

ORDINANCE NO. 2018-007

**AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON, CREATING A
NEW CHAPTER 23.08 OF THE ARLINGTON MUNICIPAL CODE RELATING TO
AMBULANCE UTILITY RATES**

WHEREAS, the City Council has determined it to be in the best interests of the citizens to implement an ambulance utility; and

WHEREAS, the City has conducted a cost of service and ambulance utility rate study performed by the FCS Group (“the Rate Study”); and

WHEREAS, the City wishes to adopt utility rates based on that Rate Study;

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

Section 1. Findings. The City Council adopts the following findings in support of the adoption of this ordinance:

- a. The City of Arlington has operated a fire department which provides both fire and ambulance/emergency medical service (EMS) services.
- b. The City Council has examined alternatives for sustainable funding of EMS service through multiple studies over the last four years.
- c. The City engaged the services of the FCS Group of Redmond, WA, to conduct a cost of service study dated March 3, 2016, to analyze the total costs of service to operate the ambulance utility, and to separate out the availability costs and demand related costs of the utility. The City finds the FCS cost of service study to be a fair and reasonable study of the costs of providing the ambulance service, and finds that the overall costs of providing ambulance services have only increased since the study was done in 2014-2015.
- e. Based on the FCS study, the city has concluded that annual demand costs (defined in RCW 35.21.766 as “those costs attributable to the burden placed on the ambulance service by individual calls for ambulance service”) are more than offset by demand revenues (transport fees), but that the availability costs of the system (defined in RCW 35.21.766 as “those costs attributable to the basic infrastructure needed to respond to a single call for service within the utility’s response area” and including dispatch, labor, training, equipment, patient care supplies, and equipment maintenance costs but excluding capital expenses) are not covered by offsetting revenues.

f. The City mailed on May 30, 2018, a written notice to all taxpayers of the utility, notifying them of a public hearing to be held on July 2, 2018, to consider the establishment of an ambulance utility, as required by RCW 35.21.766.

g. The City held a public hearing on July 2, 2018, and took public comment on the proposed utility, at which time the City staff presented:

- 1 The cost of service study;
- 2 A summary of the utility's current revenue sources;
- 3 A proposed budget reflecting the reduced allocation of general fund services;
- 4 Any proposed changes to utility rates; and
- 5 Any anticipated impact to the utility's level of service.

h. Based on the information presented to the Council and the testimony taken at the public hearing, the City Council wishes to establish rates for the ambulance utility as set forth herein.

Section 2. New Chapter Added. A new Chapter 23.08 of the Arlington Municipal Code is hereby adopted, to read as follows:

TITLE 23 Ambulance Utility

AMC 23.08 Ambulance Utility Rates and Charges.

23.08.010 - Classifications, rates, charges and rules for ambulance and emergency medical service.

23.08.020 - Classifications defined.

23.08.030 – Ambulance service charges defined.

23.08.040 – Ambulance utility rates and charges levied.

23.08.050—Billing.

23.08.060— Low income senior citizens' and low income disabled rates.

23.08.010 - Classifications, rates, charges and rules for ambulance and emergency medical service.

The classifications, rates and charges for ambulance and emergency medical service and the rules governing such service are fixed as follows in Sections 23.08.020 through 23.08.070.

23.08.020 - Classifications defined.

(a) Single Family Residential (SFR) Unit. A Single Family Residential Unit shall include any single-family residential building, or a single-family detached dwelling unit, including manufactured homes and mobile homes, that is designed for, permitted for, and occupied exclusively by one family, and is served by a municipal utility connection or account within the definition of AMC 23.04.020. Each SFR unit shall be charged a minimum of one base charge.

(b) “Multifamily residential units” (MFR) shall be defined as any residential unit in a classification of housing where multiple separate housing units designed and permitted for residential inhabitants are contained within one building, or several buildings within

one complex. Each MFR unit within a multifamily residential property shall be treated as a separate unit.

(c) Commercial Units. A commercial unit consists of any utility user of a commercial or business nature, including both commercial and industrial users, and which has a municipal utility connection or account within the definition of AMC 23.04.020. Each such commercial unit shall be charged one base charge, as hereinafter defined.

(d) A Public and Nonprofit Unit shall include all Governmental units, including those of the City of Arlington, public utility districts, school districts, county and state agencies and other governmental and tribal entities; religious organizations such as churches and synagogues; and non-profit organizations. Each separate address to which the ambulance utility could respond and which has a municipal utility connection or account shall be considered a separate unit and shall be charged one Base Charge.

23.08.030 - Ambulance service fees defined.

(a) The City shall charge and bill users directly for transport and other services received pursuant to separate resolution of the city.

23.08.040 - Ambulance utility rates and charges levied.

There shall be levied and collected from all persons, businesses and other users served by the city ambulance utility the following rates and charges for utility service:

Rates for the year 2018, commencing on the effective date of this ordinance, shall be as follows:

1. Base Charge—the Base Charge shall be \$15.00 per month or \$180.00 per year per unit.

23.08.050 – Billing. The ambulance utility rate shall be collected in accordance with the utility fee collection procedures for water, sewer and stormwater utilities as provided for in Chapter 13.12 AMC, Utility Rates.

23.08.060— 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 rates set out in Section 23.08.040 shall be reduced by forty percent; provided, however, that any CPI increases referred to said Section shall not be so reduced.

(b) For purposes of this section, the term "qualifying senior citizens" shall mean those ratepayers who are sixty-two years of age or older, and whose 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 Management. For purposes of verifying income, ratepayers seeking to qualify under this section shall provide annual proof of age, 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 a ratepayer whose 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 Management, and who (1) qualifies for special parking as defined by RCW 46.16.381, or (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.

(d) Any customer seeking an exemption from payment of the utility fee and/or conversion from covered to exempt status, must file a written petition with the city finance director seeking a determination as to whether a specific dwelling unit, parcel or building satisfies the exemption requirements set forth in this section. The city finance director will issue a written decision and mail said decision to the customer. The city finance director's determination may be appealed to the city council by filing a written appeal with the city finance director within ten days of the date of mailing of the decision. Appeals filed after the ten day time period has lapsed will not be considered. The city council will conduct an open record hearing and review and make the final decision of the city on the appeal.

Section 3. The title of this ordinance which summarizes the contents 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.

Section 4. Severability. If any provision, section, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 5. Effective Date. The title of this ordinance which summarizes the contents 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.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 6th day of August, 2018.

CITY OF ARLINGTON



Barbara Tolbert, Mayor

ATTEST:



Kristin Banfield, City Clerk

APPROVED AS TO FORM:



Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Kristin Banfield, being the duly appointed and acting Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2018-007 was approved at the August 6, 2018 City Council meeting.

ORDINANCE NO. 2018-007

“AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON, CREATING A NEW CHAPTER 23.08 OF THE ARLINGTON MUNICIPAL CODE RELATING TO AMBULANCE UTILITY RATES”

A true and correct copy of the original ordinance is attached.

Dated this 7th day of August, 2018.



A handwritten signature in black ink that reads "Kristin Banfield". The signature is fluid and cursive, written over a thin horizontal line.

Kristin Banfield
City Clerk for the City of Arlington