

11/14/22  
11/21/22

ORDINANCE NO. M-4391

AN ORDINANCE related to the water, sewer and surface water utility user rates, amending Vancouver Municipal Code Sections 14.04.210, 14.04.230, 14.04.230B and 14.09.060; and providing for savings, severability, and an effective date.

WHEREAS, utility revenue must be established at a level sufficient to properly maintain infrastructure and provide for necessary capital improvements; and

WHEREAS, utility rates must be established at a level sufficient to cover the costs of all operations, including maintenance, depreciation, capital, and debt service requirements, reserves, and any other necessary costs; and

WHEREAS, the City's utilities and Council have determined to amend the user charge schedules for such systems to cover such costs; and

WHEREAS, the City's utilities and Council have determined that certain miscellaneous fees should be updated to reflect current practice and improve cost recovery; and

WHEREAS, the City Council has determined it is in the best interest of the City and the water and sewer utility rate payers to reduce the outside City multiplier from 1.5 to 1.25 over a 15 year period.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

**SECTION 1.** Vancouver Municipal Code Section 14.04.210, as last amended by

Ordinance M-4359, Section 1, is hereby amended to read as follows:

#### **14.04.210 Water service – User charges.**

##### *A. Base Charge, All Customer Classes.*

1. For all water customers, each customer shall pay a monthly base charge as follows:

Effective January 1, 2020

<u>Meter Size</u>		<u>Base Charge</u>	
		<u>Inside City Limits</u>	<u>Outside City Limits</u>
a. 5/8 x 3/4 inch and under	per month	9.15	13.73
b. 3/4 inch	per month	12.15	18.22
c. 1 inch	per month	18.55	27.83
d. 1-1/2 inch	per month	34.48	51.72
e. 2 inch	per month	53.44	80.16
f. 3 inch	per month	97.97	146.96
g. 4 inch	per month	161.42	242.12
h. 6 inch	per month	320.31	480.46
i. 8 inch	per month	510.92	766.37
j. 10 inch	per month	764.90	1,147.35
k. 12 inch	per month	1,486.27	2,229.41

Effective January 1, 2021

<u>Meter Size</u>		<u>Base Charge</u>	
		<u>Inside City Limits</u>	<u>Outside City Limits</u>
a. 5/8 x 3/4 inch and under	per month	9.61	14.42
b. 3/4 inch	per month	12.75	19.13

<u>Meter Size</u>		<u>Base Charge</u>	
		<u>Inside City Limits</u>	<u>Outside City Limits</u>
c. 1 inch	per month	19.48	29.22
d. 1-1/2 inch	per month	36.21	54.31
e. 2 inch	per month	56.11	84.17
f. 3 inch	per month	102.87	154.31
g. 4 inch	per month	169.49	254.23
h. 6 inch	per month	336.32	504.48
i. 8 inch	per month	536.46	804.69
j. 10 inch	per month	803.15	1,204.72
k. 12 inch	per month	1,560.58	2,340.88

Effective January 1, 2022

<u>Meter Size</u>		<u>Base Charge</u>	
		<u>Inside City Limits</u>	<u>Outside City Limits</u>
a. 5/8 x 3/4 inch and under	per month	10.09	15.14
b. 3/4 inch	per month	13.39	20.09
c. 1 inch	per month	20.45	30.68
d. 1-1/2 inch	per month	38.02	57.02
e. 2 inch	per month	58.92	88.38
f. 3 inch	per month	108.01	162.02
g. 4 inch	per month	177.96	266.94
h. 6 inch	per month	353.14	529.70
i. 8 inch	per month	563.28	844.93
j. 10 inch	per month	843.30	1,264.95

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u>
k. 12 inch	per month	1,638.61	2,457.92

Effective January 1, 2023

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u> <u>(1.483 x inside)</u>
a. 5/8 x 3/4 inch and under	per month	10.54	15.63
b. 3/4 inch	per month	13.99	20.75
c. 1 inch	per month	21.37	31.69
d. 1-1/2 inch	per month	39.73	58.92
e. 2 inch	per month	61.57	91.31
f. 3 inch	per month	112.87	167.39
g. 4 inch	per month	185.97	275.79
h. 6 inch	per month	369.03	547.27
i. 8 inch	per month	588.63	872.94
j. 10 inch	per month	881.25	1,306.89
k. 12 inch	per month	1,712.35	2,539.42

