

RESOLUTION NO. 774

A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF BIRCH BAY WATER & SEWER DISTRICT, WHATCOM COUNTY,
WASHINGTON, AMENDING DISTRICT CODE TO REVISE WATER AND SEWER
SERVICE 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; 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: Portions of District Code section 13.01.010 shall be amended as set forth in Exhibit A to this Resolution. All other lines, amounts, code sections, references, and descriptions in section 13.01.010 shall remain unchanged.

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 January 1st, 2022, *except the lien fees are effective immediately.*

ADOPTED by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, at a regular meeting held the 9th day of December, 2021

Don Montfort
COMMISSIONER

Jeff Berner
COMMISSIONER

Fred Reid
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 774 of Birch Bay Water & Sewer District, Whatcom County, Washington, adopted at a regular meeting of the Board of Commissioners on Dec 9th, 2021

Fred Reid

SECRETARY

Per Resolution 760 I certify the Commissioners approved Res 774 on Dec 9, 2021.

Yandi McMillan

EXHIBIT A

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Description of charge	Applicable Code Section	Fee/Charge Amount
Lien Fee + Removal	3.24.020.C	\$40
Lien Removal Fee	3.24.020.C	\$20
Water Monthly Billing and Handling Charge for service within the District boundaries	7.04.150	\$4.55
Water Monthly Billing and Handling Charge for service outside the District boundaries	7.04.150	\$6.82

Water Service Rates and Charges

Minimum Monthly Charges for Water Availability	Applicable Code Section	Amount
Residential Inside District per ELU	7.04.120.A	\$12.30
Residential Outside District per ELU	7.04.120.A	\$18.45
Commercial Inside District per ELU	7.04.120.A	\$12.30
Commercial Outside District per ELU	7.04.120.A	\$18.45
Extended Service**	7.04.120.A	\$1.80
Extended Service - Day Use**	7.04.120.A	\$4.53

Water Use Charges per two month period***	Applicable Code Section	Amount
Within the District, 5ccf-20ccf of water each two months	7.04.120.B	\$3.50 / 100 c.f.
Within the District, 21ccf or more of water each two months	7.04.120.B	\$6.70 / 100 c.f.
Outside the District, 5ccf-20ccf of water each two months	7.04.120.B	\$5.25 / 100 c.f.
Outside the District, 21ccf or more of water each two months	7.04.120.B	\$10.05 / 100 c.f.

Sewer Service Rates and Charges

Minimum Monthly Charges for Sewer Availability	Applicable Code Section	Amount
Residential Inside District per ELU	8.12.02	\$22.65
Residential Outside District per ELU	8.12.02	\$33.97
Commercial Inside District per ELU	8.12.02	\$22.65
Commercial Outside District per ELU	8.12.02	\$33.97
Extended Service**	8.12.02	\$3.61
Extended Service -Day Use**	8.12.02	\$5.42

Sewer Use Charges per two month period***	Applicable Code Section	Amount
Residential - Within the District, 5ccf-20ccf of water each two months	8.12.02	\$3.00 / 100 c.f.
Commercial - Within the District, 5ccf or more of water each two months	8.12.02	\$3.00 / 100 c.f.
Residential - Outside the District, 5ccf-20ccf of water each two months	8.12.02	\$4.50 / 100 c.f.
Commercial - Outside the District, 5ccf or more of water each two months	8.12.02	\$4.50 / 100 c.f.

** 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.

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