

LAKHAVEN UTILITY DISTRICT
King County, Washington

Resolution No. 95-793

A RESOLUTION of the Board of Commissioners of Lakehaven Utility District, King County, Washington, authorizing the collection of fees and charges and establishing the description and implementation of such fees and charges and repealing Resolution Nos. 94-752, 94-766 and 95-768 and establishing an effective date for this resolution of February 1, 1996.

WHEREAS, the Board of Commissioners desires that fees and charges established for services and requests for service provided and made to customers on a non-recurring basis and which are not otherwise included in the District's monthly rates, bear a direct relationship to the cost of provision of same, and

WHEREAS, having fully reviewed and considered the same, the Board of Commissioners deems that the description and provisions for implementation of a system of fees and charges contained herein, as well as policies stated in support thereof, represent and establish a fair and equitable method and rate of collection of fees and charges;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Effective February 1, 1996, Resolution Nos. 94-752, 94-766 and 95-768 shall be repealed and the fees and charges as established hereunder shall be applicable.

2. POLICIES

i) The District shall collect fees and charges which equitably and fairly distribute the capital costs of the water and sewer systems to the various properties served on the basis of the usage of the respective systems by the property such that the charge shall adequately reimburse the District for costs associated with specific service requests and other necessary expenses relating to the administration of activities associated therewith. In this designation, they shall be distinguishable from monthly or periodic rates.

ii) The fees and charges collected pursuant to this Resolution are based upon the District's best estimate of the actual cost of the services provided and may be adjusted, if necessary, in accordance with any special circumstances. Where District personnel shall perform services for which a fee or charge is to be collected, the cost to the District of the employee's salary and other benefits, including an amount for District overhead, shall be included in the hourly rate levied.

iii) The District's charge for the capital costs of the sewer and water systems, to be designated as a Capital Facilities Charge, shall be collected in a manner which relates the actual usage a property may place on the systems to its proportionate share of the cost of the facilities of general benefit of the District and, where such facilities have been identified in an approved Comprehensive Plan and construction of the same is anticipated within the next ten years, may include the cost of improvements to be constructed in the future. Historical costs, which shall not include the cost of any donated facilities or the portion thereof to which a grant funding was received, shall include an interest component accrued for up to, but not more than, a period of ten years. In cases where the historical portion of the Capital Facilities Charge has been paid or

- A. - Developer Extension Application Deposit
- B. - Developer Extension Deposit
- C. - Latecomers Administration Fee
- D. - AI-4 Security Agreement in Lieu of Construction

REFERENCE INDEX FOR FEES AND CHARGES

vi) The District shall periodically review the fees and charges to insure that they remain a fair and equitable reimbursement for costs. Specific fees or charges may be modified in situations where the application of same would be inconsistent with the policies established herein.

v) In conjunction with the previously referenced charge for mains constructed to provide direct service to a property, the District shall implement a program to reimburse developers for a proportionate share of the costs of sewer and/or water mains which they construct at their expense and which provide direct service to adjacent properties. In so doing, the District shall collect the share of construction costs upon connection of the adjacent or benefiting property and remit the same to the developer. A charge for administration of this program shall be levied. It shall be necessary to the proper functioning of such a program, to limit the repayment period to fifteen (15) years and to adjust reported construction costs where the same are deemed to be inconsistent with costs deemed reasonable.

iv) Sewer or water mains and appurtenances which provide direct service to a particular parcel of property, will not be considered to be of general benefit to the District's customers and thus the cost of such mains and appurtenances shall not be included in the Capital Facilities Charge as a cost of facilities of general benefit. A charge for the construction of such mains, pump stations and appurtenances shall be levied, in addition to the Capital Facilities Charge, for connection to mains previously installed and for which a latecomer charge exists or for improvements on which District funds were utilized to fully or partially fund the construction of the facilities by the District, by U.L.I.D. or other developer. The charge shall be based upon the properties proportionate share of the facilities so constructed. It shall be the District's policy to make such charge based upon the actual costs of construction. The District shall collect interest on mains, pump stations and appurtenances constructed by the District or by U.L.I.D. at a rate appropriate to provide reimbursement for cost of capital.

the property is obligated to pay for historical facilities based upon an area charge by previous agreement, contract, or U.L.I.D., the District shall, where applicable, collect the portion of the Capital Facilities Charge designated for future additions and betterments. Where usage of the water and/or sewer systems shall, as determined by the District, significantly increase following payment of the Capital Facilities Charge, the District shall be entitled to collect additional Capital Facilities Charge charges to reflect the increase usage of the sewer and/or water systems. The Capital Facilities Charge will be collected prior to connection and, where applicable, may be included in the assessment for a U.L.I.D. Adjustment of the Capital Facilities Charge in specific cases may be necessary to achieve compliance with any pre-existing contract or other obligation.

