

ORDINANCE NO. 4000

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING EDMONDS CITY CODE 7.10 REGARDING WATER SERVICE TO CLARIFY THE CALCULATION OF DELINQUENCY CHARGES, AND TO AMEND THE TURN ON AND TURN OFF CHARGES; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Edmonds City Code does not clarify the method of calculation of delinquency charges for utility bills; and,

WHEREAS, the City Council has determined that the delinquency charge should be imposed using a flat \$25 fee; and,

WHEREAS, the City Council has determined to raise the dollar amount at which an account is considered delinquent; and

WHEREAS, the City Council has determined that turn on and turn off charges for the water utility shall be raised where a water customer requests a turn on after regular working hours;

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 7.10.025 of the ECC, entitled "Delinquency charge," is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike-through~~):

7.10.025 Delinquency charge.

A charge equal to ~~10 percent of the outstanding balance of the delinquent utility bill~~ twenty five (25) dollars shall be added as a fee to each delinquent utility bill, except in cases of extraordinary hardship as determined by the ~~administrative services~~ finance director or his/her designee. The decision of the ~~administrative services~~ finance director can be appealed to the ~~finance committee of the~~ Edmonds city council by filing an appeal with the city clerk no later

than fourteen days after the director's decision was mailed. The account shall be considered delinquent if full payment is not made within 35 days after the sending of the regular billing. Such delinquency notice and billing will be provided 35 days following the mailing of a regular utility bill. This charge shall be applicable to all delinquent utility billing accounts. In order to be considered delinquent the outstanding principle balance of an account must total at least \$21 40.00 ~~or more of delinquency~~, and no delinquency charge shall be levied against any delinquent account balance under \$21 40.00. This delinquency charge shall be paid prior to the application of any payment against the fee or charge initially assessed and nothing herein shall be interpreted to limit the city's collection of its attorneys' fees and other reasonable costs and charges in the event it is forced to seek judicial remedy for collection. Nothing herein shall be interpreted to limit the city's ability to enforce a sewerage lien on properties for delinquent and unpaid sewerage utility bills, as authorized by RCW 35.67.200 through 35.67.290, including terminating water service until charges are paid and/or pursuing sewerage lien foreclosure.

Section 2. Section 7.10.070 of the ECC, entitled "Turn on and turn off charges," is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike-through~~):

7.10.070 Turn on and turn off charges.

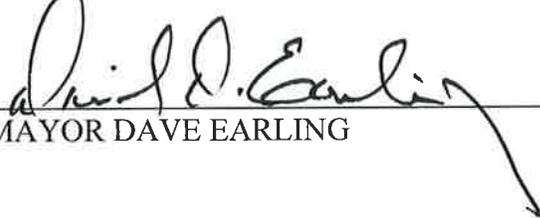
The charge for turning off the water at the main shall be \$20.00 and the charge for turning on or off the water other than at the main shall be \$20.00 if done during regular working hours. If the water is turned on or off at any time other than during regular working hours, there charge shall be an additional charge of \$75.00-\$125.00.

Section 3. Applicability. The provisions of this ordinance shall be applicable to existing delinquent account balances and the delinquency charge on such balances shall be calculated in conformance with Section 1, above, except in cases where applying the fee calculated under Section 1 would increase the amount of the delinquency charge, in which case, the delinquency charge calculated under Section 1 would only be added to accounts that continue to be delinquent after the effective date of this ordinance.

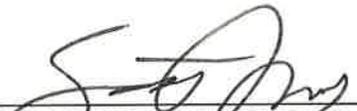
Section 4. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5. Effective Date. This ordinance, being administrative in nature, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

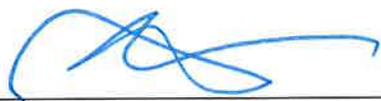
APPROVED:


MAYOR DAVE EARLING

ATTEST/AUTHENTICATED:


CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
JEFF TARADAY

FILED WITH THE CITY CLERK:	May 15, 2015
PASSED BY THE CITY COUNCIL:	May 19, 2015
PUBLISHED:	May 24, 2015
EFFECTIVE DATE:	May 29, 2015
ORDINANCE NO.	4000

SUMMARY OF ORDINANCE NO. 4000

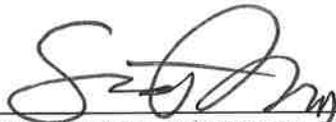
of the City of Edmonds, Washington

On the 19th day of May, 2015, the City Council of the City of Edmonds, passed Ordinance No. 4000. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING EDMONDS CITY CODE 7.10 REGARDING WATER SERVICE TO CLARIFY THE CALCULATION OF DELINQUENCY CHARGES, AND TO AMEND THE TURN ON AND TURN OFF CHARGES; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 20th day of May, 2015.



CITY CLERK, SCOTT PASSEY