

RESOLUTION NO. 429

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF BIRCH BAY WATER DISTRICT NO. 8, WHATCOM COUNTY, WASHINGTON, AUTHORIZING INSTALLMENT PAYMENT OF LATECOMER'S CHARGES AND AMENDING RESOLUTION NO. 372, 375 and 407.

BE IT RESOLVED by the Board of Commissioners of Birch Bay Water District No. 8, Whatcom County, Washington, as follows:

Section 1: Resolution No. 372 and 375 are hereby amended to read as follows:

The manager of the District is authorized to enter into agreements substantially in the form of Exhibit A, attached hereto for the payment in installments of charges assessed pursuant to Resolutions 75, 139, 149 and 222 or any amendments thereof, provided:

(1) The total charge for water hookup and/or for sewer hookup must be more than ONE THOUSAND DOLLARS (\$1,000.00);

(2) Before entering into any such agreement, the District must receive a down payment of twenty percent (20%) of the amount of the such charge or the water meter charge, whichever is greater. Provided, however, that only the general facilities charges and connection charges may be paid on time payment if more than one residential equivalent living unit is being placed on the property covered by the agreement.

(3) Before entering into any such agreement the District shall receive a set up fee of TWENTY-FIVE DOLLARS (\$25.00) plus filing fee and release fee charged by the Whatcom County Auditor;

(4) The number of equal monthly installments in said contract shall in no event exceed 108 in number.

(5) Installment payments under said contract shall be due at the end of the (1) month after the date of the contract and on the same date each month following the month in which the contract is signed and at the end of each month thereafter, unless the anniversary date shall fall on a Saturday, Sunday or holiday, in which case the due date shall be the first working day thereafter. In the event the payment is not made as scheduled, additional monthly service charges, over and above interest shall be payable in the same amount as delinquency charges on water and sewer bills. The District shall further be allowed to terminate water service, after notice of non-payment for failure to make any scheduled payment. All fees and charges applicable to termination of services for delinquent sewer and/or water bills shall be applicable to a termination of services for non-payment of the payments scheduled by reason of this resolution;

(6) There shall be added to the principal sum due under said contract interest at the rate of nine percent (9%) per year computed monthly on the unpaid balance until said principal is paid;

(7) If payment of any installment is not made within sixty (60) days of its due date, the entire unpaid principal and interest shall become due, and said sum shall thereupon be considered a delinquent connection charge under Resolution Nos. 75, 139, 149, 222, or any amendments thereof, and the District shall thereupon assess applicable penalties and certify said delinquency to the County Treasurer for lien foreclosure proceedings pursuant to the laws of the State of Washington;

(8) The District shall record said agreement, at the owner's expense, giving notice thereof to subsequent purchasers of the subject properties.

(9) The owner shall provide evidence satisfactory to the District that it's lien is prior to all other liens (except taxes) where there will be more than one (1) residential equivalent living unit placed on such premises.

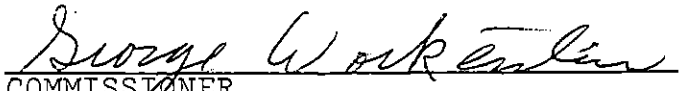
Section 2: This resolution shall become effective on the date of its passage and shall apply to any latecomer's charge installment applications made but not completed prior to that date.

Section 3: All resolutions or parts of resolutions that conflict herewith are hereby repealed.

ADOPTED at a regular meeting of the Board of Water Commissioners of Birch Bay Water District No. 8, Whatcom County, Washington, held this 28th day of October, 1986.

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 429 of the Board of Water Commissioners of Birch Bay Water District No. 8, Whatcom County, Washington, adopted at the regular meeting thereof on the 28th day of October, 1986.

  
SECRETARY