

ORDINANCE NO. 2023-28

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING CHAPTERS 5.50, 13.06, 14.24, 15.03, 16.08, 17.56, 18.24,
AND 18.37 OF THE RICHLAND MUNICIPAL CODE TO
ESTABLISH DAILY UTILITY RATES.**

WHEREAS, the City has need, from time to time, to update the Richland Municipal Code to increase accuracy and efficiency; and

WHEREAS, in late 2015, through Ordinance No. 39-15, the City’s electric utility moved from a monthly rate to a daily rate for billing purposes; and

WHEREAS, daily rate billing eliminates the need to prorate monthly bills when customers move in or out of Richland; and

WHEREAS, because one bill is sent for all city utilities, adjusting the remainder of the City’s utilities (water, sewer, stormwater, ambulance, and solid waste) to daily rate billing will ensure consistency and assist in eliminating customer confusion; and

WHEREAS, adjusting the structure of the City’s billing rate for its respective utilities through this Ordinance No. 2023-28 will not increase the rates paid by customers.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Chapter 5.50 of the Richland Municipal Code, entitled Street Utility Charges, as first enacted by Ordinance No. 01-93, and last amended by Ordinance No. 2022-29, is hereby amended as follows:

**CHAPTER 5.50
STREET UTILITY CHARGES**

Sections:

- 5.50.010 Definitions.**
- 5.50.020 Creation of street – Utility – Authority.**
- 5.50.030 Governing body and management of street utility.**
- 5.50.040 Ownership of street facilities.**
- 5.50.050 System of charges.**
- 5.50.060 Credit against utility charges.**
- 5.50.070 Billing and collection.**
- 5.50.080 Use of street utility funds.**
- 5.50.090 Use of other proceeds by street utility.**
- 5.50.100 Violations – Penalties – Lien – Enforcement.**
- 5.50.110 Severability.**
- 5.50.120 Expiration.**

5.50.010 Definitions.

For the purposes of this chapter, the following definitions apply:

“City” shall mean the city of Richland, Washington, a municipal corporation.

“Full-time equivalent” refers to the calculation made to determine the number of employees, both part and full-time, employed by a particular business. The sum of this calculation is stated in a manner that treats part-time employees, in the aggregate, as a whole or a fraction of a full-time employee. Thus, a business which employs one full-time employee and one half-time employee, employs the full-time equivalent of one and one-half employees.

“Permanent employee” refers to a person who is employed full or part-time in a regular, nonseasonal position, for a period of at least six months during a calendar year.

“Qualification as low income senior citizen or low income disabled citizen” refers to person who shows satisfactory proof that he or she:

- A. Is 62 years of age or over; or
- B. Is a citizen qualifying for special parking privileges under RCW 46.16.381(1)(a) through (f) or a blind citizen as defined in RCW 74.18.020(4), or developmentally disabled as defined in RCW 71A.10.020(2) or a mentally ill person as defined in RCW 71.05.020(1); and
- C. Has a maximum annual income of not more than 125 percent of the poverty level established by the federal Office of Management and Budget; and
- D. Is the sole occupant or the head of a household; and
- E. Resides in a dwelling unit served directly by the city’s water utility; and
- F. Is billed in his or her name by the city’s water utility.

All information presented in support of such application shall be verified by the applicant who shall provide such other data as deemed appropriate upon forms and in a manner determined by the finance director or designee.

“Utility” shall mean the city street utility, a utility authorized to own, maintain, operate and preserve all city streets and related facilities.

5.50.020 Creation of street – Utility – Authority.

There is hereby created and established a street utility, a separate enterprise and facility. The utility is authorized to own, construct, maintain, operate and preserve all city streets as now exist and as may be added to in the future by the addition of other existing or construction of new streets. In addition to its authority over streets, the utility is authorized to own, construct, maintain, operate and preserve street lighting, traffic control devices, sidewalks, curbs, gutters, parking facilities and drainage facilities.

5.50.030 Governing body and management of street utility.

The city council shall be the governing body of the street utility. Management of the utility shall be provided by the city manager or his or her designee.

5.50.040 Ownership of street facilities.

Title and all other incidents of ownership of the following assets are hereby vested in the utility: all properties, interest and physical and intangible rights of every nature, owned or held by the city, however acquired, insofar as they relate to:

- A. Streets and alleys;
- B. Street lighting;
- C. Traffic control devices;
- D. Sidewalks;
- E. Curbs;
- F. Gutters;
- G. Parking facilities; and
- H. Drainage facilities.

5.50.050 System of charges.

There is hereby imposed a system of ~~monthly~~ daily charges on businesses located within the boundaries of the city. The charges are necessary to assist in the funding of the construction, maintenance, operation and preservation of facilities under the jurisdiction of the street utility.

A. Businesses. Effective for utility bills generated on or after December 1, 2023, tThere shall be a ~~monthly~~ daily charge of \$~~0.0299~~0.91 per ~~month~~ day imposed on each business, measured according to the number of full-time equivalent permanent employees employed by that business, unless the business is exempt under subsection (B)(3) of this section.

B. Exempt Properties. The owners of the following properties are exempt from the charges imposed by this section:

1. Properties exempt from the property tax under RCW 84.36.010.
2. Properties exempt from the leasehold tax under Chapter 82.29A RCW.
3. Properties used for nonprofit or sectarian purposes, which if the property were owned by such organization would be exempt from the property tax under Chapter 84.36 RCW.

5.50.060 Credit against utility charges.

Any business required to pay a commuter or employer tax for transportation purposes under RCW 81.100.030 or 81.104.150 is granted a credit against the utility charges imposed by this chapter. The credit shall be for the full amount of the tax paid, but in no event for an amount more than the utility charge.

5.50.070 Billing and collection.

Street utility charges, as imposed by RMC 5.50.050, shall be computed on a ~~monthly~~ daily basis. The amount billed shall be included as a separate charge listed on the city utility bill. The city finance director, or his or her designee, is hereby authorized to administer the billing and collection

of street utility fees. In the event a property does not have utility service but is subject to charges imposed by this chapter, a new account shall be established and that property shall be billed separately for the street utility charges. The finance director is directed to compile a list of all businesses, as is necessary for determining utility charge liability under this chapter. The finance director is further directed to develop any rules and regulations which are consistent with this chapter and which are necessary for its proper administration.

5.50.080 Use of street utility funds.

The proceeds from the charges imposed by RMC 5.50.050 shall be used for transportation purposes only including but not limited to: operation and preservation of streets and other transportation improvements; new construction, reconstruction, and expansion of city streets and other transportation improvements; development and implementation of public transportation and high-capacity transit improvements and programs; and planning, design, and acquisition of right-of-way and sites from such purposes. Use of the proceeds from street utility charges shall be consistent with the requirements of RCW 82.80.070.

5.50.090 Use of other proceeds by street utility.

The street utility may finance the construction, operation, maintenance, and preservation of streets and related facilities through local improvement districts and utility local improvement districts, or with the proceeds of general obligation or revenue bonds, or any combination thereof. In addition, the utility, through appropriation by the city council, may use funds from general taxation, money received for the federal, state, or other local governments and other funds made available to it.

5.50.100 Violations – Penalties – Lien – Enforcement.

A. Civil. Any person who has violated any provision of this chapter shall have committed a civil infraction subject to a civil penalty as set forth in RMC 10.02.050(E).

Provided, if the same violator has been found to have committed an infraction violation for the same or similar conduct two separate times, with the violations occurring at the same location and involving the same or similar sections of the Richland Municipal Code or other similar codes, the third or subsequent violation shall constitute a misdemeanor, punishable as provided in RMC 1.30.010 for criminal offenses.

B. Lien. The charges imposed by RMC 5.50.050 are charges against the property and the use thereof. The charges become liens against the property which may be enforced in the same manner as sewerage liens are enforced under Chapter 35.67 RCW.

5.50.110 Severability.

If any portion of this chapter as now or hereafter amended, or its application to any person or circumstances, is held invalid or unconstitutional, such adjudication shall not affect the validity of the chapter as a whole, or any section, provision or part thereof not adjudged to be invalid or unconstitutional and its application to other persons or circumstances shall not be affected.

5.50.120 Expiration.

This chapter shall expire of its own volition upon the retirement of any bonds used to finance the street utility.

Section 2. Chapter 13.06 of the Richland Municipal Code, entitled Medical and Ambulance Service Utility, as first enacted by Ordinance No. 28-06, and last amended by Ordinance No. 2022-29, is hereby amended as follows:

**CHAPTER 13.06
MEDICAL AND AMBULANCE SERVICE UTILITY**

Article I. Regulations Applicable to All Ambulance Service

- 13.06.010 Utility continued.**
- 13.06.020 Definitions.**
- 13.06.030 Purpose.**
- 13.06.040 Utility authorization.**
- 13.06.050 Regulations.**
- 13.06.060 Business license and ambulance service permit – Required.**
- 13.06.070 Term of ambulance service permit.**
- 13.06.080 Annual ambulance permit fee.**
- 13.06.090 Conditions of ambulance service.**
- 13.06.100 License – Exhibition required.**

Article II. Emergency Medical Service (EMS) Program

- 13.06.200 Purpose.**
- 13.06.210 EMS program.**

Article III. Fees

- 13.06.300 Utility rate setting.**
- 13.06.310 Payment.**
- 13.06.320 Medical services fund.**
- 13.06.330 Billing for ambulance transports.**
- 13.06.340 Allocation of direct billing revenue.**
- 13.06.350 General fund contribution.**
- 13.06.360 Review by utility advisory committee.**

Article IV. Charges Established

- 13.06.400 Charges established.**
- 13.06.410 Compliance with Medicare and Medicaid requirements.**

Article I. Regulations Applicable to All Ambulance Service

13.06.010 Utility continued.

Consistent with the authority granted by state law, including RCW 35.21.766 and 35.27.370(15), as now existing or hereafter amended, the medical and ambulance public utility established by the city in 1976 as Chapter 2.60 RMC, subsequently amended to be Chapter 13.04 RMC, and as amended, is hereby reauthorized, ratified and continued as a public utility of the city to be known hereafter as the medical and ambulance service utility. The regulation of emergency medical and ambulance services is established as an exercise of the police power of the city of Richland to

protect and preserve the public health, safety and welfare. The emergency medical services program is accordingly amended, reauthorized, ratified and continued, and for purposes of this chapter, shall be referred to as the “EMS program.”

