

ORDINANCE NO. 666

**AN ORDINANCE AMENDING THE 2011 OPERATING BUDGET
AS ADOPTED BY ORDINANCE #660 AND AMENDED BY ORDINANCE #665
FOR THE TOWN OF NACHES, WASHINGTON**

WHEREAS, subsequent thereto it has become necessary for the Town to amend said ordinance because of expenditures of same, which could not reasonably have been foreseen at the time of adopting said budget; and

WHEREAS, the said expenditures are not one of the emergencies specifically enumerated in RCW 35.33.081; and

WHEREAS, the Town is desirous of amending its budget pursuant to RCW 35.33.091; and

NOW THEREFORE,

The Town Council of the Town of Naches, Washington do ordain as follows:

That the 2011 budget, as set forth in Ordinance No. 665, is hereby amended as follows:

FUND	Fund Name	Increase (Decrease)		
		Current Budget	Increase (Decrease) Revenues Appropriations	
001	General Fund	553,989.00	-	553,989.00
004	C.E. Reserve Fund	12,000.00	-	12,000.00
101	Street Fund	180,907.00	-	180,907.00
102	Street Construction Fund	485,000.00	-	485,000.00
103	Capital Improvement Fund	13,594.00	-	13,594.00
105	Hotel/Motel Tax Fund	1,000.00	-	1,000.00
301	Misc. Capital Projects Fund	\$0.00	-	\$0.00
310	CDBG Rehab Fund	\$0.00	-	\$0.00
401	Water/Sewer Operating Fund	522,304	40,000	562,304
402	W/S Bond Redemption Fund	16,400	-	16,400
404	W/S Bond Reserve Fund	\$0.00	-	\$0.00
409	Irrigation Capital Construction Fund	\$0.00	-	\$0.00
410	Water Capital Construction	\$30,000.00	-	30,000
420	Sewer Capital Construction	\$25,000.00	-	25,000
GRAND TOTAL		1,840,194	40,000	1,880,194

This ordinance shall be in force and take effect five days after its passage and publication according to law.

PASSED by the Town Council of the Town of Naches, Washington, on this 12th day of December, 2011.




Rick Carney, Mayor

ATTEST:



Elvira Birrueta, Clerk

APPROVED AS TO FORM:



Sara Watkins, Town Attorney

ORDINANCE NO. 667

**AN ORDINANCE ADOPTING THE BUDGET
OF THE TOWN OF NACHES, WASHINGTON
FOR FISCAL YEAR ENDING DECEMBER 31, 2012, _**

WHEREAS, the Mayor of the Town of Naches, Washington completed and placed on file with the Town Clerk a proposed budget and estimate of the amount of moneys required to meet the public expenses, bond retirement and interest, reserve funds and expenses of the town for the fiscal year ending December 31, 2012; and

WHEREAS, a notice was published that the Council of the town would meet on December 12, 2011 at the hour of 7:00 p.m., in the council chambers of town hall of the Town of Naches, for the purpose of making and adopting a budget for said fiscal year and giving taxpayers within the limits of said town an opportunity to be heard in a public hearing upon said budget; and

WHEREAS, the Town of Naches, did meet at said time and place and did then consider the matter of said proposed budget for the fiscal year 2012; and

WHEREAS, the said proposed budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the Town of Naches, for the purposes set forth in said budget, and the estimated expenditures set forth in said budget being all necessary to carry on the government of said town for said year and being sufficient to meet the various needs of said town during said period.

NOW THEREFORE, the Town Council of the Town of Naches, do ordain as follows:

SECTION 1. The budget for the Town of Naches, Washington for the year 2012 is hereby adopted at the fund level in its final form and content as set forth in the document entitled “2012 Budget of the Town of Naches”, copies of which are on file in the Office of the Clerk.