Effective January 1, 2024

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u> <u>(1.466 x inside)</u>
a. 5/8 x 3/4 inch and under	per month	11.01	16.14
b. 3/4 inch	per month	14.62	21.43
c. 1 inch	per month	22.33	32.74

<u>Meter Size</u>		<u>Base Charge</u>	
		<u>Inside City Limits</u>	<u>Outside City Limits</u> <u>(1.466 x inside)</u>
<u>d. 1-1/2 inch</u>	<u>per month</u>	<u>41.52</u>	<u>60.87</u>
<u>e. 2 inch</u>	<u>per month</u>	<u>64.34</u>	<u>94.32</u>
<u>f. 3 inch</u>	<u>per month</u>	<u>117.95</u>	<u>172.93</u>
<u>g. 4 inch</u>	<u>per month</u>	<u>194.34</u>	<u>284.90</u>
<u>h. 6 inch</u>	<u>per month</u>	<u>385.64</u>	<u>565.35</u>
<u>i. 8 inch</u>	<u>per month</u>	<u>615.12</u>	<u>901.77</u>
<u>j. 10 inch</u>	<u>per month</u>	<u>920.91</u>	<u>1,350.05</u>
<u>k. 12 inch</u>	<u>per month</u>	<u>1,789.41</u>	<u>2,623.28</u>

2. The monthly base charge set in subsection (A)(1) of this section does not include any charge for consumption of water.

3. The monthly base charge for any single-family residential customer shall not exceed the charge set in (b) above.

**B. Volume Charge (Uniform Volume).**

1. In addition to the monthly base charge in subsection (A)(1) of this section, each customer shall pay the following additional charge on his/her bill, based upon the amount of water consumed per each billing period:

Effective January 1, 2020

<b>Customer Class</b>	<b>Inside City Limits</b>	<b>Outside City Limits</b>
Single-Family:	2.59/CCF	3.88/CCF
Multifamily:	2.22/CCF	3.34/CCF
Nonprofit Shelters:	0.57/CCF	0.86/CCF
Commercial <sup>1</sup> and Industrial <sup>1</sup> :	2.22/CCF	3.34/CCF

<b>Customer Class</b>	<b>Inside City Limits</b>	<b>Outside City Limits</b>
Government <sup>1</sup> :	1.98/CCF	2.97/CCF

Effective January 1, 2021

<b>Customer Class</b>	<b>Inside City Limits</b>	<b>Outside City Limits</b>
Single-Family:	2.71/CCF	4.07/CCF
Multifamily:	2.34/CCF	3.50/CCF
Nonprofit Shelters:	0.60/CCF	0.90/CCF
Commercial <sup>1</sup> and Industrial <sup>1</sup> :	2.34/CCF	3.50/CCF
Government <sup>1</sup> :	2.08/CCF	3.12/CCF

Effective January 1, 2022

<b>Customer Class</b>	<b>Inside City Limits</b>	<b>Outside City Limits</b>
Single-Family:	2.85/CCF	4.28/CCF
Multifamily:	2.45/CCF	3.68/CCF
Nonprofit Shelters:	0.63/CCF	0.94/CCF
Commercial <sup>1</sup> and Industrial <sup>1</sup> :	2.45/CCF	3.68/CCF
Government <sup>1</sup> :	2.18/CCF	3.27/CCF

Effective January 1, 2023

<b><u>Customer Class</u></b>	<b><u>Inside City Limits</u></b>	<b><u>Outside City Limits</u></b> <b><u>(1.483 x inside)</u></b>
<u>Single-Family:</u>	<u>2.98/CCF</u>	<u>4.42/CCF</u>
<u>Multifamily:</u>	<u>2.56/CCF</u>	<u>3.80/CCF</u>
<u>Nonprofit Shelters:</u>	<u>0.66/CCF</u>	<u>0.98/CCF</u>
<u>Commercial<sup>1</sup> and Industrial<sup>1</sup>:</u>	<u>2.56/CCF</u>	<u>3.80/CCF</u>
<u>Government<sup>1</sup>:</u>	<u>2.28/CCF</u>	<u>3.38/CCF</u>