13.06.020 Definitions.

For purposes of this chapter, the following terms shall have the following meanings:

“Advanced life support” or “ALS” means invasive emergency medical services requiring advanced medical treatment skills as defined in WAC 388-546-0001.

“Ambulance” means a ground vehicle designed and used to transport the ill and injured and to provide personnel, facilities, and equipment to treat patients before and during transportation.

“Ambulance service” or “ambulance operator” means an agency, public or private, that operates one or more ambulances, responding to a 911 or aid call for service within the city, including advanced life support, basic life support and transport services.

“Availability costs” means those costs attributable to the basic infrastructure needed to respond to a single call for service within the utility’s response criteria, including costs for dispatch, labor, training of personnel, equipment, patient care supplies, and maintenance of equipment.

“Basic life support” or “BLS” means noninvasive emergency medical services requiring basic medical treatment skills as defined in WAC 388-546-0001.

“Demand costs” means those costs attributable to the burden placed on the ambulance service by individual calls for ambulance service, including costs related to frequency of calls, distances from hospitals, and other factors identified in a cost-of-service study conducted to assess burdens imposed on the utility.

“Emergency medical care” or “emergency medical service,” collectively “EMS,” means medical treatment and care that may be rendered at the scene of any medical emergency or while transporting any patient in an ambulance to an appropriate medical facility, including ALS and BLS.

“Emergency medical technician” or “EMT” means a person who is authorized by the Secretary of the Department of Health to render emergency medical care pursuant to RCW 18.73.081.

“Emergency prehospital care personnel” means personnel certified to provide emergency medical care under Chapters 18.71 and 18.73 RCW.

“EMS personnel” means any person who is acting on behalf of the Richland fire department and who has been certified as a paramedic or emergency medical technician.

“EMS program” means the provision of emergency medical services by the Richland fire and emergency services department.

“First responder” means a person who is authorized by the Secretary of the Department of Health to render emergency medical care pursuant to RCW 18.73.081.

“Occupant” means a person who is employed by a Richland business at a Richland business location or is a tenant of a Richland property or business.

“Operating an ambulance” means the use of an ambulance in any of the following manners:

A. An ambulance stationed within the city.

B. An ambulance dispatched from within or without the Richland city limits which repeatedly or customarily makes trips for hire to pick up the sick or injured from within the city.

“Paramedic” means a person who is authorized by the Secretary of the Department of Health to render emergency medical care pursuant to RCW 18.71.205.

“Patient” means an individual who is sick, injured, wounded, or otherwise incapacitated or helpless.

“Person” means any individual, firm, partnership, association, corporation, company, group of individuals acting together for a common purpose, or organization of any kind, including a government agency.

“Place of business” means a business located and operating within the city and paying a service fee under this chapter.

“Resident” means a person who utilizes a dwelling unit inside the city as a fixed abode, and is not a guest, visitor, or other temporary inhabitant. A student who is regularly enrolled in an educational institution outside the city but who would normally and regularly be a city resident but for attendance at such educational institution, shall be deemed to reside within the city.

“Response time” means the time from the ambulance service being notified by dispatch to arrival of the ambulance on scene.

“Secretary” means the Secretary of the Washington State Department of Social and Health Services.

“Service fee” means the service fee levied by the utility upon residents and occupants within the boundaries of the city.

“Southeast Communications” or “SECOMM” means the police/fire/EMS dispatch center located within the city of Richland.

“System” means the entire system of ambulance services provided by the utility or over which the utility has regulatory control by virtue of contract, franchise, or other service agreement or arrangement legally recognized by the city.

“Utility” means the city of Richland, Washington, emergency medical and ambulance service utility, including without limitation all equipment, employees, agents, supplies, overhead and other associated costs incurred to deliver all regulatory and ambulance services.

13.06.030 Purpose.

A. The purpose of the utility is to regulate users and providers of all ambulance services within the city, including:

1. The monitoring and enforcement of industry standards as set forth in applicable chapters of the Revised Code of Washington (and the Washington Administrative Code);
2. The establishment and management of protocols relating to emergency and nonemergency medical services originating in the city of Richland, inclusive of response and transport protocols;
3. Ensuring a planned, cooperative effort between medical and transport services to benefit citizens and patients in the city of Richland; and
4. The provision of 24-hour ALS service within the city.

B. Incidental to the regulation of EMS, the utility is to:

1. Collect the fees imposed to assist in paying for the regulatory scheme authorized by this chapter;
2. Assist in paying for the particular benefits conferred upon residents and other occupants within the city; and
3. Mitigate the burdens on the EMS system by the different users of the system.

13.06.040 Utility authorization.

The utility shall have the authority, by and through the city manager or his/her designee, to collect and spend fee revenue authorized in this chapter in amounts sufficient to regulate, operate, and maintain the utility.

13.06.050 Regulations.

The city manager, or his/her designee, is hereby authorized to promulgate any and all regulations necessary to implement the provisions of this chapter for all public and private ambulance providers. Each ambulance service shall comply with all applicable federal, state and local laws, rules, regulations, procedures, and protocols, including but not limited to those that are specific to ambulances, ambulance service, ambulance equipment, and ambulance personnel. These regulations are filed with the office of the Richland city clerk and are as may be amended from time to time.

13.06.060 Business license and ambulance service permit – Required.

A person may not conduct or operate an ambulance service within the corporate limits of the city without first obtaining from the city both a business license under Chapter 5.04 RMC and an ambulance service permit pursuant to this chapter. Applications for an ambulance service permit must be made in writing to the fire chief on forms specified by the department. The fire chief shall not issue an ambulance service permit unless the applicant has fulfilled all requirements of this chapter and any applicable provisions of state law relating to ambulance service personnel, equipment and operations, including but not limited to the provisions of Chapter 18.73 RCW and Chapter 246-976 WAC as now or hereafter amended.

13.06.070 Term of ambulance service permit.

Any ambulance service permit issued hereunder shall be for the calendar year, unless suspended or revoked pursuant to this chapter. Such ambulance service permit may be renewed for each

calendar year upon filing and approval of permit application in accordance with RMC 13.06.060 and payment of the annual permit fee required by RMC 13.06.080.

13.06.080 Annual ambulance permit fee.

At the time the ambulance service permit application and any subsequent permit renewal application is filed with the fire chief, the applicant shall pay a fee to the city to cover the cost of processing the application. The permit fee shall be \$25.00.

13.06.090 Conditions of ambulance service.

An initial application and any subsequent renewal application for an ambulance service permit shall be filed with the fire chief and shall be made on forms provided by the department and shall contain the following information and documents:

A. Name, address and telephone number of the applicant. The agency administrator's name and contact number(s) must be kept current. Any change(s) must be conveyed to the department within five working days.

B. Business name under which the ambulance service shall operate within the city.

C. The number of ambulances to be initially placed in service within the city.

D. The number of certified EMTs initially to be employed.

E. A roster of all ambulances to be used in the city with proof that each ambulance is currently licensed as an ambulance by the state of Washington.

F. A roster of all certified EMTs with proof that each EMT is currently certified by the state of Washington, including the certification level and expiration date.

G. Proof that ambulances and personnel are verified trauma providers as provided in Chapter 246-976 WAC as now or hereafter amended, as applicable.

H. A schedule of rates.

I. Proof of insurance.

Prior to the issuance of the ambulance service permit, the application and all necessary records and documents shall be reviewed and all equipment proposed for use shall be inspected by the fire chief, or his/her designee, who shall determine whether said records, documents, and equipment conform to the requirements of this chapter, and any rules or regulations referenced herein or issued hereunder. Upon approval of the application, the fire chief shall issue an ambulance service permit to the applicant.

13.06.100 License – Exhibition required.

For each ambulance provider permitted pursuant to the terms of this chapter, a business license or a reasonable facsimile thereof shall be prominently displayed at the place of business, and produced upon request.

Article II. Emergency Medical Service (EMS) Program

13.06.200 Purpose.

The purpose of this article is to benefit the public health and welfare by providing emergency medical and emergency transport services.

13.06.210 EMS program.

The city of Richland shall operate through the fire and emergency services department an EMS program to provide emergency medical and emergency transport services. It shall be one part of the utility.

Article III. Fees

13.06.300 Utility rate setting.

A. Fee Formula. A ~~daily~~ ~~monthly~~ service fee for the operation of the utility shall be established from time to time by ordinance of the city council in conformity with RCW 35.21.766. The amount of the fee shall be based upon cost of regulating ambulance services and the cost of providing the EMS program as determined by a cost-of-service study done pursuant to RCW 35.21.766(3). Those costs, after transport charges and the general fund contribution, shall be divided among Richland residents and other occupants based on a calculation of demand costs and availability costs, consistent with accepted principles of utility rate setting.

1. The rate attributable to availability costs of the utility shall be uniformly applied across all user classifications within the utility.
2. The rate attributable to demand costs shall be established and billed to each utility user classification based on each user classification's burden on the utility.

The fee charged by the utility shall reflect a combination of the rates attributable to both the availability cost and the demand cost. The resulting fees shall be assessed to identifiable use classifications. Fees shall not exceed the revenue requirements to cover the costs of the utility, as authorized by the city council by adoption of an annual budget and subsequent amendments.

B. Classifications. The ~~daily~~ ~~monthly~~ service fee shall be assessed on each of the following utility user classifications:

1. Family residential.
2. Multifamily residential.
3. Adult family homes.
4. Assisted living facilities.
5. Twenty-four-hour nursing facilities.
6. Group homes.
7. Physician's clinics.
8. Schools.

9. Commercial/business.

10. City public areas.

C. Collection of Fees. The fee shall be collected on a monthly basis in accordance with RMC 13.06.310 from each owner of a residential unit (for the family residential classification and the multifamily classifications to the extent that each unit is separately billed for utilities) and from each owner of a facility (for classifications other than family residential and separately billed multifamily residential units). The occupant of each unit within the above classifications, as applicable, shall be responsible for payment of this service fee for the availability and use of ambulance services. Multifamily residential units or other multi-unit properties that are billed for other utilities through a single utility connection shall be charged a service fee for each active or occupied unit. No service fee shall be charged with respect to any vacant building or unoccupied unit or parcel.

