

**BIRCH BAY WATER AND SEWER DISTRICT
RESOLUTION NO. 777**

Termination of Temporary Suspension of Certain District Policies Due to the COVID-19 Pandemic
and Establishment of Revised Shut-Off Policies

WHEREAS, Resolution No. 761 and Resolution No. 776 include temporary policies adopted in response to the COVID-19 pandemic; and

WHEREAS, the Board has determined that except for a revision in the district shut-off policy for certain delinquent accounts, temporary relief of fees and charges for past due bills due to the COVID-19 pandemic is no longer needed; and

WHEREAS, the Board has decided to terminate Resolution No. 761 and Resolution No. 776, which were intended to be temporary measures in light of the pandemic; and

WHEREAS, the Board intends to modify its shut-off policies and to make the modification permanent under district code Sections 7.04.200 and 8.12.090; and

NOW, THEREFORE, the Board of Commissioners (“Board”) of the Birch Bay Water and Sewer District do hereby resolve:

1. **Termination of Resolution Nos. 761 and 776.** Resolution Nos. 761 and 776 are hereby terminated.

2. **Amendment to District Code Sections on Delinquent Accounts.**

District Code Section 7.04.200 shall be amended to read as follows:

- A. The district may shut-off water service to any user who is delinquent in payment of water charges; provided that, service shall not be terminated to any accounts solely due to unpaid utility charges which are delinquent by two (2) billing periods or less. Accounts delinquent by three (3) billing periods or more may be subject to termination of service, unless the account holder enters into a payment plan with the district. The holders of delinquent accounts to which service was restored or not terminated pursuant to this section shall enter payment plans with the district approved by the Finance Manager.

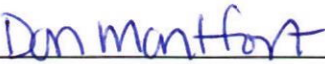
- B. Notice of intent to shut-off for nonpayment shall be mailed to the user at least one week prior to actual shut-off. The district shall charge a fee for delinquency as set forth in chapter 13.01 of this code. Water service shall not be turned on again until

all delinquent charges are paid or a satisfactory arrangement for payment has been made with the district. Any charges of the district to the customer which become delinquent shall constitute a lien against the property being served.

District Code Section 8.12.090 shall be amended to read as follows:

- A. The district may terminate sewer service to any user who is delinquent in payment of sewer charges; provided that, service shall not be terminated to any accounts solely due to unpaid utility charges which are delinquent by two (2) billing periods or less. Accounts delinquent by three (3) billing periods or more shall be subject to termination of service, unless the account holder enters into a payment plan with the district. The holders of delinquent accounts to which service was restored or not terminated pursuant to this section shall enter payment plans with the district approved by the Finance Manager.
 - B. Notice of intent to terminate water service for nonpayment shall be mailed to the user at least fifteen days prior to actual termination. Sewer service shall not be turned on again until all charges, including turnoff 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.
3. **Timing and Effect of Amendment.** This resolution shall be effective immediately and remain in full force and effect until terminated by a subsequent resolution of the Board.

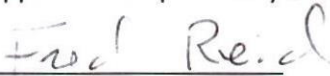
ADOPTED by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington, at a regular meeting thereof, on the 24th day of March, 2022.



Don Montfort, Commissioner
(Approved Telephonically or Virtually)




Jeff Benner, Commissioner



Fred Reid, Commissioner

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 777 of Birch Bay Water and Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on March 24, 2022.

I, Sandi McMillan, as authorized by District resolution and in my capacity as Finance Director of the Birch Bay Water & Sewer District, do hereby attest that the foregoing resolution was approved by the Board of Commissioners on this 24th day of March, 2022.



Sandi McMillan, Finance Director