

**TOWN OF ROCKFORD  
SPOKANE COUNTY WASHINGTON  
ORDINANCE NO.17-03**

**AN ORDINANCE OF THE TOWN OF ROCKFORD, WASHINGTON, ADOPTING RULES AND REQUIRMENTS FOR CUSTOMERS OF THE TOWN’S SEWER UTILITY AND OTHER MATTERS PROPERLY RELATED THERTO.**

**WHEREAS**, the Town through its legislative authority has the power and authority to establish rates for sewer service also to establish reasonable usage fees, and connection charges;

**WHEREAS**, the Town is vested with the authority to operate a municipal sewer system pursuant to chapter 35.92 RCW; and

**WHEREAS**, the Town also has authority to establish reasonable rules for the safety and effective operation of the Town’s sewer system.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ROCKFORD, WASHINGTON AS FOLLOWS:**

**SEWER SYSTEM**

**Sections:**

- 1 Purpose
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**Section 1. Purpose:** The purpose of this ordinance is to establish fees for service, general rules and regulations for the service and extension of service from the sewer system of the Town of Rockford and to promote the public health, safety, and general welfare of the users of the sewer system, in accordance with standards established by the Town, County, State, and Federal government.

**Section 2. Definitions:**

- a. “Business Rate” means the monthly sewer rate that shall be applied to all businesses, institutional or industrial sewer customers where no residential usage occurs, excluding food and beverage establishments.
- b. “Food and Beverage Establishment Rate” means the rate that shall be applicable to any establishment who provides food and/or beverage and offers indoor seating/dining.
- c. “Residential Rate” this rate class is established for individual single residential units and includes any separate identifiable home, apartment, condominium, mobile home or other separate identifiable dwelling unit designed and intended for occupancy by not more than one family.
- d. “Mobile Home Park Rate” means the rate that shall be applicable to any designated Mobile Home Park area in accordance to the Town of Rockford’s Zoning and Development Regulations ordinance
- e. “Non-Profit Rate” means the rate that shall be applicable to any business/establishment who can substantiate non-profit status
- g. “Service Line Connection” shall mean all piping and fittings from the sewer main to the property owner’s property boundary.
- h. “Main” refers to a sewer line designated or used to serve more than one premise.

**Section 3. Sewer Rates:**

- a. Each customer of the Town’s sewer system shall pay minimum monthly rates as fixed from time-to-time by resolution of the Town Council. These minimum monthly rates shall include the rate classes for:

**Residential, Business, Food and Beverage Establishment, Non-Profit and Mobile Home Park**

- b. A late charge shall be assessed on all past due accounts at the rate set forth by resolution of the Town. The Town shall provide notice to the account holder of any late charges and that continued delinquency may result in termination of sewer service.
- c. The council has the authority, by vote to increase the current sewer base rates up to 3% per year.

**Section 4. Sewer Charge a Continuing Charge—Suspension of Service—Resumption of Service:**

- a. Except as provided in subsection B of this section, the charge for sewer service provided in this ordinance, shall be due and payable each and every month an improvement is connected to the Town sewer system, whether or not the improvement receives water service.
- b. The owner of a property not receiving water service may submit an application to the Town Clerk/Treasurer or Deputy Clerk, requesting the suspension of sewer service to the property. The application shall be on a form provided by the Town Clerk/Treasurer or Deputy Clerk, and shall be signed by the property owner. The application shall include a statement that sewer service shall not be reinstated except upon payment of the sewer connection fee as set by the current fee resolution for residential service. Upon receipt of the application by the Town Clerk/Treasurer or Deputy Clerk, sewer service to the property shall be suspended. During the period of suspension, no sewer charges shall accrue for the connection.
- c. Sewer service that has been suspended as provided in this section shall not be reinstated until the appropriate sewer connection fee has been fully paid. Any use of the sewer system through a connection for which service has been suspended and not reinstated shall be considered a theft of services equal in value to the sewer connection fee, and the amount of regular, monthly sewer charges that would have accrued for each month if such use had sewer service been properly reinstated as provided in this section.

**Section 5. Connection Responsibilities—Fees:**

- a. All property owners shall be financially and legally responsible for extending sewer mains/services from the Town's existing mains/services to their property. All work, including engineering, must meet Town specifications and approval of Town Council. Any new development of the system that requires additional lift stations or booster pumps shall be done at the landowners cost and shall meet all the Town requirements for construction and inspection. Completed and compliant additional booster pumps or lift stations shall be transferred to the Town for ownership and maintenance.
- b. All sums collected pursuant to this section shall be held within a separate fund and shall be used only for capital improvement to the Town's sewer system unless this section shall be amended by ordinance duly passed by Town Council.
- c. The Town shall not be obligated to perform any work or share in any sewer expenses, unless so required by law; however, the Town may contract with owners or developers for sewer system improvements to the extent authorized by law.
- d. Upon installation, any sewer system improvements, on Town property, shall become property of the Town, and part of the Town's system, and the Town shall be responsible for maintenance and operation of the mains.
- e. Property owners or developers shall be legally and financially responsible for installation, maintenance and operation of service lines connected to the Town's mains and any other expenses directly or indirectly related to the installation and connection of the Town's sewer system.

