

**SAMMAMISH PLATEAU WATER & SEWER DISTRICT
KING COUNTY, WASHINGTON**

RESOLUTION NO. 5037

RESOLUTION OF THE BOARD OF COMMISSIONERS OF SAMMAMISH PLATEAU WATER AND SEWER DISTRICT, KING COUNTY, WASHINGTON, REVISING AND ESTABLISHING BILLING, PAYMENT, AND COLLECTIONS PROCEDURES AND POLICIES FOR WATER AND SEWER SERVICE RATES, FEES AND CHARGES; AND REPEALING RESOLUTION NO. 4927.

WHEREAS, Sammamish Plateau Water and Sewer District ("District") is a water-sewer district authorized and existing pursuant to Title 57 of the Revised Code of Washington (RCW) providing water and sewer utility service to its customers located within the District's corporate and service area boundaries; and

WHEREAS, RCW 57.08.081 establishes procedures for water-sewer districts for the collection of rates and charges for providing water service and sewer service to property owners and customers to whom such service is available (collectively, "service rates and charges"); and

WHEREAS, the District Board of Commissioners previously established billing, payment, and collection procedures and policies for water and sewer service rates and charges by the adoption of Resolution No. 4551 on January 4, 2016; and

WHEREAS, the District Board of Commissioners previously established billing, payment, and collection procedures and policies for water and sewer service rates and charges due to the transition to monthly billing by the adoption of Resolution No. 4927 on December 16, 2019; and

WHEREAS, the District Board of Commissioners now desires to revise such policies to reflect proposed changes District staff presented at the October 12, 2020 Board meeting; now, therefore,

BE IT RESOLVED, by the Board of Commissioners of Sammamish Plateau Water & Sewer District, King County, Washington, as follows:

1. The billing, payment, and collections procedures and policies for water and sewer service rates and charges, attached as "Exhibit A" are hereby authorized and approved and shall be effective the date set forth below.
2. All District resolutions, policies and procedures, including those set forth in Resolution No. 4927 and Code Sections 3.15.010 and 3.15.020, are hereby modified, amended, superseded, and/or rescinded to be in accordance with "Exhibit A."

ADOPTED by the Board of Commissioners of Sammamish Plateau Water and Sewer District, King County, Washington, at a regular open public meeting held on the 21st day of June, 2021.

**Individual Commissioner's
Vote on this Resolution:**

Approved:	_____
Opposed:	_____
Abstained:	_____
Absent:	_____ <input checked="" type="checkbox"/>
	_____ <input checked="" type="checkbox"/>
Approved:	_____
Opposed:	_____
Abstained:	_____
Absent:	_____
	_____ <input checked="" type="checkbox"/>
Approved:	_____
Opposed:	_____
Abstained:	_____
Absent:	_____
	_____ <input checked="" type="checkbox"/>
Approved:	_____
Opposed:	_____
Abstained:	_____
Absent:	_____


Ryika Hooshangi (Jun 21, 2021 21:21 PDT)

Ryika Hooshangi, President and Commissioner


Lloyd Warren (Jun 21, 2021 18:06 PDT)

Lloyd Warren, Vice President and Commissioner


Mary Shustov (Jun 21, 2021 18:06 PDT)

Mary Shustov, Secretary and Commissioner



Tom Harman, Commissioner


Nav Ota (Jun 21, 2021 18:07 PDT)

Nav Ota, Commissioner

Exhibit A

Sec. 3.15.010. Establishing billing, payment, and collections procedures and policies for water and sewer revise rates and charges.

(a) *Definitions.* The following definitions shall apply to the provisions set forth herein.

Bill Date means the date identified on a billing for utility services provided.

Collection Process Date means each January 1, March 1, May 1, July 1, September 1, and November 1, upon which the District will initiate the collections of a delinquent account.

Customer means the person, corporation, association, or other entity in whose name the real property being furnished utility service by the District is recorded with the county auditor's office or equivalent office as the owners of such real property.