D. Service Fee Exemptions/Reductions.

1. Any change in the occupancy or use of a parcel, or any other change in circumstance that eliminates application of an exemption from the service fee, shall immediately make the affected property subject to the applicable service fee. The service fee shall become due and payable as of the date of the change in use and shall continue until the parcel again meets exemption requirements.

~~2. Monthly rates shall not be prorated. Initial and final charges may be prorated in accordance with the city's standard utility proration practices.~~

~~3~~2. Any customer seeking an exemption from payment of the service fee and/or conversion from covered to exempt status, must file a written petition with the finance director seeking a determination as to whether a specific parcel satisfies the exemption requirements set forth in this section.

~~4~~3. The combined rates charged shall reflect an exemption for persons who are Medicaid eligible and who reside in a nursing facility, boarding home, adult family home, or receive in-home services.

~~5~~4. The combined rates charged may reflect an exemption or reduction for designated classes consistent with Article VIII, Section 7 of the State Constitution, and the amounts of any such exemption or reduction shall be a general expense of the utility, and designated as an availability cost, to be spread uniformly across the utility user classifications.

E. Periodic Service Fee Review. The city manager or designee will periodically perform financial review and analysis of the utility's revenues, expenses, indebtedness, fees and accounting, and recommend budgets, fee adjustments and financial policy. Based on such review, the city manager or designee shall recommend changes, amendments or additions for adoption by the city council. The total revenue generated by the rates and charges shall not exceed the total costs necessary to regulate, operate, and maintain an ambulance utility.

13.06.310 Payment.

The service fee shall be collected in accordance with the utility fee collection procedures as provided for in Chapter 3.30 RMC, Utility Billing and Collection.

13.06.320 Medical services fund.

There is established and created a utility revenue fund to be known as the medical services fund to be held separate and apart from all other funds of the city. Any and all revenues received by the utility, including but not limited to all service fees and all other rates, fees and charges relating to the EMS program, shall be credited to the medical services fund, along with all appropriations from the general fund for the utility. All expenditures for the regulation, operation, and maintenance of the utility shall be paid out of the medical services fund. Money in the medical services fund shall not be transferred to the general fund or to any other fund of the city, except as payment for services rendered by the utility. Capital costs of the utility shall be paid only from a separately established account within the medical services fund and shall not be paid from the service fee.

13.06.330 Billing for ambulance transports.

A. Each person who is transported by the city’s EMS program shall be billed by the city at a rate of \$1,042.00, provided the patient is a city resident or is employed at (and transported from) a place of business within the city and the patient:

1. Supplies the city with all requested information and documentation, including, but not limited to, insurance information and medical records relative to billing for the ambulance service; and
2. Assigns to the city the patient’s right to receive payment from all applicable third-party payers.

B. A patient who is not a city resident and is not employed at and transported from a place of business within the city shall be subject to a 50 percent surcharge on such transport services.

C. A mileage rate of \$14.00 per mile will also be charged, regardless of resident or nonresident status.

D. Reciprocity. The ambulance service shall be provided within the city’s ambulance response and mutual aid areas at no additional cost to any resident of the cities of Pasco and Kennewick who resides:

1. In a household that pays a charge similar to the utility charge; and
2. In a city that provides medical and ambulance services within its ambulance response and mutual aid areas to Richland residents at no additional cost.

E. The city shall have reciprocity with each of these cities unless they cease to have an ambulance utility or withdraw from the reciprocal agreement.

13.06.340 Allocation of direct billing revenue.

All revenue received from direct billing for transport shall be allocable to demand costs.

13.06.350 General fund contribution.

For the calendar year 2006, the general fund contribution shall be in the amount of \$550,000. The city shall annually appropriate from the general fund and transfer to the medical services fund an amount not less than 70 percent of the annual general fund revenue expended to regulate, operate and maintain the utility during the fiscal year that included May 6, 2004, and as previously appropriated.

13.06.360 Review by utility advisory committee.

Before any charge, rate or fee is added or modified, it shall be reviewed by the utility advisory committee. In connection with such review the committee shall solicit and consider public comment regarding the fee.

Article IV. Charges Established

13.06.400 Charges established.

The ~~daily~~ ~~monthly~~ ambulance utility fee shall be as follows effective ~~January 1, 2023~~ for utility bills generated on or after December 1, 2023:

User Classification	Rate
Residential	\$0.3288 10.00 per day month / \$120.00 per year – per unit
Multifamily Residences	\$0.3288 10.00 per day month / \$120.00 per year – per unit
Adult Family Homes*	\$0.3288 10.00 per day month / \$120.00 per year – per facility
Assisted Living Facilities*	\$0.3288 10.00 per day month / \$120.00 per year – per facility
24-Hour Nursing Facilities*	\$0.3288 10.00 per day month / \$120.00 per year – per facility
Group Homes*	\$0.3288 10.00 per day month / \$120.00 per year – per facility
Physicians Clinics*	\$0.3288 10.00 per day month / \$120.00 per year – per facility
Schools*	\$0.3288 10.00 per day month / \$120.00 per year – per facility
Commercial/Business	\$0.3288 10.00 per day month / \$120.00 per year – per unit
City Public Areas	\$0.3288 10.00 per day month / \$120.00 per year – per parcel or area

* The annual demand allocation is based upon the overall utilization percentage of each individual unit within the same classification.

13.06.410 Compliance with Medicare and Medicaid requirements.

As provided in RMC 13.06.300, the base rate established shall be adjusted for persons who are Medicaid eligible and who reside in a nursing facility, boarding home, adult family home, or receive in-home services. The method and amount of such adjustments are shown in Exhibit A attached to the ordinance codified in this chapter, which is hereby adopted and approved.

The service fees and other fees, rates and charges for the ambulance service authorized by this chapter shall be construed and implemented to be consistent with applicable Medicare and Medicaid requirements. If any method or procedure authorized by this chapter for the purposes of establishing, implementing, imposing or collection of charges for ambulance service is found or determined to be in conflict with Medicare or Medicaid requirements, the conflicting part of this chapter shall be inoperative to the extent of the conflict and such finding or determination shall not affect the operation of the remainder of this chapter.

Section 3. Chapter 14.24 of the Richland Municipal Code, entitled Rates and Charges, as first enacted by Ordinance No. 90, and last amended by Ordinance No. 2022-32, is hereby amended as follows:

CHAPTER 14.24
ELECTRIC RATES AND CHARGES

Sections:

- 14.24.020 Termination of contract by customer.**
- 14.24.030 Service charges – Temporary service.**
- 14.24.035 Service charges – Permanent or altered service.**
- 14.24.040 Trouble calls.**
- 14.24.050 Nonstandard service.**
- 14.24.060 Retail electrical rates.**
- 14.24.070 Character of certain special uses.**
- 14.24.100 Special rules if premises used for both residential and commercial purposes.**
- 14.24.120 Street lighting.**
- 14.24.130 Rental lighting.**
- 14.24.140 De minimis unmetered loads.**
- 14.24.150 School and municipal building rate.**
- 14.24.180 Athletic field floodlighting.**
- 14.24.190 Special charges and billing rules.**
- 14.24.200 *Repealed.***
- 14.24.210 Renewable energy system incentive.**
- 14.24.220 Net metering.**

14.24.020 Termination of contract by customer.

A customer who has fulfilled his contract terms and wishes to discontinue service must give at least three days' notice to that effect, unless his contract specifies otherwise. Notice to discontinue service prior to expiration of the contract term will not relieve the customer from any minimum or guaranteed payment required by the contract or rate.

14.24.030 Service charges – Temporary service.

Customers requiring temporary electrical service, at premises where electric utility facilities are available, shall pay to the department an amount equal to the estimated cost of all labor, equipment and all nonrecoverable materials required to install and remove the temporary service, less the estimated salvage value. In cases where temporary service can be provided from an existing power source using light duty service wire the charge shall not be less than the temporary service fee published in the city’s user fees and charges schedule. Where electric utility facilities are not adequate or available to provide temporary electrical service, the department will extend service in accordance with the policies in Chapter 14.30 RMC.

The rate for electricity used from the temporary service shall be at the rate schedule applicable to the class of service. At the discretion of the chief electrical engineer, unmetered temporary services will be allowed when the service provides temporary construction power to a single-family dwelling lot and the term of the service is less than three months. In the event an unmetered temporary service extends beyond three months the customer shall pay an additional three-month temporary service fee for each three-month period beyond the initial three-month term.

14.24.035 Service charges – Permanent or altered service.

Customers requiring permanent electrical service rated at 600 volts or less, at premises where electric utility facilities are available at the property, shall pay to the department an amount equal to the estimated cost of all labor, equipment and materials, including metering, required to install the service. In cases where permanent services are of a capacity of 400 amps or less the charge shall not be less than the new service charges published in the city’s user fees and charges schedule. The charge assumes the department shall install up to 100 feet of service wire, as measured on the premises. Any additional service wire over 100 feet shall be charged at the estimated cost of additional wire.

Customers requiring alteration of existing electric utility facilities, including but not limited to rewires, relocations, conversions or upgrades, shall pay the department an amount equal to the estimated cost of all labor, equipment and materials, including metering, required to alter the utility facilities serving such services.

Where electric utility facilities are not adequate or available to provide permanent service or accommodate the required customer service alterations the department will extend service in accordance with the policies of Chapter 14.30 RMC.

14.24.040 Trouble calls.

The customer shall notify the department immediately should service be unsatisfactory for any reason or should there be any defects, trouble or accidents affecting the supply of electricity.

The department will be responsible for promptly making repairs to damage occurring to city equipment, which impairs service to its customers or results in a hazardous condition. When a trouble call is made at a customer’s request, and the trouble is due to the customer’s acts, negligence, or to failure of his equipment or wiring, the minimum charge shall be actual cost, plus overhead costs. Billing costs shall be as determined by the chief electrical engineer.

14.24.050 Nonstandard service.

Customers shall pay the cost of any special installation necessary to meet particular requirements for service at other than standard voltages or for the supply of closer voltage regulation than required by standard practice.

