

RESOLUTION NO. 516

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER AND SEWER DISTRICT,  
WHATCOM COUNTY, WASHINGTON

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

Section A: Section 7.04.080 of the Birch Bay Water and Sewer District Code is hereby repealed.

Section B: There is added to Chapter 7.04 of the Birch Bay Water and Sewer District Code a new section as follows:

7.04.081 General Facilities Charge. Any application for water service shall be subject to a general facilities charge of THREE HUNDRED AND NO/100THS DOLLARS (\$300.00) 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 C: There is added to Chapter 7.04 of the Birch Bay Water and Sewer District Code a new section as follows:

7.04.083 Equivalent living unit calculations. The number of equivalent living units per service or project, as applicable, shall be as follows:

1. Single family dwellings: For each single family dwelling, one unit.
2. Multiple family residence: For each residential unit, one unit.
3. Mobile Home Park or Trailer Court: For each space in a mobile home park or trailer court or other premises where water and sewer service is available to a space which is used or may be used for living purposes, on a full or part-time basis, one unit.
4. Camping Mobile Home Park or Camping Trailer Park (not intended for general year around use i.e. camping type): For each space in a mobile home park or trailer court or other premises where water and sewer service is available to a space which is used or may be used for living purposes, on a part-time basis, one-half unit.
5. Campgrounds (with water service only to individual sites): For each space in a campground used for camping on a full or part-time basis, one third unit.
6. Campgrounds (without sewer or water service to individual sites): For each space in a campground used for camping on a full or part-time basis, one quarter unit.
7. Motel or Hotel: For each two rooms or fraction thereof, one unit.
8. A restaurant: For each six seats or fraction thereof, one unit.
9. Bar or Cocktail Lounge: For each ten seats or fraction thereof, one unit.
10. Retail Store, Office or Factory: For each ten full-

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time employees or fraction thereof, one unit.

11. Public or Private Elementary Schools, High Schools or Colleges:

- a. Without cafeteria or gym and showers: For each forty persons or fraction thereof in average daily full-time attendance, one unit.
- b. With cafeteria or gym and showers: For each twenty persons or fraction thereof in average daily full-time attendance, one unit.
- c. With cafeteria and gym and showers: For each fourteen persons or fraction thereof in average daily full-time attendance, one unit.
- d. Average daily attendance shall be based on annual attendance. "Persons" as used in this section include students, teachers and all school staff and administration.

12. Theater or Auditorium: For each eighty-five seats or fraction thereof, one unit.

13. Churches: For each church, one unit.

14. Laundromats or Self-Service Laundry: For each one washing machine in a commercial laundromat or self-service laundry or in any other washing facility, the use of which is not strictly limited to occupants of the residential building, trailer court, or mobile home park in or on which the facility is located, one unit.

15. Hospital, Rest Home, Convalescent Home: for each bed in a hospital, rest home, convalescent home or similar facility, one unit.

16. Gasoline Service Stations: For each gasoline service station with public restrooms, two units; without public restrooms, one unit.

17. Combined Facilities: For each property which has more than one business or function on one sewer or water system, the number of service units will be charged that is the combined sum of the individual units which are applicable to each business or function involved.

18. When a customer is not specifically listed above, the Manager or its designee may determine which category the customer most closely resembles in quantity of water used and quantity and quality of sewage output, and classify each customer accordingly.

19. Where a property is devoted to a business involving special water consuming devices or equipment, the Manager or its designee may establish the number of units based on the quantity of water used and the quantity of sewage output.

20. Minimum charge for each facility is one service unit, unless specified otherwise.

Section D. There is added to Chapter 7.04 of the Birch Bay Water and Sewer District Code a new Section as follows:

7.04.011 Equivalent Living Units. The phrase "equivalent living unit" and the phrase "residential customer equivalent" shall mean a unit which is estimated to have the same average water use and/or to produce the same average sewer waste as one single family residence.

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Section E. There is added to Chapter 8.08 of the Birch Bay Water and Sewer District Code a new Section as follows:

8.08.050 General Facilities Charges. 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 calculated in accordance with Section 7.04.083 of this code, in addition to any connection, permit or inspection fees otherwise applicable.

8.04.011 Equivalent Living Units. The phrase "equivalent living unit" and the phrase "residential customer equivalent" shall mean a unit which is estimated to have the same average water use and/or to produce the same average sewer waste as one single family residence

Section G. There is added to Chapter 8.08 of the Birch Bay Water and Sewer District Code a new section as follows:

8.08.060 Connection after General Facilities Charge payment. Whenever a General Facilities Charge is paid, connection of the buildings on the property to the sewer system should occur within three hundred sixty five (365) days. If connection is not made within three hundred sixty five (365) days, one of the lesser of the following charges shall be paid, if there has been an increase in the General Facilities charge since the date of such payment:

1. The difference between the amount of the General Facilities Charge in effect at the time of such payment and at the time of actual connection of the buildings on the property to the sewer system; or

2. All service rates and charges and billing charges which would have been charged to the property had the buildings on it been connected to the sewer system ninety (90) days after the date of such payment.

Section H. There is added to Chapter 7.04 of the Birch Bay Water and Sewer District Code a new section as follows:

7.04.082 Connection after General Facilities Charge payment. Whenever a General Facilities Charge is paid, connection of the buildings on the property to the water system should occur within three hundred sixty five (365) days. If connection is not made within three hundred sixty five (365) days, one of the lesser of the following charges shall be paid, if there has been an increase in the General Facilities charge since the date of such payment:

1. The difference between the amount of the General Facilities Charge in effect at the time of such payment and at the time of actual connection of the buildings on the property to the water system; or

2. All service rates and charges and billing charges which would have been charged to the property had the buildings on it been connected to the water system ninety (90) days after the date of such payment.

Section I: 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.

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Section J: 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 Council hereby declares 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.

Section K: This Resolution shall be in full force and effect on April 1, 1993.

PASSED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a regular meeting held the 17 day of ~~April~~, 1993.

Peter Lewis  
COMMISSIONER

Carl F. Leikhardt  
COMMISSIONER

Dominic Kunes  
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 5/6 of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on ~~April~~ 17, 1993.

JUNE

Peter Lewis  
SECRETARY