Effective January 1, 2024

<u>Customer Class</u>	<u>Inside City Limits</u>	<u>Outside City Limits (1.466 x inside)</u>
<u>Single-Family:</u>	<u>3.11/CCF</u>	<u>4.56/CCF</u>
<u>Multifamily:</u>	<u>2.68/CCF</u>	<u>3.93/CCF</u>
<u>Nonprofit Shelters:</u>	<u>0.69/CCF</u>	<u>1.01/CCF</u>
<u>Commercial<sup>1</sup> and Industrial<sup>1</sup>:</u>	<u>2.68/CCF</u>	<u>3.93/CCF</u>
<u>Government<sup>1</sup>:</u>	<u>2.38/CCF</u>	<u>3.49/CCF</u>

**1 Note:** As this use is classified under VMC Title 20.

2. All volume charges are computed per 100 cubic feet (CCF).

3. "Single-family customer" class shall include single dwelling unit with one meter, mobile homes either on individual lots or in mobile home parks. This also includes ADUs that take water and sewer service from service connections separate from the primary residence. This definition is for utility billing purposes only.

4. "Multifamily customer" class shall apply to customers with two or more living units per meter. This also includes ADUs that share water or sewer service from service connections for the primary residence. This definition is for utility billing purposes only.

5. *Nonprofit Shelter.* For the purpose of applying the rates as set forth in subsection (B)(1) of this section, the term "nonprofit shelters" shall be defined to mean a facility operated by a nonprofit organization that provides clients with on-site food, beds or shelter for free or at significantly below market rates.

C. *Charges for Cutting Off and Restoring Service.*

1. *Service Cut-Off.*

a. *Cutting Off Service for Nonpayment.* There shall be a \$40.00 charge to cut off service for nonpayment. There shall be no additional charge for restoring service after such cut-off.

b. *Emergencies – Cut-Off.* No cut-off charge shall be made if service is cut off to meet an actual emergency.

c. *Customer Request.* No cut-off charge shall be made if service is cut off at customer's request for the first such request. Each additional request shall be a \$25 charge during regular office hours and \$125 outside of regular office hours.

2. ~~Starting or~~ *Restoring Service.*

a. For starting or restoring service at the customer's request, there shall be a charge of \$25.00 ~~no charge for the first such request~~, if requested during regular office hours, and a fee of ~~\$50.00~~ \$125.00 for each such request outside of regular office hours.

b. *Altered Service.* If the meter or service has been altered without the written authorization of the director, the charge shall be \$15.00 additional to all other charges in this section.

c. *Multiple Cut-Off/Restoration Requests.* For customers who require more than one trip to the service address to cut off or restore service at their request, there shall be a fee of \$25.00 per each additional trip during regular office hours.

D. *Testing Meters – Customer's Request.* Schedule of meter test charges for test of a meter at the request of a customer where meter is found not defective:

1 inch and under	\$50.00
1-1/2 inch	\$60.00
2 inch	\$60.00
3 inch	\$80.00
4 inches or more	At cost
Meter resets	\$50.00

Meters tested and found to be defective will be replaced at no cost to the customer for testing or for replacement.



E. *Testing Meters – Other Than at Customer’s Request.* The city reserves the right to test meters at any time. No charge will be made to the customer for meters tested pursuant to this subsection.

F. Temporary water use from hydrant fees shall be set by the director pursuant to VMC 14.04.100(L).

**SECTION 2.** Vancouver Municipal Code Section 14.04.230, as last amended by Ordinance M-4359, Section 1, is hereby amended to read as follows:

**14.04.230 Sanitary sewer service – User charges.**

A. *Monthly User Charges.*

1. *Residential Customers.* Each residential customer shall pay a monthly user charge as follows:

Effective January 1, 2020

<b>Customer Class</b>	<b>Inside-City Limits</b>	<b>Outside City Limits</b>
a. Single-Family Residential	\$58.04 per mo. or \$5.80 per CCF	\$87.06 per mo. or \$8.71 per CCF
b. Multifamily Residential	\$46.43 per mo. or \$5.80 per CCF	\$69.65 per mo. or \$8.71 per CCF
c. Nonprofit Shelter	\$1.57 per CCF	\$2.35 per CCF

Effective January 1, 2021

<b>Customer Class</b>	<b>Inside-City Limits</b>	<b>Outside City Limits</b>
a. Single-Family Residential	\$47.84 per mo. or \$5.98 per CCF	\$71.76 per mo. or \$8.97 per CCF
b. Multifamily Residential	\$47.84 per mo. or \$5.98 per CCF	\$71.76 per mo. or \$8.97 per CCF
c. Nonprofit Shelter	\$1.62 per CCF	\$2.42 per CCF

