

BINGEN MUNICIPAL CODE

ARTICLE I. WATER

Chapter 13.04

WATER SERVICE

Sections:

- 13.04.010 Water department established
- 13.04.020 Administration-enforcement
- 13.04.030 Revenue disposition
- 13.04.040 Water source pollution prohibited.
- 13.04.050 Unauthorized interference prohibited.
- 13.04.070 Water service connection charges.
- 13.04.080 Service connection charges-alternate procedure.
- 13.04.090 Service connection charges-revenue disposition.
- 13.04.104 Excess water use charge.
- 13.04.120 Service classifications and charges designated.
- 13.04.125 Penalties for violations.
- 13.04.127 Savings clause.

13.04.010 Water Department Established.

There is established a municipal department of the city, to be designated as the water department, having jurisdiction of the municipal water system. (Ord. 21 §1, 1953).

13.04.020 Administration-Enforcement.

The general management and control of the water department shall be vested in the water committee, consisting of three members of the council, appointed by the mayor. The mayor, with the approval of the council, who shall, under the direction of the water committee, have charge of the operation of the water system and whose duty it shall be to see that all the provisions and regulations of this chapter are complied with. The mayor may appoint the water superintendent and such other person or persons as he may deem proper, special policemen who shall, after taking the oath of office, have all the power of constable with jurisdiction over the entire system of the city, including the sources of water supply. (Ord. 21 §2, 1953).

13.04.030 Revenue disposition.

All water rent, fines and penalties for violation of this chapter and other charges, and monies accruing from the water plant shall be placed in a separate fund to be known as the “water fund,” and shall be distributed by the order of the council, upon warrant drawn on said fund. (Ord. 21 §3, 1953).

13.04.040 Water source pollution prohibited.

It is unlawful for any person, association or corporation to construct, maintain, keep or suffer to be constructed, maintained or kept within one hundred feet of springs, wells or other sourced of supply, so long as the same is operated to furnish water for public consumption, any potential source of contamination, such as cesspools, sewer lines (except those sewer lines constructed or approved by agencies with jurisdiction), privies, septic tanks, drain fields, manure piles, garbage of any kind or description, barns, chicken houses, rabbit hutches, pigpens or other enclosures or structures for the keeping or maintenance of fowls or animals, or storage of liquid or dry chemicals, herbicides or insecticides to cause pollution of the water source; and it is unlawful for any person to throw, cast or deposit or otherwise place any rubbish, garbage, refuse or foreign substance, herbicide, pesticide, or other dry or liquid chemicals of any kind into or within one hundred feet of any water source, spring, well or reservoir of the city which shall tend to pollute the water source. (Ord. 341 (part), 1984: Ord. 21 §4, 1953).

13.04.050 Unauthorized interference prohibited.

It is unlawful for anyone other than the water superintendent, or some person acting under his direction or on the order of the water committee, to in any manner interfere with the pumping plant or water system of the city, or to tap any of the pipes or mains of such plant, or to mains of the city. (Ord. 21 §5, 1953).

13.04.070 Water service connection charges.

The basic charge for hooking up to the city’s water system and for installation of water meters shall be as follows:

<u>Meter Size</u>	Meter Equivalent <u>Size</u>	<u>Cost</u>
¾ “	1	\$ 750.00
1”	2.5	1,875.00
1.5”	4	3,000.00
2”	5.5	4,125.00
3”	8	6,000.00
4”	25	18,750.00
6”	50	37,500.00
8”	80	60,000.00

Meter installation charges apply to the property owners, individual applicants as well as executor contract purchasers. The city council may review these rates on an individual basis as applicable to an individual basis as applicable to an individual basis as applicable to an individual project, and in the event the council determines for reasons including but not limited to fire flow requirements or irrigation requirements, may, by resolution, modify these requirements. (Ord. 435 §3, 1996: Ord. 430 §4, 1995).

