

RESOLUTION NO. 479

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER AND SEWER DISTRICT, WHATCOM  
COUNTY, WASHINGTON, CONCERNING GENERAL FACILITIES  
CHARGES FOR WATER AND SEWER SERVICES

WHEREAS, the Washington State Legislature has charged water and sewer districts with the requirement that connection charges for water and sewer service be fair; and

WHEREAS, Birch Bay Water and Sewer District has ordered and received a study which establishes what water and sewer general facilities charges should be within the District; and

WHEREAS, the District is ready to implement the recommended charges;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington as follows:

Section 1: Resolution 414, and any other resolution which sets general facilities charges for water service are hereby amended to read as follows:

Any application for water service shall be subject to a general facilities charge of TWO HUNDRED SEVENTY-NINE AND NO/100THS DOLLARS (\$279.00) per equivalent living unit to be connected to the District's water system in addition to any connection, permit or inspection fees otherwise applicable.

Section 2: Resolution 414, and any other resolution which sets general facilities charges for sewer service are hereby amended to read as follows:

Any application for sewer service shall be subject to a general facilities charge of NINE HUNDRED TWENTY-TWO AND NO/100THS DOLLARS (\$922.00) for each equivalent living unit to be connected to the District's sewer system, in addition to any connection, permit or inspection fees otherwise applicable.

Section 3: The charges set out in Sections 1 and 2 hereof shall be reduced by any amounts previously paid for general facilities charges for the service which is being requested; Provided, however, that no refunds shall be allowed on general facilities charges previously paid.

Section 4: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section 5: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Commissioners hereby declare that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

SIMONARSON, VISSER, ZENDER & THURSTON  
1610 GROVER STREET  
P.O. BOX 631  
LYNDEN, WA 98264

Section 6: This Resolution shall be in full force and effect immediately.

PASSED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a regular meeting held the \_\_\_\_ day of January, 1990.

Francis A. Gischer  
COMMISSIONER

Carl Reinhardt  
COMMISSIONER

Peter Lewis  
COMMISSIONER

Forrest Kuen  
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 480 of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on January \_\_, 1990.

Forrest Kuen  
SECRETARY