Effective January 1, 2022

<b>Customer Class</b>	<b>Inside City Limits</b>	<b>Outside City Limits</b>
a. Single-Family Residential	\$49.28 per mo. or \$6.16 per CCF	\$73.92 per mo. or \$9.24 per CCF
b. Multifamily Residential	\$49.28 per mo. or \$6.16 per CCF	\$73.92 per mo. or \$9.24 per CCF
c. Nonprofit Shelter	\$1.66 per CCF	\$2.50 per CCF

Effective January 1, 2023

<b><u>Customer Class</u></b>	<b><u>Inside City Limits</u></b>	<b><u>Outside City Limits</u></b> <b><u>(1.483 x inside)</u></b>
<u>a. Single-Family Residential</u>	<u>\$52.24 per mo. or \$6.53 per CCF</u>	<u>\$77.47 per mo. or \$9.68 per CCF</u>
<u>b. Multifamily Residential</u>	<u>\$52.24 per mo. or \$6.53 per CCF</u>	<u>\$77.47 per mo. or \$9.68 per CCF</u>
<u>c. Nonprofit Shelter</u>	<u>\$1.76 per CCF</u>	<u>\$2.61 per CCF</u>

Effective January 1, 2024

<b><u>Customer Class</u></b>	<b><u>Inside City Limits</u></b>	<b><u>Outside City Limits</u></b> <b><u>(1.466 x inside)</u></b>
<u>a. Single-Family Residential</u>	<u>\$55.36 per mo. or \$6.92 per CCF</u>	<u>\$81.16 per mo. or \$10.14 per CCF</u>
<u>b. Multifamily Residential</u>	<u>\$55.36 per mo. or \$6.92 per CCF</u>	<u>\$81.16 per mo. or \$10.14 per CCF</u>
<u>c. Nonprofit Shelter</u>	<u>\$1.87 per CCF</u>	<u>\$2.74 per CCF</u>

2. Sewer charges for each single-family or multifamily residential customer shall be based upon that customer's average water usage, recorded when meters are normally read for billing purposes, within the previous January through March window. Each customer, other than qualifying low-income seniors as defined in subsection (A)(2)(e) of this section, is subject to a minimum volume charge of three CCF per month.

a. Single-family or multifamily residential customers shall be charged an average 60-day consumption of the billing periods specified above at the applicable inside city or outside city rate per CCF for sewer as set forth in subsection (A)(1) of this section. For new accounts in which the two-month water consumption history has not been established, the director may establish an interim rate in accordance with department

policies. The director shall approve a written policy for the setting of this interim rate that will include, but not be limited to, how the interim rate is calculated.

b. The applicable inside city or outside city flat rate set forth in subsection (A)(1) of this section shall be used as the monthly sewer billing rate for any customer for whom for any reason the provisions of this subsection cannot be used.

c. The utilities division shall develop written rules consistent with this subsection and the ordinance codified in this section for the fair and efficient administration of such sewer rate.

d. For the purpose of applying the rates as set forth in subsection (A)(2)(c) of this section, the term "nonprofit shelter" shall be defined to mean a facility operated by a nonprofit organization that provides clients with on-site food, beds or shelter for free or at significantly below-market rates.

e. For the purpose of applying the low income senior minimum sewer flow waiver as set forth in subsection (A)(2) of this section, applicants shall meet the following:

i. Applications shall be obtained from and filed with the director or their designee. The application shall be on a form prescribed by the director, and shall contain the information necessary to evaluate the applicant's qualification for the low income senior minimum sewer flow waiver.

A. Submission of an application for a utility discount shall constitute a verification by the applicant that all information provided in such application is true and correct to the best of the applicant's knowledge.

B. Once approved by the department, the application shall become effective the next billing cycle after approval of the application.

C. Each application is effective for 12 months commencing the first month the reduced rate becomes effective for the applicant. It shall be the sole responsibility of the applicant to reapply for successive 12-month periods of eligibility.

D. The rate reduction shall only apply to utility charges for service to a residence. The residence for which the rate reduction is requested must be the applicant's principal place of residence.

