrictions - Definitions. The following are established as definitions for purposes of KCC 7.02.050 through 7.02.105:

Cross-connection shall mean any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain contaminated water, sewer, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water supply system of this city as a result of backflow.

Backflow shall mean the flow, other than the intended direction of flow, of any foreign liquids, gases or substances into the city public water supply or distribution system.

Backflow prevention device shall mean a device to counteract back pressure or to prevent back siphonage.

Director shall mean the director of public works of the department of public works.

All definitions contained in ch. 246-290 WAC and in the city’s cross-connection control program, as now or hereafter amended, shall by this reference be considered definitions within this section.

Sec. 7.02.070. Cross-connection restrictions - Service connection. A. No water service connection from the city water system to any premises shall be installed or maintained unless the city water supply is protected by backflow prevention devices as required by the director or his/her designee, and the rules and regulations of the state board of health, and the county department of health, this code, and the city’s cross-connection control program. The
installation or maintenance of a cross-connection which will endanger the water quality of the city water supply is prohibited. Any such cross-connection is hereby declared a nuisance and shall be abated. The control and/or elimination of cross-connections within the city systems shall be in accordance with WAC 246-290-490, the rules and regulations of the state and county, 248-54-820 through 248-54-850 and the city's cross-connection control program, as amended.

B. Service to any property, landowner, or water user receiving its water supply from the city water supply system shall be contingent upon compliance with all requirements of the rules and regulations of the state and county boards of health, the city, and of this code pertaining to cross-connections. Service shall be discontinued to any premises, water user, or property owner for failure to comply with such regulations of the state board of health, the city, and of this code pertaining to cross-connections, and any discontinued service will not be re-established until the department of public works department has approved compliance with such requirement of the rules and regulations of the state board of health, the city, and of this code pertaining to cross-connections.

Sec. 7.02.080. Cross-connection restrictions - Administration. The department of public works department shall be responsible for administering KCC 7.02.050 through 7.02.1050, including the development of the necessary procedures and practices to accomplish same, consistent with the standards in this code and Chapter 248-54246-290 WAC.

Sec. 7.02.090. Cross-connection restrictions - Inspection - Right of entry. The director and other duly authorized employees of the department of public works department bearing proper credentials and identification shall be permitted to enter upon all properties receiving water service from the city water supply system for the purposes of inspection, observation, and testing in accordance with the provisions of this code and the city's cross-connection control program.
Sec. 7.02.100. Cross connection restrictions – Administrative code adopted. The provisions of WAC 246-290-490248-54-820 through 248-54-850, as now or hereafter amended, relating to cross-connection control and elimination and the use of backflow prevention devices when such are considered to be advisable, are upon the filing of are hereby adopted and made a part hereof. All provisions of the Washington Administrative Code may be executed and applied by the department of public works department in determining when cross-connections are prohibited and when backflow prevention devices shall be required under the city's cross-connection control program. A copy of such provisions is on file in the city clerk's office or with the public works department.

Sec. 7.02.105. Cross-connection—Annual inspection of system with backflow prevention device. The city's cross-connection control program provides that any cross-connection utilizing a backflow prevention device is to be inspected by the city annually. The annual administrative and inspection fee assessed, per backflow prevention device, is eighty dollars ($80). This fee is based on the actual cost incurred by the city to conduct those inspections in order to protect the city's public water supply from possible contamination. The inspection fee shall be collected at the time of the annual testing of said backflow prevention device(s) as described in city's cross connection program document on file in the city clerk's office or with the public works department.

SECTION 3. - Water Turn On and Turn Off Fees. Sections 7.02.250 through 7.02.280 are amended in order to increase the fees charged for the city's turn on or turn off of water service as follows:

Sec. 7.02.250. Water turned on by owner or tenant prohibited. If the water is turned on to the premises by anyone other than an employee of the water utility or the finance department after it has been turned off at the city stop cock, it will be turned off again at the city stop cock and locked, and will not be turned on again until the charges as prescribed in this chapter have been paid. Such charges are based on will consist of the actual cost per hour, including
overhead, of sending water utility employees to return service to the account, plus a turn on charge of fifteen thirty dollars ($15$30). In no case will the charge be less than fifteen thirty dollars ($15$30).

