

ORDINANCE NO. 2012-17

AN ORDINANCE pertaining to utility services fees; amending Section 7.50.040 of the Yakima Municipal Code regarding utility services fees, and defining business hours for purposes of administering such fees.

WHEREAS, the City Council has previously adopted ordinances establishing fees for certain utility services together with provisions setting administrative procedures for imposition of such fees, which provisions are codified at Section 7.50.040 of The Yakima Municipal Code; and

WHEREAS, the City Council finds and determines that such section should be amended to clarify the definition of business hours for purposes of distinguishing utility turn-on and shut-off services occurring during non-business hours; and

WHEREAS, fees for such services should be corrected to reflect current fees as previously authorized by the City Council; and

WHEREAS, the City Council finds and determines that YMC 7.50.040 should be amended as shown and set forth below, and that such amendment is in the best interests of residents of the City of Yakima and will promote the general health, safety and welfare; now, therefore

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Section 7.50.040 of the Yakima Municipal Code is hereby amended to read as follows, with amended provisions set forth in legislative format, and with corrected fees for services as previously approved for such services:

7.50.040 Utility services fees.

~~For purposes of this section, business hours are considered to be eight a.m. to six p.m. Monday through Friday, excluding holidays.~~ The following fees and charges shall apply when the listed actions are taken/provided by the utility services division. The fees set forth in the following table shall be considered the base for calculations of future fee increases. Once every two years beginning in March, 2008 (or as soon thereafter as reasonably possible based upon availability of the indices set forth herein), an adjustment shall be added to the base figures that is either eighty percent of the December change in the United States Consumer Price Index for Wage Earners and Clerical Workers (CPI-W) for the Seattle, Tacoma, Bremerton region or eighty percent of the December Implicit Price Deflator for Personal Consumer Expenditures, whichever is lower and rounded to the nearest whole dollar, to reflect the changes in inflation for these two indices over the previous two calendar years. (For purposes of determining the change in the CPI, the standard reference base period of 1984 equals one hundred will be used.)

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| a. Account reinstatement fee | \$17.60 |
| b. Start temporary water service (less than twenty-four hours in duration) | \$22.77 |
| c. Immediate service—customer request | \$17.60 |

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| d. Irrigation shut-off fee | \$25.00 |
| e. Turn-on and shut-off customer request for nonbusiness hours | \$178.02/call out <u>(1)</u> |
| f. Meter obstruction charge (after notice) | \$45.54 |
| g. Check read charge, after first accurate check read within one billing cycle | \$17.60 |
| h. Lien processing fee | (1) <u>(2)</u> |
| i. Returned NSF check fee | \$40.00 |
| j. Field visit for delinquency | \$45.54 |
| k. (For future use) | |
| l. Illegal turn-on, tampering of utility service or illegal connection as defined in YMC <u>7.50.100</u> | \$113.85 fine plus 3X cost of any repairs |

(1) "Business hours" for purposes of this section correspond to the work shift of Water Service Specialists established by the City Water Division from time to time. Current work shift hours are Monday through Friday, 7:00 a.m. through 3:30 p.m., excluding holidays. These hours are subject to change, and the Utility Services Division will update and provide notice of business hours to customers by any means deemed appropriate, including posting of such information on its internet web site.

(2) This fee will be based on actual cost plus any related costs and taxes incurred.

Section 2. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 1st day of May, 2012.

ATTEST:

/s/ Micah Cawley
Micah Cawley, Mayor

/s/ Sonya Claar Tee
City Clerk

Publication Date: May 4, 2012
Effective Date: June 3, 2012