Reviewed this 25th day of March, 1996 and set for Public Hearing at 110:15 a.m. on April 15, 1996.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Tom Shaughnessy, Chairman
Mike Shelton, Member
Attest: Art Hyland, County Auditor & Wm. L. McDowell, Member
Ex-Officio Clerk of the Board

Adopted this 15th day of April , 1996 after Public Hearing

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON

Tom Shaughnessy, Chairman
Mike Shelton, Member
Attest: Art Hyland, County Auditor & Wm. L. McDowell, Member
Ex-Officio Clerk of the Board

APPROVED AS TO FORM
David L. Jamieson, Jr.
Deputy Prosecuting Attorney and Code Reviser

EXHIBIT "A"

Section 15.02.070 System of Charges

a. The County hereby imposes the following system of charges on Parcels of real property within the County located within the Marshall Drainage Basin and that benefit from or are served by the County storm and surface water system. The charges are found to be reasonable and necessary to fund administration, planning, design, construction, operation, maintenance, repair, improvement, and replacement of all existing and future storm and surface water facilities, including the accumulation of reserves and the retirement of any associated debt. The charges below are in accordance with the Marshall Drainage Basin Plan and are based on Parcel size and Impervious Surface area.

1a. Parcels of less than one-half acre with a dwelling unit shall pay a one-time, capital charge of $1,915.59 in 1996~~7~~.

1b. As an alternative to Section 1a., above, Parcels of less than one-half acre with a dwelling unit shall pay an annual capital charge of $162.83 per year beginning in 1997, as such charge may be adjusted from time to time.

2a. Parcels of less than one-half acre without a dwelling unit shall pay a one-time capital charge of $1,129.41 in 1996~~7~~.

2b. As an alternative to Section 2a., above, Parcels of less than one-half acre without a dwelling unit shall pay an annual capital charge of $96 per year beginning in 1997, as such charge may be adjusted from time to time.

3. All other Parcels shall be charged in accordance with the Marshall Drainage Basin Plan based on an area capital charge of $199.66 per acre and an Impervious Surface area capital charge of $23,028.01 per acre in 1997, which charges shall be due and paid in full in 1996~~7~~. However, in lieu of the one-time capital charges described in this section, owners of such Parcels shall make annual capital charge payments in accordance with the Marshall Drainage Basin Plan, as such charges may be adjusted from time to time.

4. All capital charges and M&O charges imposed by this chapter shall be due and payable in accordance with ~~the due dates for property taxes and must be paid in accordance with the timing of the property owner's payment of such taxes. For example, if property taxes are paid in full by the date for property tax payment for the first half of the year, the charges imposed by this~~

~~chapter shall be paid in full at that time. If a Parcel owner pays one-half of that owner's property taxes by the due date for property taxes for the first half of the year, one-half of the charges imposed under this chapter shall be paid at that time. The payment of the remaining half of such charges, if applicable, shall be made by the due date for property taxes payable during the second half of the year~~ instructions included in billings. Charges due in a given year are due and payable in two installments in accordance with those instructions. If one-half of the total amount due is not paid by the due date indicated on the billing statement, interest shall be charged on the entire balance from the date of delinquency. All capital charges and M&O charges due in a given year, plus accrued interest, if applicable, must be paid by the date indicated on the billing for the second-half payment. Any charges that have not been paid by the applicable due date are delinquent.

5. The minimum total annual capital charge or the minimum one-time capital charge for any Parcel in the Marshall Drainage Basin shall be $96 per year or $1129.41, respectively. The maximum annual capital charge or the maximum one-time capital charge shall be $400 per year or $4,705.88, respectively. Such charges may be adjusted from time to time.

6. To the extent the Impervious Surface area on any Parcel increases in a particular year, as determined by the Director of Public Works or the Director's designee, the charge applicable to such Parcel shall be increased as follows. In no event shall charge be reduced under this subsection. If the Parcel Owner has paid a one-time capital charge for the Parcel, the Parcel owner shall also pay the one-time capital charge in effect at the time of the determination that the Impervious Surface area of the Parcel increased minus the amount of the one-time capital charge already paid with respect to the Parcel. If the Parcel owner pays annual capital charges with respect to the Parcel, the Parcel owner shall pay the increased annual capital charges applicable to the Parcel at the time of the determination that the Impervious Surface area of the Parcel increased. Increases impose pursuant to this subsection shall be due and payable in accordance with this Chapter and instructions included with bills.

7. If a property owner has not paid one-time capital charges in full by the due dates for the second-half payment in 1996~~7, described above,~~ such owner shall be deemed to have elected to pay annual capital charges in lieu of one-time capital charges.

8. County roads shall be charged in accordance with the Marshall Drainage Basin Plan. State roads shall be charged in accordance with the Plan and applicable statutes.

9. In addition to the rates above, all Parcels, all or a portion of which are located in the Marshall Drainage Basin, shall be charged and shall pay annually, beginning in 1996, a $30 M & O charge as well as any taxes applicable to the Utility or its services.

10. Any tract of land for which the Island County Assessor has assigned two tax identification numbers as a result of a property owner's eligibility for a property tax exemption under RCW 84.36.331 shall be charged as a single Parcel under this Chapter.

~~b.~~a. In addition to the charges set forth above, the County may establish water quality charges for the purpose of financing, monitoring, testing, treatment and control of pollutant discharges into the Marshall Drainage Basin System. The Director of Public Works is authorized to develop a plan for such charges.

~~c.~~b. The County may consider establishing a system of rate reductions and/or credits, and the Director of Public Works is authorized to review the feasibility of and make recommendations regarding such system of rate reductions and/or credits.

Section 15.02.150 Director's Authority to Promulgate Rules.

The Director of Public Works or the director's designee ~~shall~~ is authorized to develop administrative procedures to implement this chapter and impose and collect service charges, including but not limited to procedures for filing liens and initiating foreclosure against property for which surface and stormwater utility charges are on delinquent accounts and the collection of the debt service portion of the service charge in areas that annex or incorporate.

PRESENTATION TO ENGINEER: CERTIFICATE OF GOOD PRACTICE