- AJ-5 ROW Construction Permit Deposit
 - AJ-6 Substantial Completion Deposit
 - AJ-7 Easement Encroachment Deposit
 - AS-2 Pretreatment Charge
 - AS-3 Dormant Sewer Service Charge
 - AW-1 Non-Metered Water Sales and Permit Fee
 - AW-3 Limited Hydrant Use Charge & Permit Fee
 - AW-4 Water Charges During Construction
 - BS-1 Side Sewer Permit Fees
 - BS-2 Private Pump Station Agreement Charge
 - BW-1 Temporary Water Service Charge
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 - CF-2 Charge in Lieu of Assessment
 - DF-1 Delinquent Account Charge
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 - DW-1 Meter Reconnection Charge
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 - EJ-1 Connect/Disconnect Administrative Charge
 - EJ-2 NSF Check Charge
 - EJ-3 Document Reproduction Charge
 - EJ-4 Segregation of Assessment Fee
 - EJ-5 Charge For Sewer or Water Availability Certificate
 - EJ-6 Records Search Deposit
- 3. FEES AND CHARGES**
- A. AJ-1 - Developer Extension Application Deposit
 - i) Lakeraven Utility District shall charge developers the sum of \$210.00 at the time application for a developer's extension agreement for water and sewer facilities is made, to reimburse the District for expenses in preparation of the agreement. In the event an application for a joint developer extension agreement is made, covering the construction of both water and sewer facilities, the developer shall be charged the sum of \$310.00. The amount paid to the District pursuant to this section shall be held as a deposit against actual expenses of the District and, as such, shall be subject to refund, or the collection of additional amounts, based upon the District's record of time, material, and other expenses relating to the project.
 - ii) If the agreement is not signed and returned to the District within six (6) months from transmittal to the developer, a new application and application fee will be required.
 - B. AJ-2 - Developer Extension Deposit
 - i) Following return of the developer extension agreement and prior to execution by the District of same, Lakeraven Utility District shall charge the developer, on an estimated basis as described below, a deposit which shall include the administrative, inspection, engineering, legal and other costs to the District associated with the extension of District water and/or sewer facilities.
 - ii) It is estimated that the cost to the District for extension of water facilities pursuant to a developer extension agreement is based on

(vi) Upon completion of work and prior to acceptance, the applicant shall deliver a maintenance bond in the amount of ten percent (10%) of the costs of construction, or \$5000.00, whichever is greater, conditioned that work in public right-of-way is performed to approval of the City of Federal Way, King County, or other

(v) In the event that the developer requests an extension of the expiration date of the developer extension agreement, as therein referenced, or requests the amendment of the agreement in any form other than a request to execute a security agreement in lieu of construction or substantial completion agreement, the developer shall submit, in writing, said request along with payment of \$100.00 to cover the District's costs associated with preparation of the amendment to the developer extension agreement. The amount paid to the District pursuant to this section shall be held as a deposit against actual expenses of the District and shall be refunded, or additional amounts shall be collected, based upon the District's record of time, material, and other expenses relating to the project.

(iv) In the event the construction has not commenced prior to expiration of the Developer Extension Agreement, the balance of any sums remaining from amounts collected pursuant to this section shall be returned to the developer.

(iii) It is estimated that the cost to the District for extension of sewer facilities pursuant to a developer extension agreement is based on the following table derived from historical developer extension experience:

Linear Footage(LF)	Charges
0-500	\$2,000.00
501-1000	\$3.50/LF
1001-2000	\$3.00/LF
More Than 2000	\$2.00/LF

The amount paid to the District pursuant to this section shall be held as a deposit against actual expenses of the District and shall be refunded or additional amounts shall be collected, based upon the District's record of time, material, and other expenses relating to the project.

