

RESOLUTION NO. 139

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WHATCOM COUNTY WATER DISTRICT NO. 8, WHATCOM COUNTY, WASHINGTON, RELATING TO CHARGES FOR USE OF ITS SEWER SYSTEM; FIXING RATES AND CHARGES FOR SEWAGE DISPOSAL SERVICE AND PROVIDING PENALTIES AND LIENS AND THE ENFORCEMENT THEREOF IN THE CASE OF FAILURE TO PAY SUCH RATES AND CHARGES.

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

1. The following rates and charges for furnishing sewage disposal services to where such service is available, whether or not a connection to the sewerage system of the District has been made, within the following classifications of users are hereby fixed and shall be paid therefor, to-wit:

a. Residential within the District: \$6.00 per living unit per month;

b. Residential outside the District: \$7.00 per living unit per month;

c. Commercial (public retail, non-residential): \$6.00 per month minimum charge for the first 1000 cubic feet per month of water usage, plus \$0.65 per month per 100 cubic feet or part thereof in excess of 1000 cubic feet;

d. Industrial (any non-governmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual 1972, Office Management and Budget, as amended and supplemented under the following divisions; Division A: Agriculture, Forestry and Fishing; Division B: Mining; Division D: Manufacturing; Division E: Transportation, communications, Electric, Gas and Sanitary Services; Division I: Services; A user in the Divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences): Rates to be established individually by contract to be commensurate with other charges in the District, however, rates will comply with the Federal Guidelines and/or regulations pursuant to the Water Pollution Control Act Amendments of 1972.

2. The phrase "living units" shall mean any improved real property or portion thereof which is used or occupied, or is intended, arranged, or designed to be used as the home, residence, or sleeping place, of one or more human beings, but not more than one family. Without intending to limit the above definition in any way, the phrase "living unit" is intended to include each and every trailer pad with sewer facilities, apartment unit in an apartment complex, and each cottage or portion thereof used or intended to be used by one family whether actually occupied or not.

3. Sewer billing shall be done every two months. If a commercial user shows to the satisfaction of the District that a substantial portion of the water which he uses is not discharged into the sewer system, he may apply to the District for a separate water service connection for the water which is not discharged into the sewer system, and he will not be charged a sewer service charge for that water.

4. Sewer service charges for existing structures shall commence thirty (30) days after sewer service becomes available. Such charges shall be made every two (2) months. Sewer service charges for structures constructed after sewers are available shall commence on the first day of the month following the month in which connection is made, or the structure is occupied, whichever event occurs first.

Monthly and bi-monthly statements of charges for sewer service shall be due and payable at such place or places designated by the District on or before the next billing period and shall be delinquent thereafter. All customers will be billed on a 12-month basis. The statements shall cover service charges for the period shown thereon and shall be issued and forwarded by mail to the customer as soon as practical after said service period.

Sewer service charges shall be terminated at such time as the structure is either removed, destroyed, condemned, or no longer requires sewer service in the opinion of the District, provided the side sewer is capped according to the rules and regulations of the District.

5. The District may, by act of its Board of Commissioners, terminate sewer service to any user who is delinquent in payment of sewer charges. Notice of intent to terminate service for non-payment shall be mailed to the user at least 15 days prior to actual termination. Sewer service shall not be turned on again until all charges including turn-off and turn-on charges are paid or a satisfactory arrangement for payment has been made with the District. Any charges of the District to the user which become delinquent shall constitute a lien against the property being served. (See Resolution No. 90 for lien procedure.)

A late charge of one percent (1%) per month shall be added to each account that is not paid in full before the next following billing date. Provided, however, that such charge shall not be less than \$.50 per billing period.

6. Billings shall be mailed to the owner of the property on which the structure serviced is located so far as the District may reasonably ascertain. Failure to receive said bills shall not relieve the owner(s) from the obligation to pay the same, nor the property receiving such service or capable of receiving such service, from such lien therefor as may thereafter attach to said property in the manner provided by law.

7. Such person or persons who shall from time to time under the authority of the Board of Commissioners act as Manager of the District or accountants for the District shall collect all the rates and charges herein provided for and accruing from time to time, and all such sums when collected shall be paid at least once each month to the County Treasurer of Whatcom County, Washington.

BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the sewer services charges herein adopted.

ADOPTED BY THE BOARD OF COMMISSIONERS of Whatcom County Water District No. 8 of Whatcom County, Washington at a regular meeting held this \_\_\_\_\_ day of February, 1976.

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COMMISSIONERS

ATTEST:

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I, GORDON SULLIVAN, Secretary of the Board of Commissioners of Whatcom County Water District No. 8 of Whatcom County, Washington, do hereby certify that the above is a true and correct copy of Resolution No. \_\_\_\_\_ passed by the Board of Commissioners at a regular meeting held on the \_\_\_\_\_ day of February, 1976.

\_\_\_\_\_  
GORDON SULLIVAN, Secretary

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William Vogt

Gordon Sullivan Sr  
COMMISSIONERS

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Gordon Sullivan Sr  
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