13.04.080 Service connection charges-Alternate procedure.

The charges detailed in Section 13.04.090 apply to service connection from existing mains to individual property lines, where a main exists parallel to, and on the same side of the roadway as, the property to be served. Where installation of service connections requires installation of new mains or across-roadway lines, nothing in this chapter shall be construed to prohibit the city from proceeding to assess the cost of such extensions against the property benefited in accordance with the general laws of the state, or where only one lot or parcel shall be benefited, from charging the cost of additional pipe required and the expense of installing such additional pipe directly against the owner of such lot or parcel; and such procedure is established as alternate to the imposition of the schedule of flat fees listed in Section 13.04.090. (Ord. 89 §2, 1948).

13.04.090 Service connection charges-Revenue disposition.

All monies collected under the provisions of this section and Sections 13.04.070 and 13.04.080 shall be paid into the city treasury to the credit of a special fund to be known as the “Special Water System Extension Fund.” Disbursements from this fund shall be limited to the purpose of connecting new users to the water system of the city, upon claims audited and ordered paid by the city council, and warrants drawn by the mayor and attested by the city clerk. (Ord. 89 §3, 1948).

13.04.104 Excess water use charge.

Any water customer using one hundred thousand or more gallons of water per month shall pay, in addition to the amount set forth in this chapter, an additional fifteen cents for each one thousand gallons used over one hundred thousand gallons. (Ord. 384 §1, 1988).

13.04.120 Rates and charges for water.

All customers served by the city of Bingen water system shall be charged at the rates listed in BMC 13.04.120. Minimum monthly charges shall begin to accrue at time of initial hookup and shall be charged commencing the month following the date of the initial hookup.

On January 1st of each year beginning in 2021, the rates and charges shall be increased by 5%.

A. Minimum monthly charges.

Effective January 1, 2020, and thereafter, until adjusted herein, or as established by the city council:

1. The minimum monthly charge for single-family residential customers per meter is \$43.66. For service less than thirty days, a minimum of one month shall be charged.

2. The minimum monthly charge for all other customers per meter per month is as follows. For service less than thirty days, a minimum of one month shall be charged:

Meter Size	Inside City Limits	Outside City Limits
5/8-inch or 3/4-inch	\$66.70	\$83.38
1-inch	\$105.97	\$132.47
1-1/2 inch	\$211.88	\$264.85
2-inch	\$317.86	\$397.32
3-inch	\$567.28	\$821.60
4-inch	\$920.19	\$1,150.24
6-inch	\$1,381.28	\$1,726.60

B. Charge for use of water.

1. Single-Family Residential. Water used in increments of one thousand gallons or portions thereof shall be charged in addition to the minimum monthly service charge and will be charged as follows:

Inside City Limits	Inside City Limits	Inside City Limits
0-10,000 gallons	10,001-20,000 gallons	>20,000 gallons
\$2.46 per 1,000 gallons or portion thereof	\$4.13 per 1,000 gallons or portion thereof	\$6.17 per 1,000 gallons or portion thereof
Outside City Limits	Outside City Limits	Outside City Limits
0-10,000 gallons	10,001-20,000 gallons	>20,000 gallons
\$3.08 per 1,000 gallons or portion thereof	\$5.16 per 1,000 gallons or portion thereof	\$7.71 per 1,000 gallons or portion thereof

2. All Other Customers – Inside city limits. Water used in increments of one thousand gallons or portions thereof shall be charged in addition to the minimum monthly service charge and will be charged \$3.75 per 1,000 gallons.
3. All Other Customers – Outside city limits. Water used in increments of one thousand gallons or portions thereof shall be charged in addition to the minimum monthly service charge and will be charged \$4.69 per 1,000 gallons.

C. Minimum monthly charges – Multiple dwellings.

Where water from one meter serves more than one building housing separate residences, housekeeping rooms, apartments, condominiums, or multiplex structures, the minimum monthly billing shall be based on the meter size and the charge for use of water shall be per BMC 13.04.120B.2.