SECTION 2. Estimated resources, including fund balances for each separate fund of the Town of Naches, for the year 2012 are set forth in summary form below, and are hereby appropriated for expenditure at the fund level during the year 2012 as set forth below:

Fund #	Fund Name	Revenues including		Ending Fund Balance
		Reserves	Appropriations	
001	Current Expense	\$ 909,854.00	\$ 509,145.00	\$ 400,709.00
004	C.E. Reserve	\$ 36,589.00	-	\$ 36,589.00
101	Street Fund	\$ 193,168.00	\$ 143,749.00	\$ 49,419.00
102	Street Construction	\$ 116,931.00	-	\$ 116,931.00
103	Capital Improvement	\$ 46,617.00	-	\$ 46,617.00
105	Hotel/Motel Fund	\$ 4,310.00	\$ 600.00	\$ 3,710.00
301	Misc Capital Project	\$ 2,010.00	-	\$ 2,010.00
310	Rehab Fund	\$ 15,071.00	-	\$ 15,071.00
401	Water/Sewer Fund	\$ 712,999.00	\$ 454,090.00	\$ 258,909.00
402	USDA Bond Redempt	\$ 17,597.00	\$ 16,400.00	\$ 1,197.00
404	USDA Bond Reserve	\$ 13,200.00	-	\$ 13,200.00
409	Irrigation Capital Reserve	\$ 9,319.00	-	\$ 9,319.00
410	Water Capital Const	\$ 5,000.00	-	\$ 5,000.00
420	Sewer Capital Const	\$ 5,000.00	-	\$ 5,000.00
	Totals	\$ 2,087,665.00	\$ 1,123,984.00	\$ 963,681.00

SECTION 3. The Town Clerk is directed to transmit a certified copy of the budget hereby adopted to the State Auditor's Office and to the Association of WA Cities.

SECTION 4. This ordinance shall be in full force and take effect after its passage by Council, approved by the Mayor and publication as required by law.

PASSED BY THE NACHES, TOWN COUNCIL THIS 12TH DAY OF DECEMBER, 2012.

SIGNED:


 Rick Carney, Mayor

Attest:


 Elvira Birrueta, Clerk/ Treasurer

APPROVED AS TO FORM:


 Sara Watkins, Town Attorney

ORDINANCE NO. 668

AN ORDINANCE OF THE TOWN OF NACHES, WASHINGTON,
AMENDING CHAPTER 13.04.300 A THROUGH C,
AND ADDING NEW SECTION D TO CHAPTER 13.04.300, OF THE NACHES
MUNICIPAL CODE PERTAINING TO WATER SERVICE RATES

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NACHES, WASHINGTON as follows:

Chapter 13.04.300 A through C of the Naches Municipal Code is amended to replace the existing rate as follows:

A. Within the corporate limits, with access to irrigation water:

Meter Size	Base Rate
3/4" or smaller	\$29.59
1"	\$39.58
1-1/4" through 1-1/2"	\$59.25
2"	\$79.14
3"	\$118.61
4"	\$158.77

All overages beyond the base of four hundred (400) cubic feet shall be charged at one dollar (\$1.00) per one hundred (100) cubic feet.

B. Within the corporate limits, without access to irrigation water:

Meter Size	Base Rate
3/4" or smaller	\$29.59
1"	\$39.58
1-1/4" through 1-1/2"	\$59.25
2"	\$79.14
3"	\$118.61
4"	\$158.77

All overages beyond the base of four hundred (400) cubic feet shall be charged at fifty-one cents (\$0.51) per one hundred (100) cubic feet. This reduced rate for accounts without access to irrigation water shall apply from May 1 through October 31. The rates in Section 13.04.300(A) shall apply for the other months.

C. Outside the corporate limits: Rates for services outside the corporate limits of the Town shall be Town rates as adopted, plus fifty (50) percent, or as indicated in the following chart:

Meter Size	Base Rate
3/4" or smaller	\$44.39
1"	\$59.37
1-1/4" through 1-1/2"	\$88.86
2"	\$118.72
3"	\$177.91
4"	\$238.16

All overages beyond the base of four hundred (400) cubic feet shall be charged at one dollar and fifty cents (\$1.50) per one hundred (100) cubic feet.

The following new section D is added to Chapter 13.04.300 of the Naches Municipal Code:

D. Multi-residential developments, including manufactured housing parks, condominium and townhouse developments, and residential development complexes (duplexes, triplexes, etc.) served collectively (i.e., the number of meters is less than the number of units or spaces), shall be charged at a rate of twenty-nine dollars and fifty-nine cents (\$29.59) per unit, or space, per month, without consideration to occupancy status. A minimum of 400 cubic feet of usage shall be allotted to each unit or space per month, and the charge per cubic foot for usage above the minimum shall be as specified Section 13.04.300(A) for those establishments with access to irrigation water, and as specified Section 13.04.300(B) for those establishments without access to irrigation water

Rates for services outside the corporate limits of the Town shall be Town rates as adopted, plus fifty (50) percent

The rates in this Section shall be effective beginning with the January 2012 billing period.


