

ORDINANCE NO. 2020-__

AN ORDINANCE amending Yakima Municipal Code section 7.68.251: Bulk Rate.

WHEREAS, RCW 35.92.010 authorizes cities to own and operate water utilities, and to regulate and control the use, distribution, and price for water utility service; and

WHEREAS, Article IX, Section 1 of the City Charter of the City of Yakima authorizes the City Council to provide by ordinance rules and regulations for the control, management and operation of all public utilities owned and operated by the City; and

WHEREAS, the bulk rate section should be updated to add additional provisions and rental fees for water meter rental and to add clarity to the language of the ordinance; and

WHEREAS, such updates will provide clear language that those wishing to use fire hydrant water must rent a water meter from the City, and must pay daily late fees in the event the meter is not turned in as directed; and

WHEREAS, the City Council finds and determines that adoption of this ordinance amending the bulk rate section, Yakima Municipal Code section 7.68.251 in the public interest and in the best interest of the City and its residents; **now, therefore**,

BE IT ORDAINED BY THE CITY OF YAKIMA:

Section 1. Yakima Municipal Code Section 7.68.251 shall be amended to read as follows:

7.68.251 Bulk rate / Fire Hydrant Water Meter Assembly Rental.

A. The charge for water supplied through fire hydrants, when the water is used by either the city or a private person for any use authorized by the water/irrigation division, shall be the same as the highest UOC charge set forth in YMC 7.68.250. No charge shall be made for water supplied through fire hydrants when the water is used for fire suppression or for maintenance and operation purposes by the city.

B. All water served through a fire hydrant shall comply with YMC 7.68.300.

C. Water served through a fire hydrant shall have an authorized water meter assembly as provided by the water/irrigation division. Such water meter assembly shall be rented through the City of Yakima, water/irrigation division.

D. Water meter assemblies shall not be rented for more than 30 consecutive days. Water meter assemblies shall be returned to the water/irrigation division for a meter reading and inspection at the end of the rental period. A late fee of \$50.00 per day will be assessed for water meter assemblies kept longer than 30 days. If the renter has kept the water meter for more than fifteen (15) days after the end of the rental period, the City may enter onto any property upon which the water meter is located and repossess such

meter. If such meter is not on the premises listed in the rental agreement as the location of the use of the meter or the street address of the renter, and the renter has not returned the meter at the end of the rental period, the City may charge the renter with theft.

E. Water meter assemblies shall not be rented if the renter, or any business entity they are associated with, has a past due account.

F. Daily water meter assembly use charge for temporary water service shall be as follows:

Daily Water Meter Use Charge

January 11, 2019	January 1, 2020	January 1, 2021	January 1, 2022	January 1, 2023
\$4.20	\$6.00	\$6.65	\$6.85	\$7.10

The minimum water meter assembly use charge shall be equal to the daily water meter assembly charge.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional, unlawful or invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3. Effective Date. This ordinance shall be in full force and effect 30 days after its passage, approval, and publication as provided by law and by the City Charter.

PASSED BY THE CITY COUNCIL, signed and approved this 3rd day of March, 2020.

Patricia Byers, Mayor

ATTEST:

Sonya Claar Tee, City Clerk

Publication Date: _____

Effective Date: _____