

RESOLUTION NO. 07-2022

A RESOLUTION AMENDING RESOLUTION 04-2018 ADOPTING GENERAL UTILITY AND BILLING POLICIES IN THE CITY OF CASHMERE, WASHINGTON

The City Council of the City of Cashmere, Washington hereby resolves as follows:

Section 1. The General Utility and Billing policies adopted in Resolution 04-2018 are hereby amended as set forth on Exhibit "A" attached hereto and incorporated herein.

Section 2. This Resolution shall be effective January 1, 2023.

Passed by the City Council of the City of Cashmere, Washington, and approved by the Mayor at an open public meeting on this 12th day of December, 2022.

CITY OF CASHMERE

By: James Fletcher
James Fletcher, Mayor

Attest:

Kay Jones
Kay Jones, City Clerk-Treasurer

GENERAL UTILITY AND BILLING POLICIES

BILLING FOR SINGLE-FAMILY, AND MULTI-FAMILY DWELLINGS

- Utility billings for single-family dwellings shall be billed to only one person, whether the owner or tenant
- All utility charges for multi-family dwellings with only one water meter shall be billed to the property owner, not the tenant
- Duplexes with only one water meter shall be considered multi-family dwellings for the purposes of this section (CMC 13.01.260)

BILLING FOR COMMERCIAL BUILDINGS

- All utility charges for single-tenant commercial buildings shall be billed to one person, whether the owner or the tenant
- Multi-tenant commercial properties with only one water meter shall be billed to the property owner
- Multi-tenant commercial properties with wastewater only shall be billed to the property owner

OWNER OF RENTAL PROPERTIES RESPONSIBILITIES

The owner of: (a) single meter/single tenant commercial property; (b) single meter/single family residential property; or (c) two-meter duplex property may sign an Owner/Tenant Agreement with the city authorizing the tenant to contract for utility services. As stated in the agreement the property owner is ultimately responsible for payment of any utility service provided to the property, including any late fees and penalties. When the property owner enters into an agreement, they acknowledge responsibility for timely payment of unpaid utility bills after a tenant has defaulted. Refusal to sign the Owner/Tenant Agreement shall result in the utility services remaining in the owner's name.

When the owner is not in compliance with the terms of the Owner/Tenant Agreement, the City reserves the right to terminate the agreement and transfer all balances to the owner's account. Once an agreement has been terminated the city may decline future Owner/Tenant Agreements with that owner.

As a courtesy, the City provides notification of tenant delinquency to the property owner. When service is put back into the owner's name between renters, the owner shall pay a prorated share of the minimum billing for that month, plus any usage.

METER READING, BILLING, AND ADJUSTMENTS

Access to meters shall be kept clear of permanent obstructions such as dirt, debris, landscaping, rock, etc. The City may remove such obstructions at the property owner's expense.

In cases where two or more customers receive service during a calendar month, the City Clerk-Treasurer shall prorate the charges per day. In no case will more than one minimum charge per utility service be charged for one month.

Bills will be mailed to the billing address furnished by the customer, and failure to receive a bill will not release the customer from obligation of payment when due.

PAYMENT OF UTILITY BILLS (CMC 13.01.120)

All charges are due by 5:00 p.m. on the last business day of the month in which the bills are issued and become delinquent immediately after 5:00 at which time a delinquency penalty will be assessed. The last business day of the month is defined as the last day the City office is open and excludes weekends and City holidays.

- See "Interruption of service for Non-Payment".

UTILITY EQUAL PAYMENT PLAN

During the month of May utilities may be set up on an equal payment plan by filling out an application at City Hall. The equal payments will be calculated by dividing the previous twelve months utility bills for the residence by eleven. Equal payments are due as detailed above under Payment of Utility Bills.

May of each year will be an adjustment month. Any overpayment will be applied to the bill for the next year, any underpayment will be due on the regular May due date. Equal payments for the next year will be adjusted either up or down to reflect the average for the previous year.

If at any time, the account becomes more than 30 days past due, the full amount owing becomes due and payable, and the equal payment agreement shall terminate.

AUTOMATIC PAYMENT PLAN (RCW 80.28.010)

The City has the capability to automatically debit your utility payment directly from your checking or savings account.

If sufficient funds are not available in the account at the time the payment is due, the payment will be considered delinquent, a delinquency fee will be added, and the payment rejection will be treated as a returned item. See the returned item policy in this section. If an automatic payment return is received two times during a twelve-month period, the customer will be withdrawn from the Automatic Payment Plan.

TERMINATION NOTICE FOR DELINQUENT UTILITY ACCOUNT (CMC 13.01.120)

If a utility bill is not paid by 5:00 p.m. on the last business day of the month, there will be a termination notice prepared, allowing at least 7 days before service interruption, which will be sent by mail to the customer. The notice will state the amount past due, the deadline for payment to avoid service interruption, and the right to appeal disputed charges. If the customer is a renter, a notice will also be mailed to the property owner.

INTERRUPTION OF SERVICE FOR NON-PAYMENT (CMC 13.01.120)

When utility payment has not been received by the deadline on the Termination Notice, City personnel will place a Final Notice on the premises stating the payment must be received by 10:00 a.m. the next business day. A service fee for the Final Notice will be added.

