RESOLUTION NO. U-11213

A RESOLUTION relating to amending and revising Chapter 12.10 of the Tacoma Municipal Code ("TMC") regarding water rates, effective January 1, 2021 and January 1, 2022.

WHEREAS the City of Tacoma, Department of Public Utilities, Water Division (d.b.a. "Tacoma Water"), has requested proposed rates adjustments for Chapter 12.10 in Title 12 ("Utilities") of the Tacoma Municipal Code ("TMC"), and

WHEREAS Tacoma Water provides service for over 300,000 customers in the greater Tacoma metropolitan area, and

WHEREAS in 2019, Tacoma Water delivered approximately 50 million gallons a day and generated about $90 million in water sales, and

WHEREAS although overall consumption has remained steady, ongoing costs to maintain our utility have increased, and therefore Tacoma Water is proposing an annual system-wide average rate adjustments of 2 percent, in order to meet ongoing needs, and

WHEREAS the effective dates for the proposed system-wide average rate adjustments are January 1, 2021, and January 1, 2022, and

WHEREAS the proposed rate adjustments also include a change to TMC 12.10.400(H) "Low-income Senior and/or Low-income Disabled Residential Rate Discount" which would be effective January 1, 2021 and would increase the amount of assistance that is available for customers who qualify for that service, and

WHEREAS the income qualifications for the rate discount in TMC 12.10.400(H) is set forth in TMC 12.06.165 for Tacoma Power customers and

those income qualifications are subject to a proposed increase in Tacoma Power's rate adjustments, and

WHEREAS Tacoma Water desires to amend Chapter 12.10 of the Tacoma Municipal Code, Water – Regulations and Rates, through a system-wide average rate increase of 2 percent effective January 1, 2021 and a second system-wide average rate increase of 2 percent effective January 1, 2022, and by increasing the amount of assistance that is available for customers who qualify for the "Low-income Senior and/or Low-income Disabled Residential Rate Discount" in TMC 12.10.400(H), effective January 1, 2021, and

WHEREAS revisions to Tacoma Water rates require approval by the Public Utility Board and Tacoma City Council pursuant to Tacoma City Charter section 4.11, and

WHEREAS the recommended rate adjustments are just, fair and reasonable, and are in the best interest of the citizens of Tacoma and the customers of Tacoma Water; Now, Therefore,

BE IT RESOLVED BY THE PUBLIC UTILITY BOARD OF THE CITY OF TACOMA:

Sec. 1. The proposed adjustments to Chapter 12.10 of the Tacoma Municipal Code, Water – Regulations and Rates are hereby approved, with a system-wide average increase to Water rates of 2 percent effective January 1, 2021, and a system-wide average increase to Water rates of 2 percent effective January 1, 2022, and an increase in the amount of assistance available for customers who qualify for the "Low-income Senior and/or Low-income Disabled Residential Rate Discount" in TMC 12.10.400(H), effective January 1, 2021,

and the Council of the City of Tacoma is requested to pass an ordinance approving such revisions by amending Chapter 12.10 of the Tacoma Municipal Code, in substantially the form as on file with the Clerk of the Board, and in final form to be approved by the City Attorney.

Approved as to form:

/s/
Chief Deputy City Attorney

_____
Chair

_____
Secretary

_____
Clerk

Adopted_____

TACOMA POWER | TACOMA WATER | TACOMA RAIL
TACOMA PUBLIC UTILITIES

Board Action Memorandum

TO:	Jackie Flowers, Director of Utilities
COPY:	Charleen Jacobs, Director and Board Offices
FROM:	Scott Dewhirst, Tacoma Water Superintendent
MEETING DATE:	October 28, 2020
DATE:	October 16, 2020

SUMMARY:

Tacoma Water requests approval by the Public Utility Board (PUB) to amend and revise sections of Chapter 10 (Water Regulations and Rates) in Title 12 (Utilities) of the Tacoma Municipal Code (TMC).

The requested changes are for water rate adjustments effective January 1, 2021 and January 1, 2022.

BACKGROUND:

Tacoma Water serves over 300,000 customers in the greater Tacoma metropolitan area. In 2019, we delivered approximately 50 million gallons a day and generated about $90 million in water sales. While overall water consumption has remained steady, ongoing costs to maintain our utility have increased. Tacoma Water is proposing annual rate adjustments of 2.0% in order to meet these ongoing needs.

In the development of this proposal, Tacoma Water conducted a revenue requirement and rate-design that incorporates the 2021-2022 budget request. This proposal is in alignment with industry ratemaking standards and best practices, as well as the PUB's Strategic Directives of Financial Sustainability (SD-2) and Rates (SD-3), and supports Tacoma Water's Long-Range Financial Plan.

In preparation for this request, Tacoma Water sought input from customers and members of the public through various meetings such as: franchise city council meetings, neighborhood council meetings, PUB study sessions, Government Performance & Finance Committee meeting, City Council and PUB joint study session, and a public hearing. Communication has also been distributed through bill inserts, mailings, website, and social media.

Based on customer research on affordability, many of Tacoma Water's customers are able to afford low, stable rate adjustments. However, there are customers that are more negatively impacted by rate increases. Therefore, this proposal also includes increases to Tacoma Water's assistance programs, providing larger bill credits and discounts to customers currently in the program, as well as expanding eligibility.