When it is necessary to construct additional lines and install facilities for furnishing three-phase service or a nonstandard voltage or phase, the service will be provided in accordance with the policies of Chapter 14.30 RMC.

14.24.060 Retail electrical rates.

Rates for electricity are summarized by class of service as listed below. Rates are effective with the first bill received in June 2019 and apply to all usage during the billing period.

SCHEDULE 10: General Residential

- A. Availability: In all territory serviced by the city’s electrical utility.
- B. Applicability: To domestic uses of electric energy by all residential customers not eligible under other rate schedules.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.
- D. Delivery Point: The following rates are based upon the supply of service to the entire premises through a single delivery and metering point. Separate supply for the same customer at other points of consumption shall be separately metered and billed.
- E. Rates:
 - Daily Service Charge:
 - Single-phase service: \$0.69/day
 - Multiphase service: \$0.98/day
 - Monthly Energy Charge: \$0.0741/kWh
- F. For electrical service supplied to residential customers qualifying as low income senior or low income disabled citizens, the service charge shall be waived and the energy charge shall be discounted 15 percent of Schedule 10. Qualifications and other information regarding low income senior or low income disabled citizens can be found in Chapter 3.29 RMC (finance).

SCHEDULE 20: Small General Service

- A. Availability: In all territory served by the city’s electric utility.
- B. Applicability: To all nonresidential uses supplied through a single meter where anticipated monthly maximum demand does not exceed 50 kilowatts and the load is not eligible under other rate schedules.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.
- D. Rates:
 - Daily Service Charge:

Single-phase service:	\$0.86/day
Multiphase service:	\$1.16/day
Monthly Energy Charge:	\$0.0667/kWh
Monthly <u>Billing</u> Demand Charge:	No Charge

SCHEDULE 22: Medium General Service

- A. Availability: In all territory served by the city’s electric utility.
- B. Applicability: To all nonresidential uses supplied through a single meter, where anticipated monthly maximum demand is greater than 50 kilowatts, but less than or equal to 300 kilowatts, and the load is not eligible under other rate schedules.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.

D. Rates:

Daily Service Charge:	
Single-phase service:	\$1.38/day
Multiphase service:	\$1.66/day
Monthly Energy Charge:	\$0.0428/kWh
Monthly <u>Billing</u> Demand Charge:	\$5.17/kW

SCHEDULE 24: Large General Service

- A. Availability: In all territory served by the city’s electric utility.
- B. Applicability: To all nonresidential uses supplied through a single meter, where anticipated monthly maximum demand is greater than 300 kilowatts, but less than or equal to 1,000 kilowatts, and the load is not eligible under other rate schedules.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.

D. Rates:

Daily Service Charge:	
Multiphase service:	\$2.01/day
Monthly Energy Charge:	\$0.0428/kWh
Monthly <u>Billing</u> Demand Charge:	\$5.58/kW

SCHEDULE 30: Small Industrial

- A. Availability: In all territory served by the city’s electric utility.

- B. Applicability: To all nonresidential uses supplied through a single meter where anticipated monthly maximum demand is greater than 1,000 kilowatts but less than or equal to 5,000 kilowatts and the load is not eligible under other rate schedules.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.
- D. Rates:
 - Daily Service Charge:
 - Multiphase service: \$8.34/day
 - ~~Monthly~~ Energy Charge: \$0.0428/kWh
 - ~~Monthly~~ Billing Demand Charge: \$5.92/kW

SCHEDULE 31: Large Industrial

- A. Availability: In all territory served by the city’s electric utility.
- B. Applicability: To all nonresidential uses supplied through a single meter where anticipated monthly maximum demand is greater than 5,000 kilowatts and the load is not eligible for service under other rate schedules.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.
- D. Rates:
 - Daily Service Charge: \$8.34/day
 - ~~Monthly~~ Energy Charge: \$0.0423/kWh
 - ~~Monthly~~ Billing Demand Charge: \$5.52/kW

SCHEDULE 33: Economic Development Rate

- A. Terms and conditions of negotiated rate will be by contract.
- B. Will be based upon the benefits derived from the new load and/or employment opportunities that expand the local economy.
- C. Will utilize marginal costing concept.

SCHEDULE 40: Small Irrigation 0 – 60 Horsepower

- A. Availability: In all territory served by the city’s electric utility.
- B. Applicability: To uses of electrical power on a continuous basis for seasonal agricultural irrigation pumping or agricultural drainage pumping.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.
- D. Rates:

~~Monthly~~ Energy Charge: \$0.0650/kWh

~~Monthly~~ Billing Demand Charge: No Charge

Annual Service Charge:

To be billed at beginning of irrigation season.

(1) \$194.10 single-phase service.

(2) \$258.80 multiphase service.

SCHEDULE 45: Large Irrigation Over 60 Horsepower

- A. Availability: In all territory served by the city's electric utility.
- B. Applicability: To uses of electrical power on a continuous basis for seasonal agricultural irrigation pumping or agricultural drainage pumping.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.
- D. Rates:

~~Monthly~~ Energy Charge: \$0.0428/kWh

~~Monthly~~ Billing Demand Charge: \$7.30/kW

Annual Service Charge:

To be billed at beginning of irrigation season.

\$0.57/horsepower all horsepower greater than 60, plus:

(1) \$194.10 single-phase service.

(2) \$258.80 multiphase service.

SCHEDULE 60: Traffic Lighting

- A. Availability: In all territory served by the city's electric utility.
- B. Applicability: To municipally owned traffic-regulating signal systems on public streets and highways.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.
- D. Rates:

Daily Service Charge: \$0.69/day

~~Monthly~~ Energy Charge: \$0.0653/kWh

SCHEDULE 90: Cable Television Amplifier/Small Cell

- A. Availability: In all territory served by the city's electric utility.

- B. Applicability: To owners of cable television amplifiers or small cell installed on facilities owned by the city's electric utility.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.
- D. Rates:

Monthly Energy Charge:	\$0.0667/kWh
-----------------------------------	--------------

SCHEDULE 100: New Large Single Load

- A. Availability: In all territory served by the city's electric utility.
- B. Applicability: To new large single load customers defined in Public Law 96-501 and as such constitute electrical loads greater than or equal to 10 average megawatts during any consecutive 12-month period and which cause the utility to incur wholesale power costs in excess of normal rates.
- C. Character of Service: Sixty hertz alternating current of such phase and voltage as the electric utility may have available.
- D. Rates: Terms and conditions of negotiated rate will be by contract.

14.24.070 Character of certain special uses.

Motors with individually rated capacities of more than seven and one-half horsepower must be served at commercial rates. Christmas or other temporary decorative residential lighting may be served at residential rates. Where additional facilities are required to serve decorative lighting, the distributor will charge the customer actual costs, including overhead costs, for the installation and removal of the facilities.

14.24.100 Special rules if premises used for both residential and commercial purposes.

The residential rate is not applicable to any space in a residential dwelling which is regularly used for commercial purposes or for other gainful activities. In such cases, if a separately metered circuit is provided at no cost to the city for the commercial portion of the dwelling, the appropriate commercial rate shall be applied to the power requirements. If a separately metered circuit is not provided, the entire power requirements of the premises must be billed under the commercial rate.

If the premises are used primarily as a private dwelling and space in the dwelling is only occasionally used for commercial purposes, the residential rate shall be applied to the entire power requirements.

14.24.120 Street lighting.

For all municipally owned lighting systems for public streets, publicly owned parking areas, and parks, service shall be provided pursuant to the applicable street lighting rates published in the city's user fees and charges schedule. Such service shall include maintenance of and replacement of lamps for overhead lighting systems of such areas. The provisions of this fee schedule shall not apply to rates for energy supplied under specific contracts negotiated for such purpose.

14.24.130 Rental lighting.

For municipally owned legacy rental lighting facilities consisting of overhead construction with mast arms and luminaires mounted on poles, service shall be provided at the request of property owners or long-term lessees of property pursuant to the applicable rental lighting rates published in the city’s user fees and charges schedule. Lighting facilities supplied under this provision shall remain the property of the city and shall be supplied only pursuant to a contract with the customer, the term of which shall be a period of not less than three years. Current lighting practice is for new lighting to be owned and maintained by customer on customer property without city infrastructure or maintenance support.

14.24.140 De minimis unmetered loads.

For loads determined by the chief electrical engineer to be of a de minimis nature, service shall, with the authorization of the director, be provided pursuant to the applicable de minimis unmetered loads rate published in the city’s user fees and charges schedule.

14.24.150 School and municipal building rate.

There are no rate discounts for electricity supplied at schools or municipal buildings.

14.24.180 Athletic field floodlighting.

For athletic field lighting, an investment charge may be made based upon the city’s investment in furnishing and installing the equipment devoted to supplying the athletic field lighting service. Energy will be billed in accordance with the appropriate rate schedule and each installation will be considered a separate customer for billing purposes. Customers’ bills rendered in accordance with this provision shall be subject to any surcharge and amortization charge applied by the director.

14.24.190 Special charges and billing rules.

Charges for energy supplied under the provisions of RMC 14.24.180 shall be computed as follows:

A. Energy. When the energy supplied is metered, the meter shall be installed in or connected to the lighting circuit and the billing shall include the energy delivered to and consumed in all circuits and equipment used exclusively for lighting purposes. When the energy supplied is not metered, the **monthly** energy charge shall be computed from the lamp wattage plus five percent for losses, multiplied by the number of hours of use, multiplied by the applicable energy rate as determined by the chief electrical engineer.

B. Capital Investment Computation. The department’s capital investment costs, used as a basis for computing charges, shall consist of the cost of all labor, material and equipment, plus appropriate overhead costs, used to construct the lighting system.

C. Annual Operation and Maintenance Computation. The department’s annual operation and maintenance costs, used as a basis for computing charges, shall be eight percent of the capital investment cost and shall provide for all routine maintenance, including lamp replacement, performed on the lighting system.

D. Computation of Charges. Computation of monthly charges shall be one percent of the capital investment cost plus one-twelfth of the annual operation and maintenance cost plus the charge for energy consumed by the lighting system.

14.24.200 Investment cost recovery incentive.

Repealed by Ord. 13-19.

