

ORDINANCE NO. 2022-002

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON  
AMENDING THE CONSUMER PRICE INDEX INCREASES IN ARLINGTON MUNICIPAL CODE  
CHAPTER 13.12 PERTAINING TO UTILITY RATES

WHEREAS, the City of Arlington has the authority to set rates and charges for its utility system; and

WHEREAS, for many years the City has been able to defer annual CPI increases to utility rates through operational efficiencies; and

WHEREAS, the water utility rates have not had a CPI increase since 2011, and the sewer and stormwater utility rates have not had a CPI increase since 2013; and

WHEREAS, the City's operational costs have increased since 2011 and a rate increase is required to keep the departments financially self-sufficient;

WHEREAS, the City Council considered this amendment at their workshop on January 10, 2022 and at their regular meeting held on January 18, 2022, and determined approving the amendment was in the best interest of the City and its citizens;

NOW, THEREFORE, the City Council of the City of Arlington do hereby ordain as follows:

Section 1. Arlington Municipal Code Section 13.12.040 shall be and hereby is amended to read as follows:

13.12.040 - Water rates and charges.

Applicable state and city utility taxes are included in the following rates and charges for water service. The total monthly water charges for every service shall include the Base Charge, and the consumption charge, as set forth below. Beginning on January 15, 2023, the rates set forth for the year 2022 shall be increased annually by the October reported percentage increase of the consumer price index (CPI) for the Seattle-Tacoma-Bellevue area for all urban consumers, or other measure commonly used by the city should it change; and provided further, however, that notwithstanding any reduction in the CPI, rates shall not decrease.

(1) Minimum monthly Base Charge schedule:

Basic Charge By Meter Size	2021 INSIDE CITY RATE	2022 INSIDE CITY RATE	2022 OUTSIDE CITY RATE	2023 OUTSIDE CITY RATE
5/8 to 3/4"	\$32.15	\$33.19	\$40.19	\$48.23
1"	\$44.96	\$46.42	\$56.20	\$67.44
1.5"	\$57.78	\$59.65	\$72.23	\$86.67
2"	\$93.07	\$96.09	\$116.34	\$139.61
3"	\$353.50	\$364.99	\$441.88	\$530.25
4"	\$450.05	\$464.68	\$562.57	\$675.08

(2) Monthly rate schedule charged for water consumption:

Consumption Rate per 100 cubic feet (cf)	2021 INSIDE CITY RATE	2022 INSIDE CITY RATE	2022 OUTSIDE CITY RATE	2023 OUTSIDE CITY RATE
First 300 cf	<i>Included in Base Charge for SFR and Commercial water services only</i>	<i>Included in Base Charge for SFR and Commercial water services only</i>	<i>Included in Base Charge for SFR and Commercial water services only</i>	<i>Included in Base Charge for SFR and Commercial water services only</i>
Next 700 cf	\$2.94	\$3.04	\$3.68	\$4.41
Over 1,000 cf	\$3.10	\$3.20	\$3.83	\$4.65
Over 3,000 cf	\$3.10	\$3.20	\$3.83	\$4.65

(3) Fair and equitable minimum rates for water consumers having meters larger than four inches shall be fixed by the city council and written agreements shall be entered with the users setting forth said rates. The city council may

enter into contracts with water users deviating from such rates where special circumstances dictate; provided that, such rates shall not be discriminatory.

(4) Temporary water service. Temporary water service for construction purposes, or for any other purpose temporary in nature that will not require a permanent service installation must be obtained through a Fire Hydrant Use Permit as stipulated in AMC 13.04.100(e). Charges for temporary use of water shall be as follows:

**Temporary Water Services Charges**

Security Deposit	\$750.00
Monthly Equipment Rental Fee (¾" meter)	\$50.00
Usage Rate	
First 300 cubic feet (cf)	Included in base rate
Next 700 cubic feet	<del>\$2,943.04</del>
Over 1,000 cubic feet	<del>\$3,103.20</del>
Over 3,000 cubic feet	<del>\$3,103.20</del>

(A) The security deposit shall be refunded to the customer after the equipment has been returned and inspected for any damages; customer shall be solely responsible for all damages. Customers shall be billed on a monthly basis for monthly equipment rental charges and usage fees from the date of temporary service installation.

