

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE** relating to irrigation utility service charges; amending the annual irrigation operation and maintenance charges in Yakima Municipal Code 7.24.100, and amending the rate effective date in Yakima Municipal Code 7.24.110.

**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 City Council has established rates and charges for irrigation water operation and maintenance charges through the enactment of Yakima Municipal Code (YMC) chapter 7.24; and

**WHEREAS**, the City Council finds and determines that the rates, charges, terms and conditions for irrigation utility services set forth in this ordinance are fair, just and reasonable; and

**WHEREAS**, the City Council finds and determines that adoption of this ordinance is in the public interest; **now, therefore**,

**BE IT ORDAINED BY THE CITY OF YAKIMA:**

**Section 1.** Section 7.24.100 of the City of Yakima Municipal Code is hereby amended to read as follows:

**7.24.100 Annual rates and charges.**

A. Annual charges shall be calculated as a function of the total square footage ("TSF") of each lot, tract, or parcel served. This annual charge is comprised of the following components:

January ~~11, 2019~~1, 2023, operation and maintenance ("O&M") charge = \$0.~~0218-0246~~ x TSF;

January 1, ~~2020~~2024, operation and maintenance ("O&M") charge = \$0.~~0225-0254~~ x TSF;

January 1, ~~2021~~2025, operation and maintenance ("O&M") charge = \$0.~~0232-0261~~ x TSF;

January 1, ~~2022~~2026, operation and maintenance ("O&M") charge = \$0.~~0239-0269~~ x TSF;

January ~~14, 2019~~2023, Capital improvement program ("CIP") charge = \$0.~~0148-0181~~ x TSF.

January 1, ~~2020~~2024, Capital improvement program ("CIP") charge = \$0.~~0156-0189~~ x TSF

January 1, ~~2021~~2025, Capital improvement program ("CIP") charge = \$0.~~0164-0197~~ x TSF

January 1, ~~2022~~2026, Capital improvement program ("CIP") charge = \$0.~~0173-0206~~ x TSF

B. All moneys billed and collected pursuant to this section shall be deposited in the irrigation operating or Capital Improvement fund pursuant to YMC 3.112.020.

**Section 2.** Section 7.24.110 of the City of Yakima Municipal Code is hereby amended to read as follows:

**7.24.110 Effective date for rates.**

The rates set forth in YMC Section 7.24.100 shall become effective on January 14, ~~2019~~ 2023 and shall remain in effect until amended by action of the city council.

**Section 3. 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 4.** 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 15<sup>th</sup> day of November, 2022.

ATTEST:

\_\_\_\_\_  
Janice Deccio, Mayor

\_\_\_\_\_  
City Clerk

Publication Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_