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**CITY OF LYNNWOOD**

**ORDINANCE NO. 3426**

AN ORDINANCE AMENDING THE RATES AND FEES CHARGED FOR WATER, SEWER, AND SURFACE WATER SERVICES; AMENDING UTILITY SERVICE REGULATIONS; AMENDING SECTIONS 13.20.010, 13.20.080, 13.35.070, 14.40.035, 14.40.040, AND 14.51.050 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.

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WHEREAS, the City of Lynnwood Water System Plan Update dated 2018, the Sewer System Plan dated 2012, and the Surface Water Plan dated 2021 define the operations and maintenance and capital needs of the utilities; and

WHEREAS, the City desires to base utility rates on the actual cost of providing all maintenance and operations services and capital construction costs; and

WHEREAS, the City desires to maintain equity between the amount of utility services used and the amount paid by its customers; and

WHEREAS, the City desires to make adjustments to rates in order to make capital improvements to infrastructure to meet increasing regulatory requirements; and

WHEREAS, the utility rate structure was last adjusted in 2020 and before that in 2017; and

WHEREAS, on October 10, 2022, the City Council held a duly noticed hearing on the issue of the City’s utility rates and regulations, at which time members of the public had the opportunity to present information and opinions relating to the revised rates and regulations set forth in this Ordinance; and

WHEREAS, the City has determined that it is necessary to revise the rates and fees charges for utility service to implement the adopted Lynnwood Water System Plan, Sewer System Plan, and Surface Water System Plan, to provide necessary revenues to fund capital projects and ongoing maintenance, operation and repair of the City’s water, sewer and surface water systems, and to preserve the solvency of the utility;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

1 Section 1. Section 13.20.010 of the Lynnwood Municipal Code is hereby amended to read  
 2 as follows:

3 **13.20.010 Charges for domestic water.**

4 The charges for domestic water service shall be based upon the size of meter installed, number of  
 5 connections or units being serviced therefrom, and the water delivered through the service meter. The  
 6 bi-monthly rate for each meter size and the maximum water allowed as part of this minimum charge  
 7 shall be in effect and assessed for all billings issued on or after January 1st of each year, regardless of  
 8 when the water is actually used.

**Table 1: Water Rates**

9

<b>Water Customer Classification</b>	<b>2020 Bi-Monthly Rate</b>	<b>2021 Bi-Monthly Rate</b>	<b>2022 Bi-Monthly Rate</b>	<b>2023 Bi-Monthly Rate</b>	<b>2024 Bi-Monthly Rate</b>	<b>2025 Bi-Monthly Rate</b>
<b>Residential Single-Unit</b>						
Bi-Monthly Base Rate (incl. 10 CCF)	\$52.23	\$54.32	\$56.49	\$57.62	\$58.77	\$59.95
Bi-Monthly Volume Charge (>10ccf-40ccf)	\$3.00	\$3.12	\$3.24	\$3.30	\$3.37	\$3.44
Bi-Monthly Volume Charge (>40 ccf)	\$4.51	\$4.69	\$4.88	\$4.98	\$5.08	\$5.18
Special Water Rate	<u>See LMC 13.20.080, Special water rate</u>					
<b>Residential Multiple/Mobile Combined</b>						
Bi-Monthly Base Rate (incl. 10 CCF/meter)	\$20.05	\$20.85	\$21.68	\$22.11	\$22.55	\$23.00

Bi-Monthly Volume Charge Volume Charge (>10 ccf/meter)	\$2.19	\$2.28	\$2.37	\$2.42	\$2.47	\$2.52
Special Water Rate	<u>-See LMC 13.20.080, Special water rate</u>					
<b>Commercial/Industrial (Based on Meter Size)</b>						
5/8 – 3/4-Inch Meter	\$60.67	\$63.10	\$65.62	\$66.93	\$68.27	\$69.64
1-Inch Meter	\$131.38	\$136.64	\$142.11	\$144.95	\$147.85	\$150.81
1 1/2-Inch Meter	\$247.63	\$257.54	\$267.84	\$273.20	\$278.66	\$284.23
2-Inch Meter	\$384.03	\$399.39	\$415.37	\$423.68	\$432.15	\$440.79
3-Inch Meter	\$717.56	\$746.26	\$776.11	\$791.63	\$807.46	\$823.61
4-Inch Meter	\$1,177.38	\$1,224.48	\$1,273.46	\$1,298.93	\$1,324.91	\$1,351.41
6-Inch Meter	\$2,339.63	\$2,433.22	\$2,530.55	\$2,581.16	\$2,632.78	\$2,685.44
Monthly Volume Charge (>10 ccf per meter)	\$3.68	\$3.83	\$3.98	\$4.06	\$4.14	\$4.22

1 \* Base charge per unit plus volume over 10 CCF per meter.

