

**CITY OF MONROE
ORDINANCE NO. 017/2013**

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, AMENDING CHAPTER 13.04 MMC WATER REGULATIONS, RATES AND CHARGES, AND CHAPTER 13.08 SEWER SYSTEM REGULATIONS; ESTABLISHING NEW UTILITY RATE CLASSIFICATIONS FOR MULTI-FAMILY RESIDENCES OCCUPIED BY LOW-INCOME SENIOR CITIZENS AND OWNED OR OPERATED BY NONPROFIT ENTITIES; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE

WHEREAS, the City of Monroe has established a combined water-sewer utility pursuant to Ordinance No. 1003, and has codified provisions governing the City's utility rates, charges and regulations at Title 13 MMC; and

WHEREAS, an increasing number of Monroe residents are vulnerable, low-income senior citizens; and

WHEREAS, the City Council desires to establish a discounted utility rate classification for multi-family residences that are occupied by low-income senior citizens and owned or operated by nonprofit entities; and

WHEREAS, the City Council further desires to establish an interim rate for such customers that will apply until such time as permanent rates for the afore-referenced classifications are formally adopted by resolution.

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

Section 1. Amendment of Chapter 13.04 MMC. Chapter 13.04 of the Monroe Municipal Code is hereby amended by the addition of a new Section 13.04.323 to provide in its entirety as follows:

**13.04.323 Low-income senior citizen discount—
nonprofit multi-family.**

For low-income senior citizens as hereinafter defined, the nonprofit multi-family residential utility rate shall be as established by periodic resolution of the city council. The rate established under this section is restricted to multi-family residences that are: (i) exclusively occupied by low-income senior citizens, and (ii) owned or operated by entities with nonprofit public benefit status as defined by RCW 24.03.490. For purposes of this section, low-income senior

citizens are defined as persons being fifty-five years of age or older and having an annual household income of fifty percent or less of the area median income for Snohomish County, as published by the Washington State Office of Financial Management. In the event that such income determination is no longer published, the city may use such other reasonable methods of determining average median income as it may choose.

The discount rates provided for herein are available only upon application, which is required to be updated annually by the customer. Such annual update shall provide current documentation of the customer's nonprofit public benefit status and certify that all residents of the multi-family facility are low-income senior citizens as defined herein.

Section 2. Amendment of Chapter 13.08 MMC. Chapter 13.08 of the Monroe Municipal Code is hereby amended by the addition of a new Section 13.08.432 to provide in its entirety as follows:

13.08.432 Low-income senior citizen discount—nonprofit multi-family.

For low-income senior citizens as hereinafter defined, the nonprofit multi-family residential utility rate shall be as established by periodic resolution of the city council. The rate established under this section is restricted to multi-family residences that are: (i) exclusively occupied by low-income senior citizens, and (ii) owned or operated by entities with nonprofit public benefit status as defined by RCW 24.03.490. For purposes of this section, low-income senior citizens are defined as persons being fifty-five years of age or older and having an annual household income of fifty percent or less of the area median income for Snohomish County, as published by the Washington State Office of Financial Management. In the event that such income determination is no longer published, the city may use such other reasonable methods of determining average median income as it may choose.

The discount rates provided for herein are available only upon application, which is required to be updated annually by the customer. Such annual update shall provide current documentation of the customer's nonprofit public benefit status and certify that all residents of the multi-family facility are low-income senior citizens as defined herein.

Section 3. Interim Rates Established. Until the City Council passes a resolution formally establishing utility rates for the customer classifications adopted under Sections 1 and 2 of this ordinance, such customers shall be billed at the rates for commercial customers as set forth in the City's current fee resolution.

Section 4. 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 5. 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 22nd day of October, 2013.

1st and Final Reading: October 22, 2013
2nd Reading: Waived
Published: October 29, 2013
Effective: November 3, 2013

(SEAL)

CITY OF MONROE, WASHINGTON:



Robert G. Zimmerman, Mayor

ATTEST:



Elizabeth M. Smoot, CMC, City Clerk

APPROVED AS TO FORM:



J. Zachary Lell, City Attorney