

RESOLUTION NO. 576

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT, WHATCOM
COUNTY, WASHINGTON, AMENDING
RESOLUTION NOS. 539, 469, 502 AND 433
REGARDING WATER USE CHARGES

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

Section 1: Section I of Resolution No. 496, Section 1 of Resolution Nos. 539 and 502, and Section 7.04.120 of the Birch Bay Water and Sewer District Code shall be amended to read as follows:

A. Minimum Monthly Charge. The minimum monthly water availability charge for each equivalent living unit is as follows:

Monthly Water Rates:

Class 1 - Residential Inside District per equivalent living unit	\$5.30
Class 2 - Residential Outside District per equivalent living unit	\$7.95
Class 3 - Commercial Inside District per equivalent living unit	\$5.30
Class 4 - Commercial Outside District per equivalent living unit	\$7.95
Class 5 - Industrial (not set yet)	
Class 6 - Extended Service (Restrooms and standpipes not part of a residential or commercial building shall be considered Extended Service Units unless they are only for use by paying tenants of a recreational vehicle park)	\$1.00

B. Water Use Charge.

1. Water Use Within the District: In addition to the above monthly charges, customers shall be charged ONE AND 60/100 DOLLARS (\$1.60) for each one hundred (100) cubic feet of water used by them; provided, however, that customers shall be charged TWO AND 40/100 DOLLARS (\$2.40) for each one hundred (100) cubic feet of water used by them in excess of ONE THOUSAND (1000) cubic feet per month; and provided further that where a meter larger

than $\frac{3}{4}$ inch is installed for fire protection purposes, and the actual usage of water through that meter is less than one-half of the average usage for a residential unit in any twelve (12) month period, the charge will be for two (2) equivalent living units, plus water usage charges.

2. Water Use Outside the District. In addition to the above monthly charges, customers shall be charged TWO AND 40/100 DOLLARS (\$2.40) for each one hundred (100) cubic feet of water used by them; provided, however, that customers shall be charged THREE AND 60/100 DOLLARS (\$3.60) for each one hundred (100) cubic feet of water used by them in excess of ONE THOUSAND (1000) cubic feet per month; and provided further that where a meter larger than $\frac{3}{4}$ inch is installed for fire protection purposes, and the actual usage of water through that meter is less than one-half of the average usage for a residential unit in any twelve (12) month period, the charge will be for two (2) equivalent living units, plus water usage charges.

Section 2: Section 4 of Resolution 433 and Section 7.04.150 of Birch Bay Water and Sewer District Code shall continue to read as follows:

7.04.150 Billing and Handling Charge: In addition to all other charges set forth herein, each billing unit shall be charged a billing and handling charge of ONE AND 50/100 DOLLARS (\$1.50) per month for services located within the District boundaries and TWO AND 25/100 DOLLARS (\$2.25) per month for services located outside the District boundaries.

Section 3: The remainder of Resolution Nos. 496 and 502, with the exception of those sections amended by other resolutions, shall remain unchanged.

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 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 6: This Resolution shall be effective with the meter reading scheduled for June 3, 1997, which billing will have a "DUE IN OFFICE" date of June 27, 1997, and thereafter.

PASSED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a regular meeting held the 10th day of April, 1997.

Carl Heubhardt
COMMISSIONER

COMMISSIONER

Den Wenzel
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 576 of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on April 10, 1997.

Den Wenzel
SECRETARY