14.24.210 Renewable energy system incentive.

The department may offer a renewable energy system incentive program that shall be governed by RCW 82.16.160, 82.16.165, 82.16.170 and 82.16.175 and Chapter 504-49 WAC as written or hereafter amended.

Customers participating in the renewable energy system incentive program with systems approved and installed after November 1, 2018, shall be assessed a program and production meter fee as listed in the city fee schedule.

14.24.220 Net metering.

A net metering customer shall be billed according to the applicable retail electric rate in RMC 14.24.060. Each net metering customer shall be charged the daily service charge and the energy charge for all energy delivered to the customer from the utility for the applicable billing period. Each net metering customer shall be credited the energy charge for all real energy received by the utility from the net metering system. This shall occur until the earlier of June 30, 2029, or the first date the electric utility's cumulative generating capacity of net metering systems equals four percent of the utility's 1996 peak demand as specified in Chapter 80.60 RCW, at which time the customer shall be credited the avoided cost of energy per kWh. The electric utility's 1996 peak demand was 204,768 kilowatts.

Any received real energy (kWh) accumulated from the customer as of March 31st each calendar year shall be granted to the utility without any compensation to the customer-generator.

Each net metering customer shall be assessed a net metering application fee as listed in the city fee schedule.

Section 4. Chapter 15.03 of the Richland Municipal Code, entitled Collection Services, as first enacted by Ordinance No. 38-21, is hereby amended as follows:

**CHAPTER 15.03
COLLECTION SERVICES**

Sections:

15.03.010 Collection service.

15.03.020 Container use.

15.03.030 Container requirements.

15.03.040 Sanitation service – Billings, delinquencies, penalties and liens.

15.03.050 Service description – Residential.

15.03.060 Service charges – Residential.

15.03.070 Service description – Commercial.

15.03.080 Service charges – Commercial.

15.03.090 Service description – Roll-off container service.

15.03.100 Services charges – Roll-off container service.

15.03.010 Collection service.

It is unlawful for anyone except the city to collect solid waste within the city for compensation without the approval of the city.

15.03.020 Container use.

A. Refuse containers for residential and commercial use shall be furnished by the city. The city retains ownership of all containers.

B. No person shall place any garbage, rubbish, refuse or recycling materials in any city-owned container other than in the container which was assigned by the city to such person and as directed by the city.

C. No person other than a city-approved, authorized collector or city employee charged with that responsibility shall tamper with or remove any solid waste or recyclables from a city-owned container other than the owner or occupant of the property served by such container.

D. The gray household waste container shall only contain garbage, refuse, rubbish and trash as defined herein.

E. Hot ashes, clinkers and lithium-ion batteries shall not be placed in containers for disposal.

F. All garbage shall be drained of liquids before being placed in the container and secured in such manner as to prevent, to the extent possible, moisture gathering in refuse containers. The city may decline to collect undrained garbage which is in a liquid state, unwrapped, or improperly placed.

G. Refuse containing hypodermic needles or other sharp objects should be disposed of in proper disposal containers, or at a minimum, a solid-wall container such as a plastic beverage or milk container.

H. Dead animals shall not be placed in any city-owned container unless approved by the city. Any animal or any part of an animal from slaughterhouses or similar places, regardless of size, shall be regarded as industrial refuse and shall not be collected by the city. All persons seeking to remove or dispose of any dead animal may do so at the Horn Rapids Landfill at a rate described in RMC 15.04.020.

I. The green yard waste containers shall only contain vegetation material such as grass clippings and plant trimmings including woody material equal or less than four inches in diameter. Refuse, dirt, construction and demolition debris, packaging or bags, tree branches of more than four inches in diameter, or rubble is not allowed in the yard waste containers. Failure to use this container as described is a violation subject to the provisions of RMC 15.05.010.

J. The blue recycling container shall only contain cardboard, plastic, newspaper, aluminum and tin. No glass is allowed in the recycling containers. Contamination of the recycle container with glass or other materials is a violation subject to the provisions of RMC 15.05.010.

K. No residential refuse container set out for removal by city personnel shall weigh more than the maximum container-rated weight as specified by the director or 40 pounds per unit of extra refuse.

L. All persons setting out refuse for collection shall take adequate precautions to prevent the escape thereof. Materials susceptible to escaping shall be bagged.

M. No person shall place household or commercial dangerous or hazardous waste in any city-owned containers.

15.03.030 Container requirements.

A. It is the duty of every person in possession, charge or control of any structure or dwelling within the city where waste is created or accumulated at all times to use city-owned containers or other containers as approved by the city, in accordance with this chapter, and to deposit or cause to be deposited refuse therein.

B. Refuse containers shall be kept in a sanitary condition with the outside thereof clean and free from grease and decomposing material. Lids shall be kept on containers except while refuse is being put in or removed from such containers. When any person puts refuse in or removes refuse from a refuse container, the lid shall be placed in the closed position.

C. Location. No container shall be kept or stored within the confines of any street or public alley in the city, except as otherwise allowed by the city. Containers placed on private property which have been approved for pickup by the city shall be placed in a preapproved, readily accessible location.

D. Curbside. By 6:00 a.m. on the day of collection, containers to be picked up curbside shall be placed in a location accessible by the traveled roadway and positioned with the lid opening toward the collection vehicle when the container is dumped. Containers and any extra refuse shall maintain a minimum of three feet from all obstructions, including other containers. Any container placed out for curbside pickup shall be removed from public right-of-way by the person in possession, charge or control of said container within 24 hours after collection unless otherwise allowed by the city. Residents located in cul-de-sacs, courts, or set back from the main travel way of a city street shall locate their containers at a location adjacent to the main traveled way established by the director for safe and efficient pickup.

E. No enclosure or other structure may be placed around any city-owned container in its accessible location for pickup without the review and approval of the city.

F. Special Containers. Suitable containers, such as compactor units and drop boxes, may, with the permission of the city, be used by establishments which dispose of refuse in such quantity that containers, as defined in this title, would be impractical or inefficient. These containers shall be kept in good condition with close-fitting lids and watertight construction. The city, after proper notification to the person in possession, charge or control of said container, may require the replacement or repair of any container which deteriorates to an unsatisfactory condition. Disposal of refuse from these containers shall be as authorized by the city.

G. Prohibited Materials. The rules and regulations authorized by this title shall identify the materials that can and cannot be placed in any city-owned container. The city may decline to pick up any container which has unauthorized materials placed in it.

H. Container Damage and Replacement. If any container owned by the city is damaged or lost through the abuse or neglect of any person in possession, charge or control of said container, the person in possession, charge or control of said container shall be held responsible for the cost of repair or replacement of the container.

15.03.040 Sanitation service – Billings, delinquencies, penalties and liens.

The sanitation service charges shall be billed on the basis of the rates established herein, and delinquencies and penalties charged, and liens placed as provided for in RMC 3.30.040 – Delinquency and utility collection charges.

A. A residence shall be considered occupied until the owner or owner’s authorized agent notifies the city’s utility billing department that the unit is vacant. Vacancy status starts the date the owner or authorized agent gives proper notice, or at a future date specified by the owner or authorized agent. A residence is considered occupied until it no longer contains personal property. Upon notification to the city, the account can be placed in abeyance for a fee of \$40.00, which will suspend the ~~monthly~~ daily refuse charge until the utility billing departments receives notice of occupancy.

B. All multifamily housing units will have commercial containers appropriately sized for the refuse demand placed at the housing complexes. Refuse services will be billed to the landlord/owner account. If shared container service is not practical, the landlord/owner account will be charged the individual service rate per this code and individual residential containers will be provided.

C. Any customer who believes that an assessed sanitation charge, billing or notice of delinquency is out of compliance with this chapter may appeal such charges, billing or notice of delinquency pursuant to the appeal process defined in Chapter 5.55 RMC related to appeal procedures.

15.03.050 Service description – Residential.

A. All residential account holders will receive basic service consisting of one gray container for household waste and one green container for yard waste. Additional containers may be provided upon request. All containers shall be placed at the curb by 6:00 a.m. on the customer’s assigned collection day and will be picked up weekly, except that recycling containers will be collected every other week. Collection service may be suspended when street conditions make it impracticable to safely access containers. Yard waste container service may be suspended during extended freezing periods.

B. A residence may be considered exempt from having a yard waste container and fee if all landscape space is commonly owned, such as is found at condominiums with a homeowners’ association. Residences meeting this criterion will only be billed the refuse – no yard waste fee once they have contacted the director and the exemption has been verified.

C. Extra curbside garbage service is available. Extra waste shall be placed at the curb by 6:00 a.m. on the customer’s normal collection day. Extra curbside garbage bags placed out for collection shall not exceed 32-gallon capacity, and shall be of sufficient strength to hold refuse not exceeding 40 pounds and withstand ripping or tearing when lifted by the top of the bag. Boxes placed out for collection shall not weigh more than 40 pounds, and shall be of a size that can be safely and reasonably handled by one person so that they can be placed by the refuse collector in the container for dumping at an additional charge.

D. Recycling collection service will be available to all Richland residential customers upon request. If requested, a blue recycling container will be delivered to the customer, and recycling will be collected on an every-other-week basis on a designated collection day.

E. A request for container replacement or an additional gray, green or blue container is subject to a container delivery fee per the city’s fee schedule and a ~~monthly~~ daily service charge as specified in this chapter.

15.03.060 Service charges – Residential.

A. The sanitation service charge for residential collection and removal of normal accumulations of refuse placed in city-provided residential container(s) for disposal shall be as according to the table below. This does not include the removal of refuse resulting from major renovations or new construction, nor does it include earth, rocks, sod, dead animals, animal wastes, or household hazardous wastes.

Monthly Daily Sanitation Service Charge for Residential Service

All residential customers shall be charged the following ~~monthly~~ daily service rates effective for utility bills generated on or after December 1, 2023, with the billings in the month indicated:

	<u>Monthly Daily</u> Rate	Residential Call Back
Basic Refuse Service	\$0.5753 <u>17.50</u>	\$12.00
Refuse – No Yard Waste	\$0.5474 <u>16.65</u>	\$12.00
Recycling – Optional Additional Fee	\$0.2532 <u>7.70</u>	\$12.00
Additional Refuse Container Fee	\$0.2679 <u>8.15</u>	N/A
Additional Yard Waste or Recycling Container	\$0.0657 <u>2.00</u>	N/A

B. Extra curbside garbage placed out for collection shall generate a charge of \$3.00 for each additional garbage can load.