Linear Footage(LF)	Charges
0-500	\$2,000.00
501-1000	\$4.50/LF
1001-2000	\$3.50/LF
More Than 2000	\$2.50/LF

the following table, derived from historical developer extension experience:

i) The District shall charge the developer for the District's application for King County or City of Federal Way Right-of-Way

E. A1-5 - ROW Construction Permit Deposit

- g) The amount of the security agreement shall be one hundred fifty percent (150%) of the estimated cost of completion, as established by the District, which shall include construction, construction staking, construction engineering and project administration costs.
 - f) Construction of the sewer or water facilities for which the security agreement is furnished shall be actively pursued and shall be completed within 12 months from the date the security agreement is accepted by the District or within the time set for completion of improvements within the plat by King County, City of Federal Way, or other responsible entity, whichever occurs first; provided, however, the Board of Commissioners may, upon written request by developer, allow a longer period of time for construction as need for same is demonstrated.
 - e) That the Developer not have any outstanding charges owing to the District on the project subject to the request or any previous project.
 - d) That the Developer or any other entity to which the developer was associated, not have a prior project for which a security agreement was accepted which has failed to be satisfactorily completed and accepted prior to the expiration of the security agreement accepted thereunder, unless this provision shall be waived at District discretion.
 - c) Developer shall have submitted a plat certificate, all necessary easements, King County or City of Federal Way approval of preliminary plat, water, sewer, street and drainage plans, copy of unrecorded final plat, including protective deed covenants, and a copy of the written agreement with acceptable contract for construction of the sewer and/or water system.
- associated with the amendment and the administration of terms contained therein. This sum shall be payable for the amendment of the developer extension agreement for both water and sewer facilities; provided, however, that if request is made for amendment to a joint water and sewer developer extension agreement, then the amount payable shall be a single \$1330.00 charge. The amount paid to the District pursuant to this section shall be held as a deposit against actual expenses of the District and, as such, shall be subject to refund, or the collection of additional amounts, based upon the District's record of time, material, and other expenses relating to the project.

- Construction permit, including estimated inspection charges by King County or City of Federal Way and District's inspection and administrative costs associated with the permit.
- ii) It is estimated that the cost for a King County permit for construction of water or sewer facilities within the right-of-way is \$500.00 for water facilities and \$500.00 for sewer facilities outside the boundaries of the City of Federal Way. It is estimated that the cost of permits within the city boundaries is \$260.00 for water facilities and \$260.00 for sewer facilities. The amount paid to the District pursuant to this section shall be held as a deposit against actual expenses of the District and, as such, shall be subject to refund, or the collection of additional amounts, based upon the District's record of time, material, and other expenses relating to the project.
- iii) It is estimated that the cost for a King County ROW Permit in conjunction with a water or sewer service connection is \$330.00 outside the boundaries of the City of Federal Way and \$110.00 within the city boundaries.
- iv) In the event that construction activity is located within Washington State right-of-way, the developer or applicant for service connection shall pay to the District such costs as the District may incur from the State.
- F. A1-6 - Substantial Completion Deposit**
- i) The District may allow connection of sewer and/or water facilities constructed under developer extension agreement which, on sewer projects, are lacking final manhole adjustment, cleaning and inspection due to paving incompleteness and, on water projects, which are lacking final grade adjustment on hydrants, valves and/or services due to paving incompleteness and/or are unable to be completed due to the unavailability of Storz adapters for hydrants, under terms described below.
- ii) All sewer facilities, not including manholes, shall have been inspected and approved for final acceptance. The lack of final manhole adjustment, cleaning and inspection shall be due, and only due, as determined at the District's discretion, to the incompleteness of paving.
- iii) All water facilities shall have been otherwise tested and approved as operational and the lack of completion is due to the delay of final grade adjustment on hydrants, valves and/or services due to paving incompleteness, and/or is due to the unavailability of Storz adapters for hydrants.
- iv) Developer shall have delivered to the District all documents otherwise required for acceptance, including a bill of sale for all sewer and water facilities.
- v) Developer shall execute an agreement providing, on sewer projects, for the cash deposit of the sum representing 150% of the estimated cost of final project completion as determined by the District. Said deposit, which shall not bear interest in favor of the developer, shall be held in a District depository account and shall

the property owner shall pay to the District the sum of \$300.00 to cover the District's cost associated with the encroachment review and preparation of the Agreement.

