

**ORDINANCE NO. 941**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO WATER AND SEWER RATES, ESTABLISHING A PROGRAM FOR A REDUCTION IN UTILITY RATES AND A WAIVER/DELAY OF COLLECTION OF WATER AND SEWER HOOK-UP FEES FOR LOW-INCOME SENIORS; ESTABLISHING AN AVERAGE PAYMENT PLAN FOR WATER AND SEWER BILLS; AND ADDING NEW SECTIONS 13.04.013 AND 13.04.014 TO THE GIG HARBOR MUNICIPAL CODE.**

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WHEREAS, the City of Gig Harbor has statutory authority to provide utility services at reduced rates for low-income senior citizens (RCW 74.38.070); and

WHEREAS, the City also has statutory authority to waive or delay collection of connection fees for low-income persons or a class of low-income persons (RCW 35.92.380); and

WHEREAS, the City SEPA Responsible Official determined that this ordinance was categorically exempt from SEPA under WAC 197-11-800(20); and

WHEREAS, the Average Payment Plan is a budget plan to help our residential customers level out their utility bills throughout the year; and

WHEREAS, the City Council considered this Ordinance during its regular City Council meeting of September 8, 2003; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. A new Section 13.04.013 is hereby added to the Gig Harbor Municipal Code, which shall read as follows:

### **13.04.013 Low-Income Utility Rate Reduction and Connection Fee Waiver/Delay.**

**A. Definitions.** For the purposes of this section, the following definitions shall apply:

1. “Low-income Senior Citizen” means a person aged 62 years or older (if married, either spouse may fit this definition) who:

- a. is a Gig Harbor water or sewer customer and has an account in his/her name;
- b. is the head of the household;
- c. has a monthly gross household income from all sources that is not more than:

<i><u>Household Size</u></i>	<i><u>Monthly Income*</u></i>	<i><u>Annual Income</u></i>
1	\$ 1,384	\$16,608
2	\$ 1,866	\$22,395
3	\$ 1,348	\$28,572
4	\$ 2,828	\$34,936
5	\$ 3,309	\$39,708

\*Subject to change annually.

**B. Rate Reduction.** A Low-Income Senior Citizen may pay a rate equal to fifty (50) percent of the applicable water and/or sewer rate established by the City in GHMC Section 13.04.010 and 13.32.010, or any amendments thereto.

**C. Waiver/Delay of Connection Fees.** A Low-Income Senior Citizen may request a waiver of a connection fee to his or her property in the amount of fifty (50) percent of the applicable water and/or sewer connection fee established in GHMC Section 13.04.080 and 13.32.060, or any amendments thereto. A Low-Income Senior Citizen may request a delay in the City’s collection of the connection fee, as reduced by this subsection, for a period of five (5) years, as long as the eligibility requirements of this section are satisfied for each year.

**D. Eligibility Requirements.** In order to obtain a rate reduction and/or waiver/delay of connection fees, a Low-Income Senior Citizen shall:

1. file an affidavit with the Finance Department on an annual basis, and submit documentation requested by the Finance

Department verifying that he/she is eligible to receive the benefits of this section; and

2. in the affidavit, provide the City with an unqualified promise to inform the City of any changes in the his/her financial condition that would disqualify him/her from the benefits of this section.

Section 2. A new Section 13.04.014 is hereby added to the Gig Harbor Municipal Code, to read as follows:

**13.04.014 Average Payment Plan.** The average payment plan is available to residential customers only. It allows residential customers to level out their utility bills throughout the year.

A. Customers eligible. A residential customer is eligible for the residential payment plan if:

1. There has been a twelve month consecutive history of the customer making payments of the utility bill to the City for the subject property; and
2. The request for billing to begin on the average payment plan has been made when the balance in the Water and Sewer account is zero.

B. Method of Calculation. The City shall recalculate the payment every four months, and the residential customer will be billed the average amount for that four month period. This means that the monthly payment (after the preceding four month period) may still go up and down, depending on actual water/sewer use.

C. Advance Calculation of Payment. The residential customer may request that the City calculate the average payment plan monthly amount before the customer signs up for the service.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

**Section 4. Effective Date.** This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this 22nd day of September, 2003.

CITY OF GIG HARBOR

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GRETCHEN WILBERT, MAYOR

ATTEST/AUTHENTICATED:

By: \_\_\_\_\_  
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

By: \_\_\_\_\_  
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 8/20/03  
PASSED BY THE CITY COUNCIL: 9/22/03  
PUBLISHED: 10/1/03  
EFFECTIVE DATE: 10/6/03

**SUMMARY OF ORDINANCE NO. 941  
of the City of Gig Harbor, Washington**

On September 22, 2003 the City Council of the City of Gig Harbor, Washington, approved Ordinance No. 941, the summary of text of which is as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO WATER AND SEWER RATES, ESTABLISHING A PROGRAM FOR A REDUCTION IN UTILITY RATES AND A WAIVER/DELAY OF COLLECTION OF WATER AND SEWER HOOK-UP FEES FOR LOW-INCOME SENIORS; ESTABLISHING AN AVERAGE PAYMENT PLAN FOR WATER AND SEWER BILLS; AND ADDING NEW SECTIONS 13.04.013 AND 13.04.014 TO THE GIG HARBOR MUNICIPAL CODE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR:

The full text of this ordinance will be mailed upon request.

APPROVED by the City Council at their regular meeting of September 22, 2003.

BY: \_\_\_\_\_  
MOLLY M. TOWSLEE, CITY CLERK