C. When residential collection services by private corporations are authorized by contract, the service provider shall collect from each residential account a Richland landfill self-haul surcharge in the amount of \$0.80 per month. The surcharge is equivalent to the component of the residential collection rate listed in this section that subsidizes reduced disposal fees at the Richland landfill for Richland residents. The Richland landfill self-haul surcharge shall be collected by the contract service provider and be paid to the city on or before the twenty-fifth day of each month.

D. There shall be a 60 percent discount applied to rates specified in this section for solid waste collection services provided to residential customers qualifying as low-income senior citizens or low-income disabled citizens. Additional rate information regarding low-income senior citizens and low-income disabled citizens can be found in Chapter 3.29 RMC.

E. Residential requests for call back or returns by solid waste personnel to empty containers which were obstructed; were not at curbside and in street by 6:00 a.m.; were packed in such a way that refuse would not exit the container when tipped; or to pick up additional refuse will be charged a call-back fee.

F. Commingled residential recycling is an optional service at the rates described in the table found in this section. The recycling container is serviced every other week and allows for a mix of recyclable materials which include cardboard, plastic, newspaper, aluminum and tin. No glass is allowed in the recycling containers. Failure to use this container as described will result in an additional refuse container fee added to the utility bill.

15.03.070 Service description – Commercial.

Commercial customers are provided containers and are serviced based on commercial classification. The director may make special arrangements with owners or operators of public food establishments, multifamily residences, and commercial establishments permitting the use of containers of greater capacity than 100 gallons. Container size and/or location may be changed to accommodate space limitations as determined by the director. In these situations, customers will be charged based on the container size and frequency of pickup. Shared refuse services will be billed to the property owner or similar shared user billing account. Businesses in the Uptown and Parkway shopping centers are classified into one of the options listed in the table below.

Business Classifications – Uptown and Parkway Shopping Centers

Classification	Service Type
Office/Service	100 gallon
Small Retail	1 yard
Medium Retail	2 yard – twice a week
Large Retail	6 yard
Small Restaurant	2 yard
Medium Restaurant	2 yard – twice a week
Large Restaurant	8 yard

15.03.080 Service charges – Commercial.

A. The sanitation service charge for commercial service shall be according to the table below. In the Uptown and Parkway shopping centers, the commercial refuse charge will be billed according to the table below based on the classification of business occupying the parcel/rental space. The owner of record per the Benton County auditor’s office will be billed when multiple tenants occupy one parcel. On parcels with one tenant, refuse will be billed to the active utility account for that tenant. When these parcels are vacant, the utility charges will revert to the owner/landlord account. Suspension of service and fee abeyance is not allowed when a building is vacant. Review and adjustment of charges will be available annually to keep the customer accounts current with the classification of business.

Commercial Collection Rates

Container Size	Collection Frequency Per Week					Unscheduled/Additional Pickup
	1X	2X	3X	4X	5X	
100 gallon	\$19.60	\$39.20	\$58.85	\$78.45	\$98.05	\$18.85

Container Size	Collection Frequency Per Week					Unscheduled/Additional Pickup
	1X	2X	3X	4X	5X	
1 yard—300 gallon	\$54.10	\$108.10	\$162.15	\$216.05	\$270.15	\$50.90
2 yard	\$82.80	\$165.65	\$248.45	\$331.25	\$414.05	\$50.90
4 yard	\$145.00	\$290.00	\$435.00	\$579.90	\$724.90	\$48.10
5 yard	\$168.80	\$337.70	\$506.60	\$675.40	\$844.25	\$58.30
6 yard	\$192.75	\$385.50	\$578.15	\$770.85	\$963.55	\$68.35
8 yard	\$221.75	\$443.50	\$665.25	\$887.00	\$1,108.75	\$88.40

<u>Container Size</u>	<u>Daily Rate for Each Collection Day per Week</u>	<u>Unscheduled/Additional Pickup</u>
<u>100 gallon</u>	<u>\$ 0.6444</u>	<u>\$18.85</u>
<u>1 yard – 300 gallon</u>	<u>\$ 1.7786</u>	<u>\$50.90</u>
<u>2 yard</u>	<u>\$ 2.7222</u>	<u>\$50.90</u>
<u>4 yard</u>	<u>\$ 4.7671</u>	<u>\$48.10</u>
<u>5 yard</u>	<u>\$ 5.5496</u>	<u>\$58.30</u>
<u>6 yard</u>	<u>\$ 6.3370</u>	<u>\$68.35</u>
<u>8 yard</u>	<u>\$ 7.2904</u>	<u>\$88.40</u>

B. Commercial customers who prohibit access for scheduled container pickup shall be charged a call-back fee of \$26.00 per occurrence. Examples of prohibited access include, but are not limited to, locked or blocked container enclosures.

C. Commercial customers who overload the provided refuse container will be charged a \$15.00 per yard charge for the extra refuse, as estimated by the collections staff. Repeated incidents will subject the customer’s account to a review of their service by the director. The fee to change the container size is \$50.00.

D. Commingled commercial recycling is an optional service at the rates described in the table below. The recycling container is serviced every other week and allows for a mix of recyclable materials in one 96- or 300-gallon container. The allowed recyclables include cardboard, plastic, newspaper, aluminum and tin. No glass is allowed in the recycling containers. Failure to use this container as described will result in an additional refuse container fee added to the utility bill. Requests for service to pick up material not available on the scheduled date are subject to a call-back fee.

Commercial Recycling Rates

Container Size	Monthly <u>Daily</u> Charge for EOW* Service
96 Gallon	\$0.2532 <u>7.70</u>
300 Gallon	\$0.7792 <u>23.70</u>
96 and 300 Gallon – Call Back	\$12.00

*EOW = Every Other Week (frequency container is picked up).

E. Cardboard-only commercial recycling is also an optional service at the rates described in table below. These containers are serviced every week and allow cardboard only. Failure to use this container as described will result in an additional refuse container fee added to the utility bill. Unscheduled, additional pick-ups beyond the weekly service are subject to the fees described in the same table.

Commercial Cardboard-Only Recycling

	Collection Frequency Per Week – <u>Daily Rates</u>		Call Back	Unscheduled/Additional Pickup
	1X	2X		
Commercial cardboard recycling	\$1.7030 <u>51.80</u>	\$3.4027 <u>103.50</u>	\$26.00	\$50.90

15.03.090 Service description – Roll-off container service.

There is established a voluntary system for provision of larger “roll-off” container services as requested by customers of the city of Richland solid waste utility.

15.03.100 Service charges – Roll-off container service.

Roll-off container services will be considered temporary for the first two months of service and charged per day rent charges accordingly. After two consecutive months of service, users will be considered permanent. Disposal fees are subject to a one-ton minimum. Roll-off containers not picked up at least monthly will be charged a minimum monthly fee of \$348.00. Charges for city of Richland roll-off service are outlined in the table below:

Roll-Off Service Rates

Container Type/Descriptor	Hauling Fee	Disposal Charge per Ton	Per Day Rent Charge	Delivery Charge
Drop Box – Temporary	\$150.00	\$48.00	\$5.00	\$45.00
Drop Box – Permanent	\$150.00	\$48.00	N/A	\$45.00

All roll-off containers that are overloaded, blocked or not ready to haul when the scheduled service arrives will be charged \$45.00 call-back fee for the additional service attempt.

Section 5. Chapter 16.08 of the Richland Municipal Code, entitled Rates and Charges, as first enacted by Ordinance No. 05-98, and last amended by Ordinance No. 2022-29, is hereby amended as follows:

CHAPTER 16.08
STORMWATER RATES AND CHARGES

Sections:

16.08.010 System of charges.

16.08.030 Billing and collection.

16.08.035 Special residential rates – Low income senior citizens and low income disabled citizens.

16.08.040 Use of stormwater utility funds.

16.08.050 Use of other proceeds by stormwater utility.

16.08.060 Latecomer agreements.

16.08.010 System of charges.

A. There is hereby imposed a system of ~~monthly~~ daily charges on residential and commercial properties located within the boundaries of the city. The ~~monthly~~ daily charge includes applicable taxes and is based on an equivalent residential unit or ERU. One ERU is equal to 3,000 square feet of impervious area. All residential properties are deemed to contain one ERU. Townhouses, condominiums, duplexes, tri-plexes and four-plexes are subject to the residential charge for each living unit.

B. Commercial properties containing more than 1,000 square feet of impervious area shall be subject to a minimum charge of one ERU. Commercial properties containing more than 3,000 square feet of impervious area shall be subject to a charge equal to the following formula:

C. ~~Monthly~~ Daily Commercial Stormwater Charge = (Property Impervious Area/3,000) * ERU Charge (effective for utility bills generated on or after December 1, 2023):

RATE

Equivalent Residential Unit (ERU) ~~\$0.1266~~ 3.85

D. Exempt Properties. The owners of the following properties are exempt from the charges imposed by this section:

1. All property defined “floodplain” by the FEMA Flood Insurance Rate Map within the Yakima River floodplain zone.
2. All vacant property.
3. All city streets, state highways, and railroads.
4. Airport runways, taxiways, hangars, and other buildings used primarily by airplanes.

5. Public streets owned by the Port of Benton.

16.08.030 Billing and collection.

Stormwater utility charges, as imposed by RMC 16.08.010, shall be computed on a ~~monthly~~ daily basis and shall be included as a separate charge listed on the city utility bill. Stormwater charges will be billed as follows:

- A. To the active utility customer on commercial or residential rented or leased property, excluding apartments; or
- B. To the owner when owner occupies a commercial or residential property; or
- C. To the owner where stormwater is billed on an annual basis; or
- D. To the owner when no other utility services are provided at a specific location or property; or
- E. For apartments, to the active utility account for the property manager or the property owner.

Commercial stormwater charges not included in a monthly city utility bill and that are less than \$40.00 per month will be billed on an annual basis.

The stormwater charge for the city-owned parking lots serving the Uptown Shopping Center and the parkway district shall be the obligation of the property owners located in those areas. The stormwater charges associated with these parking lots shall be divided amongst the property owners according to the proportion of each owner's square footage to the total privately owned square footage in the area.

