




# City of Arlington Council Agenda Bill

**Item:  
WS #4  
Attachment  
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<b>COUNCIL MEETING DATE:</b>	
March 12, 2018	
<b>SUBJECT:</b>	
Amendments to AMC 13.12 regarding low income section and late fee section.	
<b>ATTACHMENTS:</b>	
DRAFT AMC 13.12.160 and AMC 13.12.210 Amendments	
<b>DEPARTMENT OF ORIGIN</b>	
Public Works	
<b>EXPENDITURES REQUESTED:</b>	None
<b>BUDGET CATEGORY:</b>	Water/Sewer Funds
<b>BUDGETED AMOUNT:</b>	N/A
<b>LEGAL REVIEW:</b>	
<b>DESCRIPTION:</b>	
Modification to AMC chapters 13.12.160 to add “disabled” in addition to the low income rate reduction and 13.12.210 to allow a grace period before late fees are applied on utility bills.	
<b>HISTORY:</b>	
<p>The City of Arlington currently has in place a “low income senior citizen rate” which allows those ratepayers who qualify a 40% reduction in their utility bills. Staff is requesting to allow qualifying disabled customers the same 40% reduction in their utility bills. The Finance Department will establish minimum disability validation requirements and maintain records.</p> <p>Staff is requesting to allow a grace period of five (5) calendar days past the utility bill due date before late fees are assessed to a customer’s account.</p>	
<b>ALTERNATIVES:</b>	
<p>Do not approve the discounted rate for disabled customers or adding of grace period. Remand to staff for further information.</p>	
<b>RECOMMENDED MOTION:</b>	
Workshop; discussion only. At the March 19, 2018 council meeting the motion will be “I move to approve the Ordinance Amending AMC 13.12.160 and 13.12.210 and authorize the mayor to sign the ordinance pending final review by the city attorney.”	

ORDINANCE NO. 2018-XXX

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON  
AMENDING ARLINGTON MUNICIPAL CODE CHAPTER 13.12  
PERTAINING TO UTILITY RATES

WHEREAS, the City of Arlington has the authority to set rates and charges for its utility system; and

WHEREAS, the City's current billing structure allows for a low income senior citizen discounted rate; and the current billing system applies a late penalty on the day after a payment is due; and

WHEREAS, ~~based on the City has received~~ additional requests from citizens to add rate assistance for disabled customers and ~~to~~ consider allowing a grace period between the due date of bills and penalties being assessed on utility bills; and

WHEREAS, the City Council considered this amendment at their workshop on March 12, 2018 and at their regular meeting held on March 19, 2018, and determined approving the amendment was in the best interest of the City and its citizens;

NOW, THEREFORE, the City Council of the City of Arlington do hereby ordain as follows:

Section 1. Arlington Municipal Code Section 13.12.160 shall be and hereby is amended to read as follows:

13.12.160 - Low income senior citizens' and low income disabled rates.

- (a) For qualifying senior citizens and qualifying disabled persons as defined in this section, the base residential rates and consumption and volume charges set out in Sections 13.12.040 and 13.12.120 shall be reduced by forty percent; provided, however, that the CPI increases referred to in Sections 13.12.040 and 13.12.120 shall not be so reduced.
- (b) For purposes of this section, the term "qualifying senior citizens" shall mean those ratepayers who are sixty ~~one two~~ years of age or older, ~~and whose whose annual household income is below 50% of the median as determined by the United States Department of Housing and Urban Development for Snohomish County. annual household income is below 50% of the median as determined by the United States Department of Housing and Urban Development for Snohomish County~~ annual household income is fifty percent or less of the area median income for Snohomish County, as published by the Washington State Office of Financial

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~~Management, thirty thousand dollars or less.~~ For purposes of verifying income, ratepayers seeking to qualify under this section shall provide annual proof of age, ~~and income, and household size~~ -as may be required by the city upon forms retained by the finance director for that purpose.

(c) For purposes of this section, the term "qualifying disabled person" shall mean ~~these~~ ratepayers whose ~~household income is~~ annual household income is below 50% of the median as determined by the United States Department of Housing and Urban Development for ~~fifty percent or less of the area median income for~~ Snohomish County, as published by the ~~Washington State Office of Financial Management, thirty thousand dollars or less~~ and who (1) ~~qualifies~~ for special parking as defined by RCW 46.16.381, (2) is blind as defined by RCW 74.19.020, or (3) is disabled, handicapped or incapacitated as defined by any state or federal program. Rate payers seeking to qualify under this section shall provide annual proof of disability and income as may be required by the city upon forms retained by the finance director for that purpose.

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Section 2. Arlington Municipal Code Section 13.12.210 shall be and hereby is amended to read as follows:

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13.12.210 - Due date for charges.

The monthly utility bill for water, sewer, and stormwater service shall be paid immediately upon billing and will be considered delinquent if not paid in full twenty calendar days from the billing date in which the service was originally charged. A grace period of five calendar days from the due date will be allowed before penalties are assessed. A penalty of five percent for each thirty days or fraction thereof shall be assessed against all delinquencies after said grace period.

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Section 413. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 424. Effective Date. This Ordinance or a summary thereof shall be published in the official newspaper of the City. The Ordinance shall take effect and be in full force five (5) days after the date of publication ~~or on January 1, 2018, whichever occurs later.~~

PASSED BY the City Council and APPROVED by the Mayor this \_\_\_\_ day of  
~~December~~March, 2017~~2018~~.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

Attest:

Kristin Banfield, City Clerk

Approved as to form:

Steven J. Peiffle  
City Attorney