ARE THE EXPENDITURES AND REVENUES PLANNED AND BUDGETED? Yes.

IF THE EXPENSE IS NOT BUDGETED, PLEASE EXPLAIN HOW THEY ARE TO BE COVERED. N/A

IF THE ACTION REQUESTED IS APPROVAL OF A CONTRACT, INCLUDE LANGUAGE IN RESOLUTION AUTHORIZING $200,000 INCREASE IN ADMINISTRATIVE AUTHORITY TO DIRECTOR? N/A

ATTACHMENTS:

- Request for Resolution
- Council Action Memorandum
- Proposed Rate Ordinance

CONTACT:

- Primary Contact: Lyna Vo, Utilities Economist
- Supervisor: Jodi Collins, Financial Stewardship Manager
- Presenter: Scott Dewhirst, Tacoma Water Superintendent

Tacoma

City of Tacoma **City Council Action Memorandum**

TO:	**Elizabeth Pauli, City Manager**
FROM:	**Scott Dewhirst, Tacoma Water Superintendent**
	Jackie Flowers, Director of Tacoma Public Utilities
COPY:	**Tacoma City Council and City Clerk**
SUBJECT:	**Proposed Rate Ordinance – Amend and revise TMC Chapter 12.10**
DATE:	**November 17, 2020**

SUMMARY AND PURPOSE:

Tacoma Water requests approval by the Tacoma City Council to amend and revise sections of Chapter 10 (Water Regulations and Rates) in Title 12 (Utilities) of the Tacoma Municipal Code (TMC). The requested changes are for water rate adjustments effective January 1, 2021 and January 1, 2022.

BACKGROUND:

This Department's Recommendation is Based On:

Tacoma Water serves over 300,000 customers in the greater Tacoma metropolitan area. In 2019, we delivered approximately 50 million gallons a day and generated about $90 million in water sales. While overall water consumption has remained steady, ongoing costs to maintain our utility have increased. Tacoma Water is proposing annual rate adjustments of 2.0% in order to meet these ongoing needs.

In the development of this proposal, Tacoma Water conducted a revenue requirement and rate-design that incorporates the 2021-2022 budget request. This proposal is in alignment with industry ratemaking standards and best practices, as well as the PUB's Strategic Directives of Financial Sustainability (SD-2) and Rates (SD-3), and supports Tacoma Water's Long-Range Financial Plan.

COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

Community Engagement

In preparation for this request, Tacoma Water sought input from customers and members of the public through various meetings such as: franchise city council meetings, neighborhood council meetings, PUB study sessions, Government Performance & Finance Committee meeting, City Council and PUB joint study session, and a public hearing. Communication has also been distributed through bill inserts, mailings, website, and social media.

Customer Research

Based on customer research on affordability, many of Tacoma Water's customers are able to afford low, stable rate adjustments. However, there are customers that are more negatively impacted by rate increases. Therefore, this proposal also includes increases to Tacoma Water's assistance programs, providing larger bill credits and discounts to customers currently in the program, as well as expanding eligibility.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility: *(Mandatory)*
Increasing customer assistance amounts and expanding eligibility in Tacoma Water's assistance programs will help Tacoma Water reach areas identified as having lower opportunities in the City's Equity Index.

Identify which Tacoma 2025 strategic goals your legislation most relates to, and then identify the Equity Index Score for those goals in the geography your proposal will affect. Select the indicator(s) this legislation is most related to, then briefly explain how this legislation will impact the selected indicator(s) and/or improve the Equity Index Score. ***Use the dropdowns below and refer to guide for more information.***

Livability: *Equity Index Score*: Moderate Opportunity
Increase positive public perception of safety and overall quality of life.
Improve access and proximity by residents to diverse income levels and race/ethnicity to community facilities, services, infrastructure, and employment.

Explain how your legislation will affect the selected indicator(s).
Tacoma Water's mission is to provide clean, reliable water. Reasonable, stable rate adjustments ensure Tacoma Water can continue to meet its mission for the long-term and ensure safety and quality of life for the community it serves.

ALTERNATIVES:

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. No rate adjustments		$5.7 million shortfall in 2021-2022 biennium with ongoing cumulative impacts
2.		
3.		

EVALUATION AND FOLLOW UP:

Tacoma Water monitors monthly budget-to-actual performance, develops forecasts for the remainder of the biennium, and prepares and presents Quarterly Outlook reports and monthly Cash Projections to the Public Utility Board.

STAFF/SPONSOR RECOMMENDATION:

Tacoma Water recommends annual 2.0% rate adjustments effective January 1, 2021 and January 1, 2022.

FISCAL IMPACT:

Tacoma Water's revenue requirement analysis for the twenty-four month budget period (January 1, 2021 - December 31, 2022) indicates a revenue shortfall of approximately $5.7 million at current rates. The main drivers for this shortfall include general inflationary increases for expenses such as personnel, as well as increases for assessments including additional support for low-income programs.