H.

AS-2 - Pretreatment Charge

i) The District shall levy a charge on properties which require installation of sewerage pretreatment facilities to cover the District's costs associated with the pretreatment application and agreement. This charge shall be in addition to any other applicable charge.

ii)

Upon application for service where it is determined that pretreatment shall be required, or upon the District's notification to a property owner that an existing connection will require pretreatment, the property owner shall pay to the District the sum of \$100.00. This charge shall cover the costs associated with development of applicable discharge limits and preparation of the agreement. This amount shall also be collected for pretreatment agreement renewals.

I.

AS-3 - Dormant Sewer Service Charge

i) The District shall delay the initiation of the monthly sewer service rate on certain multi-unit structures and complexes which remain unoccupied for a period of time following inspection of the side sewer.

ii)

On multiple family dwellings, condominiums, mobile home parks, and multiple unit commercial buildings and complexes where domestic water service is provided by the Lakehaven Utility District, the District shall initiate the charge for the applicable monthly sewer service rate for each side sewer connection to the structure, or structures, in accordance with the method established in Resolution No. 81-854 or amendment thereto. The monthly service rate for the individual units shall commence on the first day of the month in which the domestic water meter is installed and registers consumption if same shall occur on or prior to the fifteenth day of the month and on the first day of the next succeeding month where the same shall occur after the fifteenth day of the month.

iii)

On multiple family dwellings, condominiums, mobile home parks, and multiple unit commercial buildings and complexes where the domestic water service is provided by a purveyor other than the Lakehaven Utility District, the District shall initiate the charge for the applicable monthly sewer service rate for each side sewer connection to the structure, or structures, in accordance with the method established in Resolution No. 81-854. The monthly service rates for the individual units or spaces shall commence on the first day of the month in which the domestic water meter is installed and registers consumption if same shall occur on or prior to the fifteenth day of the month and on the first day of the next succeeding month where the same shall occur after the fifteenth day of the month, or the first day of the next succeeding month following the expiration of a period of sixty (60) days after final inspection of the side sewer connection or connections, whichever occurs first, provided, however, that such monthly service rates for the individual units or spaces shall not commence and shall

remain pending for an additional sixty (60) day period, if prior to the expiration of the preliminary sixty (60) day period, the District receives written notice from the responsible water purveyor indicating both that the domestic meter has not been installed and that such water purveyor will notify the District of the availability of domestic water service within three working days of the installation of the meter. If such notice is timely received, commencement of the monthly sewer service rates for the individual units or spaces shall remain pending for so long as the District shall continue to receive, within the applicable sixty (60) day periods, notice from the water purveyor that the water meter has not been installed and that notification of the installation shall be provided.

J. AW-1 - Water Sales from Hydrant and Hydrant Permit Fee

i) The District may, at the discretion of the appropriate Department Director, provide, on a regular basis, water, to qualified permittees, from fire hydrants located within and served by the District upon compliance with the terms and conditions described below.

a) No water shall be removed by purchaser until permit to do so has been issued by the District. Such water removal shall cease upon notice to purchaser that the permit is no longer valid. Permit shall be invalid forthwith upon purchaser's failure to comply with any provision of this resolution and any rule, regulation or requirement of the permit issued pursuant to this resolution. The District shall charge and collect a permit fee of \$65.00 at original granting of each permit requested prior to July 1st of the current year and \$32.50 thereafter during the current year. The permit fee shall be \$65.00 annually thereafter for permit renewal.

b) Prior to removal of water by purchaser, purchaser shall enter into a written agreement with the District, such agreement providing not less than the following provisions and such other provisions that are established by the appropriate Department Director:

1) Purchaser shall comply with all District resolutions, rules and regulations, and failure to so comply shall cause the permit to be subject to revocation by the District.

2) Purchaser shall deliver and verify to the District in writing, between January 1 and January 20 of each year the permit remains outstanding, the amount of water used by purchaser from the proceeding July 1 through December 31.

3) Purchaser shall deliver and verify to the District in writing, between July 1 and July 20 of each year the permit remains outstanding, the amount of water used by purchaser on from the proceeding January 1 through June 30.