The finance director, or his or her designee, is hereby authorized to administer the billing and collection of stormwater utility fees. In the event a property does not have utility service but is subject to charges imposed by this chapter, a new account shall be established and that property shall be billed separately for the stormwater utility charges. The finance director is directed to compile a list of all residential property owners or occupiers, commercial property owners and vacant land owners, as is necessary for determining utility charge liability under this chapter. The finance director is further directed to develop any rules and regulations which are consistent with this chapter and which are necessary for its administration. Collection and enforcement shall be as provided in the statutes of the state of Washington, Chapter 35.67 RCW et seq. as they currently exist or may hereafter be modified and construed.

16.08.035 Special residential rates – Low income senior citizens and low income disabled citizens.

There shall be a 33 percent discount applied to rates specified in RMC 16.08.010 for stormwater charges to residential customers qualifying as low income senior citizens or low income disabled citizens.

16.08.040 Use of stormwater utility funds.

The proceeds from the charges imposed by RMC 16.08.010 shall be used for stormwater conveyance system operation and maintenance, street sweeping, regulatory compliance, and planning, designing, and constructing drainage system improvements.

16.08.050 Use of other proceeds by stormwater utility.

The stormwater utility may finance the construction, operation, maintenance, and preservation of stormwater infrastructure and related facilities through local improvement districts and utility local improvement district, or with the proceeds of revenue bonds, or any combination thereof. In addition, the utility, through appropriation by the city council, may use funds from general taxation, money received from the federal, state, or other local governments and other funds made available to it.

16.08.060 Latecomer agreements.

Any developer using private funds to construct utility system improvements in the city or within the city’s utility service area may request to enter into a latecomer agreement with the city in order to recover a pro rata share of the costs of construction from other property owners that will later derive a benefit from the utility system improvements made by the developer. The procedure for entering into such an agreement is administered by the city and provided in Chapter 3.10 RMC.

Section 6. Chapter 17.56 of the Richland Municipal Code, entitled Rates and Charges, as first enacted by Ordinance No. 77, and last amended by Ordinance No. 2022-10, is hereby amended as follows:

CHAPTER 17.56
SEWER RATES AND CHARGES

Sections:

17.56.010 Schedule I – Residences and multifamily residences.

17.56.020 Schedule II – Commercial, etc.

17.56.025 Economic development rate.

17.56.028 Special residential rates – Low income senior citizens and low income disabled citizens.

17.56.030 Applicability.

17.56.040 Sewer facilities assessment.

17.56.050 Latecomer agreements.

17.56.060 Imposition of adjusted facilities assessment.

17.56.010 Schedule I – Residences and multifamily residences.

A. Billings shall be monthly, to the building owner and/or the tenant on the basis of one month in arrears and include applicable taxes.

B. Residences and condominiums will be billed the ~~monthly~~ daily residential charge.

C. The city may furnish sewer to customers at locations outside the corporate limits of the city. The ~~monthly~~ daily rates for sewer furnished to out-of-city customers shall be the rates set forth in this title for the applicable class of service plus 50 percent of such rates.

D. Residences with less than three living units shall be billed the ~~monthly~~ daily residential charge per ~~month~~ day per living unit. These ~~monthly~~ daily charges are due whether the living unit is occupied or not. Multifamily residences will be billed a per unit charge for each living unit, whether occupied or not, plus consumption charges based on water usage. Sewer charges will be billed on the owner’s/manager’s monthly bill along with the associated water charges.

For multifamily facilities served by a water meter for each unit, sewer will be billed at the residential charge to each unit regardless of whether the living unit is occupied.

E. Rates shall be charged according to the following table ([effective for all utility bills generated on or after December 1, 2023](#)):

	Rate
Monthly <u>Daily</u> residential charge:	\$0.8416 <u>25.60</u>
Monthly <u>Daily</u> multifamily per unit charge:	\$0.4077 <u>12.40</u>
Monthly <u>m</u> ultifamily consumption charge:	\$2.15

17.56.020 Schedule II – Commercial, etc.

A. All commercial customers, including recreational vehicle parks, mixed-use and other customers not specifically included in Schedule I, shall be included in this schedule, except for industries which discharge chemical waste, food processing waste, other unusual waste, or unusual amounts of water. Industries discharging such wastes, if their waste is accepted for treatment by the city, shall be subject to individually negotiated contracts. Water usage will be used as the basis for computing ~~monthly~~ daily sewer charge. Sewer charges will be billed on the customer’s monthly bill along with the associated water charges.

B. Billing shall be monthly to the owner or the tenant of the commercial establishment on the basis of one month in arrears and include applicable taxes. For the purposes of this section, “billing month” means the month which includes the last day of the period of water consumption for which the customer will be billed.

C. Rates shall be charged according to the following table ([effective for all utility bills generated on or after December 1, 2023](#)):

	Rate
Minimum monthly <u>daily</u> charge:	\$2.0219 <u>61.50</u>
Additional charge – per 100 cubic feet:	\$2.15

D. Users billed under this schedule who use large volumes of water that is not returned to the sewer shall have the option of installing a separate water meter for the irrigation system or installing an effluent meter in a control manhole as specified in RMC 17.44.010. Separate water meters or effluent meters shall be installed at the owner’s expense and in compliance with city standards. All meters shall be dedicated to the city for operation and maintenance.

17.56.025 Economic development rate.

A. Terms and conditions of negotiated rate will be by contract.

B. Will be based upon the benefits derived from the new load and/or employment opportunities that expand the local economy.

C. Will utilize marginal costing concept.

17.56.028 Special residential rates – Low income senior citizens and low income disabled citizens.

There shall be a 60 percent discount applied to rates specified in RMC 17.56.010(E) for sewer service supplied to residential customers qualifying as low income senior citizens or low income disabled citizens.

17.56.030 Applicability.

The ~~monthly~~ daily sewer service charge shall be charged to all residences and commercial establishments within the city having a sewer on the premises or within 300 feet of the property line, regardless of whether connection to the sewer system has been made.

17.56.040 Sewer facilities assessment.

Sewer treatment, lift station, interceptor facilities and frontage charges shall be assessed and collected as a condition precedent to providing sewer service connections by the city of Richland according to the following table:

Size of Water Meter	Facilities Assessment	Frontage Charge
3/4"	\$2,995	\$30/ft.
1"	\$2,995	\$30/ft.
1 1/2"	\$9,973	\$30/ft.
2"	\$15,963	\$30/ft.
3"	\$29,950	\$30/ft.
4"	By Contract	\$30/ft.
6"	By Contract	By Contract

Duplexes, tri-plexes and four-plexes shall be assessed facility assessments for each residential unit regardless of the number of water meters installed.

The frontage fee shall apply to all connections to the public sewer system except:

A. When the existing main crosses the entire property frontage and was installed by the property owner or developer of the property; or

B. When the existing main crosses the entire property frontage and was included in an approved latecomer agreement pursuant to the Municipal Water and Sewer Facilities Act (Chapter 35.91 RCW).

For a corner lot, the frontage fee shall be calculated on the longest side of the lot.

The sewer facilities assessment may be waived by the Richland city council when providing a sewer service connection, or connections, to previously existing residences where the cost of providing a sewer service connection, or connections, is paid in whole or in part by a state or federal grant in aid of community rehabilitation, or to newly constructed residences where the cost of providing a sewer service connection, or connections, is paid in whole or in part by a state or federal grant to provide housing for low income families or handicapped persons and may likewise be waived by the Richland city council when providing a sewer service connection or connections for new publicly funded facilities built for public use.

The charges set forth in this section assume normal chemical composition and biochemical oxygen demand based on residential sewage. The public works director may negotiate facilities assessment charges for waste with significantly different characteristics.

17.56.050 Latecomer agreements.

Any developer using private funds to construct utility system improvements in the city or within the city’s utility service area may request to enter into a latecomer agreement with the city in order to recover a pro rata share of the costs of construction from other property owners that will later derive a benefit from the utility system improvements made by the developer. The procedure for entering into such an agreement is administered by the city and provided in Chapter 3.10 RMC.

17.56.060 Imposition of adjusted facilities assessment.

All existing customers, notwithstanding their exemption from the imposition of a facilities assessment by virtue of having received a side sewer connection prior to the effective date of the ordinance codified in RMC 17.56.040 and this section shall be required to pay an adjusted facilities assessment where an increased capacity sewer service connection permit is requested after March 15, 1994; provided, however, that in no event shall such an assessment be made where a side sewer inspection has been made prior to the effective date of the ordinance codified in RMC 17.56.040 and this section. The amount to be assessed in such instances shall be the difference between the facilities charge that would have been required for the earlier installed service and that charge imposed upon the size water service installed.

A customer having paid an initial sewer facilities assessment shall also be required to pay an adjusted facilities assessment where an increased capacity sewer service connection permit is obtained after the effective date of the ordinance codified in RMC 17.56.040 and this section. The adjusted facilities charge shall be determined as provided in this section.

Section 7. Chapter 18.24 of the Richland Municipal Code, entitled Domestic Water Rates and Charges, as first enacted by Ordinance No. 80, and last amended by Ordinance No. 2022-11, is hereby amended as follows:

**CHAPTER 18.24
DOMESTIC WATER RATES AND CHARGES**

Sections:

18.24.010 Delinquency.

18.24.020 Water rate schedule (metered).

18.24.030 Water – Economic development rate.

18.24.040 Users outside of city limits – Contracts authorized.

- 18.24.050 Water facilities assessment.
- 18.24.060 Effective date of assessment.
- 18.24.070 Imposition of adjusted facilities assessment.
- 18.24.075 Latecomer agreements.
- 18.24.080 Severability.

18.24.010 Delinquency.

Bills are due and payable upon receipt, and are delinquent after 20 days from date of billing. Late fees and interest will be charged on all delinquent accounts according to RMC 3.30.040. Failure to receive bill will not release customer from payment of the obligation due.

18.24.020 Water rate schedule (metered).

A. Residential, multifamily, commercial and large user customers serviced through a water meter will be charged ~~monthly~~ daily for metered water consumption on the basis of Table 1 below, which includes applicable taxes ([effective for all utility bills generated on or after December 1, 2023](#)):

TABLE 1

Water Rates (Metered)

**RESIDENTIAL, MULTIFAMILY AND
COMMERCIAL RATES**

Meter Size	Rate
1" or less	\$0.8071 <u>24.55</u>
1 1/2"	\$2.6893 <u>81.80</u>
2"	\$4.3003 <u>130.80</u>
3"	\$8.0630 <u>245.25</u>
4"	\$13.4384 <u>408.75</u>
6"	\$26.8767 <u>817.50</u>
8" or larger	\$43.0027 <u>1,308.00</u>
Fire hydrant meter monthly rent charge	<u>\$30.00</u>

Additional Charge per 100 cf	Rate
Residential and fire hydrant meter	\$0.85
Multifamily and irrigation	<u>\$0.75</u>
Commercial/municipal	<u>\$0.65</u>

LARGE USER RATES

Meter Size	Rate
1" or less	\$ 7.0948 <u>215.80</u>
1 1/2"	\$ 23.6515 <u>719.40</u>
2"	\$ 49.8099 <u>1,515.05</u>
3"	\$ 70.9545 <u>2,158.20</u>
4"	\$ 118.2575 <u>3,597.00</u>
6"	\$ 236.5151 <u>7,194.00</u>
8" or larger	\$ 378.4241 <u>11,510.40</u>
Additional charge per 100 cf:	0.60

B. The city may furnish water to customers at locations outside the corporate limits of the city. The ~~monthly~~ daily rates for water furnished to out-of-city customers shall be the rates set forth in this title for the applicable class of service plus 50 percent of such rates.

C. Residential customers serviced through a single meter will be billed at the one-inch or less base rate per living unit, plus consumption charges. Consumption charges will be billed to the account to which the meter is addressed.

D. Commercial and mixed-use customers serviced through a single meter, where multiple units are served, will be billed the appropriate commercial rate, plus consumption charges. This utility charge, including all consumption charges, will be billed to the one account where the meter is addressed.

E. Condominiums and townhouses, which share a single meter, will be billed at the multifamily rate with the bill going to a homeowners' association or like account. Condos and townhouses which are individually metered will be billed at the residential rate with charges based on the meter size.

F. The rates for water supplied to the residential customers qualifying as low income senior citizens or low income disabled citizens shall be discounted by 60 percent. Additional rate information regarding low income senior citizens and low income disabled citizens can be found in Chapter 3.29 RMC (Utility Low Income Program).

G. Commercial customers utilizing the domestic water system for irrigation purposes as described in RMC 18.12.086 will be charged the appropriate commercial rates for usage during the months of April through October of each year. The appropriate commercial rates will be charged if consumption is detected outside of this time period.

18.24.030 Water – Economic development rate.

A. Terms and conditions of negotiated rate will be by contract.

B. Will be based upon the benefits derived from the new load and/or employment opportunities that expand the local economy.

C. Will utilize marginal costing concept.

18.24.040 Users outside of city limits – Contracts authorized.

The city manager may, with the approval of the city council, enter into contracts with customers at locations outside the corporate limits of the city, at a rate lower than those prescribed in RMC 18.24.020, but not less than those prescribed for the users of the same class located in the city, when the extraordinarily high volume of use warrants such a lower rate.

18.24.050 Water facilities assessment.

Water transmission, storage, source of supply and frontage facilities charges shall be assessed and collected as a condition precedent to providing water service connection by the city of Richland according to the following table:

Size of Water Meter	Facilities Assessment for Indoor and Nonirrigation Uses Only¹	Facilities Assessment for Uses That Include Outdoor Landscape Irrigation and Car Washes²	Facilities Assessment for Badger South^{3,4}	Frontage Charge⁵
3/4"	\$2,100.00	\$2,990.00	\$2,235.00	\$15/ft.
1"	2,100.00	2,990.00	2,235.00	15/ft.
1 1/2"	6,993.00	9,957.00	7,443.00	15/ft.
2"	11,193.00	15,937.00	11,913.00	15/ft.
3"	21,000.00	29,900.00	22,350.00	15/ft.
4"	By Contract	By Contract	By Contract	15/ft.
6"	By Contract	By Contract	By Contract	By Contract

1. This charge is for residential and commercial lots which have a separate irrigation source and typically do not have a high demand water usage season.

2. This charge is for residential and commercial lots which do not have a separate irrigation source or do have a high demand water usage season (i.e., a car wash).

3. The Badger South facilities assessments will be collected by the city as part of the building permit approval process. The city will reimburse the Badger Mountain Irrigation District \$300.00 per ERU (ERU is an equivalent residential unit or a service provided by up to one-inch meter size) on the first 350 ERUs collected and reimburse \$192.00 per ERU thereafter.

4. The Badger South area is defined as shown in Exhibit A attached to the ordinance codified in this section.

5. The frontage fee shall apply to all connections to the public water system except:

A. When the existing main crosses the entire property frontage and was installed by the property owner or developer of the property; or

B. When the existing main crosses the entire property frontage and was included in an approved latecomer agreement. For a corner lot, the frontage fee shall be calculated on the longest side of the lot.

The city, as part of the Tri-Cities Estates Local Improvement District (LID) No. 190, constructed water main lines in Oxford Avenue and Oregon Street. Three residences did not participate in the water portion of the LID. The following three properties are required to pay a lump sum frontage

charge of \$3,166.45, in addition to the applicable meter charge and facility assessment, at the time of connection to the city water system. These three properties are: 1366 Baywood, 1381 Baywood, and 1391 Baywood. On January 1st of each year, beginning in 2009, the lump sum amount shall be adjusted to compensate for inflation as documented in the Consumer Price Index – Urban (CPI-U) using the Pacific Cities, West – B/C data for July of the previous year. As of January 1, 2022, the rate has been updated to \$4,150.09.

*Editor’s note: The Tri-Cities Estates water latecomer rates in RMC 18.24.050 were updated on January 1, 2022.

The water facilities assessment may be waived by the Richland city council when providing a water service connection, or connections, to any municipally owned public park, where the cost of constructing such municipally owned public park, or a portion of such cost, has been borne by the property owners specially benefitted thereby and may likewise be waived by the Richland city council when providing water service connection, or connections, to previously existing residences where the cost of providing a water service connection, or connections, is paid in whole or in part by a state or federal grant-in-aid community rehabilitation, or to newly constructed residences where the cost of providing a water service connection, or connections, is paid in whole or in part by a state or federal grant to provide housing for low income families or handicapped persons and may likewise be waived by Richland city council when providing a water service connection or connections for new publicly funded facilities built for public use.

18.24.060 Effective date of assessment.

The water transmission, storage and source of supply facilities assessment as described in RMC 18.24.050 is imposed upon all property owners who have requested a new water service connection or increased capacity water service by their purchase of a water services connection permit on or after December 9, 1975; provided, however, that in no event shall such assessment be charged where the actual connection was made prior to the effective date of the ordinance codified in RMC 18.24.050 through 18.24.070. Such assessment shall become due and owing at the time the water services connection permit is obtained; provided further, that in those instances where the permit was obtained prior to the effective date of the ordinance codified in RMC 18.24.050 through 18.24.070, such fee shall become due at the time the actual connection is made.

18.24.070 Imposition of adjusted facilities assessment.

All existing customers, notwithstanding their exemption from the imposition of a facilities assessment by virtue of having received a meter connection prior to the effective date of the ordinance codified in RMC 18.24.050 through 18.24.070, shall be required to pay an adjusted facilities assessment where an increased capacity water service connection permit is requested after December 9, 1975; provided, however, that in no event shall such an assessment be made where the actual increased capacity connection is made prior to the effective date of the ordinance codified in RMC 18.24.050 through 18.24.070. The amount to be assessed in such instances shall be the difference between the facilities charge that would have been required for the earlier installed service and that charge imposed upon the size water service connection installed.

A customer having paid an initial water facilities assessment shall also be required to pay an adjusted facilities assessment where an increased capacity water service connection permit is obtained after the effective date of the ordinance codified in RMC 18.24.050 through 18.24.070. The adjusted facilities charge shall be determined as provided in this section.

18.24.075 Latecomer agreements.

Any developer using private funds to construct utility system improvements in the city or within the city’s utility service area may request to enter into a latecomer agreement with the city in order to recover a pro rata share of the costs of construction from other property owners that will later derive a benefit from the utility system improvements made by the developer. The procedure for entering into such an agreement is administered by the city and provided in Chapter 3.10 RMC.

18.24.080 Severability.

The invalidity of any section, subsection, provision, clause or portion thereof, or the invalidity of the application thereof to any person or circumstances, shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances.

Section 8. Chapter 18.37 of the Richland Municipal Code, entitled Irrigation Water Rates and Charges, as first enacted by Ordinance No. 06-05, and last amended by Ordinance No. 55-16, is hereby amended as follows:

**Chapter 18.37
IRRIGATION WATER RATES AND CHARGES**

Sections:

18.37.010 Delinquency.

18.37.020 Irrigation service rates.

18.37.040 Repealed.

18.37.010 Delinquency.

Bills are due and payable upon receipt and are delinquent after 20 days from the date of billing. Late fees and interest will be charged on all delinquent accounts according to RMC 3.30.040. Failure to receive a bill does not release the customer from payment of the obligation due.

18.37.020 Irrigation service rates.

These rates apply to all city serviced irrigation customers in the following service areas: Horn Rapids, Columbia Point, Meadow Springs/Willowbrook and Smartpark. The annual irrigation rate for irrigation customers shall be as follows:

Customer Type	1 Acre or Less	Each Additional Irrigated Acre
Residential	\$318.00	N/A
Commercial, Industrial, Golf Courses, etc.	\$318.00	\$130.00

Effective for all utility bills generated on or after December 1, 2023, Irrigation will be assessed on the customer’s monthly ~~master~~ utility account at a daily rate of 1/365 per day ~~one-twelfth of the annual rate.~~

18.37.040 Meadow Springs irrigation rates.

Repealed by Ord. 26-12.

Section 9. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 10. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 11. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 21st day of November, 2023.


Terry Christensen, Mayor

Attest:


Toni Fulton, Acting Deputy City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

First Reading: November 7, 2023

Second Reading: November 21, 2023

Date Published: November 26, 2023