E. The applicant must be the head of the household for the residence for which the rate reduction is requested.

F. The utility account must be in the applicant's name or the name of the applicant's spouse.

ii. For purposes of this section, the term "low-income senior" shall be defined as follows:

A. Be 62 years of age or older at all times during any period for which a minimum sewer flow waiver is requested; and

B. Have been a sewer customer of the city at all times during any period for which a minimum sewer flow waiver is requested; and

C. Have an income during the calendar year or portion thereof for which a minimum sewer flow waiver is requested, from all sources whatsoever, either (1) not exceeding 200 percent of the federal poverty guidelines for a household of any size as published by the Secretary of Housing and Urban Development or (2) not exceeding the income qualification for low-income seniors set forth in RCW 84.36.381(5)(a), whichever is greater.

3. *Commercial, Industrial, Electronics and Government Customers.* Each such customer shall pay a monthly user charge per hundred cubic feet (CCF) as follows; provided, each such customer is subject to a minimum user charge equal to the applicable inside or outside city flat monthly rate for one single-family service set forth in subsection (A)(1) of this section:

~~Effective January 1, 2020:~~

<b>Customer Class</b>	<b>Inside City Limits</b>	<b>Outside City Limits</b>
<del>a. Commercial</del>	<del>\$6.80 per CCF</del>	<del>\$10.20 per CCF</del>
<del>b. Government</del>	<del>\$4.16 per CCF</del>	<del>\$6.24 per CCF</del>

<b>Customer Class</b>	<b>Inside City Limits</b>	<b>Outside City Limits</b>
c. Industrial	\$7.04 per CCF	\$10.56 per CCF
d. Electronics	\$5.18 per CCF <sup>15</sup>	\$7.77 per CCF <sup>16</sup>

Notes for Electronic Customer Class – Effective January 1, 2020 – December 31, 2020:

**15** For monthly average flows above 2.88 million gallons per day, the rate shall be \$4.14 per CCF.

**16** For monthly average flows above 2.88 million gallons per day, the rate shall be \$6.21 per CCF.

Effective January 1, 2021:

<b>Customer Class</b>	<b>Inside City Limits</b>	<b>Outside City Limits</b>
a. Commercial	\$7.01 per CCF	\$10.51 per CCF
b. Government	\$4.28 per CCF	\$6.42 per CCF
c. Industrial	\$7.25 per CCF	\$10.87 per CCF
d. Electronics	\$5.33 per CCF <sup>17</sup>	\$8.00 per CCF <sup>18</sup>

Notes for Electronic Customer Class – Effective January 1, 2021 – December 31, 2021:

**17** For monthly average flows above 2.88 million gallons per day, the rate shall be \$4.27 per CCF.

**18** For monthly average flows above 2.88 million gallons per day, the rate shall be \$6.40 per CCF.

Effective January 1, 2022:

<b>Customer Class</b>	<b>Inside City Limits</b>	<b>Outside City Limits</b>
a. Commercial	\$7.22 per CCF	\$10.82 per CCF
b. Government	\$4.41 per CCF	\$6.62 per CCF
c. Industrial	\$7.47 per CCF	\$11.20 per CCF
d. Electronics	\$5.49 per CCF <sup>19</sup>	\$8.24 per CCF <sup>20</sup>

Notes for Electronic Customer Class – Effective January 1, 2022 – December 31, 2022:

**19** For monthly average flows above 2.88 million gallons per day, the rate shall be \$4.39 per CCF.

**20** For monthly average flows above 2.88 million gallons per day, the rate shall be \$6.59 per CCF.

Effective January 1, 2023:

<b><u>Customer Class</u></b>	<b><u>Inside City Limits</u></b>	<b><u>Outside City Limits (1.483 x inside)</u></b>
a. <u>Commercial</u>	<u>\$7.65 per CCF</u>	<u>\$11.34 per CCF</u>
b. <u>Government</u>	<u>\$4.67 per CCF</u>	<u>\$6.93 per CCF</u>
c. <u>Industrial</u>	<u>\$7.92 per CCF</u>	<u>\$11.75 per CCF</u>
d. <u>Electronics</u>	<u>\$5.82 per CCF<sup>21</sup></u>	<u>\$8.63 per CCF<sup>22</sup></u>

Notes for Electronic Customer Class – Effective January 1, 2023 – December 31, 2023:

21 For monthly average flows above 2.88 million gallons per day, the rate shall be \$4.65 per CCF.

22 For monthly average flows above 2.88 million gallons per day, the rate shall be \$6.90 per CCF.

Effective January 1, 2024:

