

TOWN OF EATONVILLE

Agenda Staff Report

Agenda Item No.:	_____	Meeting Date:	<u>June 8, 2015</u>
Subject:	<u>An Ordinance Adding a Chapter 13.32</u>	Prepared by:	<u>Town Attorney</u>
	<u>To The Eatonville Municipal Code</u>		_____
	<u>Regarding The Budge Billing Program</u>	Atty Routing No:	<u>024-15</u>
	_____	Atty Review Date:	<u>June 4, 2015</u>

Summary: The Town provides utility services to residents and bills for those services on a monthly basis. State law requires that the Town offer to certain customers a budget billing or equal payment program pursuant to RCW 35.21.300, wherein customers may pay equal monthly payments for utility service throughout the year. The Town offers a Budget Billing Program to its utility customers, which allows qualified residential, single and/or multi-family unit customers to pay an equal monthly sum for their utility bills throughout the year based on their prior 12 month billing history, but the program is not currently set forth in the Code. In order to qualify for the program the customer must have a 12 consecutive month billing history for the subject property, have a current account at the time of application; have no more than one late fee on their account within the past 12 month period, nor received an NSF check, and must be the owner of the property and reside in the residence. The program should be codified in the Code to raise awareness.

Recommendation: Staff recommends adoption of Ordinance No. 2015-5 adding a new Chapter 13.32 to the Eatonville Municipal Code adopting the Budget Billing Program for utility customers.

Motion for consideration: I move to adopt Ordinance No. 2015-5 adding a new Chapter 13.32 to the Eatonville Municipal Code adopting the Budget Billing Program for utility customers.

Fiscal Impact: None

Attachments: Proposed Ordinance No. 2015-5; Open Enrollment Application for Budget Billing

ORDINANCE NO. 2015-5

**AN ORDINANCE OF THE TOWN OF EATONVILLE,
WASHINGTON, ADDING A NEW CHAPTER 13.32 TO THE
EATONVILLE MUNICIPAL CODE ADOPTING THE BUDGET
BILLING PROGRAM FOR UTILITY SERVICES**

WHEREAS, the Town of Eatonville provides utility services to residents and bills for those services on a monthly basis; and

WHEREAS, state law requires that the Town offer to certain customers a budget billing or equal payment program pursuant to RCW 35.21.300, wherein customers may pay equal monthly payments for utility service throughout the year; and

WHEREAS, the Town offers a Budget Billing Program to its utility customers which allows qualified residential, single and/or multi-family unit customers to pay an equal monthly sum for their utility bills throughout the year based on their prior 12 month billing history; and

WHEREAS, to qualify, the customer must have a 12 consecutive month billing history for the subject property, have a current account at the time of application; have no more than one late fee on their account within the past 12 month period, nor received an NSF check, and must be the owner of the property and reside in the residence; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE
AS FOLLOWS:**

Section 1. A new Chapter 13.32 of the Eatonville Municipal Code titled "Budget Billing Program," as set forth below is hereby adopted:

Chapter 13.32

BUDGET BILLING PROGRAM

Sections:

13.32.010 Budget Billing Program
13.32.020 Eligibility Requirements
13.32.030 Method of Payment Calculation
13.32.040 Delinquent Accounts

13.32.010 Budget Billing Program

Residential, single and/or multi-family unit utility customers, desiring to equalize their utility payments throughout the year, may apply for participation in the Budget Billing Program. Customers may apply for the Budget Billing Program during open enrollment periods designated by the Town of Eatonville Utility Clerk, who shall administer the program.

13.32.020 Eligibility Requirements

In order to qualify for enrollment in the Budget Billing Program, customers must meet the following eligibility requirements:

- A. The customer must be a residential, single and/or multi-family unit utility customer;
- B. There has been a 12 month consecutive billing history for the subject property;
- C. The account is current at the time of the application;
- D. There has been no more than one late fee on the account within the last 12 month period, and the account has received no NSF checks during the last 12 month period; and
- E. The customer is the owner of the property and resides in the residence.

13.32.030 Method of Payment Calculation

The Town shall recalculate the customer's monthly payment once a year and the customer will be billed the average amount for the period. The monthly payment may therefore go up or down each year based on the customer's history of utility usage for the prior year. The customer may request the Town to calculate the average payment plan amount prior to enrollment in order to allow the customer to determine if they would like to take advantage of the program.

13.32.040 Delinquent Accounts

In the event a customer becomes delinquent or in arrears on an account utilizing the Budget Billing Program the program may terminate and the customer will not be eligible for reinstatement for the program for a period of 12 months.

Section 2. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: Waived
2ND READING: 06/08/2015

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this 8th day of June, 2015.

Mike Schaub
Mayor

ATTEST:

Kathy Linnemeyer
Town Clerk

APPROVED AS TO FORM:

Gregory A. Jacoby
Town Attorney