Sec. 7.02.260. Vacant premises - Water supply. If it is decided to discontinue the use of water supply to vacant premises for a period of not less than thirty (30) days or more, notice in writing must be given to the finance department. The water will be turned off and will be turned on again upon written application at a charge of fifteen thirty dollars ($15$30) for such turn on. No remission of charges will be made for a lesser period than thirty (30) days or without receipt of notice by the finance department.

Sec. 7.02.270. Size of water main. No water main shall be installed unless it is at least six (6) inches in diameter and is the size indicated in the comprehensive water plan.

Sec. 7.02.280. Turning-off and turning on charges.

A. For the purpose of paying the expense to the water utility or finance department, a charge as set forth in this chapter is hereby fixed and made to turn off or turn on the water service to any building for the making within the building of any inspection, repair, maintenance, enlargement, replacement, addition, or change in or to the water line or lines, or plumbing, or plumbing fixtures, or for the purpose of connecting any kind of machine, appliance, toilet, or bath facilities, or any kind of plumbing in or to the water system located within the building when the building does not have stop and waste cock as required in KCC 7.02.210.

B. The charge shall be twenty-five forty-five dollars ($25$45) if the turn off or turn on is done within a period of forty-eight (48) hours of the initial customer request, which charge shall be paid to the finance department before any water service is turned off or turned on for any of the purposes set forth in this section.
C. If the turn off and turn on is not done within a period of forty-eight (48) hours from the time of the initial consumer request, the charge is fifteen thirty dollars ($15.30) to turn off the water service and fifteen thirty dollars ($15.30) to turn on the service. The charge shall be paid to the finance department director before any water service is turned off or turned on for any of the purposes set forth in this section.

D. If more than one turn off and turn on request occurs in any twelve (12) month period, a charge in the amount of forty-five dollars ($45) shall be assessed against the account for each additional service turn off.

**SECTION 4. - Water Rates for Service Within the City - Monthly Demand Charge.** That portion of Kent City Code section 7.02.300, entitled “Water rates within the city,” which pertains to the monthly demand charge assessed to customers inside the city limits is amended as follows:

**Sec. 7.02.300. Water rates within the city.**

A. Water rates. The following staggered rates apply during the time periods listed below. Within each time period, the lower rate applies per one hundred (100) cubic feet of water used for up to or equal to seven hundred (700) cubic feet, and the higher rate applies per one hundred (100) cubic feet of water used in excess of seven hundred (700) cubic feet:

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>October 1 – April 30</th>
<th>May 1 – September 30</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>≤ 700 ft³</td>
<td>&gt; 700 ft³</td>
</tr>
<tr>
<td>12/31/1999</td>
<td>$1.24</td>
<td>$1.69</td>
</tr>
<tr>
<td>01/01/2003</td>
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<tr>
<td>01/01/2005</td>
<td>$1.44</td>
<td>$1.95</td>
</tr>
</tbody>
</table>

All rates are also subject to a monthly demand charge for service and meter, which is as follows:
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8 x 3/4</td>
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<td>$3.76</td>
<td>$5.26</td>
</tr>
<tr>
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<td>$2.45</td>
<td>$4.19</td>
<td>$8.94</td>
</tr>
<tr>
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<td>$13.64</td>
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<td>$4.00</td>
<td>$6.84</td>
<td>$18.09</td>
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<td>$13.95</td>
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<tr>
<td>10</td>
<td>$49.46</td>
<td>$84.53</td>
<td>$113.03</td>
</tr>
</tbody>
</table>

B. **Lifeline customers.** The city council will establish eligibility criteria for lifeline customers. For lifeline-qualified water service customers, the following rates apply for water use per one hundred (100) cubic feet:

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Rate for January 1 – December 31</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/31/1999</td>
<td>$0.45</td>
</tr>
<tr>
<td>01/01/2003</td>
<td>$0.47</td>
</tr>
<tr>
<td>01/01/2004</td>
<td>$0.49</td>
</tr>
<tr>
<td>01/01/2005</td>
<td>$0.51</td>
</tr>
</tbody>
</table>

All lifeline rates are also subject to the monthly demand charge for service and meter as set forth in subsection (A) of this section.