4) Purchaser shall deposit with the District upon issuance of the permit, the sum of \$150.00. Said sum shall remain on deposit during the life of the

- e) Purchaser shall deposit with the District upon issuance of the permit, the sum of \$50.00. Said sum shall remain on deposit during the life of the permit and may be applied by the District against unpaid water charges and other unpaid charges payable to the District. In the event that any portion of the deposit is applied to unpaid charges, the purchaser shall immediately pay to the deposit account the sum so applied to re-establish the balance at \$50.00. Upon surrender or termination of the permit, said sum shall be refunded to purchaser less sums payable to the District.
 - f) District reserves the right to verify amount of water removed. The District may establish additional regulations for removal of water so as to determine amount of water removed.
 - g) If quantity of water used is not accurately reported to the District, the District shall charge the sum of \$150.00 for such water used.
- L. AW-3 - Water Charges During Construction**
- i) Upon meter application by an owner, or owner's authorized agent, and District approval of such application, the District may allow the temporary use of water for construction purposes.
 - ii) During construction of a building or structure which will use a water meter larger than 5/8", the charge for water consumed shall be the same charge as for a 5/8" meter, providing the water used does not exceed 500 cubic feet per billing period and providing the construction period does not exceed nine (9) months. If additional time is needed, the construction period may be extended upon written request of the owner, or owner's authorized agent, provided thirty (30) days prior to the expiration of the allotted construction period. Said extension must be approved by the District upon good cause shown.
- M. BS-1 - Side Sewer Permit Fee**
- i) The District shall, at its discretion, issue side sewer permits in accordance with the provision for same set forth in Resolution No. 242 of the former Lakehaven Sewer District or any amendment thereto.
 - ii) It shall be unlawful for any person to install side sewer pipe, uncover the public sewer or make any opening in any sewer or connect any private sewer drain to the public sewer without complying with all provisions of this resolution in relation thereto and having a permit to do so from the District. Application for permit shall be made at the office of the District.
 - iii) The District shall charge residential permit applicants, upon issuance of the permit, the sum of \$110.00. Non-residential permit applicants shall be charged the sum of \$220.00. No permit shall be issued until the payment required shall have been made or satisfactory provision for same has been made.
 - iv) The District may issue special permits in accordance with section

three (3) of Resolution No. 242 of the former Lakehaven Sewer District or any amendment thereto and the charge for same shall be as determined by the District and shall be based upon the costs to the District.

v) Permits granted to cover the repair, alteration or abandonment of the original permitted service connection shall be issued upon the additional payment of the amount which would be charged had the request been for a new connection.

vi) Monthly service charges will continue if the side sewer is not properly disconnected under a valid abandonment permit. If the District determines that abandonment is necessary and owner refuses to provide for the proper disconnection of the side sewer, the District will perform the work and charge the owner for costs incurred for actual time and material plus District overhead.

vii) The permit granted herein shall expire six (6) months from the date of the permit as stated thereon. Expired permits may be renewed for the additional sum of \$10.00, providing that no changes shall have occurred which alters the conditions upon which the original permit was granted.

N. BS-2 - Private Pump Station Agreement Charge

i) The District may allow the connection, under terms specified herein, of private pump stations to serve property in areas where permanent gravity service is not currently available and where conditions, as determined by the District, shall justify such installation.

ii) Upon receipt of a side sewer application for property to which gravity service is not available and for which service by private pump station has been requested, the District shall prepare a Private Pump Station Agreement which shall cover the terms and conditions under which such service will be provided. Prior to the preparation of the Private Pump Station Agreement, the applicant shall pay to the District the sum of \$185.00, the payment of which shall cover the District's costs associated with the preparation of the agreement and District inspection. The charge for review of plans and specifications shall be billed based upon actual time and material costs plus District overhead.

iii) Any private pump station not designed by the District shall be reviewed for compliance with District standards.

O. BW-1 - Temporary Water Service Charge

i) The District may allow water service to properties where such properties are not adjacent to a District main and/or where extension of the existing main, is determined solely by the District, is impractical, by temporary water service connection.

ii) Upon request for temporary water service, the District shall prepare a Temporary Water Service Agreement to provide for such service in accordance with the District's policy or policies regarding service and the provisions contained herein. Service to the property shall be allowed upon the execution of the Agreement and payment of the Capital Facilities Charge or Water District No.

