

RESOLUTION NO. 699

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER & SEWER DISTRICT, WHATCOM COUNTY,  
WASHINGTON, AMENDING DISTRICT CODE TO REVISE FEES AND CHARGES

WHEREAS, the Board of Commissioners ("Board") of the Birch Bay Water & Sewer District ("District") is responsible for setting fair and equitable fees and charges consistent with State law for the services and products it provides; and

WHEREAS, some of said fees and charges are intended to be revised; and

WHEREAS, the District has previously consolidated its fees and charges to a single location in the District Code pursuant to Resolution No. 697; and

WHEREAS, it has been determined that some of said fees and charges require additional updating; and

WHEREAS, the purpose of this resolution is to update District fees and charges as needed; and

WHEREAS, the foregoing recitals and findings are a material part of this Resolution;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington as follows:

Section 1: The following sections of the Birch Bay Water and Sewer District Code are hereby amended as follows:

Chapter 13.01 of Title 13 shall read as set forth in Exhibit A to this Resolution, which shall be incorporated herein in full.

Section 2: 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 Board of 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.

Section 4: This Resolution shall become effective immediately.

ADOPTED by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, at a regular meeting held the 10<sup>th</sup> day of February, 2011.

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COMMISSIONER

*Patricia H. Allee*  
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COMMISSIONER

*Carl Hennhardt*  
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COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 699 of Birch Bay Water & Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on 10th of February, 2011.

*Patricia H. Allee*  
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SECRETARY

## EXHIBIT A

Description of charge	Applicable Code Section	Fee/Charge Amount
Copying of public records, when requesting 25 pages or less	2.12.070	\$0.00 per page
Copying of public records, when requesting 26 pages or more	2.12.070	\$0.15 per page
Charges for returned payments such as "Non-Sufficient Funds" or "Account Closed"	3.20.010	\$10.00, plus any bank charge
Late charges for overdue unpaid balance after exceeding \$18.00 (2% of unpaid amount, minimum \$4.00)	3.24.010	2% / \$4.00 minimum
Payment with loose coinage exceeding \$5.00 (2% of amount over \$5.00, \$2.00 minimum)	3.28.010.B	2% / \$2.00 minimum
Segregation	5.08.010	Actual Cost / \$200.00 minimum charge
Segregation-related engineering costs	5.08.010	Actual cost for that portion over \$100.00
Water service connection, 3/4"x5/8"	7.04.070.A	\$575.00
Water service connection, 1"	7.04.070.A	\$690.00
Water service connection, over 1"	7.04.070.A	Time and materials plus 15% overhead but in no case less than \$1,490.00
Water service connection meter only install	7.04.070.A	\$175.00
Change of ownership after initial application for water service	7.04.070.B	\$35.00
Water Regional Connection Charge, per ELU	7.04.080	\$852.00
Water General Facilities Charge, per ELU	7.04.081	\$2,620.00
Dispatch/turn-off charge (when water turnoff is due to nonpayment of delinquent charges)	7.04.110.A	\$25.00 plus all charges to date
Water turn-on charge (during normal business hours)	7.04.110.A	\$10.00, plus turn-off charge, plus all charges to date
Water turn-on charge (outside of normal business hours)	7.04.110.A	\$160.00, plus turn-off charge, plus all charges to date
Water Monthly Billing and Handling Charge for service within the District boundaries	7.04.150	\$1.875/month
Water Monthly Billing and Handling Charge for service outside the District boundaries	7.04.150	\$2.81/month
Short Term Water Service Administrative fee	7.20.010	\$50.00