C. **Rate adjustment.**

1. Subject to the right of access and inspection by a representative of the city, water service customers of the city may apply for a one-time rate adjustment for any single billing period under the following circumstances:
a. An accidental water leak has been discovered on the subject property; or

b. A water line failure has occurred on the subject property; or

c. An unexplained, abnormal water meter reading has occurred on the subject property even though subsequent city inspection of the water meter indicates that the meter is functioning properly.

This rate adjustment shall not exceed fifty (50) percent of the difference between the total amount of the billing period sought for adjustment minus the customer’s average water usage. For the purposes of this subsection, the “average water usage” shall be computed by determining the total volume of water consumed, under normal use conditions, during the preceding twelve (12) months and dividing that total volume by the number of times the city would typically read the customer’s water meter in a twelve (12) month period.

2. This rate adjustment is permitted on a one-time basis only and can only be applied to one (1) billing period. To be eligible for this rate adjustment, the affected water system must be owned by or subject to the exclusive control of the customer and be located between the city’s water meter and owner’s residence or structure. The bill sought for adjustment must exceed two (2) times the customer’s highest usage in any single billing period during the twelve (12) months prior to the billing period sought for adjustment.

3. Following a request for rate adjustment provided under this subsection, the city’s finance director, or his/her designee, shall review the request and determine whether or not to adjust the customer’s monthly billing. In order to make a proper determination, city staff shall be entitled to access, inspect and approve the customer’s water system repair prior to granting a rate adjustment.

4. If approved, the city shall make this rate adjustment by issuing a credit to the customer’s account after verification of leakage or water system failure, inspection of water meter and water system, where applicable, and
verification of corrective repairs. All repairs shall occur within thirty (30) days of application to the city.

5. The owner may request reconsideration of the decision of the finance director, or his/her designee, by the city council through the city council's operation committee.

SECTION 5. Water Rates for Service Outside the City. That portion of Kent City Code section 7.02.310, entitled "Water rates outside city," which pertains to the monthly demand charge assessed to customers outside the city limits is amended as follows:

Sec. 7.02.310. Water rates outside city.

A. Water rates. The following staggered rates apply during the time periods listed below. Within each time period, the lower rate applies per one hundred (100) cubic feet of water used for up to or equal to seven hundred (700) cubic feet, and the higher rate applies per one hundred (100) cubic feet of water used in excess of seven hundred (700) cubic feet:

<table>
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<tr>
<th>Effective Date</th>
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<th>May 1 – September 30</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>≤ 700 ft³</td>
<td>&gt; 700 ft³</td>
</tr>
<tr>
<td>12/31/1999</td>
<td>$1.64</td>
<td>$2.09</td>
</tr>
<tr>
<td>01/01/2003</td>
<td>$1.72</td>
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<tr>
<td>01/01/2005</td>
<td>$1.90</td>
<td>$2.42</td>
</tr>
</tbody>
</table>

All rates are subject to a monthly demand charge for service and meter which is as follows:

Water and Drainage Rates and Fees
B. *Lifeline customers.* The city council will establish eligibility criteria for lifeline customers. For lifeline-qualified water service customers, the following rates apply for water use per one hundred (100) cubic feet:

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>January 1 – December 31</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/31/1999</td>
<td>$0.48</td>
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<tr>
<td>01/01/2003</td>
<td>$0.50</td>
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<td>01/01/2004</td>
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<tr>
<td>01/01/2005</td>
<td>$0.56</td>
</tr>
</tbody>
</table>

All lifeline rates are also subject to the monthly demand charge for service and meter as set forth in subsection (A) of this section.

C. *Rate adjustment.*

1. Subject to the right of access and inspection by a representative of the city, water service customers of the city may apply for a one-time rate adjustment for any single billing period under the following circumstances:
a. An accidental water leak has been discovered on the subject property; or

b. A water line failure has occurred on the subject property; or

c. An unexplained, abnormal water meter reading has occurred on the subject property even though subsequent city inspection of the water meter indicates that the meter is functioning properly.