Fund Number & Name	COST OBJECT (CC/WBS/ORDER)	Cost Element	Total Amount
1. Fund 4600	581100	Various	$5.7 million
2.			
TOTAL			

What Funding is being used to support the expense?
N/A

Are the expenditures and revenues planned and budgeted in this biennium's current budget?
NO, PLEASE EXPLAIN BELOW
Revenues are planned and budgeted in the following 2021-2022 biennium.

Are there financial costs or other impacts of not implementing the legislation?
NO

Will the legislation have an ongoing/recurring fiscal impact?
YES

Will the legislation change the City's FTE/personnel counts?
NO

ATTACHMENTS:

- Proposed Rate Ordinance

CHAPTER 12.10
WATER – REGULATIONS AND RATES

Sections:

12.10.010 Rules established.
12.10.020 Definitions.
12.10.030 Water service inside/outside City limits.
12.10.035 Ability to supply water within City limits.
12.10.040 Application for service.
12.10.045 Services and meters.
12.10.050 Establishment of service account and request for turn-on.
12.10.060 Billing.
12.10.110 Turn-on and/or - Unauthorized use.
12.10.115 Turn-off, turn-on - Responsibility and liability.
12.10.120 Turn-off, turn-on - Condemned buildings.
12.10.125 Damage of water service installation.
12.10.130 Termination of service.
12.10.150 Interruption of service.
12.10.170 Ownership of water mains and appurtenances.
12.10.180 Operation of private water systems.
12.10.200 Private contract charges.
12.10.220 Cross connections.
12.10.250 Water service construction charges.
12.10.275 Property-side (private) in public rights-of-way.
12.10.300 Fire hydrant installation and relocation.
12.10.301 Fire hydrant services fee.
12.10.302 System capacity flow testing.
12.10.303 *Repealed.*
12.10.305 Fire hydrant use (non-fire fighting).
12.10.310 System development charge ("SDC").
12.10.315 Water main charge.
12.10.350 Premises not abutting a permanent water main.
12.10.400 Rates - Inside and outside City limits.
12.10.485 City not liable for damages.
12.10.490 Protection of public health.
12.10.495 South Tacoma Groundwater Protection.
12.10.500 Waivers - By Superintendent.
12.10.505 Customer service policies - Additional rules and regulations.
12.10.515 Violations - Penalties - Enforcement.
12.10.520 Severability.
12.10.525 Interference with and/or damage to City water system.

12.10.010 Rules established.

This chapter is established for the regulation of water utility service by the municipal water supply system of the City of Tacoma.

(Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.020 Definitions.

For purposes of this chapter, the following words or phrases shall have the meaning set forth herein below:

"Actual cost" or "cost" of any work performed for any person or other agency or City department by the Division includes the direct cost of all labor plus fringe benefits, the direct cost of all materials plus materials overhead, the direct cost of equipment used in connection with the work, all other direct costs incurred in connection with the work, plus administrative and supervisory cost.

"Accessory dwelling unit" refers to a second subordinate dwelling added to a single-family dwelling on a single parcel of property with provisions for independent cooking, living, sanitation, and sleeping.

"Assessable unit of frontage" is defined as set forth in Chapter 35.44 of the Revised Code of Washington (or as amended).

"Authorized deposit waiver" means an approved option for residential and commercial customers to waive paying a deposit, which is normally required for electric, water, and/or commercial solid waste customers who do not meet the established criteria, as defined in the Tacoma Public Utilities Customer Service Policies. Waiver options are available for home or property owners; customers who are purchasing the property and/or home; and customers who are renting, leasing, or leasing with an option to purchase the property.

"Board" means the Public Utility Board of the Department of Public Utilities of the City of Tacoma.

"CCF" means 100 cubic feet of water (one unit or approximately 748 gallons).

"City" means the City of Tacoma.

"Commercial service" means water service to a business or businesses engaged in the manufacture and/or sale of a commodity or commodities, or the rendering of a service, including hotels, motels, hospitals, and schools.

"Contract business partner" refers to the person or persons who have sole financial responsibility with the City.

"Council" means the City Council of the City of Tacoma.

"County" means the county in which service is being provided.

"Cross connection" is any actual or potential physical connection between a public water system or the consumer's water system and any source of non-potable liquid, solid, or gas that could contaminate the potable water supply by backflow.

"Customer" means all persons obtaining water service from the Division.

"Customer Service Policies" means the Customer Service Policies for the Division, as may be amended.

"Director" means the Director of the Department of Public Utilities of the City of Tacoma.

"Division" means the Water Division of the Department of Public Utilities of the City of Tacoma, and may also include the Department of Public Utilities.

"Fraud" means any act to deceive or defraud the Division including, but not limited to, false identity, failure to provide verifiable identification or obtaining water service and not making appropriate payments for said service.

"Frontage" refers to "frontage of property served" and shall mean the front footage of property to be served, or the short buildable side (50 LF minimum) abutting the water main. For properties not abutting the main, it shall mean the shortest buildable side (50 LF minimum).

"Industrial service" means water service to a business enterprise engaged in the manufacture of products, materials, equipment, machinery, and supplies on a substantial or major scale.

"Multiple dwelling units" means residential duplexes, triplexes, fourplexes, apartment buildings, condominiums, mobile home parks, trailer courts, or similar types of multiple dwelling unit arrangements on one parcel of land.