The service fee for the Final Notice is owed at the time of payment of the past due amount to avoid shut off.

If payment has not been received by the deadline on the Final Notice, City personnel will shut off utility service, place a Shut Off Notice on the premises, and a service fee for the Shut Off will be assessed.

The service fee for the Shut Off Notice is owed as of 10:00 a.m. the day of the scheduled utility service shut off, regardless of whether the service has been shut off.

The termination of service for any cause shall not release the customer from the obligation to pay for services received or amounts specified in the City's service regulations or any written contract with the customer. The City shall not be liable for injury, loss or damage resulting from disconnection.

RETURNED ITEMS

There will be a returned item fee for all returned payments, including checks, ACH payments, and online payments returned to the City for any reason. The account will then be delinquent, and a delinquency fee will be added. The customer will be notified by mail of receipt of a returned item, at which time the customer must make arrangements with the City Clerk-Treasurer to pay the amount of the returned item plus the service fee in cash, cashier/bank check or pay online. Failure to make satisfactory arrangements for payment of the returned item will result in service interruption.

The City shall require cash, cashier/bank check or online payment of utility or other billings after receipt by the City of two returned items in any 12-month period.

APPEALS OF HIGH USAGE WATER BILLS DUE TO LEAKS (CMC 13.01.300)

When abnormally high usage is determined by the City Water Department to be due to a leak, a significantly high billing may be appealed to the City Clerk-Treasurer provided the leak was not caused by the intentional act of the utility customer or his agents or employees.

Significantly high means the water portion of the utility billing is over \$100 more than the ordinary billing for that month according to the billing history for the account. The Clerk-Treasurer or designee may agree to limit the affected billing to not more than the historical billing for the month in question plus ten percent of the total actual metered water billing amount. Such appeals may only be made for the first month's billing that is significantly high as a result of the leak.

If billing relief is granted, the customer shall be responsible for documentation to the city, in the form of a receipt or City inspection, that the leak has been repaired within 30 days of the first significantly high billing resulting from the leak. Failure to repair the leak and provide the required documentation within 30 days will result in the entire bill, plus all applicable penalties, becoming due and payable to the City.

DEFERRED PAYMENT PROGRAM

A customer who is unable to pay the full amount of his or her bill due to financial difficulties shall have the right to request payment deferment for a specified amount of time.

The customer shall complete a "Deferred Payment Application" form. Deferred payments may be requested only once in a 3-month period. Deferred payments must be approved by the Clerk-

Treasurer. Permission to defer payment must be received from the property owner before a deferred payment agreement will be entered into by the City.

The Clerk-Treasurer shall make every effort to arrange a reasonable and feasible payment program for a customer with financial difficulties making it impossible to pay the full amount of the bill.

CHANGE OF OCCUPANCY

When a change of occupancy or of legal responsibility takes place on any premises being served by the City, notice of such change shall be given at the City Hall within a reasonable time prior to such change. The outgoing customer may be held responsible for all service supplied until such notice has been received by the City.

SERVICE CHARGES (CMC 13.01.070 C)

New Account Service Charge: An account service charge will be assessed when processing each service application for each new account.

After Hours Connection/Callout Charge

Water/wastewater department hours are 6:30 a.m. to 3:00 p.m. There will be an additional charge for connection of service or other overtime calls that require water/wastewater personnel attention after 2:30 p.m.

TRANSFER OF PREVIOUSLY UNPAID ACCOUNTS

The City may transfer to an existing or new service account any unpaid charges for service previously furnished to the same customer at any location in the City's service area. The City may permit arrangements for payment of such transferred balance under the guidelines and procedures of the Section entitled "Deferred Payment Program". The City may apply any payment received from the customer toward the customer's transferred balance.

RATE DISCOUNT FOR LOW-INCOME SENIORS AND DISABLED (CMC 13.20)

A rate discount is available to qualifying low-income seniors 65 years and older and low income disabled authorized in State of Washington RCW 74.38.070. The rate discount will not exceed the amount of the monthly bill and will be applied to one account only. To qualify for the discount applicants must provide satisfactory proof of each of the following in the applicant's respective category:

Low Income Seniors

1. Age 65 or older
2. Total household income of less than 40% of the state median income for the size of the family. RCW 74.38.020 (6)
3. Ownership and/or occupancy of property being served utilities within the City's service area.
4. Utility service must be contracted by the person qualifying for the discount.

Low Income Disabled

1. Physical disability prior to application as defined in State of Washington R.C.W. 46.19.010 (1) (a) through (f) qualifying for special parking privileges or a blind person as defined in R.C.W. 74.18.020(4)

2. Household income less than 40% of the state median income for the size of the family. RCW 74.38.020 (6)
3. Ownership and/or occupancy of property being served utilities within the City's service area.
4. Utility service must be contracted by the disabled person qualifying for the discount.