<b><u>Customer Class</u></b>	<b><u>Inside City Limits</u></b>	<b><u>Outside City Limits (1.466 x inside)</u></b>
a. <u>Commercial</u>	<u>\$8.11 per CCF</u>	<u>\$11.89 per CCF</u>
b. <u>Government</u>	<u>\$4.95 per CCF</u>	<u>\$7.26 per CCF</u>
c. <u>Industrial</u>	<u>\$8.40 per CCF</u>	<u>\$12.31 per CCF</u>
d. <u>Electronics</u>	<u>\$6.17 per CCF<sup>23</sup></u>	<u>\$9.05 per CCF<sup>24</sup></u>

Notes for Electronic Customer Class – Effective January 1, 2024 – December 31, 2024:

23 For monthly average flows above 2.88 million gallons per day, the rate shall be \$4.93 per CCF.

24 For monthly average flows above 2.88 million gallons per day, the rate shall be \$7.23 per CCF.

4. The rate for discharging septage at the city's publicly owned treatment works (POTW) as provided for in Chapter 5.72 VMC effective January 1, 2021, shall be \$155.00 for each 1,000 gallons, or fraction thereof, discharged into the POTW. The rate for discharging septage at the city's POTW may be adjusted not more than once per calendar year by the director to address the unique operational and capital needs associated with providing this service.

5. "Industrial customer" is defined as an industrial user of the public sewer system who:

- a. Has a discharge flow of 10,000 gallons of processed wastewater or more per average workday; or
  - b. Has a concentration of biochemical oxygen demand (BOD) and suspended solids (SS) in excess of 200 milligrams per liter per average work day; or
  - c. Is found by the city, State Department of Ecology or U.S. Environmental Protection Agency to have potential for a significant impact on the wastewater treatment system.
6. "Electronics user" is defined as an industrial user of the public sewer system who:
- a. Has a discharge flow of 500,000 gallons or more per average work day; and
  - b. Has a concentration of biochemical oxygen demand (BOD) and suspended solids (SS) less than 200 milligrams per liter per average work day.

B. *Liquids Not Originating From City Water System.* Any person discharging into the city sanitary sewerage system sewage which has in it liquids which did not originate from the city water system shall meter or measure by some method approved by the director all water used in the premises, whether the water is obtained from the municipal water supply system or from wells, private water systems or other sources.

C. *Used Water Not Flowing Into Sewer System.* Where the user of water is such that a portion of all of the water used does not flow into a city sewer but is lost by evaporation or is used in manufacture or processes such as ice, beverages, foods or the like and the person in control provides proof of this fact and installs a meter or other measuring device approved by the director to measure the amount of water so used or lost, no charge shall be made for sewerage because of water so used or lost.

D. *Computation of Utility Rates.* For the purpose of computing water and sewer bills, all residences, regardless of number of units, shall be deemed residential, and each unit therein shall be deemed a residence. All other uses shall be deemed commercial, industrial or government.

**SECTION 3.** Vancouver Municipal Code Section 14.04.230B, as last amended by Ordinance M-4359, Section 1, is hereby amended to read as follows:

## **14.04.230B Conditions and charges applicable to water, sewer and stormwater accounts.**

### *A. Deposits.*

1. *Customer.* Applications for water, sewer or stormwater/drainage service by a customer who is the owner or owner's agent of the serviced property and who has previously been delinquent in paying for such service shall be accompanied by a deposit equal to twice the largest bill at the service address applied for the prior two years. Payments must be made by owner or owner's agent.

2. As authorized by 11 U.S.C. Section 366, unless otherwise directed by the director of the affected department, the minimum deposit for adequate assurance of payment in the event of bankruptcy shall be:

- a. Two months estimated utility charges for Chapter 7 and Chapter 11 filings;
- and
- b. One month estimated utility charges for Chapter 13 filings.

3. *Rental tenants.* Applications for service made by the tenant of a rented or leased residential or commercial premises who has previously been delinquent in paying for such service, shall be accompanied by a deposit equal to twice the amount of the largest bill at the service address applied for or at the tenant's previous service address for the prior two years.