"Parks and irrigation service" means water service to a public park or irrigation customer with seasonal use for recreational, landscaping, and horticultural purposes or other similar uses. Irrigation shall include outdoor residential and commercial sprinkler services.

"Person" means all persons and all private and public entities, including districts, cities, towns, counties, and political subdivisions of the state, Native American tribes, partnerships, and corporations, whether acting by themselves or by a servant, agent, or employee. The singular number shall be held and construed to include the plural and the masculine pronoun to include the feminine.

"Premises" means public or private property, home, building, apartment house, condominium, trailer court, mobile home park, a group of adjacent buildings utilized under one ownership on one parcel of property and under a single control with respect to use of water and responsibility for payment therefor.

"Regular working hours" means 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding City holidays.

"Residential service" means water service to a single-family or multi-family dwelling using water for domestic use, or a single-family dwelling permitted to operate a business on the same premises.

"Service installation" means all piping and fittings from the main to and including the water meter assembly. All piping beyond the meter assembly is the customer's responsibility and is not considered a part of the service installation.

"Superintendent" means the Superintendent of the Water Division of the Department of Public Utilities of the City of Tacoma.

"System" means all water source, supply, and quality facilities, transmission pipelines and storage facilities, pumping plants, distribution mains and appurtenances, vehicles, and materials storage facilities.

"Tampering" means to alter, hinder, or obstruct the operation or maintenance of any water facility(ies) and/or their appurtenance(s), or failure to take reasonable care when operating any water facility(ies) and/or their appurtenance(s).

"Temporary water service" means water service obtained from a water main not abutting the parcel served or from a transmission or supply pipeline, or any main 2" or less in diameter.

"Treasurer" means the City Treasurer of the City of Tacoma.

(Ord. 28413 Ex. A; passed Mar. 21, 2017: Ord. 27570 § 1; passed Dec. 19, 2006: Ord. 27522 § 1; passed Aug. 29, 2006: Ord. 27299 § 1; passed Dec. 7, 2004: Ord. 26800 § 1; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.030 Water service inside/outside City limits.

These regulations are applicable to the Division and its customers both inside and outside the City limits, except as provided in Section 12.10.400 (Rates - Inside and outside City limits), or as otherwise specifically delineated.

(Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.035 Ability to supply water within City limits.

All persons wishing to construct any residential premises within the City limits shall be supplied with residential service by the Division subject to the provisions of this chapter and pursuant to RCW 19.27.097.

(Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.040 Application for service.

Applications for water service, hydrant permits, and work to be performed by the Division's staff shall be made at the Division's Permit Counter in the Public Utilities Administration Building or at such other place or places as the Superintendent may designate, by the owner or authorized agent. The application, when approved by the Division, shall constitute a contract whereby the applicant agrees as a condition of water service to comply with this chapter and the rules and regulations of the Division referred to in this chapter or as the same may be revised or amended by the Division from time to time.

(Ord. 27522 § 2; passed Aug. 29, 2006; Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.045 Services and meters.

Each premises shall be served water by a Division-installed, separate water service and meter.

The Superintendent shall have the right to refuse or discontinue water service in any situation where it is discovered that applicable codes or City standards have not been satisfied.

Each new water service connection shall require payment of the water service construction charge in accordance with Section 12.10.250 and system development charge in accordance with Section 12.10.310. Premises that have not contributed to the cost of a permanent distribution water main shall also pay the applicable water main charge in accordance with Section 12.10.315 or 12.10.350.

(Ord. 26800 § 2; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.050 Establishment of service account and request for turn-on.

A turn-on charge, as set forth in Chapter 12.01 of this code, will establish a service account.

The customer shall be responsible for all charges on the account. The account shall remain active and accrue charges until the customer notifies the Department's Customer Service Section to close or turn off the meter or account, unless the account is delinquent. Water surcharge accounts and fire service accounts cannot be closed without Water Division authorization.

The person establishing a water service account shall be required to make a cash deposit or meet one of the authorized deposit waiver options with the City Treasurer as set under Utility Board resolution. Such deposit may be applied upon delinquent bills owed the City Division and shall be applied to that portion first incurred. A change in the amount of the deposit or security may be required of any customer who changes his or her status of service. The acceptance of a cash deposit or security by the City shall not constitute a bar to the enforcement of the City's lien or termination rights.

(Ord. 28413 Ex. A; passed Mar. 21, 2017: Ord. 27522 § 3; passed Aug. 29, 2006; Ord. 26800 § 3; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.060 Billing.

The Director shall cause a bill to be rendered to each customer for water services rendered during the preceding period. The utility bill shall become due and payable at the City Treasurer's office or at such other places designated by the Director, within 15 days from the date an invoice is issued per TMC 12.01.030 and shall become delinquent thereafter. The Water Division shall compute any amounts due under TMC 12.10 by carrying the computation to the third decimal place and rounding to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four. Any invoice that becomes delinquent shall be subject to a late payment fee as set forth in TMC 12.01.030.

(Ord. 28160 Ex. A; passed July 9, 2013; Ord. 28133 Ex. A; passed Feb. 26, 2013: Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27522 § 4; passed Aug. 29, 2006; Ord. 26800 § 4; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.110 Turn-on and/or Unauthorized use.

