

RESOLUTION NO. 564

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER AND SEWER DISTRICT, WHATCOM
COUNTY, WASHINGTON, REVISING BIRCH BAY WATER AND SEWER
DISTRICT CODE SECTIONS 7.04.110, 7.04.145, 7.04.190, 8.12.040,
REPEALING SECTIONS 7.04.115, 7.04.160, 8.12.050, 8.12.080, AND
ADDING A NEW SECTION TO CHAPTER 8.12

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

Section 1: Section 7.04.110 of the Birch Bay Water and Sewer District Code is revised to read as follows:

7.04.110 Dispatch/turn off and turn on charge.

A. Charges for dispatching to turn off a service for non-payment of delinquent charges and charges to turn back on a service after the payment of all charges shall be as follows:

1. Dispatch/turn off charge: All charges to date plus Twenty-five dollars (\$25.00) if payment has not been paid in full at the District's main office by 4:30 P.M. the day before the date the account has been scheduled to be turned off for non-payment. The District will dispatch staff to turn off the service the morning of the scheduled turn off. On the day of the scheduled turn off, the foregoing charge is due whether the staff has actually left the District's premises or arrived at the service address scheduled to be turned off.

2. Turn on charge: All charges to date, including Dispatch/turn off charge, plus Twenty-five dollars (\$25.00) if turn on is during normal business hours of the District.

3. All charges to date, including Dispatch/turn off charge, plus Seventy-five dollars (\$75.00) if turn on is outside of normal business hours of the District.

B. There shall be no charge for turning off a water service during normal business hours of the District at the customer's request.

Section 2. Section 7.04.145 of the Birch Bay Water and Sewer District Code is hereby revised to read as follows:

7.04.145 Water Use Charge. In addition to the monthly charges set out in Section 7.04.120, where a meter larger than three-quarter inch (3/4") is installed for fire protection purposes, and the actual usage of water through that meter is less than one-half (1/2) of average usage for a residential unit in any twelve (12) month period, the charge shall be for two (2) equivalent living units, plus water usage charges.

Section 3. Paragraph B. of Section 7.04.190 of the Birch Bay Water and Sewer District Code is hereby repealed in its entirety.

Section 4. Paragraph B. of Section 8.12.040 of the Birch Bay Water and Sewer District Code is hereby repealed in its entirety.

Section 5. There is added to Chapter 8.12 of the Birch Bay Water and Sewer District Code a new section to read as follows:

8.12.041 Commencement of payment of rates and charges. Upon submission to the District of an application for sewer service, and payment of all connection charges, monthly sewer service charges shall begin immediately.

Section 6. Sections 7.04.115, 7.04.160, 8.12.050, 8.12.080 of the Birch Bay Water and Sewer District Code are hereby deleted in their entirety.


Section 7: 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 8: 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 9: This Resolution shall be in full force and effect on October 12, 1995.

PASSED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a regular meeting held the 12th day of October, 1995.


COMMISSIONER


COMMISSIONER


COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 564 of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on 10-12, 1995.


SECRETARY