

ORDINANCE 448

CITY OF LACEY

AN ORDINANCE RELATING TO BILLING AND PAYMENT PROCEDURES FOR WATER AND SEWER SERVICE CHARGES, PROVIDING FOR THE ENFORCEMENT OF SAID CHARGES AND AMENDING SECTIONS 13.16.070, 13.16.080, 13.16.090, 13.40.030, 13.40.040 and 13.44.030; REPEALING SECTION 13.44.010 AND ADDING A NEW SECTION, 13.32.035, TO THE LACEY MUNICIPAL CODE AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LACEY as follows:

Section 1. Section 13.16.070 of the Lacey Municipal Code is hereby amended to read as follows:

"The monthly sewer service charges as established in this chapter shall be rounded to the nearest five cents and shall be rounded downward if the calculated figure lies equally between adjusted rates; provided, however, the minimum equivalent residential unit charge shall apply for any month or portion thereof that service is rendered and said minimum charge shall not be prorated on the basis of a partial month's service."

Section 2. Section 13.16.080 of the Lacey Municipal Code is hereby amended to read as follows:

"All bills for sewer services shall be rendered and shall be due and payable by the tenth of the month following the date of billing, which date of billing shall be the day as postmarked on the billing and mailed by the city. ~~All bills remaining unpaid after the tenth of the month following the date of billing are to be considered delinquent and a ten percent penalty shall be added to~~

~~such-billing-~~ in accordance with the provisions of Section 13.44.030 of this Code."

Section 3. Section 13.16.090 of the Lacey Municipal Code is hereby amended to read as follows:

"The city shall have a lien for all sewer charges and interest penalties not paid ~~within-fifteen-days-of-the-date-of delinquency~~ in accordance with the provisions of Section 13.44.030 of this Code and may, in addition to enforcing the lien by the procedure set forth in RCW 35.67.210 through 35.67.280, enforce the lien by shutting off the water service from the premises to which such service was furnished until the charges together with interest penalties are paid."

Section 4. There is hereby added to the Lacey Municipal Code a new Section, 13.32.035 to read as follows:

"The minimum monthly service charge set forth in Sections 13.32.020 and 13.32.030 shall apply for any month or portion thereof that service is rendered and shall not be prorated on the basis of a partial month's service."

Section 5. Section 13.44.010 of the Lacey Municipal Code is hereby repealed.

Section 6. Section 13.44.030 of the Lacey Municipal Code is hereby amended to read as follows:

"(a) All bills for water and sewer services shall be due and payable by the ~~tenth~~ twentieth of the month following the

date of billing, which date of billing shall be the day as postmarked on the billing and mailed by the city. All bills ~~remaining-unpaid~~ after for which payment has not been received by the city prior to the tenth twenty-fourth of the month following the date of billing are to be considered delinquent; ~~and-a~~ A ten percent penalty shall be added to ~~such-billing-~~ delinquent accounts over five dollars and a second notice shall be mailed by the city. ~~All-bills-shall be-net-billing-and~~ If payment of all delinquent charges and penalties is not received by the city by the ninth day of the month following said second notice, the water services shall be discontinued. If not-paid-within-fifteen-days-of-the-date-of-delinquency---The-city shall-send-a-delinquency-notice-warning-of-such-discontinuance-

(b) If a trip is made by a service person to the premises of a customer for the purpose of shutting off services due to delinquency, and the customer wishes to pay the delinquent bill and delinquency penalty at that time, a five dollar service fee shall be assessed. If the delinquent bill and delinquency penalty plus the five dollar service fee are paid at that time, the service will not be discontinued.

(c) After being shut off for a delinquency, service shall not be resumed until all charges and penalties have ~~all~~ been paid plus a ~~turnon~~ fee of ~~ten~~ five dollars for each service trip which has been made to the premises relative to the delinquent charges, provided, however, that the service fee for a turnon requested by the customer after the hours of eight a.m. to four-thirty p.m. on Monday through Friday or on a holiday, shall be twenty-five dollars."

Section 7. Section 13.40.030 of the Lacey Municipal Code is hereby amended to read as follows:

"Service calls for temporary shut-off because of trouble in the lines not owned by the city shall be charged for at the rate of five dollars per-hour-per-man, ~~time-to-include-travel-to-and-from customer's-premises, with-a-minimum-charge-of-five-dollars-during the-hours-of-eight-a.m.-to-four-p.m.-on-Mondays-to-Saturdays, inclusive, except-holidays, and-seven-dollars-and-fifty-cents-per hour-per-man-with-a-minimum-charge-of-seven-dollars-and-fifty-cents on-holidays, Sundays-and-after-the-hour-of-four-p.m., and-before the-hour-of-eight-a.m.-on-all-days-of-the-week.~~ for each trip made during the hours of eight a.m. to four-thirty p.m. on Monday through Friday, excluding holidays, and at the rate of twenty-five dollars per requested trip during all other times."

Section 8. Section 13.40.040 of the Lacey Municipal Code is hereby amended to read as follows:

"When it is desired to have the water turned on after it has been turned off for any reason ~~(except as provided in Section ~~13.44.030~~ 13.40.070 and except turn-on and turn-offs regarding separate connections for lawn sprinkling systems),~~ ~~a-written application-for-turn-on-shall-be-made-under-the-same-conditions set-ferth-above, except-that~~ the customer shall be charged with a fee of five dollars for each trip made during the hours of eight a.m. to four-thirty p.m. on Monday through Friday, excluding holidays, and at the rate of twenty-five dollars per requested trip during all other times. ~~for-such-turn-on.~~ All unpaid water service

charges and penalties against the premises shall be paid at time of application for turn-on or a satisfactory arrangement shall be made for payment thereof before water is supplied to the premises."

Section 9. This amendatory ordinance shall only affect those billings rendered by the city after April 20, 1977, and as to said billings and all billings thereafter shall be effective on April 20, 1977.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 10<sup>th</sup> day of March, 1977.

CITY COUNCIL

By Karen R. Frantz  
Mayor

Attest:

Timothy McGuire  
City Clerk

Approved as to Form:

[Signature]  
City Attorney

Publish: 3-17-77