Description of charge	Applicable Code Section	Fee/Charge Amount
Short Term Water Usage Charge	7.20.010	\$5.00 per 100 cubic feet
Graft to public sewer	8.04.340.C	\$75.00 Payment to Customer
Failure to connect existing private drain and sewer system	8.04.400	Amount equal to the sewer monthly use charge which would be due from that property
Sewer connection permit, single family dwelling	8.08.020	\$75.00
Renewal Fee	8.08.020	\$0.00
Modification Fee	8.08.020	\$0.00
Repair Fee	8.08.020	\$0.00
Capping Fee	8.08.020	\$0.00
Sewer connection permit, multiple dwellings	8.08.030	\$75.00
Renewal Fee	8.08.030	\$0.00
Modification Fee	8.08.030	\$0.00
Repair Fee	8.08.030	\$0.00
Capping Fee	8.08.030	\$0.00
Sewer Connection permit, all other structures	8.08.040	\$75.00 (plus square foot charges)
Sewer Connection permit, all other structures, 4,000 – 10,000 square feet, additional charge	8.08.040	\$0.01 per square foot
Sewer Connection permit, all other structures, over 10,000 square feet, additional charge	8.08.040	\$0.005 per square foot
Renewal Fee	8.08.040	\$0.00
Modification Fee	8.08.040	\$0.00
Repair Fee	8.08.040	\$0.00
Capping Fee	8.08.040	\$0.00
Sewer General Facilities Charge per ELU	8.08.050	\$2,935.00
Sewer Monthly Billing and Handling Charge within the District boundaries	8.12.030	\$1.85
Sewer Monthly Billing and Handling Charge outside the District boundaries	8.12.030	\$2.775
Fire hydrant install permit	10.04.020	\$75.00
Environmental Review	12.04.110	\$400.00 deposit; Actual Total Costs*

\*\*“Actual Total Costs” shall be determined as set forth in Section 12.04.110 of the District Code.

**Water Service Rates and Charges**

<b>Minimum Monthly Charges for Water Availability</b>	<b>Applicable Code Section</b>	<b>Amount</b>
Residential Inside District per ELU	7.04.120.A	\$7.575
Residential Outside District per ELU	7.04.120.A	\$11.36
Commercial Inside District per ELU	7.04.120.A	\$7.575
Commercial Outside District per ELU	7.04.120.A	\$11.36
Industrial (not set yet)	7.04.120.A	-----
Extended Service**	7.04.120.A	\$1.13
Extended Service - Day Use**	7.04.120.A	\$2.83
Wheeling – Per one hundred (100) c.f. of water	7.04.120.A	\$1.22

\*\* 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 recreation vehicle park.

<b>Water Use Charges per two month period***</b>	<b>Applicable Code Section</b>	<b>Amount</b>
Within the District, up to 4ccf of water each two months	7.04.120.B	\$0.00 / 100 c.f.
Within the District, 5ccf-20ccf of water each two months	7.04.120.B	\$2.27 / 100 c.f.
Within the District, 21ccf or more of water each two months	7.04.120.B	\$4.30 / 100 c.f.
Outside the District, up to 4ccf of water each two months	7.04.120.B	\$0.00 / 100 c.f.
Outside the District, 5ccf-20ccf of water each two months	7.04.120.B	\$3.40 / 100 c.f.
Outside the District, 21ccf or more of water each two months	7.04.120.B	\$6.45 / 100 c.f.

**Sewer Service Rates and Charges**

<b>Minimum Monthly Charges for Sewer Availability</b>	<b>Applicable Code Section</b>	<b>Amount</b>
Residential Inside District per ELU	8.12.02	\$13.875
Residential Outside District per ELU	8.12.02	\$20.815
Commercial Inside District per ELU	8.12.02	\$13.875
Commercial Outside District per ELU	8.12.02	\$20.815
Extended Service**	8.12.02	\$2.27
Extended Service -Day Use**	8.12.02	\$3.40

Sewer Use Charges per two month period***	Applicable Code Section	Amount
Residential - Within the District, up to 4ccf of water each two months	8.12.02	\$0.00 / 100 c.f.
Residential - Within the District, 5ccf-20ccf of water each two months	8.12.02	\$2.03 / 100 c.f.
Residential - Within the District, 21ccf or more of water each two months	8.12.02	\$0.00 / 100 c.f.
Commercial - Within the District, up to 4ccf of water each two months	8.12.02	\$0.00 / 100 c.f.
Commercial - Within the District, 5ccf or more of water each two months	8.12.02	\$2.03 / 100 c.f.
Residential - Outside the District, up to 4ccf of water each two months	8.12.02	\$0.00 / 100 c.f.
Residential - Outside the District, 5ccf-20ccf of water each two months	8.12.02	\$3.05 / 100 c.f.
Residential - Outside the District, 21ccf or more of water each two months	8.12.02	\$0.00 / 100 c.f.
Commercial - Outside the District, up to 4ccf of water each two months	8.12.02	\$0.00 / 100 c.f.
Commercial - Outside the District, 5ccf or more of water each two months	8.12.02	\$3.05 / 100 c.f.

\*\*\* "ccf" is hundreds of cubic feet, "c.f." is cubic feet.