

ORDINANCE #406

AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON, RE-ADOPTING ORDINANCE #388 ESTABLISHING AND ADOPTING STORMWATER SERVICE FEES.

WHEREAS: The Town Council of the Town of Yacolt is in regular session this 4<sup>th</sup> day of December 2000.

WHEREAS: All members of the Town Council have had notice of the time, place, and purpose of said meeting; and

WHEREAS: On December 6, 1999, the Town Council approved and enacted Ordinance #388 establishing and adopting stormwater service fees to provide funds for managing and maintaining the stormwater facilities in the Town of Yacolt.

WHEREAS: Although Ordinance #388 was adopted specifically in accordance with the provisions of State Statute, and such rates have been charged to and paid by the customers of the Town water system. Initiative Measure 722 provides that any tax or rate increase adopted between July 2, 1999 and December 31, 1999 is null and void and of no effect, and therefore, if such provision is upheld, it is necessary to re-adopt the rate increase for the 2000 calendar year.

WHEREAS: The public good of the Town of Yacolt requires the imposition of storm-water fees to fund storm-water facilities. The Town Council is of the opinion that it would be in the best interest for the Town to adopt this ordinance.

NOW THEREFORE,

BE IT ORDAINED BY THE TOWN COUNCIL OF YACOLT, WASHINGTON, AS FOLLOWS:

**SECTION 1: RE-ENACTMENT OF ORDINANCE #388**

The fees contained in Ordinance #388, adopted on December 6, 1999, a copy of which is attached hereto, are hereby re-enacted, confirmed, and ratified effective January 1, 2000.

**SECTION 2: STORM-WATER SERVICE FEES**

**Storm-water Service Fees.** The Town shall impose a stormwater service fee of \$2.75 per meter within the Town limits of the Town of Yacolt. The stormwater service fees will be included as a separate charge on the monthly bill for water consumption.

**Due date.** Charges for stormwater service fees shall be paid with the water bill on the date due provided in Ordinance #372 as currently enacted or hereafter amended.

**Late payment fees.** If payment is not made by the due date, the Town will assess a late fee of ten percent (10%) of the amount outstanding. Such late fee shall be in addition to all other remedies available to the Town under Washington law.

**Payment application.** Any payment received, which is less than the full amount billed, shall be first applied to stormwater service fees, including any in arrears; the remaining shall be applied to water consumption charges.

### SECTION 3: SEVERABILITY

The provisions of this Ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this chapter or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of its application to other persons or circumstances.

This Ordinance shall take effect immediately upon adoption and publication according to law.


Passed by the Town Council of the Town of Yacolt, Washington on this 4<sup>th</sup> day of December 2000.

Ayes: Roberts, Case, Smith, Mason

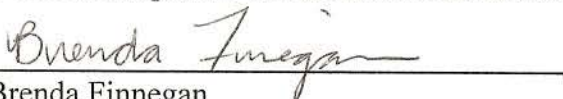
Nays: None

Absent: Messer

Mayor 

Attest 

I hereby certify that this is a true and correct copy of the Ordinance #406 as read before the Council and passed on the date herein mentioned and passed according to law.

  
Brenda Finnegan  
Clerk/Treasurer