56 Surcharge, Meter Installation Charge and ROW Construction Permit Fee in accordance with this Resolution as determined by the characteristics of the service requested.

P. BW-2 - Water Meter Installation Charge

i) The District shall charge for the installation of water meters based upon the size of the meter and according to the estimated costs to the District of time and materials for installation of the various sized meters. No installation order shall be issued until the payment required shall have been made or satisfactory provision for same has been made.

ii) For meters and related appurtenances installed by the District, the following charges shall be levied and collected at time of meter application:

a)	5/8" meter service -----	\$ 800.00
b)	1" meter -----	\$ 950.00
c)	1 1/2" -----	\$ 1250.00 deposit
d)	2" -----	\$ 1540.00 deposit
e)	3" -----	\$ 7,000.00 deposit
f)	4" -----	\$ 8,000.00 deposit
g)	6" -----	\$ 10,000.00 deposit
h)	8" -----	\$ 12,000.00 deposit

held against and applied to actual time and materials costs and District overhead.

iii) For meter installed where the developer of the property shall have installed the service line, copper setter and meter box, the following charges shall be levied and collected at the time of meter application:

a)	5/8" -----	\$ 60.00
b)	1" -----	\$ 100.00
c)	1 1/2" -----	\$ 240.00
d)	2" -----	\$ 390.00

iv) On requests for installation of additional meters to serve property and/or structure already receiving water service or modification to existing meters, the District shall levy a charge which shall be based upon time and materials cost and District overhead, and shall require a deposit against the District's estimated actual time and materials costs in amount determined by the District.

v) A water meter shall be installed for water service to each building or structure, except when such structure is a mobile home situated in a mobile home park. Meters shall be sized in accordance with the standards and specifications of the District, developed under the Uniform Plumbing Code.

vi) On requests for installation of 1" and larger non-residential meters, and on requests for installation of all irrigation meters, such installation shall be additionally conditioned upon the submission of mechanical or other building plans deemed necessary by the

- Q. BW-3 - Backflow Prevention Device Inspection Fee**
- District to assist in the prevention of cross connections.
- i) The District shall regulate individual water systems in accordance with Water District No. 124 Resolution No. 367, so as to prohibit and prevent, to the degree possible, the existence of cross-connections which endanger water quality and shall take such steps, including requiring the installation of backflow prevention devices and the inspection and testing thereof, and may charge the property owner for the part of the District's costs associated with such inspection that is deemed excessive or extraordinary and any necessary repair based upon the cost of time and materials and District overhead.
- R. CJ-1 - Capital Facilities Charge**
- i) The District shall charge property owners seeking to connect to the District's water and/or sewerage system as a condition to the right to connect, a Capital Facilities Charge so that each property so connecting shall bear an equitable share of the cost, including, where appropriate, anticipated future costs, of the system to which connection is made.
- ii) The Capital Facilities Charge on sewer connections shall cover those charges previously collected as general facilities fees for historical costs of the system, and, where applicable, capital improvement charges for anticipated future costs of the system. Capital Facilities Charge on water connections shall cover those charges previously collected as general facilities fees for the historical costs of the system, and, where applicable, shall include an amount to cover anticipated future costs.
- iii) The Capital Facilities Charge shall be levied on those property owners requesting sewer and/or water service and shall be collected prior to the provision of service.
- iv) For properties previously having paid a general facilities fee for sewer service as part of a U.L.I.D. assessment, as a financing requirement on the property or under any other circumstance, the Capital Facilities Charge shall, except as provided below, not apply and such properties shall be entitled to connect upon payment of any other applicable charge or charges described in this Resolution. If the property referenced in this section as exempt from the Capital Facilities Charge shall change in usage so as to require an increased usage of the sewer service and/or shall make request for service at a level of usage higher than that for which it was previously assessed or collected, the Capital Facilities Charge shall apply to such increase and be levied as described below. For purposes of determining the existence of a change in usage under this section, property having previously paid a general facilities fee will be allowed E.R.U.'s, as described in section vi, at the rate of 9 per acre and the application of a charge for a change in usage for additional E.R.U.'s shall be for any usage above this level.
- v) For properties previously having paid a general facilities fee for water service as a) part of a U.L.I.D. assessment; b) as a requirement of financing on the property; c) as a requirement of