D. Fire hydrants – Charges for service – Water use.

1. Use of city water through fire hydrants for all public and private agencies, excepting fire departments and districts, shall be metered by an approved fire hydrant meter and billed as follows:
 - a. Based on minimum monthly charges as outlined in BMC 13.04.120A and
 - b. Hydrant meter rental at ten dollars (\$10.00) per day.
 - c. Lost or damaged meters shall be billed at the current cost of replacement or repair.
2. Request for water through fire hydrants must be approved by the water department prior to use of the hydrant. An approved backflow assembly may be required.
3. The Bingen Fire Department shall be charged, per hydrant per year, the minimum monthly charge for a $\frac{3}{4}$ inch meter.

E. Users Outside City Limits.

Users outside city limits shall be charged twenty five percent more for all water service rates and charges than users inside city limits.

F. City Purchase of Water.

All water service to users, residential or otherwise, situated in unincorporated areas shall be charged at the rate of one hundred twenty-five percent of the minimum monthly rates as set forth in this section, and that charges for gallons used above the minimum shall be calculated at one hundred twenty-five percent of the city rates otherwise established in this chapter.

G. Imposition of Charges, Enforcement of Charges and Billing Procedure.

1. Imposition of Charges.

Minimum monthly water charges shall begin to accrue at time of initial hookup and shall be imposed commencing the month after the date of initial hookup.

2. Billing Cycle, Account Setup Fees, Late Charge.

The city clerk is authorized and directed to bill water charges on a monthly basis. Billing for water charges shall be the responsibility of the owner of the property served. The billing shall be mailed to the owner's address, as used by the treasurer's office of Klickitat County for the mailing of real property tax notices. Duplicate billing shall be mailed to a tenant upon the property owner's request; however billing shall continue to be the responsibility of the owner of the property served. A nominal fee of \$1.00 to cover printing and mailing of the duplicate bill shall be charged to the account each month. Payment of charges shall be due the twentieth (20th) of each month. The city clerk shall charge twenty-five dollars to set-up a new account or to change the payer on an account due to the administrative costs of doing the same. A delinquent fee of ten dollars shall be charged whenever an account has a past due balance of more than fifteen dollars (\$15.00) which fee reflects the costs of rebilling and other administrative costs of managing delinquent accounts.

3. Charges are Responsibility of Property Owner—Lien on Premises—Service Cutoff.

Payment of charges for services provided for in this section are the responsibility of the owner of record of the property served. All charges for service provided for in this section shall be a lien on the real property served and such lien shall have the highest priority allowed by law and may be enforced in any lawful manner. As an additional and concurrent method of enforcing this section, the public works director is authorized to cut off water services to any property served for which property charges are delinquent more than thirty days; services shall be reconnected only after payment in full of charges owed at time of reconnect, which charge shall include a reinstatement fee pursuant to BMC Section 13.40.280. (Ord. 442 §2, 1998; Ord. 458 §2, 1999; Ord. 470 §2, 2000; Ord. 476 §2, 2001; Ord. 485 §2, 2002; Ord. 490 §2-3, 2003; Ord. 503 §2, 2004; Ord. 517 §2, 2005; Ord. 528 §2, 2006; Ord. 550 §2, 2008; Ord. 568 §2, 2009; Ord. 577 §2, 2010; Ord. 668 §2, 2016; Ord. 682 §2, 2017; Ord. 687 §2, 2018; ; Ord. 701 §2, 2019).

13.04.125 Penalties for violations.

Violations of any provision or subsection of Sections 13.04.010 through 13.04.120 shall be punishable as follows:

- A. Immediate termination of water/sewer services;
- B. If the customer/consumer is a business, revocation of business license;
- C. By fine and/or imprisonment not greater than maximum penalty set forth in Sections 1.16.010 and 1.16.020 of this code;

- D. Each day's violation of this chapter shall constitute a separate offense;
- E. The city's election of one of the above remedies shall not preclude the imposition of other remedy or penalty. (Ord. 397 §B (11), 1989).

13.04.127 Savings Clause.

If any provision of Chapter 13.04 or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. (Ord. 341 (part), 1984).