4. *Processing of deposits.* Deposits shall not bear interest. Upon termination of service to the customer/owner or rental tenant, the amount of the deposit shall be applied against any water, sewer, stormwater/drainage or other utility charges then due or to become due from the customer/owner or rental tenant, including any late fees, interest, penalties, reconnection/disconnect fees, or other charges or fees, and shall be remitted to the appropriate fund. If the amount of the deposit is not sufficient to pay the total unpaid charges, remittance shall be made to the appropriate fund or funds pursuant to rules prescribed pursuant to VMC 14.04.020. If there is a balance remaining on the deposit after payment of all charges, such balance shall be refunded, less a city processing fee of \$5.00.



5. *Application of deposit prior to termination of service.* In the event that the director determines, based on rules and criteria prescribed pursuant to VMC 14.04.020, that a deposit is no longer needed to ensure payment prior to termination of services to the customer, the deposit may, with customer consent, be applied to current utility charges.

6. Nothing in this title shall prevent the city from requiring new or additional deposits should the conditions so warrant.

B. *Late fee.* There shall be added to any delinquent water, sewer, or stormwater bill a one-time late fee equal to 10 percent of the delinquent bill.

C. *Missed appointments.* There shall be a \$25.00 fee for customers who miss an appointment for which a city employee is dispatched to the service address unless the service call is cancelled by the customer 24 hours prior to the appointment.

D. *Incorrect bank numbers.* For those customers who choose to utilize an electronic bill paying system, and who provide the city an incorrect routing transit number of the bank or incorrect bank account number, there shall be a \$15.00 fee assessed for each time the city utilizes such bank number until the customer provides the correct number.

E. *Requested reads.* ~~For customers~~ Customers who request for meter reads not resulting from the sale or transfer of property will be charged ~~\$7.50~~ \$20.00 for the first meter read, and \$25.00 for each additional meter read.

F. *Dishonored checks.* Utility customers whose checks to the city are dishonored shall be subject to the fees established under VMC 3.08.060. The city reserves the right to require payment by cash or certified funds from any customer who has previously tendered a dishonored check.

G. *Application of payments.* Payments, when received, shall be applied by date in the following sequence:

1. Deposits;
2. Service charges;
3. Stormwater penalties;
4. Sewer penalties;

5. Water penalties;
6. Stormwater;
7. Sewer; and then
8. Water.

H. *Budget payment plan.* The director is hereby authorized to create and implement a budget payment plan in accordance with state law. Such plan shall permit the authorized customer to make payments of utility charges on an annual averaged basis rather than on a per billing cycle basis, with at least one annual adjustment to ensure that the amount paid by the customer on an annual basis reflects the actual charges incurred.

**SECTION 4.** Vancouver Municipal Code Section 14.09.060, as last amended by Ordinance M-4359, Section 3, is hereby amended to read as follows:

**14.09.060 Rates for storm and surface water management.**

A. Because all real property in the city contributes stormwater runoff to and/or benefits from the city's stormwater system, the owners thereof shall pay monthly charges as set forth in this section. Monthly charges will have two components as follows:

1. *Operation and Maintenance.* To provide for administrative and field operations, billing, accounting, and for the maintenance, repair and upgrade of existing stormwater facilities.
2. *Capital Expenditures.* To provide for basin-wide and system master planning and subsequent capital improvement projects as identified in the stormwater capital plan.

B. The water and sewer utility is authorized to establish charges for the use and discharge to the city's stormwater system. Such charges shall be based on the cost of providing stormwater service to all properties within the city and may be different for properties receiving different classes of service. Monthly charges shall be established as follows:

Effective January 1, 2020

<b>Single-Family</b>	<b>Multifamily</b>	<b>Commercial</b>	<b>Industrial</b>
\$11.80 per month	\$11.80 per 2,500 sq. ft. hard surface per month (\$11.80 minimum)	\$11.80 per 2,500 sq. ft. hard surface per month (\$11.80 minimum)	\$11.80 per 2,500 sq. ft. hard surface per month (\$11.80 minimum)

Effective January 1, 2021

<b>Single-Family</b>	<b>Multifamily</b>	<b>Commercial</b>	<b>Industrial</b>
\$12.39 per month	\$12.39 per 2,500 sq. ft. hard surface per month (\$12.39 minimum)	\$12.39 per 2,500 sq. ft. hard surface per month (\$12.39 minimum)	\$12.39 per 2,500 sq. ft. hard surface per month (\$12.39 minimum)