A. If water service, with an established service account, is turned off by the Division for cause and later the water service to said premises is turned on without Division approval, upon discovery, a penalty of $100 shall be assessed and said water service may be disconnected by the Division at the water main in the street.

B. Unauthorized use of a physically disconnected water service and/or tampering with any division appurtenance (except for fire hydrants which are covered in Section 12.10.305) may result in, a penalty of $500 being assessed. If unauthorized use or tampering involves a physically disconnected water service and/or meter then said service may be disconnected by the Division at the water main in the street. Penalty is in addition to any fees for repair of damages as noted in Section 12.10.125.

Water service will not be reconnected in either subsection A or subsection B above until: (1) payment for all water consumed to date and the monthly meter charges as established or estimated by the division are made to the City; (2) the Division costs incurred related to disconnecting and reconnecting the service pipe are paid; and (3) the Division costs incurred related to repairing customer-caused damages are paid per Section 12.10.125.

(Ord. 28689 Ex. A: passed Sept. 1, 2020: Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27570 § 2; passed Dec. 19, 2006: Ord. 27522 § 5; passed Aug. 29, 2006: Ord. 26800 § 5; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.115 Turn-off, turn-on – Responsibility and liability.

The City shall not be liable for any damage to any person or property that may result from the turn-off or turn-on of the water service or from the service being left on when the premises may be unoccupied.

By requesting water service from the City, the customer assumes the responsibility for the flow and use of the water on his or her premises. Therefore, if water is desired to be turned off during remodeling, periods of freezing, or for other reasons, the customer agrees to turn off the water at the valve on his or her premises and the Division's turn-off valve shall not be relied upon for said purposes.

A customer's unpaid water service charges, penalties, and any cost to repair customer-caused damages to the water meter and appurtenances shall be paid at the time of application for turn-on, or a satisfactory arrangement for payment made with the City before water service to the premises is turned on.

(Ord. 26800 § 6; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.120 Turn-off, turn-on – condemned buildings.

Whenever a premises supplied with water has been found by the appropriate authorities to be unsafe, dangerous to human life or unfit for human habitation, and notice of such finding has been received by the Division from said authorities, the Superintendent shall cause the domestic water service to such premises to be turned off. Water service to such premises shall not be restored until the owner and/or agent has secured a release or clearance from said authorities.

(Ord. 27570 § 3; passed Dec. 19, 2006: Ord. 26048 § 1; passed Mar. 25, 1997: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.125 Damage of water service installation or Division facilities.

The contract business partner will be liable to the Division for damages to the water service installation and any damages that are caused directly or indirectly as a result of its actions.

The cost to repair damages shall be paid prior to reconnection as set forth below:

	Effective 1/19/2009
1" Meter & smaller	$200
1-1/2" Meter & larger	Actual Cost (Time & Material)
Other than Meters (i.e. hydrant, main, blowoff)	Actual Cost (Time & Material)

(Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27570 § 4; passed Dec. 19, 2006: Ord. 27522 § 6; passed Aug. 29, 2006)

12.10.130 Termination of service.

Delinquency and nonpayment of one or more water service charges or customer-caused damage to the water meter and appurtenances shall be sufficient cause for termination of service by turning off the water service or reducing the flow of water to the premises. Water service shall not be turned on again until all costs incurred by the Division, plus charges and penalties are paid, or satisfactory arrangements for payment of delinquent charges and penalties has been made with the Division.

In accordance with Section 12.10.495, the Superintendent may discontinue water service to a customer determined to be in violation of the applicable provisions of the South Tacoma Groundwater Protection District (TMC 13.09).

Upon discovery of fraud, water service shall be terminated immediately and shall not be restored until the matter is resolved satisfactory to the Superintendent, or his or her designee.

All charges for water or water service shall be the personal obligation of the customer applying for or signing for and/or receiving such service and, in addition thereto, the City shall have all the lien rights granted by state laws against the premises where such service is furnished. The Superintendent shall have the absolute authority, except as limited by said state laws, to refuse to furnish service to, to discontinue service to, or to refuse to resume service to any applicant or customer on account of the failure to pay delinquent bills owing the City by such person, whether such bills cover service at the premises sought to be served or other locations.

In addition to the other authority in this chapter (or other laws) to discontinue water service or reduce flow to a customer, the Superintendent, or his or her designee, is hereby authorized to discontinue or reduce flow to a customer's premises when the customer fails to make a cash deposit or meet one of the authorized deposit waiver options with the City Treasurer as approved by Utility Board resolution.

Except as set forth in TMC 12.10.130 and 12.10.150, termination of water service to a premises shall not occur until:

1. The City has provided or attempted to provide the customer reasonable notice of the intent to terminate water service; and

2. The customer has been offered the opportunity of a hearing before a hearing officer, with the exception of Health Department directed orders which are undisputable.

Reasonable notice may be accomplished by mailing such notice to the customer using the United States Postal Service.

(Ord. 27570 § 5; passed Dec. 19, 2006: Ord. 27522 § 7; passed Aug. 29, 2006: Ord. 27299 § 2; passed Dec. 7, 2004: Ord. 27024 § 1; passed Dec. 10, 2002: Ord. 26800 § 7; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.150 Interruption of service.