(B) The usage rates set forth for temporary water service shall be increased annually by the October reported percentage increase of the consumer price index (CPI) for the Seattle-Tacoma-Bellevue area for all urban consumers, or other measure commonly used by the city should it change; provided, however, that no CPI adjustment shall be made for the period from January 15, 2022 to January 14, 2023, and provided further, however, that notwithstanding any reduction in the CPI, rates shall not decrease.

Section 2. Arlington Municipal Code Section 13.12.130 shall be and hereby is amended to read as follows:

**13.12.130 Residential sewer rates and charges.**

Applicable state and city utility taxes are included in the following rates and charges for sewer service. The total monthly sewer charges for every SFR and MFR service shall be a flat fee and not based on metered water consumption.

The effective dates for the following sewer rates will be based on the city's billing cycle for use beginning on January 1, 2022. Beginning on January 15, 2023, the rates set forth for the year 2022 shall be increased annually by the October reported percentage increase of the consumer price index (CPI) for the Seattle-Tacoma-Bellevue area for all urban consumers, or other measure commonly used by the city should it change; provided, however, that notwithstanding any reduction in the CPI, rates shall not decrease.

Monthly charge (sewer)	2021 RATE	2022 RATE
Single Family Residential	\$70.15	\$70.15
Multi-Family Residential	\$54.00	\$54.00

Section 3. Arlington Municipal Code Section 13.12.140 shall be and hereby is amended to read as follows:

**13.12.140 Commercial sewer rates and charges.**

(a) All sanitary sewer services connected to any public or private premises that are defined as "Commercial classification" in Section 13.12.110 shall be charged for sanitary sewer service upon the basis of water consumption. State and city utility taxes are included in the following rates and charges for sewer service.

The effective dates for the following rates will be based on the city's billing cycle for use beginning on January 1, 2022. Each user shall pay a minimum monthly charge of one base rate plus a volume rate for all consumption over three hundred cubic feet per month.

Monthly charge (sewer)	2021 RATE	2022 RATE
Base rate (includes 300 cubic feet of water consumption)	\$70.15	\$70.15
Volume rate (per 100 cubic feet of metered water consumption)	\$7.25	\$7.25

(b) Beginning on January 15, 2023, and on January 15th each year thereafter the rates set forth for the year 2022 shall be increased annually by the October reported percentage increase of the consumer price index (CPI) for the Seattle-Tacoma-Bellevue area for all urban consumers, or other measure commonly used by the city should it change, provided, however, that notwithstanding any reduction in the CPI, rates shall not decrease.

Section 4. Arlington Municipal Code Section 13.12.150 shall be and hereby is amended to read as follows:

**13.12.150 Industrial user classification and charges.**

The rates and charges for industrial users, as defined in Sections 13.08.240, 13.08.250, and Chapter 13.36, shall be as follows:

(1) All user charges shall be based upon equitable unit charges established for flow BOD (biochemical oxygen demand) loading and TSS (total suspended solids) loading, based upon the average BOD, TSS and other parameter(s) concentrations (as established by the public works director) monitored for the industrial user and the flow recorded in the monitoring manhole or water use.

(2) A minimum monthly charge will be established by the city to cover the basic sewer costs and monitoring of the industrial user's wastewater discharge, and in the event the monthly sewer bill does not exceed this amount the industrial user shall agree to pay the estimated minimum monthly charge. This charge shall be reviewed from time to time and adjusted to ensure the charge is covering the monitoring services and sewer costs provided and must be reviewed every two years. Initially, the monthly charges shall be based on the following, unless otherwise established in the negotiated discharge permit:

(A) For an industrial user with waste strength less than two hundred fifty mg/l, measured as five-day BOD and TSS, and other parameters within limits established in Sections 13.08.240, 13.08.250, [and Chapter] 13.36, and whose discharge does not require regular monitoring other than flow, the minimum monthly charge is as set forth below:

Sewer Charges (monthly)	2021 RATE	2022 RATE
Waste strength <250 mg/l	\$429.00	\$429.00

(B) For an industrial user with waste strength in excess of two hundred fifty mg/l for two months or more per year, the minimum monthly charge is as set forth below:

Sewer Charges (monthly)	2021 RATE	2022 RATE
Waste strength >250 mg/l	\$1,715.00	\$1,715.00

(C) Beginning January 15, 2023, and each January 15th thereafter, the charges set forth in subsections (l)(A) and (l)(B), shall be increased annually, by the October reported percentage increase of the consumer price index (CPI) for the Seattle-Tacoma-Bellevue area for all urban consumers, or other measure commonly used by the city should it change; provided, however, that notwithstanding any reduction in the CPI, rates shall not decrease.