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<u>Water Customer Classification</u>	<u>2023 Bi-Monthly Rate</u>	<u>2024 Bi-Monthly Rate</u>	<u>2025 Bi-Monthly Rate</u>	<u>2026 Bi-Monthly Rate</u>	<u>2027 Bi-Monthly Rate</u>	<u>2028 Bi-Monthly Rate</u>
<b><u>Residential Single-Unit</u></b>						
<u>Bi-Monthly Base Rate (incl. 10 CCF)</u>	<u>\$59.31</u>	<u>\$62.28</u>	<u>\$65.39</u>	<u>\$68.66</u>	<u>\$72.09</u>	<u>\$75.69</u>
<u>Bi-Monthly Volume Charge (&gt;10ccf-40ccf)</u>	<u>\$3.40</u>	<u>\$3.57</u>	<u>\$3.75</u>	<u>\$3.94</u>	<u>\$4.14</u>	<u>\$4.35</u>
<u>Bi-Monthly Volume Charge (&gt;40 ccf)</u>	<u>\$5.12</u>	<u>\$5.38</u>	<u>\$5.65</u>	<u>\$5.93</u>	<u>\$6.23</u>	<u>\$6.54</u>
<u>Special Water Rate</u>	<u>See LMC 13.20.080, Special water rate</u>					
<b><u>Residential Multiple/Mobile Combined</u></b>						
<u>Bi-Monthly Base Rate (incl. 10 CCF/meter)</u>	<u>\$22.76</u>	<u>\$23.90</u>	<u>\$25.10</u>	<u>\$26.36</u>	<u>\$27.68</u>	<u>\$29.06</u>
<u>Bi-Monthly Volume Charge (&gt;10 ccf/meter)</u>	<u>\$2.49</u>	<u>\$2.61</u>	<u>\$2.74</u>	<u>\$2.88</u>	<u>\$3.02</u>	<u>\$3.17</u>
<u>Special Water Rate</u>	<u>See LMC 13.20.080, Special water rate</u>					
<b><u>Commercial/Industrial (Based on Meter Size)</u></b>						
<u>5/8 – 3/4-Inch Meter</u>	<u>\$68.90</u>	<u>\$72.35</u>	<u>\$75.97</u>	<u>\$79.77</u>	<u>\$83.76</u>	<u>\$87.95</u>
<u>1-Inch Meter</u>	<u>\$149.22</u>	<u>\$156.68</u>	<u>\$164.51</u>	<u>\$172.74</u>	<u>\$181.38</u>	<u>\$190.45</u>

<u>1-1/2-Inch Meter</u>	<u>\$281.23</u>	<u>\$295.29</u>	<u>\$310.05</u>	<u>\$325.55</u>	<u>\$341.83</u>	<u>\$358.92</u>
<u>2-Inch Meter</u>	<u>\$436.14</u>	<u>\$457.95</u>	<u>\$480.85</u>	<u>\$504.89</u>	<u>\$530.13</u>	<u>\$556.64</u>
<u>3-Inch Meter</u>	<u>\$814.92</u>	<u>\$855.67</u>	<u>\$898.45</u>	<u>\$943.37</u>	<u>\$990.54</u>	<u>\$1,040.07</u>
<u>4-Inch Meter</u>	<u>\$1,337.13</u>	<u>\$1,403.99</u>	<u>\$1,474.19</u>	<u>\$1,547.90</u>	<u>\$1,625.30</u>	<u>\$1,706.57</u>
<u>6-Inch Meter</u>	<u>\$2,657.08</u>	<u>\$2,789.93</u>	<u>\$2,929.43</u>	<u>\$3,075.90</u>	<u>\$3,229.70</u>	<u>\$3,391.19</u>
<u>Monthly Volume Charge (&gt;10 ccf per meter)</u>	<u>\$4.18</u>	<u>\$4.39</u>	<u>\$4.61</u>	<u>\$4.84</u>	<u>\$5.08</u>	<u>\$5.33</u>

1 \* Base charge per unit plus volume over 10 CCF per meter.

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3 Section 2. Section 13.20.080 of the Lynnwood Municipal Code is hereby amended to read  
4 as follows:

5 **13.20.080 Special Utility rates.**

6 A. Qualifications for Special Rates Based on Snohomish County Real Property Tax Exemption. A  
7 residential single-unit, multiple-unit, and mobile special fixed rate of the following percent of the bi-  
8 monthly base rate and volume charges shall apply to all services to which water, sewer, and surface  
9 water services are available, and meeting all of the following qualifications and categories:

10 1. Depending on the income level status of the customer pursuant to the Snohomish County  
11 assessor's office real property taxes exemption process, as follows:

<b>Income Level Status</b>	<b>Rate</b>
A	40%
B	45%
C	50%

12 See subsection (H) of this section, Special Water Rate Chart, for specific rate.

13 2. The residential single-unit property or residential multiple-unit or mobile unit to which the  
14 utility service is extended shall have a valid property tax exemption from Snohomish County,  
15 pursuant to RCW 84.36.381 through 84.36.385.

1 3. Claimants for said reduction shall occupy site or unit as ~~principle~~principal residence and be  
2 within the corporate limits of the city of Lynnwood and have a household income level no  
3 greater than and as prescribed in RCW 84.36.381.

4 4. Those customers who meet eligibility criteria as stated herein may apply at any time during  
5 the year. Upon verification of eligibility, the customer will qualify for the reduced rate as of the  
6 date of the next applicable billing cycle following verification. Reapplication for subsequent  
7 years demonstrating that qualifications are still met must be made each year by December  
8 31<sup>st</sup> for the subsequent year.

9 5. Categories.

10 a. Senior/Disabled. Persons of the age of 61 years or older, or who are disabled,  
11 meeting the qualifications specified in subsection (A) of this section and RCW  
12 84.36.381, shall be charged at a special water rate for Income Level Status A, Income  
13 Level Status B, or Income Level Status C. See Rate Tables in subsection (H) of this  
14 section for Water, 14.40.040 for Sewer, and 13.35.070 for Surface Water .