Effective January 1, 2022

<b>Single-Family</b>	<b>Multifamily</b>	<b>Commercial</b>	<b>Industrial</b>
\$13.01 per month	\$13.01 per 2,500 sq. ft. hard surface per month (\$13.01 minimum)	\$13.01 per 2,500 sq. ft. hard surface per month (\$13.01 minimum)	\$13.01 per 2,500 sq. ft. hard surface per month (\$13.01 minimum)

Effective January 1, 2023

<b>Single-Family</b>	<b>Multifamily</b>	<b>Commercial</b>	<b>Industrial</b>
\$14.05 per month	\$14.05 per 2,500 sq. ft. hard surface per month (\$14.05 minimum)	\$14.05 per 2,500 sq. ft. hard surface per month (\$14.05 minimum)	\$14.05 per 2,500 sq. ft. hard surface per month (\$14.05 minimum)

Effective January 1, 2024

<b>Single-Family</b>	<b>Multifamily</b>	<b>Commercial</b>	<b>Industrial</b>
\$15.17 per month	\$15.17 per 2,500 sq. ft. hard surface per month (\$15.17 minimum)	\$15.17 per 2,500 sq. ft. hard surface per month (\$15.17 minimum)	\$15.17 per 2,500 sq. ft. hard surface per month (\$15.17 minimum)

C. "Multifamily customer" class shall apply to customers with living units that share a common wall.

1. Multifamily customers with two or more living units per meter will be charged the effective rate per 2,500 square feet of impervious surface.

2. Multifamily customers with one water meter per living unit will be charged the prevailing "single-family customer rate" per unit. "Single-family customer rate" shall apply to mobile homes either on individual lots or in a mobile home park.

D. *State Highway Charge.* Pursuant to RCW 90.03.525, the monthly charge for all state highway properties within the city shall be 30 percent of the charge provided in subsection B of this section, unless the city and state agree to a different rate or unless the court of competent jurisdiction holds otherwise.

E. *Application to Publicly Owned Properties.* Other publicly owned properties shall be charged at the industrial rate as set forth herein.

F. *Application to Active Gravel Mining Operations and Publicly Owned Streets, Alleys and Rights-of-Way.* Active gravel mining operations, publicly owned streets, alleys and rights-of-way shall be charged at the state highway charge rate provided in subsection D of this section.

G. *Application to Certain Qualifying Properties.* For qualifying properties meeting all of the following criteria, the monthly charge shall be 30 percent of the charge provided in subsection B of this section.

1. The qualifying property is subject to a stormwater management program regulated by and in compliance with the requirements for a Phase 1, Phase 2, or secondary permittee as defined by Special Condition S6 of the NPDES Western Washington Phase II Municipal Stormwater Permit, and as hereafter amended; and

2. The qualifying property does not discharge stormwater into the city of Vancouver surface water drainage system; and

3. If infiltrating on site, water quality treatment shall meet current city of Vancouver and Department of Ecology standards and requirements for the land use.

**SECTION 5. Savings.** Those sections of any ordinances amended or repealed by this ordinance shall remain in full force and effect until the effective date of this ordinance.

**SECTION 6. Severability.** If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not effect or invalidate the remainder of any parts thereof to any person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

**SECTION 7. Effective Date.** This ordinance shall become effective as of January 1, 2023, following the date of final adoption.

Read first time: November 14, 2022

Ayes: Councilmembers Harless, Perez, Fox, Stober, Hansen, Mayor McEnerny-Ogle

Nays: None

Absent: Councilmember Paulsen

Read second time: November 21, 2022

PASSED by the following vote:

Ayes: Councilmembers Harless, Perez, Fox, Paulsen, Stober, Hansen, Mayor McEnerny-Ogle

Nays: None

Absent: None

SIGNED this 21st day of November, 2022.

DocuSigned by:  
*Anne McEnerny-Ogle*  
6C89D9089EC5424...  
Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:  
*Natasha Ramras*  
BCF6734E40E94AE...  
Natasha Ramras, City Clerk

Approved as to form:

DocuSigned by:  
*Jonathan Young*  
9A7DC2E31F694A2...  
Jonathan Young, City Attorney

SUMMARY ORDINANCE NO. M-4391

AN ORDINANCE related to the water, sewer and surface water utility user rates, amending Vancouver Municipal Code Sections 14.04.210, 14.04.230, 14.04.230B and 14.09.060; and providing for savings, severability, and an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via [www.cityofvancouver.us](http://www.cityofvancouver.us) (Go to City Government and Public Records).