

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. _____

AN ORDINANCE amending Bellevue City Code section 24.02.275 to allow property owners the choice to pay in full the remaining balance of imposed capital recovery charges and establishing an effective date.

WHEREAS, RCW 35.92.025 expressly authorizes local governments to charge property owners connecting to a municipality's water or storm and sanitary sewerage system such charges to ensure property owners bear their proportional share of the cost of the system; and

WHEREAS, the City of Bellevue imposes and collects capital recovery charges pursuant to the aforementioned statute in order that each utility remains self-supporting, and that growth pays for growth; and

WHEREAS, BCC 24.02.275 prescribes that capital recovery charges shall be placed on affected properties as a monthly charge over a ten-year period, but it does not allow property owners the choice to pay in full the remaining balance of the charge if so desired; and

WHEREAS, other local governments provide property owners subject to capital recovery charges with the option to pay in full the remaining balance of the capital recovery charge at any time; and

WHEREAS, providing property owners with the flexibility to pay in full the balance of any capital recovery charge may improve customer satisfaction and aid in the timely collection and credit of the charges;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1: Bellevue City Code 24.02.275 is amended to read as follows:

BCC 24.02.275 Capital recovery charges.

- A. The utility shall establish and collect a monthly capital recovery charge so that each new improvement, development, redevelopment or existing structure that places an additional demand on the public water system bears its equitable share of the cost of said system.
- B. Right-of-way and unirrigated nonbuilding tracts shall be exempt from the capital recovery charge.
- C. The capital recovery charge shall be based on the cost of the water utility plant-in-service, less the cost of donated facilities, less the cost of city-built local facilities for which direct facilities charges are imposed, plus recoverable interest divided by the customer base as quantified by single-family equivalent units.

- D. The capital recovery charge shall be placed on affected properties as a monthly charge for a period of 10 years. Affected property owners, at their discretion, may pay the remaining balance of the charge in full, hereinafter the "remaining balance due", at any time. In accordance with subsection C of this section, the remaining balance due shall be the sum of all remaining payments less the amounts previously paid within the applicable ten-year period, discounted by the amortization rate.
- E. The director or his/her designee is authorized to adjust the capital recovery charge value based upon updated values of the above-described elements.

Section 2: This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this _____ day of _____, 2022, and signed in authentication of its passage this _____ day of _____, 2022.

(SEAL)

_____, Mayor

Approved as to form:
Kathryn L. Gerla, City Attorney

Brian Wendt, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published: _____

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. _____

AN ORDINANCE amending Bellevue City Code section 24.04.275 to allow property owners the choice to pay in full the remaining balance of imposed capital recovery charges and establishing an effective date.

WHEREAS, RCW 35.92.025 expressly authorizes local governments to charge property owners connecting to a municipality's water or storm and sanitary sewerage system such charges to ensure property owners bear their proportional share of the cost of the system; and

WHEREAS, the City of Bellevue imposes and collects capital recovery charges pursuant to the aforementioned statute in order that each utility remains self-supporting, and that growth pays for growth; and

WHEREAS, BCC 24.04.275 prescribes that capital recovery charges shall be placed on affected properties as a monthly charge over a ten-year period, but it does not allow property owners the choice to pay in full the remaining balance of the charge if so desired; and

WHEREAS, other local governments provide property owners subject to capital recovery charges with the option to pay in full the remaining balance of the capital recovery charge at any time; and

WHEREAS, providing property owners with the flexibility to pay in full the balance of any capital recovery charge may improve customer satisfaction and aid in the timely collection and credit of the charges;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1: Bellevue City Code 24.04.275 is amended to read as follows:

BCC 24.04.275 Capital recovery charges.

- A. The utility shall establish and collect a monthly capital recovery charge so that each new improvement, development, redevelopment or existing structure that places an additional demand on the public sewer system bears its equitable share of the cost of said public utility system.
- B. Right-of-way and nonbuilding tracts shall be exempt from the capital recovery charge.
- C. The capital recovery charge shall be based on the cost of the sewer utility plant-in-service, less the cost of donated facilities, less the cost of city-built local facilities for which direct facilities charges are imposed, plus recoverable interest divided by the customer base as quantified by single-family equivalent units.

- D. The capital recovery charge shall be placed on affected properties as a monthly charge for a period of 10 years. Affected property owners, at their discretion, may pay the remaining balance of the charge in full, hereinafter the "remaining balance due", at any time. In accordance with subsection C of this section, the remaining balance due shall be the sum of all remaining payments less the amounts previously paid within the applicable ten-year period, discounted by the amortization rate.
- E. The director or his/her designee is authorized to adjust the capital recovery charge value based upon updated values of the above-described elements.

Section 2: This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this _____ day of _____, 2022, and signed in authentication of its passage this _____ day of _____, 2022.

(SEAL)

_____, Mayor

Approved as to form:
Kathryn L. Gerla, City Attorney

Brian Wendt, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published: _____

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. _____

AN ORDINANCE amending Bellevue City Code section 24.06.120 to allow property owners the choice to pay in full the remaining balance of imposed capital recovery charges and establishing an effective date.

WHEREAS, RCW 35.92.025 expressly authorizes local governments to charge property owners connecting to a municipality's water or storm and sanitary sewerage system such charges to ensure property owners bear their proportional share of the cost of the system; and

WHEREAS, the City of Bellevue imposes and collects capital recovery charges pursuant to the aforementioned statute in order that each utility remains self-supporting, and that growth pays for growth; and

WHEREAS, BCC 24.06.120 prescribes that capital recovery charges shall be placed on affected properties as a monthly charge over a ten-year period, but it does not allow property owners the choice to pay in full the remaining balance of the charge if so desired; and

WHEREAS, other local governments provide property owners subject to capital recovery charges with the option to pay in full the remaining balance of the capital recovery charge at any time; and

WHEREAS, providing property owners with the flexibility to pay in full the balance of any capital recovery charge may improve customer satisfaction and aid in the timely collection and credit of the charges;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1: Bellevue City Code 24.06.120 is amended to read as follows:

BCC 24.06.120 Capital recovery charges.

- A. The utility shall establish and collect a monthly capital recovery charge so that each new improvement, development, redevelopment or existing building or structure that places an additional demand on the storm and surface water system bears its equitable share of the cost of said system;
- B. The capital recovery charge shall be based on the cost of the storm and surface water utility plant-in-service, less the cost of donated facilities, less the cost of city-built local facilities for which direct facilities charges are imposed, plus recoverable interest divided by the customer base as quantified by single-family equivalent units; and

- C. The capital recovery charge shall be placed on affected properties as a monthly charge for a period of 10 years. Affected property owners, at their discretion, may pay the remaining balance of the charge in full, hereinafter the "remaining balance due", at any time. In accordance with subsection B of this section, the remaining balance due shall be the sum of all remaining payments less the amounts previously paid within the applicable ten-year period, discounted by the amortization rate.
- D. The director is authorized to adjust the capital recovery charge value based upon updated values of the above-described elements.

Section 2: This ordinance shall take effect and be in force five (5) days after passage and legal publication.

Passed by the City Council this _____ day of _____, 2022, and signed in authentication of its passage this _____ day of _____, 2022.

(SEAL)

_____, Mayor

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Kathryn L. Gerla, City Attorney

Brian Wendt, Assistant City Attorney

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