15 b. Residential Multiple-Unit and Mobile Special Rates. For residents that meet the  
16 qualifications in subsection (A) of this section, but that do not have a direct account with  
17 the city (i.e., tenants of a condominium or owners of a mobile home in a mobile home  
18 park), a yearly rebate shall be paid to the resident based on 40, 45 or 50 percent of the  
19 base rate for that type of account assuming water usage within the minimum 10 CCF  
20 allowance, and depending on the income level status of the customer pursuant to the  
21 Snohomish County assessor's office real property taxes exemption process. In order to  
22 qualify for the rebate for the current calendar year, the resident must make application  
23 to the city by November 1st of that year and demonstrate, in addition to meeting the  
24 qualifications in this section, that they have resided at the site or unit for the entire year.  
25 Rebate does not apply to Utility Taxes.

26 B. Qualification for Special Rate Based on Washington State Assistance Programs. A residential  
27 single-unit special fixed rate for Income Level Status A (40%) of the residential single-unit bi-monthly  
28 base rate and volume charges shall apply to all services to which water, sewer, and surface water  
29 services are available, and meeting all of the following qualifications:

1 1. The resident of the residential single-unit property to which the utility services are extended  
2 shall have an award letter from the State of Washington for needy family assistance or food  
3 stamps that covers at least a portion of the year in which the reduced rate is applied.

4 2. Claimants for said reduction shall occupy site as ~~principle~~principal residence as a renter, be  
5 within the corporate limits of the city of Lynnwood, and provide proof that they reside at the  
6 address as a renter and are responsible for their City of Lynnwood utility bills.

7 3. Those customers who meet eligibility criteria as stated herein may apply at any time during  
8 the year. Upon verification of eligibility, the customer will qualify for the reduced rate as of the  
9 date of the next applicable billing cycle following verification. Reapplication for subsequent  
10 years demonstrating that qualifications are still met must be made each year by December  
11 31<sup>st</sup> for the subsequent year.

12  
13 4. Rates:

14 a. Water: Income Level Status A (40%) pursuant to Section H, Table 2, Special Water  
15 Rates, below.

16 b. Sewer: Income Level Status A (40%) pursuant to 14.40.040 Table 2.

17 c. Surface Water: Income Level Status A (40%) pursuant to 13.35.070 Table 2.

18 C. Qualification for Yearly Rebate Based on Washington State Free and Reduced Price Meal  
19 Programs for Children. A yearly residential rebate may be available in a maximum amount of up to  
20 50% of the residential bi-monthly base rate and volume charges for water, sewer, and surface water  
21 services paid during the rebate period, where the applicant meets all of the following criteria:

22 1. The applicant is a resident of the residential property receiving the utility services that are  
23 the subject of the rebate request, the property is within the corporate limits of the City of  
24 Lynnwood, and the applicant has an award letter from the State of Washington for Free and  
25 Reduced Price Meal Programs for a child residing in the household that covers at least a  
26 portion of the time period for which the rebate is requested.

1 2. The applicant for said rebate occupies the property receiving the subject utility services as  
2 the applicant's ~~principle~~principal residence as an owner or renter, and the applicant provides  
3 proof that he or she has resided at the property for at least 6 months, is responsible for the  
4 rent or mortgage payments incurred in connection with the property, and is not receiving any  
5 other utility rebate or discount authorized in this section.

6 3. Those customers who meet the eligibility criteria stated in this section may apply to the City  
7 between September 1<sup>st</sup> and October 31<sup>st</sup> for a rebate for the yearly period that goes from  
8 October 1<sup>st</sup> in the prior year to September 30<sup>th</sup> of that year. Upon verification of eligibility, the  
9 customer will qualify for the yearly rebate. Reapplication for subsequent years demonstrating  
10 that the criteria are still met must be made each year between September 1<sup>st</sup> and October 31<sup>st</sup>  
11 .

12 4. Rebate: A yearly rebate shall be paid to a qualified resident based on a maximum of 50  
13 percent of the base rate for the type of account that is the subject of the application, assuming  
14 water usage within the minimum 10 CCF allowance and prorated for the number of months  
15 that the customer resided at the address. In order to qualify for the rebate, the resident must  
16 demonstrate, in addition to meeting the criteria stated in this section, that they have resided at  
17 the site for the specified number of months. The rebate authorized in this section does not  
18 apply to utility taxes. Each year, the total amount of funds available for rebates authorized by  
19 this subsection C shall be \$100,000, and the total of amount of rebates given to all eligible  
20 applicants in any year shall not exceed that amount. Depending on the number of eligible  
21 applicants, the amount of rebate awarded to any specific applicant may therefore be less than  
22 50 percent of the base rate paid by that applicant during the rebate period. All rebates  
23 awarded will be at the same percentage for the type of account.

24 D. Qualification for Yearly Rebate Based on Age and Income Level. A yearly residential rebate may  
25 be available in a maximum amount of up to 50% of the residential bi-monthly base rate and volume  
26 charges for water, sewer, and surface water services paid during the rebate period, where the  
27 applicant meets all of the following criteria:

28 1. The applicant is a resident of the residential property receiving the utility services that are  
29 the subject of the rebate request, the property is within the corporate limits of the City of  
30 Lynnwood, and the applicant is at least 61 years of age and has a household income that is  
31 less than 70% of the Washington State Area Medium Income (AMI).



1 2. The applicant for said rebate occupies the property receiving the subject utility services as  
2 the applicant's ~~principle~~principal residence as an owner or renter, and the applicant provides  
3 proof that he or she has resided at the property for at least 6 months, is responsible for the  
4 rent or mortgage payments incurred in connection with the property, and is not receiving any  
5 other utility rebate or discount authorized in this section.