MANUFACTURED HOME PARKS

Pursuant to Washington State Law and the City of Cashmere Comprehensive Land Use Plan, manufactured homes shall be designated as single-family dwellings. Each manufactured home shall be charged the single-family rate for water and wastewater.

Vacant Spaces

Credit shall be given for vacant spaces upon presentation of the required documentation. Charges will be prorated per half month. If a space becomes vacant on or before the 15th of the month, half the normal wastewater rate will be charged for that space; if the space becomes vacant after the 15th of the month no credit will be given for that month. There will be no reduction in rate if a home is removed and replaced in the same month. Rate reductions shall begin the month the space becomes vacant or upon notification, whichever is later. An account service charge shall be paid each time a change is requested.

A penalty of double the wastewater bill for that space times the number of months not billed shall be charged when a home is replaced, and the City is not notified within ten working days.

Required Documentation

1. Rate Reduction
 - Proof of vacant space in the form of a photograph or other acceptable evidence of vacancy, and
 - Affidavit signed by the park owner
2. Replacement of home
 - Notification within 10 working days of re-occupation
 - Copy of building permit or other City-approved verification of date of placement

MISCELLANEOUS BILLS

When there is a need to send a miscellaneous bill for items such as hydrant or standpipe water, etc. payments are due and payable on the last working day of the month in which the statement is issued. Bills not paid by 5:00 p.m. on the date due are subject to a late payment penalty.

SEMI-ANNUAL BRUSH PICKUP

The City schedules a brush pickup in April and November. Notification of pickup dates will be printed in the message area of the utility bill. A minimum charge will be assessed on each household using this service. An additional fee will be charged for anyone requesting brush pickup after the required signup deadline, usually the Friday before removal begins.

Brush and trimmings are to be piled next to the street during the scheduled week. No rocks, dirt, bricks, concrete, lumber, plastic or any material other than brush, tree trimmings, leaves or

grass may be placed in the brush pile for pickup. Materials other than brush will not be removed to avoid contamination of materials and damage to machinery.

SPECIAL BRUSH PICKUP

Special brush pickup is available to City residents for an additional fee. A minimum charge plus a special pickup fee is assessed for use of this service.

DEVELOPMENT FEE POLICIES

General Information on Fees

- A. Payment of the base fee for development applications is required at the time of application submission. Payment of base fees for annexations, vacations, and other related activities, which do not require submittal of permit applications, are due prior to commencement of any staff work on the activity. Typically, this would be following submission of an initial letter of interest and/or petition. Payment of all fees will be required regardless of approval/non-approval of the activity.
 - i. Hourly fees are in addition to the underlying permit/action fees.
 - ii. Hourly fees are billed on a monthly basis.
 - iii. Any billing more than 30 days overdue shall result in progress on the application ceasing and/or withholding of final approval/permit issuance.
- B. The City may contract work to consulting agencies and firms at its discretion for any type of permit activity.
 - i. The applicant shall be responsible for all consultant costs, and any related staff time, according to the Rates and Fees resolution, as amended.
- C. Applications that require both City and County approval are still subject to the City's fees.
- D. All project types may not be listed in the Rate Schedule. If they are not, fees will be applied as determined by the City.
- E. The direct cost of the Hearing Examiner's work on a case shall be paid by the applicant. This shall be in addition to any other fees.

Hearing Examiner and related legal, specialized study and staff services (for proceedings and appeals not covered in the City of Cashmere *Rates and Fees* resolution, as amended): The appellant, applicant, and/or involved party shall reimburse the City for all costs billed to the City by the Hearing Examiner, staff time, consultant time and if utilized, for City legal counsel and/or specialized study services reasonably required by the appeal.

BUILDING PERMIT POLICIES

APPLICATION REQUIREMENTS

Building permit applications shall be submitted at City Hall.

The information required for a building permit application includes the following:

- ❖ Two sets of structural plans no larger than 11" x 17"

- ❖ Site plan showing dimensions of property, placement of all buildings on the property, and relationship of buildings to property lines
- ❖ Dimensions of all buildings including new construction
- ❖ Contractor's name, mailing address, phone number & Washington State Contractor's license number
- ❖ Assessor's parcel number
- ❖ Legal description
- ❖ Lending institution or bonding firm name, address and phone number (RCW 19.27.095)

Building permits are required for -

1. Any new construction, remodeling or addition that modifies the roof or foundation structure or a bearing wall of the building. This does not include interior improvements which do not affect the structural integrity of the building such as new flooring, wall coverings, etc.
2. Fences - A permit is issued to ensure the builder is aware of zoning requirements.
3. Sprinkler systems - A permit is issued to ensure that the installer places a backflow prevention device between the City water system and the private residence.
4. Wood stoves - A permit is issued for new installations or an inspection of any previous installation.
5. Swimming pools, both in-ground and above ground.
6. Decks over 30" above ground level or roofed decks.
7. Retaining walls over 4' tall as measured from the bottom of the footing to the top of the wall.
8. Installation of propane tanks
9. Installation of gas appliances/fireplace logs
10. Installation/decommissioning of underground storage tanks.

Demolition of buildings – Cost of permit calculated by square footage of building, according to the Rates and Fees resolution, as amended.