

ORDINANCE NO. 1552
AN ORDINANCE OF THE CITY OF LYNDEN, WASHINGTON AMENDING LYNDEN MUNICIPAL
CODE SECTIONS 13.04.161 AND 13.04.180 CHARGES FOR NON-PAYMENT
OF WATER BILLS AND DISCONNECTING WATER SERVICE
WITHIN THE CITY OF LYNDEN

WHEREAS, The City provides water service to properties for which the property owners pay monthly charges based on usage as established by resolution; and

WHEREAS, The City code establishes the steps to be taken by the City in response to non-payment of the charges by the property owners; and

WHEREAS, The City actions include assessment of late payment charges and

NOW, THEREFORE, BE IT ORDAINED BY THE Mayor and the City Council of the City of Lynden as follows:

Section A: Lynden Municipal Code Section 13.04.161 is amended to read as follows:

13.04.161 Rates - Late payment charges.

A late charge shall be added to each customer's account when it is not paid in full before the end of the month in which the bill is sent. Said late charge shall be in an amount to be set by resolution of the city council.

If the full payment, including the late charge, is not paid in full before 9:00 a.m. on the day following final notice, the service will be disconnected and a further late payment charge will be added to the account equal to the fees for disconnection and reconnection as set by resolution of the city council.

Section B: Lynden Municipal Code Section 13.04.180 is amended to read as follows:

13.04.180 - Rates—Property owner payment responsibility.

All water rates shall be charged against the property on which it is furnished and against the owner thereof, and if for any cause any sums owing therefor become delinquent the water shall be shut off and in no case shall it be turned on to the same property until all such deficiencies have been paid in full, including any late payment charges applicable under LMC 13.04.161. No change of ownership or occupation shall affect the application of this section.

Section C: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact than any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional.

Section D: This ordinance shall take effect and be in force from and after its passage by the Council and after its approval by the Mayor, if approved, otherwise, as provided by law and five (5) days after the date of its publication.

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE, 7 IN FAVOR 0 AGAINST, AND SIGNED BY THE MAYOR THIS 6 DAY OF March, 2018.

ATTEST:

Pamela D. Brown
CITY CLERK

Scott Kutlin
MAYOR

APPROVED AS TO FORM:

Robert A. Cole
CITY ATTORNEY