
SUBSTITUTE SENATE BILL 5336

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on State & Local Government (originally sponsored by Senators Kline, Kohl-Welles, McDonald, Fraser and McAuliffe)

Read first time 02/04/2000.

1 AN ACT Relating to sewer facility capacity charges; and amending
2 RCW 35.58.570.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 35.58.570 and 1996 c 230 s 1602 are each amended to
5 read as follows:

6 (1) A metropolitan municipal corporation that is engaged in the
7 transmission, treatment, and disposal of sewage may impose a capacity
8 charge on users of the metropolitan municipal corporation's sewage
9 facilities when the user connects, reconnects, or establishes a new
10 service to sewer facilities of a city, county, or special purpose
11 district that discharges into the metropolitan municipal corporation's
12 sewage facilities. (~~The capacity charge shall be approved by the~~
13 ~~council of the metropolitan municipal corporation and reviewed and~~
14 ~~reapproved annually.~~

15 ~~(2))~~ The capacity charge shall be based upon the cost of the
16 sewage facilities' excess capacity that is necessary to provide
17 sewerage treatment for new users to the system. (~~The capacity charge,~~
18 ~~which may be collected over a period of fifteen years, shall not~~
19 ~~exceed:~~

1 ~~(a) Seven dollars per month per residential customer equivalent for~~
2 ~~connections and reconnections occurring prior to January 1, 1996; and~~

3 ~~(b) Ten dollars and fifty cents per month per residential customer~~
4 ~~equivalent for connections and reconnections occurring after January 1,~~
5 ~~1996, and prior to January 1, 2001.~~

6 ~~For connections and reconnections occurring after January 1, 2001,~~
7 ~~the capacity charge shall not exceed fifty percent of the basic sewer~~
8 ~~rate per residential customer equivalent established by the~~
9 ~~metropolitan municipal corporation at the time of the connection or~~
10 ~~reconnection.~~

11 ~~(3) The capacity charge for a building other than a single family~~
12 ~~residence shall be based on the projected number of residential~~
13 ~~customer equivalents to be represented by the building, considering its~~
14 ~~intended use.~~

15 ~~(4))~~ (2) The capacity charge is a monthly charge reviewed and
16 approved annually by the metropolitan council in order that such
17 property owners shall bear their equitable share of the cost of such
18 system. The equitable share may include interest charges applied from
19 the date of construction of the sewage facilities until the connection,
20 or for a period not to exceed ten years, at a rate commensurate with
21 the rate of interest applicable to the metropolitan municipal
22 corporation at the time of construction or major rehabilitation of the
23 sewage facilities, or at the time of installation of the sewer lines to
24 which the property owner is seeking to connect but not to exceed ten
25 percent per year: PROVIDED, That the aggregate amount of interest
26 shall not exceed the equitable share of the cost of the sewage
27 facilities allocated to such property owners. Capacity charges
28 collected shall be considered revenue of the sewage facilities.

29 (3) The metropolitan council ((of the metropolitan municipal
30 corporation)) shall enforce the collection of the capacity charge in
31 the same manner provided for the collection, enforcement, and payment
32 of rates and charges for water-sewer districts provided in RCW
33 57.08.081. At least thirty days before commencement of an action to
34 foreclose a lien for a capacity charge, the metropolitan municipal
35 corporation shall send written notice of delinquency in payment of the
36 capacity charge to any first mortgage or deed of trust holder of record
37 at the address of record.

38 ~~((5) As used in this section, "sewage facilities" means capital~~
39 ~~projects identified since January 1, 1982, to July 23, 1989, in the~~

1 ~~metropolitan municipal corporation's comprehensive water pollution~~
2 ~~abatement plan. "Residential customer equivalent" shall have the same~~
3 ~~meaning used by the metropolitan municipal corporation in determining~~
4 ~~rates and charges at the time the capacity charge is imposed.))~~

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