6 3. Those customers who meet the eligibility criteria stated in this section may apply to the City  
7 between July 1<sup>st</sup> and August 31<sup>st</sup> for a rebate for the yearly period that goes from June 1<sup>st</sup> in  
8 the prior year to May 31<sup>st</sup> of that year. Upon verification of eligibility, the customer will qualify  
9 for the yearly rebate. Reapplication for subsequent years demonstrating that the criteria are  
10 still met must be made each year between June 1<sup>st</sup> and August 31<sup>st</sup>.

11 4. Rebate: A yearly rebate shall be paid to the qualified resident based on a maximum of 50  
12 percent of the base rate for the type of account that is the subject of the application, assuming  
13 water usage within the minimum 10 CCF allowance and prorated for the number of months  
14 that the customer resided at the address. In order to qualify for the rebate, the resident must  
15 demonstrate, in addition to meeting the criteria stated in this section, that they have resided at  
16 the site for the specified number of months. The rebate authorized in this section does not  
17 apply to utility taxes. Each year, the total amount of funds available for rebates authorized by  
18 this subsection D shall be \$100,000, and the total amount of rebates given to all qualified  
19 applicants in any year shall not exceed that amount. Depending on the number of eligible  
20 applicants, the total amount of rebate awarded to any specific applicant may therefore be less  
21 than 50 percent of the base rate paid by that applicant during the rebate period. All rebates  
22 awarded will be at the same percentage for the type of account.

23 E. Medical Necessity. Persons who require large quantities of water due to medical necessity (i.e.,  
24 kidney dialysis) and who occupy the site as principal residence and are located within the corporate  
25 limits of the city of Lynnwood shall be charged the special water and sewer rates for Income Level  
26 Status C (50 percent) with doctor certification (see subsection H of this section, Table 2 for water, and  
27 14.40.040 Table 2 for sewer.

28 F. Other Special Rate and Qualifications – Preservation Mobile Home Park. For mobile home parks  
29 that are preserved pursuant to a development agreement in accordance with Chapter [1.37](#) LMC, the  
30 following residential-mobile per unit base rate and volume charges shall apply:

1            1. Preservation for five to seven years: 50 percent of the base rate and volume charge in LMC  
2            [13.20.010](#) for water and 14.40.035 for sewer.

3            2. Preservation for seven years or more: 25 percent of the base rate and volume charge in  
4            LMC [13.20.010](#).

5            G. The mayor is authorized to administer the special utility rates and develop procedures as necessary  
6            for such implementation.

7            H. Special Water Rate Chart. Following rate chart based on income levels (see subsection (A) of this  
8            section).

9

1 Residential Single-Unit Rates:

2

<b>Water Customer Classification</b>	<b>2020 Bi-Monthly Rate</b>	<b>2021 Bi-Monthly Rate</b>	<b>2022 Bi-Monthly Rate</b>	<b>2023 Bi-Monthly Rate</b>	<b>2024 Bi-Monthly Rate</b>	<b>2025 Bi-Monthly Rate</b>
<b>Special Water Rates, Income Level Status A (40%)</b>						
Bi-Monthly Base Rate (incl.10 CCF)	\$20.89	\$21.73	\$22.60	\$23.05	\$23.51	\$23.98
Bi-Monthly Volume Charge (>10ccf-40ccf)	\$1.20	\$1.25	\$1.30	\$1.33	\$1.36	\$1.39
Bi-Monthly Volume Charge (>40 ccf)	\$1.81	\$1.88	\$1.96	\$2.00	\$2.04	\$2.08
<b>Special Water Rates, Income Level Status B (45%)</b>						
Bi-Monthly Base Rate (incl.10 CCF)	\$23.50	\$24.44	\$25.42	\$25.93	\$26.45	\$26.98
Bi-Monthly Volume Charge (>10ccf-40ccf)	\$1.35	\$1.40	\$1.46	\$1.49	\$1.52	\$1.55
Bi-Monthly Volume Charge (>40 ccf)	\$2.03	\$2.11	\$2.19	\$2.23	\$2.27	\$2.32
<b>Special Water Rates, Income Level Status C (50%)</b>						

Bi-Monthly Base Rate (incl.10 CCF)	\$26.11	\$27.15	\$28.24	\$28.80	\$29.38	\$29.97
Bi-Monthly Volume Charge (>10ccf-40ccf)	\$1.50	\$1.56	\$1.62	\$1.65	\$1.68	\$1.71
Bi-Monthly Volume Charge (>40 ccf)	\$2.26	\$2.35	\$2.44	\$2.49	\$2.54	\$2.59

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<u>Water Customer Classification</u>	<u>2023 Bi-Monthly Rate</u>	<u>2024 Bi-Monthly Rate</u>	<u>2025 Bi-Monthly Rate</u>	<u>2026 Bi-Monthly Rate</u>	<u>2027 Bi-Monthly Rate</u>	<u>2028 Bi-Monthly Rate</u>
<b>Special Water Rates, Income Level Status A (40%)</b>						
<u>Bi-Monthly Base Rate (incl.10 CCF)</u>	<u>\$23.72</u>	<u>\$24.91</u>	<u>\$26.16</u>	<u>\$27.46</u>	<u>\$28.84</u>	<u>\$30.28</u>
<u>Bi-Monthly Volume Charge (&gt;10ccf-40ccf)</u>	<u>\$1.36</u>	<u>\$1.43</u>	<u>\$1.50</u>	<u>\$1.58</u>	<u>\$1.66</u>	<u>\$1.74</u>
<u>Bi-Monthly Volume Charge (&gt;40 ccf)</u>	<u>\$2.05</u>	<u>\$2.15</u>	<u>\$2.26</u>	<u>\$2.37</u>	<u>\$2.49</u>	<u>\$2.62</u>
<b>Special Water Rates, Income Level Status B (45%)</b>						
<u>Bi-Monthly Base Rate (incl.10 CCF)</u>	<u>\$26.69</u>	<u>\$28.03</u>	<u>\$29.43</u>	<u>\$30.90</u>	<u>\$32.44</u>	<u>\$34.06</u>

