



# MONROE CITY COUNCIL

## Agenda Bill No. 20-140

<b>SUBJECT:</b>	<b>Ordinance No.012/2020, An Ordinance of the City of Monroe adopting a Utility Service Suspension – Extended Vacancies policy; First Reading</b>
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<b>DATE:</b>	<b>DEPT:</b>	<b>CONTACT:</b>	<b>PRESENTER:</b>	<b>ITEM:</b>
09/08/2020	Finance	Becky Hasart	Becky Hasart	New Business #1

**Discussion:** 09/08/2020  
**First Reading:** 09/08/2020  
**Attachments:** 1. Ordinance No 012/2020

**REQUESTED ACTION:** Move to accept as first reading Ordinance No 012/2020, an Ordinance providing vacancy credit for long-term military deployment – providing for severability, and establishing an effective date.

### POLICY CONSIDERATIONS

*Any City that has an established utility must set an appropriate rate to recover costs (RCW 35.92 and 35A.80). The City operates three utilities: water, sewer, and stormwater. Part of rate setting is development of policy for when rates may be suspended.*

### DESCRIPTION/BACKGROUND

The City has recently received a request from a property owner who is currently deployed overseas for military reserve duty. His deployment will be for over one year. While he is deployed, his property will remain vacant until his return. The property owner has requested a utility services suspension during the course of his absence.

Currently, the Monroe Municipal Code only provides vacation/vacancy credit for no more than 90 days.

Attached is a proposed ordinance that would amend the Monroe Municipal Code to allow for up to one year of vacancy credit for water and sewer accounts. The vacancy would have to be related to military duty.

This is similar to the already provided for vacation/vacancy credit but allows for a longer time period.

Any consumption on the account during monthly meter readings will immediately reinstate the account and prior vacancy suspensions would be back billed.

The only substantive changes to the Monroe Municipal proposed are the addition of the vacancy credit for military duty. Other text in **bold underline** is due to formatting changes rather than content.

### FISCAL IMPACTS

A minimum monthly water bill in 2020 is \$24.95. Sewer is \$92.15. For a one year period, the suspended utility bill would total \$1,405.20.

The monthly stormwater bill for 2020 is \$13.81 and would still need to be paid.

**TIME CONSTRAINTS**

None. However, if adopted, we can offer a longer than 90 days to the current service member that made this request.

**ALTERNATIVES**

1. Accept for first reading Ordinance No 012/2020, as presented; direct staff to bring back for final reading on September 22, 2020.
2. Do not accept for first reading; direct staff to areas of concern for future consideration.
3. Do not accept for first reading and continue business as is.

**CITY OF MONROE  
ORDINANCE NO. 012/2020**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING CHAPTER 13.04 WATER REGULATIONS, RATES AND CHARGES AND CHAPTER 13.08 MMC SEWER SYSTEM REGULATIONS; PROVIDING FOR VACANCY CREDITS FOR UTILITY CUSTOMERS ON MILITARY DEPLOYMENT; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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WHEREAS, the City of Monroe owns and operates a water utility and a sanitary sewer utility, and has adopted and codified regulations governing said utilities at Chapter 13.04 MMC and 13.08 MMC, respectively; and

WHEREAS, the City Council desires to amend said regulations by providing vacancy credits for utility customers who are on long-term military deployments;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment to MMC 13.04.155. Section 13.04.155 of the Monroe Municipal Code is hereby amended as follows:

**13.04.155 Vacation/vacancy credit.**

**A. Water utility accounts may be eligible for one of the following vacation/vacancy credits:**

- 1. Single-family dwelling accounts shall be eligible for vacation/vacancy credits for any absence of thirty days or more with a maximum of ninety days in any concurrent twelve-month period.**
- 2. Low-income senior citizen accounts satisfying the criteria set forth in MMC 13.04.322(~~(, and city of Monroe irrigation accounts,)~~) shall be eligible for vacancy credits for any absence or nonuse of thirty days or more with a maximum of one hundred eighty days in any concurrent twelve-month period.**
- 3. City of Monroe irrigation accounts shall be eligible for vacancy credits for any absence or nonuse of thirty days or more with a maximum of one hundred eighty days in any concurrent twelve-month period.**
- 4. Single-family dwelling accounts shall be eligible for vacancy credits for any absence of thirty days or more, up to a maximum of 365 days, when such absence is due to the customer's deployment for active military duty, military reserve duty, and/or National Guard duty. A copy of the relevant deployment order must be provided to the finance director.**

**B.** Utility accounts must be current, no vacancy credits shall be granted for an account that is delinquent. Credits shall be computed on a percentage of days used. The city will provide a vacancy credit application in the event the city operates the utility and the contractor will provide a vacancy credit application in the event a contractor operates the utility. Vacancy credit applications must be filed forty-eight hours in advance. Persons filing vacancy credit applications found to be false shall, in addition to any other penalties, be ineligible to receive future vacancy credits. Failure to apply for continuation of services within seven days of the renewed occupancy of the premises shall result in charges being imposed for water services without regard for any period of vacancy.

Section 2. Amendment to MMC 13.08.475. Section 13.08.475 of the Monroe Municipal Code is hereby amended as follows:

**13.08.475 Vacation/vacancy credit.**

**A. Sewer utility accounts may be eligible for one of the following vacation/vacancy credits:**

- 1.** Single-family dwelling accounts shall be eligible for vacation/vacancy credits for any absence of thirty days or more with a maximum of ninety days in any concurrent twelve-month period.
- 2.** Low-income senior citizen accounts satisfying the criteria set forth in MMC 13.08.430(~~(, and city of Monroe irrigation accounts,))~~) shall be eligible for vacancy credits for any absence or nonuse of thirty days or more with a maximum of one hundred eighty days in any concurrent twelve-month period.
- 3. City of Monroe irrigation accounts shall be eligible for vacancy credits for any absence or nonuse of thirty days or more with a maximum of one hundred eighty days in any concurrent twelve-month period.**
- 4. Single-family dwelling accounts shall be eligible for vacancy credits for any absence of thirty days or more, up to a maximum of 365 days when such absence is due to the customer's deployment for active military duty, military reserve duty, and/or National Guard duty. A copy of the relevant deployment order must be provided to the finance director.**

**B.** Utility accounts must be current, no vacancy credits shall be granted for an account that is delinquent. Credits shall be computed on a percentage of days used. The city will provide a vacancy credit application in the event the city operates the utility and the contractor will provide a vacancy credit application in the event a contractor operates the utility. Vacancy credit applications must be filed forty-eight hours in advance. Persons filing vacancy credit applications found to be false shall, in addition to any other penalties, be ineligible to receive future vacancy credits. Failure to apply for continuation of services within seven days of the renewed occupancy of the premises shall result in charges being imposed for sanitary sewer services without regard for any period of vacancy.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall be in full force and effect five (5) days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

First Reading: September 8, 2020  
Adoption:  
Published:  
Effective:

CITY OF MONROE, WASHINGTON:

(SEAL)

\_\_\_\_\_  
Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:

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Rabecca R. Hasart, Interim City Clerk

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J. Zachary Lell, City Attorney