A. In case of emergency, risk of damage to property, either public or private, or whenever public health, safety, or equitable distribution or conservation due to water shortage demands, the Director or Superintendent may authorize the Division to change, reduce or limit the time for, or temporarily discontinue the use of water for any or all customers. The water service may also be temporarily interrupted during the time necessary for purposes of making repairs, extensions, or doing other necessary work on the system. Before so requiring the changing, reducing, limiting or temporary discontinuance of the use of water, the Division will attempt to notify, insofar as practicable, all water customers affected. The City shall not be responsible for any damage resulting from any interruption, change, or failure of the water supply.

B. The Public Utility Board is authorized to approve, adopt, and/or amend a Water Shortage Response Plan ("Plan") applicable to all classes of customers, which Plan is consistent with the standards in this section. Any person who violates the adopted Plan or directives issued pursuant to the Plan, including a wholesale customer who fails to adopt similar use

limitations, shall be subject to immediate reduction or discontinuance of service by the Division without notice or a hearing opportunity. All Water Shortage Response Plans previously adopted by the Public Utility Board are hereby approved and ratified.

(Ord. 27522 § 8; passed Aug. 29, 2006: Ord. 27299 § 3; passed Dec. 7, 2004: Ord. 26800 § 7; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.170 Ownership of water mains and appurtenances.

The Division shall own, operate, and maintain all Division approved and accepted water mains and related appurtenances in established city, county, and state rights-of-way or other utility rights-of-way, including recorded easements. Any person responsible for the construction of such mains and related appurtenances shall transfer ownership to the Division upon final acceptance. No one may operate, remove, change, or connect to any part thereof without the approval of the Division.

(Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27522 § 9; passed Aug. 29, 2006: Ord. 27299 § 4; passed Dec. 7, 2004: Ord. 26800 § 8; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.180 Satellite system management.

The Division may operate and maintain private distribution mains and other water system components outside of its service area in conjunction with its own facilities, provided an approved agreement has been entered into between the Division and the owners of such mains and components.

(Ord. 26800 § 9; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.200 Private contract charges.

Extension of a permanent water main may be constructed by private contract. The developer of the privately financed project will be responsible for all costs and expenses incurred by the Division for preparation of plans and specifications, construction inspection, testing, flushing, sampling of the mains, and other related work necessary to complete the new water main construction to Division standards and specifications. The engineering charge for the preparation of plans and specifications will be estimated by the Division and will include all applicable permit fees. The developer will be required to pay a deposit in the amount of the estimated cost and sign an agreement acknowledging that they are responsible to pay all actual time and materials costs associated with the project. The actual costs for the work will be billed against the developer's deposit. Should the actual costs for engineering the project exceed the deposit amount; the developer will be required to pay the balance prior to receiving the plans and specifications. Prior to construction, a second deposit in the estimated amount for construction inspection, testing, sampling and hydrant painting will be due to the Division. Upon completion of the project, the developer will either be refunded the unused amount of the deposit or billed for the cost overrun. Included in the deposits described above is a $50 per fire hydrant in the project for painting.

The developer will be responsible for protecting Division facilities, including yokes and boxes, until final acceptance by the Division. After final acceptance of the project, the responsibility for the stub, yoke, box, and meter will belong to each property owner who will be charged accordingly for any damage.

(Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27522 § 10; passed Aug. 29, 2006: Ord. 27024 § 2; passed Dec. 10, 2002: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.220 Cross connections.

The installation or maintenance of any uncontrolled cross connection that may endanger the quality of the public water supply of the City is prohibited. Any such cross connection now existing or hereafter installed is hereby declared unlawful and shall be abated immediately. The control and/or elimination of cross connections shall be in accordance with the applicable sections of the Washington Administrative Code ("WAC") the Tacoma Municipal Code, and the Policies and/or procedures approved by the Division. Failure to comply with Division cross connection control requirements may result in a penalty of $100 per occurrence, installation of an approved backflow prevention assembly at the water meter at the expense of the customer, and/or termination of water service. For purposes of this section, an occurrence is defined as failure to install, test, repair, and/or replace a required backflow prevention assembly upon written notification by the Division. Responsibility for backflow assembly testing and payment of all penalties and/or fees are the responsibility of the customer receiving the water service per the Division's utility account billing information. These penalties are intended for remedial purposes.

1. Application of civil penalties may be repeated until compliance is achieved up to a maximum of five penalties.

2. The Customer shall be given written notification by the Division:

a. Prepared and sent by first-class mail to the Person receiving the water service per the Division's utility account billing information; or

b. Personally served upon the Person receiving the water service per the Division's utility account billing information; or

c. Posting of the written notice on the Parcel in a conspicuous manner which is likely to be discovered.

3. The Customer shall be given a minimum of 14 calendar days to respond or comply with Division requirements prior to each penalty.

The Division will assign a test due date for each backflow prevention assembly and will make every effort to provide notice to the customer of the testing due date. Annual backflow assembly testing will be required by the Division established due date regardless of the actual date previous tests were performed.

(Ord. 28413 Ex. A; passed Mar. 21, 2017: Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27522 § 11; passed Aug. 29, 2006: Ord. 26800 § 11; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.250 Water service construction charges.