<u>Bi-Monthly Volume Charge (&gt;10ccf-40ccf)</u>	<u>\$1.53</u>	<u>\$1.61</u>	<u>\$1.69</u>	<u>\$1.77</u>	<u>\$1.86</u>	<u>\$1.96</u>
<u>Bi-Monthly Volume Charge (&gt;40 ccf)</u>	<u>\$2.30</u>	<u>\$2.42</u>	<u>\$2.54</u>	<u>\$2.67</u>	<u>\$2.80</u>	<u>\$2.94</u>
<b><u>Special Water Rates, Income Level Status C (50%)</u></b>						
<u>Bi-Monthly Base Rate (incl.10 CCF)</u>	<u>\$29.66</u>	<u>\$31.14</u>	<u>\$32.70</u>	<u>\$34.33</u>	<u>\$36.05</u>	<u>\$37.85</u>
<u>Bi-Monthly Volume Charge (&gt;10ccf-40ccf)</u>	<u>\$1.70</u>	<u>\$1.79</u>	<u>\$1.88</u>	<u>\$1.97</u>	<u>\$2.07</u>	<u>\$2.18</u>
<u>Bi-Monthly Volume Charge (&gt;40 ccf)</u>	<u>\$2.56</u>	<u>\$2.69</u>	<u>\$2.83</u>	<u>\$2.97</u>	<u>\$3.12</u>	<u>\$3.27</u>

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3 **Section 3.** Section 13.35.070 of the Lynnwood Municipal Code is hereby amended to read  
4 as follows:

5 **13.35.070 Utility charges.**

6 The following surface water utility rates and charges are hereby established for all sites in the city  
7 as set forth in Tables 1 and 2 of this section. These rates and charges shall be in effect and  
8 assessed in all billings beginning January 1st of each year.

9 A. Residential Single/Duplex Unit. One ERU bi-monthly for each single-family residential unit on a  
10 site. This uniform rate is based on each single-family residential site being equal to one  
11 equivalent residential unit (ERU). Each duplex on a site shall be charged one ERU.

1 B. Undeveloped Sites. Undeveloped sites shall not be charged under this system and structure of  
 2 rates.

3 C. Other Sites. The charge for all other developed sites shall be based upon the total amount of  
 4 measured impervious surface divided by one ERU, and rounded down to the nearest whole  
 5 number. The actual total bi-monthly service charge shall be computed by multiplying the  
 6 measured ERUs for a site by the bi-monthly rate per ERU. All sites will be charged for at least  
 7 one ERU. Sites will be billed as a single-surface water account when a site contains multiple  
 8 water meters and/or businesses on a site. Owners/managers will be responsible for any  
 9 allocation of the surface water charge among tenants.

10 D. Special Surface Water Rate.

11 1. For qualifications, categories and other administrative rules related to special surface  
 12 water rates, see LMC [13.20.080](#).

**Table 1: Customer Class Calculation**

Customer Class	Rate Calculation
Residential Single/Duplex Unit	1 ERU
Residential Multiple/Commercial Industrial Sites	Measured s.f. of impervious areas = number of billed ERUs
Special Surface Water Rates	1 ERU x Special Rate

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Customer Classification	2020 Bi-Monthly Rate	2021 Bi-Monthly Rate	2022 Bi-Monthly Rate	2023 Bi-Monthly Rate	2024 Bi-Monthly Rate	2025 Bi-Monthly Rate
Residential Single/Duplex Unit	\$27.03	\$27.84	\$28.68	\$29.54	\$30.43	\$31.34
Residential Multifamily & Mobile	\$27.03	\$27.84	\$28.68	\$29.54	\$30.43	\$31.34
Commercial Industrial Sites	\$27.03	\$27.84	\$28.68	\$29.54	\$30.43	\$31.34

Special Surface Water Rate, Income Level Status A*	\$10.82	\$11.14	\$11.47	\$11.81	\$12.16	\$12.52
Special Surface Water Rate, Income Level Status B*	\$12.16	\$12.52	\$12.90	\$13.29	\$13.69	\$14.10
Special Surface Water Rate, Income Level Status C*	\$13.51	\$13.92	\$14.34	\$14.77	\$15.21	\$15.67

1

<u>Customer Classification</u>	<u>2023 Bi-Monthly Rate</u>	<u>2024 Bi-Monthly Rate</u>	<u>2025 Bi-Monthly Rate</u>	<u>2026 Bi-Monthly Rate</u>	<u>2027 Bi-Monthly Rate</u>	<u>2028 Bi-Monthly Rate</u>
Residential Single/Duplex Unit	\$29.90	\$31.17	\$32.49	\$33.87	\$35.31	\$36.81
Residential Multifamily & Mobile	\$29.90	\$31.17	\$32.49	\$33.87	\$35.31	\$36.81
Commercial Industrial Sites	\$29.90	\$31.17	\$32.49	\$33.87	\$35.31	\$36.81
Special Surface Water Rate, Income Level Status A*	\$11.96	\$12.47	\$13.00	\$13.55	\$14.12	\$14.72
Special Surface Water Rate, Income Level Status B*	\$13.46	\$14.03	\$14.62	\$15.24	\$15.89	\$16.56
Special Surface Water Rate, Income Level Status C*	\$14.95	\$15.59	\$16.25	\$16.94	\$17.66	\$18.41

2

3 2. Preservation Mobile Home Park Rate. For mobile home parks that are preserved  
 4 pursuant to a development agreement in accordance with Chapter [1.37](#) LMC, as follows:

5 a. Preservation for five to seven years: 0.5 ERUs.