PASSED BY THE TOWN COUNCIL of the Town of Naches, Washington, this 12th day of December 2011.

ATTEST:


Elvira Birrueta, Clerk/Treasurer

APPROVED AS TO FORM:


Sara Watkins, Town Attorney


Rick Carney, Mayor

ORDINANCE NO. 669

AN ORDINANCE OF THE TOWN OF NACHES, WASHINGTON,
RELATING TO USER CHARGES FOR SEWER SERVICE,
AMENDING SECTION 13.08.110 OF THE NACHES MUNICIPAL CODE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NACHES, WASHINGTON as follows:

Section 13.08.110 of the Naches Municipal Code is amended to read as follows:

A. RESIDENTIAL RATES

1. Single-family dwellings shall be charged a rate of forty-six dollars and two cents (\$46.02) per month, regardless of occupancy status, provided sewer service is requested and connection has been made.
2. Multi-residential developments, including manufactured housing parks, condominium and townhouse developments, and residential development complexes (duplexes, triplexes, etc.) served collectively or independently, shall be charged at a rate of forty-six dollars and two cents (\$46.02) per unit, or space, per month, without consideration to occupancy status.
3. Low-Income Senior Citizens and Low-Income Disabled Persons Occupant Rate.
 - (a) Single-family dwellings within the corporate limits of the Town of Naches, occupied by low-income senior citizens or low-income disabled persons shall be charged a rate of forty dollars and eighty-eight cents (\$40.88) per month, per dwelling, provided sewer service is requested and connection has been made.
 - (b) A senior citizen is a person who occupies a dwelling unit where either the person or the person's spouse is sixty-two years of age or older at the commencement of any month.
 - (c) A low-income senior citizen shall be a senior citizen whose income, combined with the income of the spouse, if any, for the calendar year preceding was fifteen thousand dollars (\$15,000.00) or less.
 - (d) A disabled person is a person who occupies a dwelling unit and qualifies for special parking privileges under RCW 46.16.381(1)(a) through (f) or a blind person as defined in RCW 74.18.020(4) or developmentally disabled as defined in RCW 71A.10.020(2) or a mentally ill person as defined in RCW 71.05.020(1).
 - (e) A low-income disabled person shall be a disabled person whose income, combined with the income of the spouse, if any, for the calendar year preceding was fifteen thousand dollars (\$15,000.00) or less.
 - (f) Combined income shall be income from all sources, provided that only two-thirds (2/3) of any social security benefits, two-thirds (2/3) of any retirement pension, two-thirds (2/3) of disability benefits, and the full amount of any other income shall be considered as income for the purpose of this section, and provided further, that the gain realized by any person from the sale, transfer, or upon being displaced from, his or her residence shall not be considered as income for the purposes of this section, if reinvested in a replacement residence within eighteen (18) months of its realization.

(g) Determination of eligibility shall be made by the Town Clerk/Treasurer based upon the annual statement of the low-income senior citizen or low-income disabled person, or any other reasonable and verifiable means at the discretion of the Clerk/Treasurer.

4. Sewer service charges for residential sewer service customers located outside the corporate limits of the Town of Naches shall be one hundred fifty percent (150%) of the applicable sewer service charges charged to all Town residential sewer service customers.