All water service installations shall be constructed by the Division. For all service installations, the owner or applicant shall pay in advance the fixed charge or a deposit in the amount of the Division's estimated cost for the proposed work. For all estimated work the requestor will be required to sign a time and materials agreement noting their acceptance of the responsibility to pay the actual charges. The amount charged for work performed on an estimated basis will be actual costs to the Division. If the actual cost is less than the estimated cost, the customer will be refunded the difference. Should the cost of the installation exceed the deposit amount, the additional amount will be billed to the customer that signed the time and materials agreement accepting the responsibility for actual charges. Failure to pay charges may result in, but not be limited to, termination of water service.

All required City, county, state, and/or other permits and fees are in addition to the charges listed below.

A. Water service construction charges on existing mains shall be as set forth below. In extraordinary circumstances where the Division determines that the fixed charges are not adequate to cover the actual costs, the water service construction charge will be based upon actual costs to the Division, including overhead and taxes.

Water Service Construction Charges on Existing Mains					
Type of Service	Effective Dates				
	1/1/2020	1/1/2021	1/1/2022	1/1/2023	1/1/2024
3/4" Service with 5/8" Meter	$3,250	$3,350	$3,450	$3,550	$3,660
1" Service with 5/8" Meter	$3,600	$3,800	$4,010	$4,230	$4,460
1" Service with 3/4" Meter	$3,675	$3,900	$4,140	$4,400	$4,670
1" Service with 1" Meter	$3,825	$4,040	$4,270	$4,510	$4,760
Meter Exchange from 5/8" to 3/4"	$700	$720	$740	$760	$790
Meter Exchange from 5/8" to 1"	$700	$720	$740	$760	$790
Meter Exchange from 3/4" to 5/8"	$325	$330	$340	$360	$370
Meter Exchange from 3/4" to 1"	$700	$720	$740	$760	$790
Meter Exchange from 1" to 5/8"	$200	$210	$210	$220	$230
Meter Exchange from 1" to 3/4"	$200	$210	$210	$220	$230

Service construction charges for services larger than 1-inch will be estimated based upon actual costs to the Division, including overhead.

All services and meters applied for shall be installed within two years of the application. Those customers who have not requested their water service and meter be installed within the two-year period will be required to pay the difference in all current charges and the charges paid at time of application, including the system development charge ("SDC").

Where a service stub was previously installed at the option of the Division, activation of that service shall require payment of all current fees and charges including service construction charge in effect at the time of application for service.

B. Installation of Services and Meters on New Mains. The standard for residential domestic service is the installation of 3/4-inch services and 5/8-inch meters. Larger service and meter sizes may be provided if requested by the customer and the Division approves the request, or if the Division determines larger service and/or meter is necessary. The developer requesting

services and meters for use other than domestic service for residential will be required to provide additional information on the proposed use. Plan review will be required to determine sizing requirements. For stubs, installation occurs after successful samples and pressure tests. For meter installations, system development charges will also apply.

Installation of Services and Meters on New Mains					
Type of Installation	Effective Dates				
	1/1/2020	1/1/2021	1/1/2022	1/1/2023	1/1/2024
3/4" Service Stub	$925	$950	$980	$1,010	$1,040
1" Service Stub	$975	$1,000	$1,030	$1,070	$1,100
5/8" Meter Only	$200	$210	$210	$220	$230
3/4" Meter Only	$350	$410	$480	$560	$660
1" Meter Only	$500	$520	$530	$550	$560
5/8" Meter, Yoke & Box	$475	$490	$500	$520	$530
3/4" Meter, Yoke & Box	$675	$720	$780	$830	$890
1" Meter, Yoke & Box	$1,200	$1,240	$1,280	$1,320	$1,360

(Ord. 28643 Ex. A; passed Dec. 17, 2019: Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27570 § 6; passed Dec. 19, 2006: Ord. 27522 § 12; passed Aug. 29, 2006: Ord. 27299 § 5; passed Dec. 7, 2004: Ord. 27024 § 5; passed Dec. 10, 2002: Ord. 26800 § 12; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.275 Property-side (private) in public rights-of-way.

A. When a customer requests a service and meter installation for a property not abutting a water main and the public entity having jurisdiction over the right-of-way does not allow privately owned water lines in the right-of-way then the customer must obtain easements from the adjacent property owners for installation of their property side pipe. Recorded copies of said easements must be provided to the Division before installation of the requested service and meter can occur.

Where a public entity requires that a customer's existing property-side (private) pipes be removed from public rights-of-way, the following four options are available to the customer:

1. The customer may arrange for a private contractor to install a new water main in the right-of-way using the private contract process noted in Section 12.10.200. The main would be designed by the Division and installed by the contractor, at the expense of the customer. Following the construction of the water main in the right-of-way, the customer's service and meter will be transferred to the new main at no charge.

2. The customer may organize with adjacent property owners to form a Local Improvement District ("LID") to install a new water main in the right-of-way. The design and construction process is similar to Option 1 above, but the project is financed and repaid over time through the Division, through the LID process.

3. The customer may obtain easements from adjacent property owners to allow relocation of its property-side (private) pipes out of the right-of-way into the easement obtained. In this option, the customer must provide verification to the Division that the easement has been recorded prior to the installation of the service and meter.