6 b. Preservation for seven years or more: 0.25 ERUs.

1 Section 4. Section 14.40.035 of the Lynnwood Municipal Code is hereby amended to read  
 2 as follows:

3 **14.40.035 Sewer volume charge based on metered water consumption.**

4 Each customer, including residential single-unit, residential multiple-unit per unit, and commercial  
 5 and industrial per meter, shall be charged a rate per 100 cubic feet (one CCF) of residential or  
 6 commercial/industrial use in excess of the first 2,000 cubic feet (20 CCF) every two months  
 7 included in the base rate. This rate shall be as specified in Table 1 of this section.

8 To account for summer water that does not enter the sewer system, the volume billed to  
 9 residential customers in their July, August, September, and October billings no matter when the  
 10 water usage actually occurred, shall be adjusted according to the individual customer’s winter  
 11 usage. Winter usage shall be determined by water used in October through April.  
 12

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<b>Customer Classification</b>	<b>2020 Bi-Monthly Rate</b>	<b>2021 Bi-Monthly Rate</b>	<b>2022 Bi-Monthly Rate</b>	<b>2023 Bi-Monthly Rate</b>	<b>2024 Bi-Monthly Rate</b>	<b>2025 Bi-Monthly Rate</b>
<b>Residential Single-Unit</b>						
Bi-Monthly Base Rate	\$95.86	\$99.48	\$103.19	\$107.16	\$111.29	\$115.57
(incl. 20 CCF)	-	-	-	-	-	-
Bi-Monthly Volume Charge > 20 CCF	\$3.91	\$4.06	\$4.21	\$4.37	\$4.54	\$4.71
Special Sewer Rate	<u>See LMC 14.40.040, Special Sewer Rates</u>					
<b>Residential Multiple/Mobile Combined</b>						
Bi-Monthly Base Rate (incl. 20 CCF per unit)	\$74.17	\$75.82	\$77.51	\$80.49	\$83.59	\$86.81
Bi-Monthly Volume Charge > 20 CCF per unit	\$3.47	\$3.55	\$3.63	\$3.77	\$3.92	\$4.07
Special Sewer Rate	<u>See LMC 14.40.040, Special Sewer Rates</u>					
<b>Commercial/Industrial (Based on Meter Size)</b>						
5/8—3/4 Inch Meter	\$150.41	\$157.78	\$165.51	\$171.88	\$178.50	\$185.37



1-Inch Meter	\$192.82	\$202.27	\$212.19	\$220.36	\$228.84	\$237.65
1 1/2-Inch Meter	\$231.39	\$242.73	\$254.63	\$264.43	\$274.61	\$285.18
2-Inch Meter	\$347.09	\$364.10	\$381.95	\$396.66	\$411.93	\$427.79
3-Inch Meter	\$1,166.59	\$1,223.78	\$1,283.77	\$1,333.20	\$1,384.53	\$1,437.83
4-Inch Meter	\$1,475.12	\$1,547.43	\$1,623.29	\$1,685.79	\$1,750.69	\$1,818.09
6-Inch Meter	\$2,188.57	\$2,295.85	\$2,408.39	\$2,501.11	\$2,597.40	\$2,697.40
<b>Commercial/Industrial (Based on Meter Size/Strength)</b>						
<b>A. Strength &lt; 3</b>						
Volume Rate per CCF over first 20 CCF	\$4.86	\$5.10	\$5.35	\$5.56	\$5.77	\$5.99
<b>B. Strength = 3</b>						
Volume Rate per CCF over first 20 CCF	\$7.66	\$8.04	\$8.44	\$8.76	\$9.10	\$9.45
<b>C. Strength = 4</b>						
Volume Rate per CCF over first 20 CCF	\$12.25	\$13.04	\$13.88	\$14.41	\$14.96	\$15.54
<b>D. Strength = 5</b>						
Volume Rate per CCF over first 20 CCF	\$14.11	\$15.10	\$16.16	\$16.78	\$17.43	\$18.10
<b>SEWER ONLY ACCOUNTS</b>						
Residential	\$100.00	\$103.78	\$107.65	\$111.79	\$116.09	\$120.56
Commercial/Industrial Per Account	\$304.75	\$316.26	\$328.05	\$340.68	\$353.80	\$367.42

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<u>Customer Classification</u>	<u>2023 Bi-Monthly Rate</u>	<u>2024 Bi-Monthly Rate</u>	<u>2025 Bi-Monthly Rate</u>	<u>2026 Bi-Monthly Rate</u>	<u>2027 Bi-Monthly Rate</u>	<u>2028 Bi-Monthly Rate</u>
<b>Residential Single-Unit</b>						
<u>Bi-Monthly Base Rate</u> (incl. 20 CCF)	\$124.86	\$151.08	\$182.81	\$221.20	\$247.74	\$277.47
<u>Bi-Monthly Volume Charge</u> > 20 CCF	\$5.09	\$6.16	\$7.45	\$9.01	\$10.09	\$11.30
<u>Special Sewer Rate</u>	See LMC 14.40.040, Special Sewer Rates					
<b>Residential Multiple/Mobile Combined</b>						