B. COMMERCIAL/BUSINESS RATES

Sewer rates for commercial and business users shall be based upon the volume of water delivered for a minimum monthly charge, plus a unit rate for each cubic foot of water delivered in excess of the first four hundred (400) cubic feet, as follows:

1. The minimum monthly charge to a commercial/business account in this category shall be of forty-six dollars and two cents (\$46.02) per establishment, per month, regardless of occupancy status.
2. Small Commercial Users: For commercial and business establishments maintaining only restroom facilities for employees and the public, with less than 5 full time employees, domestic waste charges shall be based upon metered water consumption per cubic foot, and shall be of forty-six dollars and two cents (\$46.02) for the first four hundred (400) cubic feet and four dollars and six cents (\$4.06) per one hundred cubic feet thereafter, per month.
3. Medium Commercial Users: For commercial and business establishments maintaining only restroom facilities for employees and the public, with 5 to 10 full time employees, including churches and meeting halls, domestic waste charges shall be based upon metered water consumption per cubic foot, and shall be fifty-two dollars and eleven cents (\$52.11) for the first four hundred (400) cubic feet and four dollars and six cents (\$4.06) per one hundred cubic feet thereafter, per month.
4. Large Commercial Users: For commercial and business establishments maintaining only restroom facilities for employees and the public, with more than 10 full time employees, domestic waste charges shall be based upon metered water consumption per cubic foot, and shall be seventy-two dollars and sixty-six cents (\$72.66) for the first four hundred (400) cubic feet and four dollars and six cents (\$4.06) per one hundred cubic feet thereafter, per month.
5. Food Service Establishments: For grocery stores, bakeries, restaurants, drive-ins, taverns and convenience stores serving food, waste charges shall be based upon metered water consumption per cubic foot, and shall be eighty-five dollars and fifty-one cents (\$85.51) for the first four hundred (400) cubic feet and four dollars and six cents (\$4.06) per one hundred cubic feet thereafter, per month.
6. Motels: Motels shall be charged at the rates listed above for commercial and business establishments based on metered water consumption per cubic foot. For purposes of establishing the minimum monthly charge, each room shall be considered equivalent to a full time employee, regardless of occupancy status. If food is prepared and served at a motel, then the motel shall be considered a food service establishment.
7. Where multiple commercial and business establishments are tenants in a single building and are served by a common water meter, and have a single account with the Town, domestic waste charges shall be based upon metered water consumption per cubic foot. The minimum monthly charge shall be the total sum of the minimum monthly charges, determined as if each establishment were an individual account, using the commercial

and business categories described above. A minimum of 400 cubic feet of usage shall be allotted to each establishment, and the charge per cubic foot for usage above the minimum shall be four dollars and six cents (\$4.06) per one hundred cubic feet thereafter, per month. If commercial and business establishments are served by separate water meters, then each establishment shall be charged at the appropriate base rate specified above, but not less than of forty-six dollars and two cents (\$46.02) per meter, and the charge per cubic foot for usage above the minimum shall be four dollars and six cents (\$4.06) per one hundred cubic feet thereafter, per month.

8. Where multiple commercial and business establishments are tenants in a single building and are served by a common water meter, and each establishment has a separate account with the Town, domestic waste charges shall be based upon metered water consumption using the commercial and business categories described above. Billing amounts for usage in excess of the minimum, per cubic foot, shall be distributed equally between the establishments connected to the meter at a rate of four dollars and six cents (\$4.06) per one hundred cubic feet thereafter, per month.
9. Commercial/business users who lose water through evaporation, irrigation, or in a product, may request a reduction in their monthly sewer charge only if the difference between water consumed and wastewater discharged to the Town is documented through the use of water meters. In such a situation, the monthly sewer charges will be based upon the volume of wastewater discharged to the Town at the appropriate rate specified within this section.
10. Sewer service charges for commercial/business sewer service customers located outside the corporate limits of the Town of Naches shall be one hundred fifty percent (150%) of the applicable sewer service charges charged to all Town commercial/business sewer service customers.

C. SCHOOL RATES

Sewer rates for school users shall be based upon the volume of water delivered for a minimum monthly charge, plus a unit rate for each cubic foot of water delivered in excess of the first four hundred (400) cubic feet, as follows:

1. Schools: For public or private schools discharging sewage to the Town sewer system, waste charges shall be based upon average monthly metered water consumption per cubic foot during the non-irrigation season, and shall be one-hundred ninety-eight dollars and one cent (\$198.01) for the first four hundred (400) cubic feet and four dollars and six cents (\$4.06) per one hundred cubic feet thereafter, per month, per school. Average monthly metered water consumption during the non-irrigation season is defined as the total water consumed from October 1 through March 31 divided by six.
2. Administration and Ancillary Buildings: Administration, shop, maintenance, and other ancillary buildings owned or leased by the school, and receiving sanitary sewer service from the Town, shall be charged for service at the rates set forth for commercial/business users.
3. Sewer service charges for school sewer service customers located outside the corporate limits of the Town of Naches shall be one hundred fifty percent (150%) of the applicable sewer service charges charged to all Town school sewer service customers.