This rate adjustment shall not exceed fifty (50) percent of the difference between the total amount of the billing period sought for adjustment minus the customer's average water usage. For the purposes of this subsection, the "average water usage" shall be computed by determining the total volume of water consumed, under normal use conditions, during the preceding twelve (12) months and dividing that total volume by the number of times the city would typically read the customer's water meter in a twelve (12) month period.

2. This rate adjustment is permitted on a one-time basis only and can only be applied to one (1) billing period. To be eligible for this rate adjustment, the affected water system must be owned by or subject to the exclusive control of the customer and be located between the city's water meter and owner's residence or structure. The bill sought for adjustment must exceed two (2) times the customer's highest usage in any single billing period during the twelve (12) months prior to the billing period sought for adjustment.

3. Following a request for rate adjustment provided under this subsection, the city's finance director, or his/her designee, shall review the request and determine whether or not to adjust the customer's monthly billing. In order to make a proper determination, city staff shall be entitled to access, inspect and approve the customer's water system repair prior to granting a rate adjustment.

4. If approved, the city shall make this rate adjustment by issuing a credit to the customer's account after verification of leakage or water system
failure, inspection of water meter and water system, where applicable, and verification of corrective repairs. All repairs shall occur within thirty (30) days of application to the city.

5. The owner may request reconsideration of the decision of the finance director, or his/her designee, by the city council through the city council’s operation committee.

**SECTION 6. – Storm and Surface Water Utility Charges.** Section 7.05.090 of the Kent City Code relating to the city’s storm and surface water utility and entitled “System of charges,” is amended as follows:

**Sec. 7.05.090. System of charges.**

A. There is hereby imposed a system of charges on each parcel of real property within the city served by or to which is available for service the storm and surface water utility established by this chapter. The charges are found to be reasonable and necessary to fund administration, planning, design, construction, operation, maintenance, repair, improvement, and replacement of all existing and future storm and surface water facilities, including the accumulation of reserves and the retirement of any associated debt.

B. The following charges are hereby established for all parcels of real property in the city.

1. **Residential parcels.** Effective December 31, 1999, the single-family residential rate shall be two dollars and forty-seven cents ($2.47) per month for each parcel having one (1) residential dwelling plus the basin-specific charge of subsection (B)(5) of this section. Effective January 1, 2007, the single-family residential rate shall be two dollars and fifty-seven cents ($2.57) per month for each parcel having one (1) residential dwelling plus the basin-specific charge of subsection (B)(5) of this section.
2. **Agricultural and undeveloped parcels.** Agricultural parcels shall be charged the monthly residential parcel rate. Undeveloped parcels shall not be charged.

3. **Other parcels.**

   a. The charge for all other parcels except residential parcels, agricultural parcels and undeveloped parcels shall be based upon:

      (1) The total amount of impervious surface as expressed in equivalent service units (an equivalent service unit has been determined to be two thousand five hundred (2,500) square feet of impervious surface or any fraction thereof); and

      (2) The percentage of impervious surface area on each parcel.

   b. The charge for all such parcels shall be computed:

      (1) By multiplying the total number of ESUs on each by the appropriate parcel impervious multiplier, and

      (2) Multiplying the results by the sum of the single-family residential rate and the appropriate basin-specific charge.

   c. Impervious multipliers are hereby established:

      (1) | Percentage of impervious area per parcel (impervious surface/total surface x 100) | Impervious multiplier |
         |-----------------------------------------------|----------------------|
         | 1 to 40                                       | 1                    |
         | 41 to 60                                      | 1.2                  |
         | 61 to 80                                      | 1.4                  |
         | 81 to 100                                     | 1.6                  |

      (2) Impervious multipliers correlate the hydraulic impact of a parcel to its percentage of impervious surface per parcel. The multiplier for
the average single-family residence is established as one (1). The multiplier linearly increases as the percentage of impervious area increases. The final category has a multiplier of one and six-tenths (1.6) which reflects the hydraulic impact on the drainage system compared to that impact of the average single-family residence.