<u>Bi-Monthly Base Rate</u> (incl. 20 CCF per unit)	<u>\$93.79</u>	<u>\$113.49</u>	<u>\$137.32</u>	<u>\$166.16</u>	<u>\$186.10</u>	<u>\$208.43</u>
<u>Bi-Monthly Volume Charge</u> > 20 CCF per unit	<u>\$4.39</u>	<u>\$5.31</u>	<u>\$6.43</u>	<u>\$7.78</u>	<u>\$8.71</u>	<u>\$9.76</u>
<u>Special Sewer Rate</u>	<u>See LMC 14.40.040, Special Sewer Rates</u>					
<b><u>Commercial/Industrial (Based on Meter Size)</u></b>						
<u>5/8 – 3/4-Inch Meter</u>	<u>\$200.27</u>	<u>\$242.33</u>	<u>\$293.22</u>	<u>\$354.80</u>	<u>\$397.38</u>	<u>\$445.07</u>
<u>1-Inch Meter</u>	<u>\$256.75</u>	<u>\$310.67</u>	<u>\$375.91</u>	<u>\$454.85</u>	<u>\$509.43</u>	<u>\$570.56</u>
<u>1-1/2-Inch Meter</u>	<u>\$308.10</u>	<u>\$372.80</u>	<u>\$451.09</u>	<u>\$545.82</u>	<u>\$611.32</u>	<u>\$684.68</u>
<u>2-Inch Meter</u>	<u>\$462.16</u>	<u>\$559.21</u>	<u>\$676.64</u>	<u>\$818.73</u>	<u>\$916.98</u>	<u>\$1,027.02</u>
<u>3-Inch Meter</u>	<u>\$1,553.36</u>	<u>\$1,879.57</u>	<u>\$2,274.28</u>	<u>\$2,751.88</u>	<u>\$3,082.11</u>	<u>\$3,451.96</u>
<u>4-Inch Meter</u>	<u>\$1,964.18</u>	<u>\$2,376.66</u>	<u>\$2,875.76</u>	<u>\$3,479.67</u>	<u>\$3,897.23</u>	<u>\$4,364.90</u>
<u>6-Inch Meter</u>	<u>\$2,914.15</u>	<u>\$3,526.12</u>	<u>\$4,266.61</u>	<u>\$5,162.60</u>	<u>\$5,782.11</u>	<u>\$6,475.96</u>
<b><u>Commercial/Industrial (Based on Meter Size/Strength)</u></b>						
<u>A. Strength &lt; 3</u>						
<u>Volume Rate per CCF over first 20 CCF</u>	<u>\$6.47</u>	<u>\$7.83</u>	<u>\$9.47</u>	<u>\$11.46</u>	<u>\$12.84</u>	<u>\$14.38</u>
<u>B. Strength = 3</u>						
<u>Volume Rate per CCF over first 20 CCF</u>	<u>\$10.21</u>	<u>\$12.35</u>	<u>\$14.94</u>	<u>\$18.08</u>	<u>\$20.25</u>	<u>\$22.68</u>
<u>C. Strength = 4</u>						
<u>Volume Rate per CCF over first 20 CCF</u>	<u>\$16.79</u>	<u>\$20.32</u>	<u>\$24.59</u>	<u>\$29.75</u>	<u>\$33.32</u>	<u>\$37.32</u>
<u>D. Strength = 5</u>						
<u>Volume Rate per CCF over first 20 CCF</u>	<u>\$19.55</u>	<u>\$23.66</u>	<u>\$28.63</u>	<u>\$34.64</u>	<u>\$38.80</u>	<u>\$43.46</u>
<b><u>SEWER ONLY ACCOUNTS</u></b>						
<u>Residential</u>	<u>\$130.26</u>	<u>\$157.61</u>	<u>\$190.71</u>	<u>\$230.76</u>	<u>\$258.45</u>	<u>\$289.46</u>
<u>Commercial/Industrial Per Account</u>	<u>\$396.94</u>	<u>\$480.30</u>	<u>\$581.16</u>	<u>\$703.20</u>	<u>\$787.58</u>	<u>\$882.09</u>

1 Section 5. Section 14.40.040 of the Lynnwood Municipal Code is hereby amended to read  
2 as follows:

3 **14.40.040 Special sewer rates.**

4 A. Qualifications, Categories, and Other Administrative Rules Related to Special Sewer Rates.

5 For qualifications, categories, and other administrative rules related to special sewer rates, see  
6 LMC [13.20.080](#).

7 B. Special Sewer Rate Chart. The following rate chart is based on income levels (see LMC  
8 [13.20.080](#)).

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1 Residential Single-Unit Rates:  
2

<b>Customer Classification</b>	<b>2020 Bi-Monthly Rate</b>	<b>2021 Bi-Monthly Rate</b>	<b>2022 Bi-Monthly Rate</b>	<b>2023 Bi-Monthly Rate</b>	<b>2024 Bi-Monthly Rate</b>	<b>2025 Bi-Monthly Rate</b>
<b>Special Sewer Rates, Income Level Status A (40%)</b>						
Bi-Monthly Base Rate (incl. 20 CCF)	\$38.34	\$39.79	\$41.27	\$42.86	\$44.51	\$46.22
Bi-Monthly Volume Charge > 20 CCF	\$1.57	\$1.63	\$1.69	\$1.76	\$1.83	\$1.90
<b>Special Sewer Rates, Income Level Status B (45%)</b>						
Bi-Monthly Base Rate (incl. 20 CCF)	\$43.14	\$44.77	\$46.44	\$48.23	\$50.09	\$52.02
Bi-Monthly Volume Charge > 20 CCF	\$1.77	\$1.84	\$1.91	\$1.98	\$2.06	\$2.14
<b>Special Sewer Rates, Income Level Status C (50%)</b>						
Bi-Monthly Base Rate (incl. 20 CCF)	\$47.94	\$49.75	\$51.60	\$53.59	\$55.65	\$57.79
Bi-Monthly Volume Charge	\$1.96	\$2.03	\$2.11	\$2.19	\$2.27	\$2.36