D. INDUSTRIAL RATES

Sewer rates for industrial users shall be based upon the volume of water delivered for a minimum monthly charge, plus a unit rate for each cubic foot of water delivered in excess of the first four hundred (400) cubic feet, as follows:

1. General Industrial User Conditions: The following conditions apply to all industrial users discharging to the Town wastewater facilities:
 - (a) There shall be no unmetered sources of water contributing wastewater to the Town sewage works without the knowledge and prior written approval of the Town.
 - (b) The Town reserves the right to test, monitor, and control any wastewater discharged to any Town facility at any time.
 - (c) Industrial users who lose water through evaporation, irrigation, or in a product, may request a reduction in their monthly sewer charge only if the difference between water consumed and wastewater discharged to the Town is documented through the use of water meters. In such a situation, the monthly sewer charges will be based upon the volume of wastewater discharged to the Town at the appropriate rate specified within this section.
 - (d) Industrial users of the Town wastewater facilities shall be evaluated and determined by the Town as to whether monitoring stations on wastewater discharges will be required. If monitoring stations are required by the Town, the Town shall designate when, where, and how many stations shall be placed. Town-approved monitoring stations shall be installed and maintained continuously in satisfactory and effective operation by, and at the expense of, the industrial user, at the direction of the Town.
2. Industrial Discharges: For establishments discharging industrial process wastes, either separate or in combination with domestic sewage, waste charges shall be based upon metered water consumption per cubic foot, and shall one-hundred ninety-eight dollars and one cent (\$198.01) for the first four hundred (400) cubic feet and four dollars and six cents (\$4.06) per one hundred cubic feet thereafter, per month.
3. Sewer service charges for industrial sewer service customers located outside the corporate limits of the Town of Naches shall be one hundred fifty percent (150%) of the applicable sewer service charges charged to all Town industrial sewer service customers.

E. SPECIAL SEWER RATE CONSIDERATIONS

When a sewer rate is based on metered water consumption, there may be circumstances when normal procedures for determining monthly sewer rates do not apply. The following considerations shall apply when determining the monthly sewer rate under special circumstances:

1. When a water meter fails or malfunctions and it is not possible to accurately determine the amount of water consumed, the amount to be charged for sewer for any month during which the meter failure or malfunction or leak occurred shall be based on the metered consumption of water for the same period the previous year. In the event there is no record of water consumption for the same period in the prior year, the amount of consumption shall be estimated by the Town.
2. In the event of a verified leak, which would result in an unusually large sewer billing due to increased water usage, said sewer charges shall be based upon the metered consumption of water for the same period the previous year. In the event there is no record of water consumption for the same period in the prior year, the amount of consumption shall be estimated by the Town.
3. The average water consumption for the non-irrigation season shall be based on the water meter readings from October 1 through March 31, or the actual dates of meter readings closest to those dates representing six months of usage. Sewer rates for a new user now utilizing service from an existing meter shall be billed based on the water consumption for

that meter, unless the new user has a history of water consumption at another meter in the Town and has terminated use of that other meter. If a new user has a history of lower water consumption at a previous meter within the Town, then the Town may use the previous history of water consumption to determine the sewer rate, provided a written request is made to the Town.


4. If insufficient information is available to determine the water consumption at a sewer service that is charged based upon the volume of water delivered, then the Town will determine the monthly sewer rate to be one hundred fifty percent (150%) of the minimum monthly charge for sewer service. Situations where this may occur include new accounts which do not have a history of water consumption to determine the average water consumption, services which do not have water meters, and services which may be turned off during portions of the year.

The rates in this Section shall be effective beginning with the January 2012 billing period.


PASSED BY THE TOWN COUNCIL of the Town of Naches, Washington, this 12th day of December 2011.

ATTEST:


Eivira Birrueta, Clerk/Treasurer


Rick Carney, Mayor

APPROVED AS TO FORM:


Sara Watkins, Town Attorney