

Ordinance No. 00411

[City Council meeting minutes of Feb 21 2006](#)

ORDINANCE NO. 411

AN ORDINANCE of the City Council of the City of Lakewood, Washington, amending Lakewood Municipal Code Chapter 3.38, specifically section 3.38.040, exempting certain parcels of property from payment of storm water utility service charges

WHEREAS, in 1996 the City of Lakewood created a Storm Drainage and Surface Water Management program, which program became a public utility on January 1, 2002; and,

WHEREAS, this program, and subsequent utility, provided for service fees to fund the operation, maintenance, management, construction, regulation and control of storm drainage and surface water runoff systems within the City; and,

WHEREAS, it is within the authority and discretion of the City Council to exempt certain public benefit not for profit and public benefit nonprofit corporations from the payment of utility service charges; and,

WHEREAS, the City Council does recognize the important public benefits that community-oriented and social service-oriented organizations provide and thereby does choose to exempt such organizations from the payment of surface water management utility service charges; and,

WHEREAS, it is the intent of the City Council to commence the exemption of such organizations from the payment of said charges effective January 1, 2006.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as follows:

(Language to be added is underlined).

Section 1. That section 3.38.040 of the Lakewood Municipal Code be, and the same is hereby amended to read as follows:

03.38.040 - Policy for Service Charges

The City shall apply a rate structure as a utility service charge to all parcels within the City and those incorporated areas defined by an interlocal drainage agreement as authorized by Section 3.38.050 of this Chapter.

A. All parcels are subject to a service charge except the following exempt parcels:

1. All parcels consisting of mineral rights only.

2. All parcels consisting entirely of tidelands, rivers, lakes, creeks and/or streams.

3. All vacant/undeveloped parcels less than two-tenths (2/10ths) of an acre (8,712 square feet) in total area.

4. All parcels within national parks due to the minuscule amount of impervious area compared to the pristine nature of total acreage protected for future generations.

5. All parcels that are (1) used for church, community center, community hall, grange or community service-oriented purposes, and (2) owned by an organization with nonprofit public benefit status as defined by RCW 24.03.490.

B. Low income senior citizens and disabled persons receiving relief under Section 84.36.381 RCW shall receive the following partial exemption from surface water service charges and surcharge, as applicable:

1. All parcels for which a person qualifies for an exemption under subsection 84.36.381(5) (a) shall be exempt from 40 percent of surface water utility fees and surcharge, as applicable, less an additional \$2.00.

2. All parcels for which a person qualifies for an exemption under subsection 84.36.381(5) (b) (i) RCW shall be exempt from 60 percent of surface water utility fees and surcharge, as applicable, less an additional \$3.00.

3. All parcels for which a person qualifies for an exemption under subsection 84.36.381(5) (b) (ii) RCW shall be exempt from 80 percent of surface water utility fees and surcharge, as applicable, less an additional \$4.00.

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 21st day of February, 2006.

CITY OF LAKEWOOD

Claudia B. Thomas, Mayor

Attest:

Alice Bush, MMC, City Clerk

Approved as to form:

Heidi Ann Wachter, City Attorney