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<b>Customer Classification</b>	<b>2023 Bi-Monthly Rate</b>	<b>2024 Bi-Monthly Rate</b>	<b>2025 Bi-Monthly Rate</b>	<b>2026 Bi-Monthly Rate</b>	<b>2027 Bi-Monthly Rate</b>	<b>2028 Bi-Monthly Rate</b>
<b>Special Sewer Rates, Income Level Status A (40%)</b>						
Bi-Monthly Base Rate (incl. 20 CCF)	\$49.94	\$60.43	\$73.12	\$88.48	\$99.10	\$110.99
Bi-Monthly Volume Charge > 20 CCF	\$2.04	\$2.46	\$2.98	\$3.60	\$4.04	\$4.52
<b>Special Sewer Rates, Income Level Status B (45%)</b>						
Bi-Monthly Base Rate (incl. 20 CCF)	\$56.19	\$67.99	\$82.26	\$99.54	\$111.48	\$124.86

<u>Bi-Monthly Volume Charge</u> > 20 CCF	<u>\$2.29</u>	<u>\$2.77</u>	<u>\$3.35</u>	<u>\$4.05</u>	<u>\$4.54</u>	<u>\$5.09</u>
<b><u>Special Sewer Rates, Income Level Status C (50%)</u></b>						
<u>Bi-Monthly Base Rate</u> (incl. 20 CCF)	<u>\$62.43</u>	<u>\$75.54</u>	<u>\$91.40</u>	<u>\$110.60</u>	<u>\$123.87</u>	<u>\$138.74</u>
<u>Bi-Monthly Volume Charge</u>	<u>\$2.55</u>	<u>\$3.08</u>	<u>\$3.73</u>	<u>\$4.51</u>	<u>\$5.05</u>	<u>\$5.65</u>

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2 Section 6. Section 14.51.050 of the Lynnwood Municipal Code is hereby amended to read  
3 as follows:

4

5 **14.51.050 Assessment of sewer connection charge.** 

- 6 A. The city shall collect a sewer connection charge from any applicant seeking to connect to the
- 7 sanitary sewer system.
- 8 B. Upon request for a new or modified sewer service connection from any development, the city
- 9 shall make an initial determination of the ERU applicable to the property. The applicant shall for
- 10 nonresidential properties, based on number and type of fixtures, calculate the daily sewer flow
- 11 rate of the connection. The director shall consider the documentation submitted by the applicant,
- 12 but is not required to accept such documentation or analysis which the director reasonably deems
- 13 to be inapplicable, inaccurate or not reliable. The director may require the applicant to submit
- 14 additional or different documentation for consideration. The director is authorized to adjust the
- 15 sewer connection charge on a case-by-case basis based on the flow calculation, the specific
- 16 characteristics of the development and/or principles of fairness. The flow rate shall then
- 17 determine the number of ERUs as defined below.
- 18 C. A residential single unit property shall be assigned one ERU per unit as a sewer connection
- 19 charge. A residential multiple unit property shall be assigned 0.75 ERU per unit. A nonresidential
- 20 property shall have a calculated ERU pursuant to the flow calculation described above, but in no
- 21 case shall the ERU be less than 0.75 ERU for any connection.
- 22 D. For purposes of this determination, an ERU for service shall consist of a projected usage of
- 23 125 gallons per day of sewage flow.
- 24 E. The sewer connection charge for each ERU of sewer service shall be ~~\$2,480~~ \$4,000.
- 25 F. The sewer connection charge shall be due and payable prior to issuance of the building permit.
- 26 G. Determinations made by the director pursuant to this section may be appealed as set forth in
- 27 LMC 14.51.090. (Ord. 3286 § 2, 2018)

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2 Section 7. Severability. If any section, subsection, sentence, clause, phrase or word of this  
3 ordinance should be held to be invalid or unconstitutional by a court of competent  
4 jurisdiction, such invalidity or unconstitutionality therefore, shall not affect the validity or  
5 constitutionality of any other section, subsection, sentence, clause, phrase or word of this  
6 ordinance.

7 Section 8. Effective Date. This ordinance or a summary thereof consisting of the title shall  
8 be published in the official newspaper of the City, and shall take effect and be in on January  
9 1, 2023, which date shall be more than five (5) days after passage and publication.

10 PASSED BY THE CITY COUNCIL, the 24<sup>th</sup> day of October, 2022.

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APPROVED:

DocuSigned by:  
*Christine Frizzell* 11/2/2022  
6E0020D425DB4B8...  
Christine Frizzell, Mayor

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ATTEST/AUTHENTICATED:

20

DocuSigned by:  
*Luke Lonie*  
9859F89ACFCA4CF...  
Luke Lonie, City Clerk

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APPROVED AS TO FORM:

26

DocuSigned by:  
*Lisa Marshall*  
0C9DE54C77524E7...  
Lisa Marshall, City Attorney

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