

RESOLUTION NO. 514

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT, WHATCOM
COUNTY, WASHINGTON, RAISING THE CHARGES FOR USE OF
ITS SEWER SYSTEM AND AMENDING RESOLUTIONS
NO. 139, 301, 383, 391, 413, 434 AND 497

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. 139 and Section 1 of Resolutions Nos. 301, 383, 391, 413, 434 and 497 and Section 8.12.020 of the Birch Bay Water and Sewer District Code shall be amended to read as follows:

8.12.020 Service Rates and Charges.

1. The following rates and charges for furnishing sewage disposal services to property within the District, where available, whether or not a connection to the sewage system of the District has been made, within the following classifications of users, are hereby fixed and shall be paid as follows:

a. Residential Within the District: EIGHT AND 50/100THS DOLLARS (\$8.50) per living unit per month; plus ONE AND 25/100THS DOLLARS (\$1.25) per one hundred (100) cubic feet of water used at said residence only for the first two thousand (2000) cubic feet of water used at said residence each two months.

b. Residential Outside the District: T W E L V E DOLLARS AND 75/100THS DOLLARS (\$12.75) per living unit per month; plus ONE AND 25/100THS DOLLARS (\$1.25) per one hundred (100) cubic feet of water used at said residence only for the first two thousand (2000) cubic feet of water used at said residence each two (2) months.

c. Commercial (Public Retail, Non-residential, including Water Parks: Rates shall be per equivalent living units based on meter size as follows:

<u>Meter Size</u>	<u>Equivalent Living Units</u>
3/4 inch	1
1 inch	3
1½ inch	5
2 inch	8
3 inch	16
4 inch	25
6 inch	50
8 inch	80

The minimum base charge shall be the appropriate number of Equivalent Living Units multiplied by EIGHT AND 50/100THS DOLLARS (\$8.50); plus ONE AND 25/100THS DOLLARS (\$1.25) per one hundred (100) cubic feet of water used at said premises, Provided, However, that any water which the owner can show does not enter the sewer system will be deducted from the water usage for this purpose.

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

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and Fishing; Division B: Mining; Division D; Manufacturing; Division E: Transportation, Communications, Electric, Gas and Sanitary Services; Division I: Services; A user in the Division listed may be excluded if it is determined that it will introduce primarily segregated domestic 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.

e. Recreational Vehicle Parks, Cabin and Motel Units:

(1) A Recreational Vehicle Park shall consist of any spaces which may be used only by Recreational Vehicles. A Recreational Vehicle is any living unit measuring forty (40) feet in length, or less, overall.

(2) Recreational Vehicle Parks which rent or lease space for time periods greater than six (6) months or consist of spaces which are individually owned or specifically assigned to one person or group of persons shall pay on the basis of 3/4 (three-fourths) of an equivalent living unit for each such space.

(3) Recreational Vehicle Parks renting or leasing space for periods of less than six (6) months and seasonal cabin and motel units shall pay on the following basis for each living space or recreational vehicle space;

Sewer and water available to each site or unit: $\frac{1}{2}$ (one-half) equivalent living unit charge.

Water only available to each site or unit: $\frac{1}{3}$ (one-third) equivalent living unit charge.

Primitive site with no water or sewer to the site or unit: $\frac{1}{4}$ (one-fourth) equivalent unit charge.

(4) In each case the number of units shall be multiplied by the appropriate multiplier. If a fraction results, it will be rounded up to the next whole number. This will then be multiplied by EIGHT AND 50/100THS DOLLARS (\$8.50). In addition, there shall be a charge of ONE AND 25/100THS DOLLARS (\$1.25) for each one hundred (100) cubic feet of water used at said park or motel complex.

f. Extended units--separate restroom facilities: Restroom facilities not part of a residential or commercial building shall be billed at the rate of TWO AND NO/100THS DOLLARS (\$2.00) per month, provided that they shall not be charged separately when they are only for use by paying tenants of a recreational vehicle park.

g. Billing charge: In addition to the above charges, each billing unit shall be charged a billing and handling charge of ONE AND 50/100THS DOLLARS (\$1.50) per month.

Section 2: 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 3: 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 4: This Resolution shall be in full force and effect on February 28, 1993.

PASSED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a regular meeting held the 25th day of February, 1993.

Carl Reichardt
COMMISSIONER

J. Dennis Kuntz
COMMISSIONER

Peter Lewis
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 514 of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on February 25, 1993.

Peter Lewis
SECRETARY