(3) Until such time as a sewer user charge analysis can be conducted to establish equitable charges under a negotiated discharge permit between the city and the industrial user, the following shall be used as the basis for industrial user charges:

- (A) Flow based charge per cubic foot of wastewater discharged;
- (B) BOD charge per pound of BOD discharged; and
- (C) TSS charge per pound of TSS discharged, pursuant to the following table:

Sewer Charges (monthly)	2021 RATE	2022 RATE
Flow-based charge (per cubic foot)	\$0.02051	\$0.02051
BOD charge (per pound BOD)	\$0.645	\$0.645
TSS charge (per pound TSS)	\$0.431	\$0.431

(D) Beginning January 15, 2023, and each January 15th thereafter, the charges set forth in subsection (c), shall be increased annually, by the October reported percentage increase of the consumer price index (CPI) for the Seattle-Tacoma-Bellevue area for all urban consumers, or other measure commonly used by the city should it change; provided, however, that notwithstanding any reduction in the CPI, rates shall not decrease.

(4) Flow shall be based upon one hundred percent of the water consumption or rate of flow of wastewater discharge into the sewer (measured in an industrial user installed flow measurement and recording equipment installed in control manhole, pursuant to Chapter 13.36). Strength of wastewater discharged shall be established based upon twenty-four-hour composite samples made by the city at the control manhole and tested by the city's wastewater treatment plant laboratory or state certified testing laboratory. All testing shall be in

accordance with the latest edition of "Standard Methods for Examination of Water and Wastewater," APHA, AWWA and WPCF. BOD and TSS, pounds per day, shall be calculated based upon concentration of composite samples and established flow rates.

(5) Appeal.

(A) If any user believes that a portion of the user's metered flow, larger than ten percent, is not discharged into the sewer system (when flow measurement is not provided in the control manhole), the user should make written application to the public works director for review of the user's flow of wastewater. If the public works director agrees that charges for the user should be adjusted, they shall so notify the city council, which may approve such change, or direct a recomputation of the user's sewer rates.

(B) If the public works director does not agree to the adjustment of user charges, the user may further appeal to the city council, which may direct further study or take other appropriate action.

Section 5. Arlington Municipal Code Section 13.12.540 shall be and hereby is amended to read as follows:

**13.12.540 Initial service charge rates.**

In accordance with the rate structure established herein, there is hereby levied upon all developed real property within the boundaries of the utility, the following service charges:

(1) State and city utility taxes are included in the following rates and charges for stormwater service. See Table 3.

(2) Beginning on January 15, 2022, the rates set forth for the year 2021 shall be increased annually by the October reported percentage increase of the consumer price index (CPI) for the Seattle-Tacoma-Bellevue area for all urban consumers, or other measure commonly used by the city should it change; provided, however, that no annual increase shall exceed two percent; and provided further, that notwithstanding any reduction in the CPI, rates shall not decrease.

Stormwater charges (monthly)	2021 RATE	2022 RATE
Base rate per ESU	\$6.89	\$7.34

(3) For all other developed property including multifamily, condominiums and mobile home parks within the boundaries of the utility, except as specified under Section 13.28.130, the monthly service charge shall be based on the above table (Table 3) per month multiplied by the number of equivalent service units determined by the utility to be contained


in such parcel. For all single-family property owners qualifying for the senior low-income utility discount established in Section 13.12.140, the discount shall apply to stormwater service charges.

Section 6. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 7. Effective Date. This Ordinance or a summary thereof shall be published in the official newspaper of the City. The Ordinance shall take effect on the first day of the billing cycle effective February 1, 2022.

PASSED BY the City Council and APPROVED by the Mayor this 18th day of January, 2022.

CITY OF ARLINGTON

  
Barbara Tolbert, Mayor

Attest:

  
Wendy Van Der Meersche, City Clerk

Approved as to form:

  
Steven J. Peiffle  
City Attorney



CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-002 was approved at the January 18, 2022 City Council meeting.

ORDINANCE NO. 2022-002

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AMENDING THE CONSUMER PRICE INDEX INCREASES IN ARLINGTON MUNICIPAL  
CODE CHAPTER 13.12 PERTAINING TO UTILITY RATES”

A true and correct copy of the original ordinance is attached.

Dated this 19th day of January, 2022.



*Wendy Van Der Meersche*  
Wendy Van Der Meersche  
City Clerk for the City of Arlington