- f. The Town shall not be obligated or required to issue a residential building permit or certificate of occupancy until the property owner or developer has made adequate provision for extension of the sewer to the property. The property owner or developer shall provide the following:
  - 1. The specific existing line and the exact location thereon to which the person requesting service shall connect to.
  - 2. A map indicating the exact location of the sewer line(s) and all other equipment installed and connected to the Town's system. The map shall reference to the type of materials used, the size of all materials, as well as an exact location of the sewer line(s), where it connects to the Town's existing line(s), including the approximate depth of the lines.
- g. Any sewer line(s) installed on any property owned by the Town shall immediately become the property of the Town upon completion and acceptance by the Town, and the Town shall be required to maintain the same.
- h. Any sewer line installed upon any private property within the Town shall be maintained by the owner of that property.
- i. No sewer shall be accessed by any property to be served until all the connection regulations have been satisfied and all charges incurred have been paid in full.
- j. Sewer connection fees may be adjusted from time to time by resolution of the Town.
- k. After sewer service lines have been installed and inspected, the Town shall be responsible for repairs and replacement of service lines from the main to the property line. The property owner shall be responsible for all repairs from within their property lines.

**Section 6. Separate Service Connections for Each Building:** Every separate building, dwelling or structure supplied with Town sewer must have its own separate service connection with the Town's mains. An exception to this section is that two or more buildings located on the same lot or on contiguous lots under a single ownership may, upon written permission granted by the Town Council, be supplied through the same connection with the Town's mains, as long as such single ownership continues. Upon change from single ownership a new and separate connection shall be immediately made for the building or the premises to a Town main solely at the owner's expense including any and all applicable connection fees.

**Section 7. Account in Owner's Name:** All accounts for sewer shall be the responsibility of the owner(s) of the real property receiving the sewer service. In the case of a mobile home, or other temporary or mobile structure, the owner of the real estate shall be the responsible party. All accounts for sewer shall be kept in the name of the owner of the property, when known, and all charges shall be made against the real property as well as against the owner thereof.

**Section 8. Payment Delinquency:**

- a. Sewer charges will be delinquent on the twentieth day of each month, after which a late fee will be assessed. Delinquent accounts will be mailed a notice, to the account's last known address, stating they are past due on their bill. All sewer service charges shall be enforceable through a lien against the property served even though sewer services may be contracted through an agent or tenant, to the extent authorized by law. The property owner shall remain liable for all sewer service charges. If an account becomes delinquent for more than six months, the Town may disconnect sewer service. Sewer service shall not be reinstated except upon payment of the sewer connection fee as set by the current fee resolution for residential service.
- b. All sewer rates and penalties will be charged against the premises to which the service was installed or supplied. All charges for sewer, when the same becomes delinquent and unpaid, and all penalties thereon, shall be a lien against the premises to which the same has been furnished and charged, except where the owner of, or the owner of a delinquent mortgage on, said premises has filed written notice with the Town Clerk/Treasurer to cut off service to said premises, and paid the then delinquent charges and penalties against such premises.
- c. All sewer rates and penalties will be charged against the premises to which the sewer service was supplied. The charges may be enforced as provided by law.
- d. For unpaid sewer bills, the Town Clerk/Treasurer may prepare and file a written lien notice in the form stated in **R.C.W. 35.67.210** as it now exists and as it may hereafter be amended. This lien shall be a charge against the real estate to which sewer service has been provided.
- e. The fee for returned checks or disallowed electronic funds shall be as set forth by resolution of the Town.

**Section 9. Payment of Delinquent Accounts:** No sewer service shall be provided anew to any premises where any owner of the premises, or any person or tenant in whose name(s) the account will be listed, has a delinquent water/sewer account with the Town.

**Section 10. Adjustments:** Any customer who believes there has been an error in their billing may submit to the Billing Clerk a claim for adjustment or remission in the billing; provided, the submission for the claim must be made within two months from the date the billing in question is issued, or the claim will be barred. Any adjustments or disputes that cannot be resolved by the Billing Clerk, a written claim must then be submitted to the Mayor. If the disputed account cannot be resolved by the Mayor, the final decision of the matter shall rest with Town Council. If a refund is due, it shall be made only upon the approval of Town Council and such refunds shall be made by checks drawn on the sewer fund.

**Section 11. Obstructing Access and/or Unauthorized Use of Town’s Rights-of-way/Easements:**

The Town shall have access to any easements and/or rights-of-way to service and/or maintain sewer lines at all times. No property owner shall obstruct or store personal property on such easements and/or rights-of-ways

**Section 12. Rules and Regulations—Rule Suspension:** These rules are made for the benefit of the sewer customers of the Town, and for the protection of the sewer system. Their enforcement shall in no case be willfully ignored by any Town official or officer, but when a strict enforcement of any rule or rules would work a gross injustice on a customer of sewer to the Town mains, the superintendent of the sewer department may order a suspension of the rule or rules as to that case, and his decision shall, in all such cases, be final.

This ordinance amends Ordinances 158, 186, 81-8, 92-8, 94-6, 97-3, 05-11, 06-02, 08-04, 08-05, 08-06, 11-1, 11-2, 11-3, 12-02, 13-01 and Resolution 80-2R.

**Effective:** This ordinance shall take affect \_\_\_\_\_

**Passed:** by the Town Council in regular session the \_\_\_\_\_

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Carrie Roecks, Mayor

Attest:

\_\_\_\_\_  
Heidi Johnson, Deputy Clerk