Customer Account means that account maintained by the District for each property, commercial or residential or other, for utility services provided by the District to such property, the charges for such services being deemed charges against the property served.

Cycle means a District billing processing period as follows: cycle one means the 1st of each month and cycle two means the 15th of each month.

Delinquency Penalty means the penalty established by the Board of Commissioners from time to time by resolution under the authority granted in RCW 57.08.081(3), or as such statute may be modified, amended or superseded.

Delinquent means a customer's account has not been paid in full by the beginning of any collection process date, including any penalties and interest. The term "delinquent sum" means any portion of a customer account which remains due and unpaid at the beginning of any collection process date, including any penalties and interest.

Due Date means the date identified on a billing for utility services provided by which payment of the billing is due.

Finance Manager means the duly appointed finance manager of the District to perform the functions of the finance manager under this section and their designee.

Shut Off means the discontinuation of service referred to in RCW 57.08.081(5), or as such statute may be modified, amended or superseded.

(b) *Utility service billings.* The District shall bill customers on a monthly basis for water and sewer service provided by the District to each customer's property during the preceding calendar month; provided, however, that the initial or final bill to any customer may cover

a shorter period of time. Each bill shall clearly state its bill date and due date and shall be payable as follows:

- (1) All sums (other than delinquent sums) not paid in full by the beginning of each collection process date shall be considered to be delinquent sums; a one-time delinquency penalty of ten percent shall be charged on such delinquent sum on the collection process date and a letter shall be mailed to the customer advising of the delinquent sum (including the ten percent delinquency penalty) and requesting payment of such sums within 14 days;
- (2) If any delinquent sum remains due and owing 15 days after the collection process date for the delinquent billing, a notice shall be mailed to the customer advising that the water and sewer service to such customer's property may be shut off if payment in full of all delinquent sums (including the ten percent delinquency penalty) are not paid to the District by the 21st day after the collection process date for the delinquent billing.
- (3) A door hanger shall be placed on the front door of the premises/property receiving District utility service if any delinquent sums remain due and owing 22 days after the collection process date for the delinquent billing; the door hanger shall advise that water and sewer service to such customer's property may be shut off if payment in full of all delinquent sums (including the ten percent delinquency penalty) are not paid to the District in full by the 23rd day after the collection process date for the delinquent billing. The delinquent customer account shall also be charged a fee as established by the Board from time to time for the placement of the door hanger, and such fee shall be included in and must be paid with the delinquent sum.
- (4) The mailed notice referenced in subsection (b)(2) of this section shall also advise the customer of the customer's right to file a written notice of appeal with the District no later than 4:30 p.m. two days prior to the 23rd day after the collection process date for the delinquent billing. The customer's written notice of appeal to dispute the delinquent billing shall adhere to the process set forth in subsection (g) of this section.
- (5) If any delinquent sum remains due and owing 23 days after the collection process date for the delinquent billing, the District may shut off and discontinue water and sewer service to the delinquent customer's property unless the customer has filed a written notice of appeal with the District as provided above, and a final determination has not yet been made on such billing.
- (6) If any delinquent sum remains due and owing 33 days after the collection process date for the delinquent billing, a notice shall be mailed to the customer advising that the delinquent sums will be certified as delinquent to the county auditor pursuant to RCW 57.08.081(3) and a lien will be filed against the property upon which the utility service was received if payment in full of all delinquent sums (including the ten percent delinquency penalty) are not paid to the District by the 41st day after the collection process date for the delinquent billing.
- (7) If any delinquent sum remains due and owing 41 days after the collection process date for the delinquent billing, the District shall certify the delinquent sum to county

auditor as delinquent and record a lien against the property upon which the utility service was received in the amount of the delinquent sum. The delinquent sum shall also include interest thereon at the rate of prime lending rate of the District's depository bank plus four percentage points as of the date of recording the lien, commencing and accruing from the date of 41 days after the collection process date for the delinquent billing until such delinquent sum is paid in full to the District together with all fees and costs incurred by the District to file the lien; after the filing of the lien, the District may bring suit in foreclosure of the lien as authorized by law.