4. Road systems. The impervious surface area for city roads shall be assessed thirty (30) percent of the charge established in subsection (B)(3) of this section for impervious service areas.

5. Basin-specific charges. The city shall have all lawful powers and authorities to fix, alter, regulate and control charges within specific basins and subbasins. The purpose of the power and authority granted in this section is to provide for charging parcels of one (1) basin or subbasin for improvements, studies or extraordinary maintenance which specifically and solely benefit the property owners thereof. The basin-specific charges are as follows:

<table>
<thead>
<tr>
<th>Basin</th>
<th>Effective Date December 31, 1999</th>
<th>Effective Date January 1, 2007</th>
<th>Effective Date January 1, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westside</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>O</td>
<td>0.15</td>
<td>0.10</td>
<td>1.68</td>
</tr>
<tr>
<td>K, L, M, D, E, F,</td>
<td>0.14</td>
<td>0.15</td>
<td>1.68</td>
</tr>
<tr>
<td>P &amp; N</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Eastside</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mill Creek</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper (G)</td>
<td>4.11</td>
<td>4.27</td>
<td>4.27</td>
</tr>
<tr>
<td>Lower (A)</td>
<td>4.86</td>
<td>5.05</td>
<td>5.05</td>
</tr>
<tr>
<td>Valley Det. (Q)</td>
<td>4.86</td>
<td>5.05</td>
<td>5.05</td>
</tr>
<tr>
<td>Garrison Creek</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lower (B)</td>
<td>2.04</td>
<td>2.12</td>
<td>2.12</td>
</tr>
</tbody>
</table>

Water and Drainage Rates and Fees
<table>
<thead>
<tr>
<th>Basin</th>
<th>Effective Date December 31, 1999</th>
<th>Effective Date January 1, 2007</th>
<th>Effective Date January 1, 2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper (J &amp; I)</td>
<td>1.87</td>
<td>1.94</td>
<td>1.94</td>
</tr>
<tr>
<td>Direct (C)</td>
<td>2.14</td>
<td>2.23</td>
<td>2.23</td>
</tr>
<tr>
<td>Soos Creek (H)</td>
<td>4.18</td>
<td>4.35</td>
<td>4.35</td>
</tr>
</tbody>
</table>

The boundaries of the described basins are generally indicated on Attachment A to Ordinance No. 3461 which is on file with the city clerk. The boundaries of the basins and subbasins are generally defined and on file in the city clerk’s office. The detailed definitions thereof are reflected on maps filed in the engineering division of the public works department, which are available to the public for review and/or copying during normal business hours.

6. **Water quality charges.**

   a. The city hereby authorizes and declares its intent to establish, within two (2) years of the adoption of this chapter, a water quality charge which may be added to any or all of the above rates. The purposes of such a charge will be to finance monitoring, testing, treatment and control of pollutant discharges into the storm and surface water system, including the exercise of all lawful enforcement powers of the city. A plan for developing such charges, and a schedule and budget for this project, shall be submitted to the city council for review and approval within ninety (90) days of adoption of this chapter. A system of water pollution charges for storm and surface water run-off from all parcels of real property in the city shall be developed within two (2) years.

   b. Such charges should be based upon appropriate indices of pollutant discharges which approximate each parcel’s contribution to the problem of water quality within storm and surface water facilities including all receiving waters.
7. Undeveloped parcels shall be subject to all charges established under this section upon development of a parcel. Development shall be determined by the date of issuance of a building permit or any other permit for development purposes or as otherwise established by the director of public works.

**SECTION 7. - Severability.** If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

**SECTION 8. - Effective Date.** This ordinance shall take effect and be in force five (5) days from and after its passage as provided by law. However, the fees amended by this ordinance shall not be assessed and collected until January 1, 2008, which begins the 2008 fiscal year budget.

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

SUZETTE COOKE, MAYOR
I hereby certify that this is a true copy of Ordinance No. 3864 passed by the city council of the city of Kent, Washington, and approved by the mayor of the city of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK