

## **ORDINANCE NO. 2013**

### **AN ORDINANCE OF THE CITY OF DAYTON, WASHINGTON, REPEALING ORDINANCE 994 AND ADOPTING UTILITY BILLING PROCEDURES**

**WHEREAS**, the City Council of the City of Dayton, Washington adopted Ordinance No. 994 in 1946 for the purpose of regulating the water service and utility billing at apartment houses within the City; and

**WHEREAS**, Ordinance No. 994 is codified at Chapter 4-4 of the Dayton Municipal Code; and

**WHEREAS**, with the passage of time, Ordinance No. 994 has become outdated and, in certain instances, uses terminology inconsistent with modern laws and regulations governing municipal utility service and billing; and

**WHEREAS**, the City Council of the City of Dayton, Washington, deems it necessary to repeal Ordinance No. 994 and adopt a new ordinance that reflects and is consistent with modern terms and regulations;

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

**Section 1.** Ordinance No. 994 adopted in 1946 and codified at Chapter 4-4 of the Dayton Municipal Code is hereby repealed.

**Section 2.** A new Chapter 4-4 of the Dayton Municipal Code is hereby adopted to read as follows:

Section 4-4.04. The following definitions apply to this chapter:

- A. "Dwelling Unit" means a single unit providing independent living facilities for one or more persons, including permanent provisions for living, and sleeping.
- B. "Multi-Family Dwelling Unit" means a building that contains two or more dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.
- C. "Commercial Building" means a building used primarily or exclusively for non-residential commercial or industrial purposes.

Section 4-4.06. City water hereinafter supplied to each and every dwelling unit and each separate place of business with City water therein, where such water is conveyed thereto through a single meter, shall be charged with the minimum monthly water rate, and shall be payable monthly as other water rentals are paid.

Section 4-4.08. It shall be the duty of each proprietor, owner, or agent of a dwelling unit, multi-family dwelling, or commercial building, coming within the provisions of Section 4-4.06:

- a) It shall be the duty of each owner or proprietor of any multi-family dwelling where two or more dwelling units as served through the same meter to report to the City Clerk or his/her designee, the location of such multi-family dwelling unit and the number of separate dwelling units served through a single meter.
- b) It shall be the duty of each owner or proprietor of any commercial building where two or more business places are served through the same meter, to report in like manner to the City Clerk or his/her designee, the location of such property, and the number of separate businesses served through a single meter.
- c) In the event the owner or proprietor of a multi-family dwelling unit or commercial building fails or refuses to pay the fees and charges for water service to the property, such that the fees and charges are delinquent, the occupant or occupants of such property shall be notified, in writing, of the delinquency at least seven (7) calendar days before disconnecting water service. The purpose of this notice is to provide any affected occupant an opportunity to resolve the delinquency or arrange for continued service. If requested, the City may provide water service to the occupant on the same terms and conditions as other residential, commercial, or industrial utility customers, without requiring the occupant to pay delinquent amounts for utility services billed directly to the owner or proprietor.

Section 4-4.10. All delinquent water charges hereunder shall become a lien upon the premises so served as now provided by RCW 35.21.290

Section 4-4.12. This ordinance shall be in addition to the present water regulations and shall not repeal the same, except insofar as it conflicts with any provisions thereof.

Section 4-4.14. Any person, firm, or corporation, failing or neglecting to make the report to the City Clerk or his/her designee as required by Section 4-4.08 herein shall be charged a fee in accordance with the current Master Fee Schedule for failing to notify the City Clerk or his/her designee within 10 days of any change in occupancy, including vacation of the premises by an occupant or tenant. That said City in addition thereto, reserves the right upon such violation to require the owner to install water meters for each Dwelling Unit or separate place of business, and may discontinue the use of City water to such premises until the owner thereof shall comply with such demand.

**Section 3.** This ordinance shall be in full force and effect five days after its passage and publication as required by law.

**PASSED** by the **CITY COUNCIL** and approved by the **MAYOR** at its regular meeting on September 10, 2024.

CITY OF DAYTON

  
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Roger Trump, Mayor  
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Debra M Hays, City Clerk Treasurer

Approved as to Form:

  
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Quinn Plant, City Attorney

ORDINANCE SUMMARY BY TITLE ONLY FOR PUBLICATION PURPOSES  
ORDINANCE 2013

AN ORDINANCE OF THE CITY OF DAYTON, WASHINGTON REPEALING ORDINANCE 994 AND  
ADOPTING UTILITY BILLING PROCEDURES

The full text of Ordinance No. 2013 adopted the 10<sup>th</sup> day of September 2024, is available for examination at the City Clerk's Office, 111 S 1<sup>st</sup> St., Dayton, WA during normal business hours, Monday – Thursday, 7:00 a.m. to 4:00 p.m. Full text of the Ordinance shall be mailed upon request.

By:/s/Roger Trump, Mayor

Attest: /s/Debra M Hays, City Clerk-Treasurer

Approved as to form: /s/Quinn Plant, City Attorney

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