

ORDINANCE NO. 2018-1117

AN ORDINANCE OF THE CITY OF MABTON, WASHINGTON  
AMENDING MUNICIPAL CODE AUTHORIZING REDUCTION SENIOR  
CITIZENS AND LOW-INCOME DISABLED  
PERSONS UTILITY RATES

**WHEREAS**, City of Mabton ("City") provides water and utility services to citizens at rates and charges established by ordinance and as authorized by Mabton Municipal Code Chapter 13.04;

**WHEREAS**, the City Council finds that it is appropriate for the City to establish and/or reaffirm rates for utilities (water and sewer) for senior citizens and low income disabled residents of the municipality; and

**WHEREAS**, the City Council deems it appropriate to amend provisions MMC Ch. 13.04 as more particularly set forth in attachment A;

NOW, THEREFORE, it is ordained as follows:

1. Definitions. The definition section set forth in MMC Chapter 13.04.010 is amended to read as set forth in attachment A.

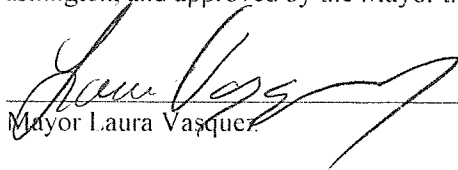
2. Rates and Charges. That portion of MMC Chapter 13.04 denominated as IV – Rates and Charges is amended as set forth in attachment A.

3. Effect of Amendment. Except as expressly amended herein, the remaining provisions of MMC Ch. 13.04 shall remain in full force and effect as if fully set forth herein.

4. Severability. If any provision of this amendment of MMC Chapter 13.04 or its application to any person or circumstance is held to be invalid, the remainder of this Ordinance or the application of the provisions to other persons or circumstances, shall not be affected.

5. Effect. This Ordinance shall be in full force and effect from and after its passage, upon approval and publication as provided by law.

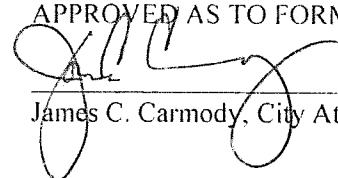
PASSED BY THE COUNCIL for the City of Mabton, Washington, and approved by the Mayor this 26<sup>th</sup> day of June, 2018.

  
Mayor Laura Vasquez

ATTEST:

  
Sylvia Sanchez, City Clerk

APPROVED AS TO FORM:

  
James C. Carmody, City Attorney

## ATTACHMENT A

The following portions of MMC Ch. 13.04 are amended and/or restated as follows:

### **13.04.010 Definitions**

- A. "Commercial sewer user" means any user of the city sewer system which is not a residential unit or vegetation nursery.
- B. "Consumer" means the person or business concern using the service.
- C. "Disabled citizen" means a person who:
1. Resides within the city limits of the city of Mabton;
  2. Is the head of a household;
  3. Qualifies for special parking privileges under RCW 46.16.381((1)(a) through (f), or a blind person as defined in RCW 74.18.020, or a person who qualifies for supplemental Social Security benefits due to a disability.
- D. "Low income" is defined as follows:
1. Every single person whose combined disposable income as defined in RCW 84.36.383(4) and (5), as it now exists or is hereafter amended, is less than the qualifying amount set forth in RCW 84.36.381(5)(b)(ii), as it now exists or is hereafter amended.
  2. Every married couple, constituting a marital community, whose combined disposable income as defined in RCW 84.36.383(4) and (5), as it now exists or is hereafter amended, is less than the qualifying amount set forth in RCW 84.36.381(5)(a), as it now exists or is hereafter amended (Ord. 2008-33 § 1).
  3. To qualify, a citizen shall provide income tax returns, Social Security statements, or other financial information as required by City Clerk.
- E. "Property owner" means the person owning the real property according to the records of the county treasurer and/or having responsibility for payment of taxes thereon.
- F. "Senior citizen" means a person who:
1. Resides within the city limits of the city of Mabton;
  2. Is 62 years or older;
  3. Receives utility services from the city of Mabton;
  4. Is the head of a household; and
  5. To qualify, a citizen must provide a current driver's license or other documentation confirming age of applicant and spouse.
- G. "Sewer service" means the activities described in this chapter incident to the removal and disposal of sewage and waste fluids from buildings on real property and that constitute the sanitary sewerage system of the city.
- H. "Water service" means the activities described in this chapter incident to the supplying of domestic water to the consumers and/or real property.

**13.04.465 Rate Reduction – Applicable water and sewer utilities.**

- A. A utility rate reduction shall be applied to the residential monthly water and sewer bills of qualified senior citizens and low-income disabled citizens, in accordance with the terms of this chapter.
- B. The utility rate reduction for water and sewer for qualified individuals under this chapter shall be as set forth in the applicable adopted rate ordinance.
- C. Application for Reduced Rate. Applications for reduced rates shall include the following:
  - 1. Applications for utility reduced rates under this section shall be obtained from and filed with the City clerk, or his or her designee. The application shall be on the form prescribed by the City Clerk, and shall contain information necessary to evaluate the applicant's qualification for reduced rates.
  - 2. Submission of an application for a utility rate reduction shall constitute a verification by the applicant that all information provided in such application is true and correct to the best of the applicant's knowledge.
  - 3. Once the application is approved, the reduced rates shall become effective on the next billing cycle following 30 days after approval of the application.
  - 4. Each application shall be effective for 12 months, commencing the first month the reduced rate becomes effective for the applicant. It shall be the sole responsibility of the applicant to re-apply for successive 12 monthly periods of eligibility for reduced utility rates.
  - 5. It shall be the duty and responsibility of the person receiving a reduced rate to report any changes in their financial status or disability status that would affect their eligibility for the reduced rates.
- D. Penalty for false information. Any individual willfully providing false information to the city in an application for reduced utility rates shall forfeit the senior or disable citizen's eligibility for rate reductions in utility rates and shall be guilty of a misdemeanor punishable by a fine of not more than \$1,000. Additionally, the low-income senior or disabled citizen making such a false statement to obtain benefits under this chapter shall be required to repay the amount of any utility discount received based upon such false information, together with interest at the rate of 12 percent per annum until repaid in full.