- (c) *Payment arrangements.* Payment arrangements for delinquent sums owing on customer accounts may be made with the owner of property with a delinquent account for payment to be made in full up to 51 days after the collection process date for the delinquent billing.
- (d) *Delinquent sums/penalties.* All bills sent by the District shall clearly state the amount of all delinquent sums and the amount of delinquency penalties and interest that have been charged to the customer account during the period to which the utility service billing pertains.
- (e) *Resumption of service.* After a service has been shut off for non-payment of a utility service billing as provided herein, all delinquent sums (including the delinquency penalty, interest, lien-filing fees and costs, and any shut off charges) must be paid in full before water and sewer service will be resumed.
- (f) *Lien; creation/foreclosure.* The Finance Manager shall review, on a monthly basis, all customer accounts that have been delinquent for the prescribed period and verify that all such delinquencies have been certified to the county auditor and have the same declared a lien against such property in accordance with RCW 57.08.081(3).

The Finance Manager shall prepare an annual list of all customer accounts which contain sums that have been delinquent for the prescribed period and have been declared a lien against such properties, and transmit the list to the Board of Commissioners; the Board of Commissioners shall then determine whether suit shall be brought to foreclose all such liens and collect such accounts in accordance with the provisions of RCW 57.08.081 and this section.

- (g) *Billing disputes; appeal process.* The customer's written notice of appeal must be done utilizing a form provided by the District. Such form shall specify what the customer is requesting/disputing, the basis/reasoning why the customer disputes the delinquent billing and/or billing administrative fees, including supporting evidence and

documentation related to the request. If possible, the customer should provide an estimate of the proper amount of the bill.

After reviewing the customer's appeal and supporting evidence and documentation, the power to make a determination on the billing dispute and take action including correcting, modifying, or affirming the bill are delegated as follows:

- a. Customer Service staff have authority up to \$50.
- b. The Finance Manager has authority up to \$250.

Should any customer disagree with District staff's determination, the customer may request to appear before the Board of Commissioners. After reviewing the customer's request and supporting evidence and documentation, the Board of Commissioners shall have the power to make a final determination on the billing dispute and take action including correcting, modifying, or affirming the bill.

Billing adjustment requests due to leaks shall adhere to the leak adjustment policy.

- (h) *Billing disputes; time limitation on contesting bill.* In addition to the appeal procedure set forth in subsection (g) of this section, should any customer disagree with the amount of any bill relating to a customer account for any reason, the customer has 30 days following the termination of utility service to contest. Upon expiration of this period for contesting a bill without the District having received any written request as provided by this section, the customer account shall be deemed final and accurate.
- (i) A ratepayer may request one delinquency penalty be removed every two years, without needing to submit a written request, if the ratepayer is registered for the District's customer portal and has bill notification enabled.

Sec. 3.15.020. Billing administrative fees.

The services identified herein are subject to fees and charges in amounts as established by the Board from time to time:

- (1) *Not sufficient funds (NSF).* Fee charged to recover bank charges and District staff time to process and collect costs for returned payments.
- (2) *New account.* Cost to transfer an account to a new customer.
- (3) *Meter padlocking.* Fee charged for the costs associated with padlocking a water meter for delinquent accounts.
- (4) *Meter unpadlocking.* Fee charged for the costs associated with unpadlocking a water meter after payment is made.
- (5) *After-hours unpadlocking.* Fee charged for the costs associated with unpadlocking a water meter outside the District's normal business hours.
- (6) *Customer request padlocking/unpadlocking.* Fee charged to padlock/unpadlock a water meter per customer request during the District's normal business hours.
- (7) *24-hour shut-off notice.* Fee charged to delinquent accounts. Staff delivers a notice at the customer's home.
- (8) *Meter accuracy testing.* Fee charged to a customer who requests testing of their water meter accuracy. The fee is for pulling, testing and reinstalling the water meter if the testing confirms that the water meter's accuracy is within 1.5 percent.