4. The Customer may arrange for the Division to design and install the necessary water main and appurtenances using the time and materials process. The Division will estimate all costs associated with design and construction of the proposed water main and appurtenances and the customer will be required to make a deposit in the estimated amount. If the final costs are more than the estimate the customer will be required to pay the balance, if the costs are less the difference will be refunded.

(Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27570 § 7; passed Dec. 19, 2006: Ord. 27522 § 13; passed Aug. 29, 2006)

12.10.300 Fire hydrant installation and relocation.

Fire hydrant installation and/or relocation shall be performed by the Division at the customer's expense. A deposit shall be paid to the Division in the amount of the Division's estimate of the cost to install or relocate a fire hydrant. If the actual cost is less than the estimated cost, the customer will be refunded the difference. Should the cost of installation exceed the deposit amount, the customer will be billed the additional amount.

All costs to acquire the necessary City, county, state, and/or other permits to accomplish the installation or relocation are in addition to the above costs.

(Ord. 27522 § 14; passed Aug. 29, 2006: Ord. 27299 § 6; passed Dec. 7, 2004: Ord. 27024 § 4; passed Dec. 10, 2002: Ord. 26800 § 13; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.301 Fire hydrant services fee.

Pursuant to Chapter 70.315 of the Revised Code of Washington, the Water Division will charge and collect all costs associated with providing fire hydrant services from the customers, "Residential Service," "Commercial and Industrial – General Service," and "Commercial and Industrial – Large Volume Service" rate categories, following the rate schedules below:

~~Monthly Hydrant Service Fee~~		
	~~Rate Effective Dates~~	
	~~1/1/2019~~	~~1/1/2020~~
~~Inside City of Tacoma~~	~~$2.71~~	~~$2.90~~
~~Outside City of Tacoma~~	~~$3.48~~	~~$3.75~~

Monthly Hydrant Service Fee		
	Rate Effective Dates	
	1/1/2021	1/1/2022
Inside City of Tacoma	$2.96	$3.02
Outside City of Tacoma	$3.83	$3.90

The customer portion of the fire hydrant service fee shall be calculated on a monthly basis, included in the Ready to Serve charge, invoiced and collected pursuant to the applicable customer service policies.

(Ord. 28554 Ex. A; passed Nov. 20, 2018: Ord. 28413 Ex. A; passed Mar. 21, 2017: Ord. 28286 Ex. A; passed Mar. 17, 2015: Ord. 28133 Ex. A; passed Feb. 26, 2013: Ord. 27970 Ex. A; passed Feb. 1, 2011)

12.10.302 System capacity flow testing.

To determine the capacity of a water system at a particular location for the purpose of a supply for automatic fire sprinkler systems or for other reasons, the Division can conduct a fire flow test using two (2) or more fire hydrants. The fire flow test shall be conducted by the Division upon request and after payment of a fee in the amount of $350. The fee shall cover the cost of performing the flow test and any necessary system cleanup created by the increased water velocities during the test.

(Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27522 § 15; passed Aug. 29, 2006)

12.10.303 Franchise hydrant service fee. *Repealed by Ordinance No. 28554.*

(Ord. 28554 Ex. A; passed Nov. 20, 2018: Ord. 28490 Ex. A, passed Feb. 13, 2018: Ord. 28413 Ex. A; passed Mar. 21, 2017: Ord. 28286 Ex. A; passed Mar. 17, 2015: Ord. 28133 Ex. A; passed Feb. 26, 2013)

12.10.305 Fire hydrant use (non-fire fighting).

When water service is supplied through the use of a fire hydrant, other than for fire fighting, the proposed use must be disclosed and a permit must be obtained from the Division authorizing the hydrant use. A charge for all costs associated with hydrant and water usage shall be collected by the Division. A fire hydrant meter or a water service and meter may be required under certain circumstances as determined by the Division.

The use of the Division's hydrant without a current permit, using a restricted hydrant or failing to conform to the Division's hydrant operating procedures will result in a penalty of $1,000 in addition to all other hydrant use charges. Refusal to pay the penalties and charges may be cause for the Division to refuse future hydrant use by the violator and/or discontinue service to the benefited premises.

Persons using a fire hydrant will be responsible for all damages to Division facilities and/or other private facilities that may result from the use of said hydrant. If the person refuses to pay the cost for all damages associated with fire hydrant use, the Division may refuse future service to the customer and/or discontinue water service to the benefited premises.

Applications for fire hydrant use for periods greater than six consecutive months for the purpose of supplying water to a business may require the business to purchase a water service connection of adequate size to accommodate the proposed water

usage as determined by the Division. Water service construction charges, SDC, and main charges shall be as specified in TMC 12.10.250, 12.10.310, and 12.10.315.

Fire hydrant use permits in Category 1 and 2 are good for a maximum of one year or until the backflow protection documentation expires, whichever comes first. Upon expiration a new permit application will be required and a new permit fee is due. Hydrant Permit charges will be as follows:

HYDRANT USE CATEGORY AND FEE SCHEDULE

Category	Fee
Category #1 ** Fixed (Single) Site Construction Project	Permit Fee $100 Meter Deposit for Hydrant $1,000* Permittee is required to submit meter reads on a monthly basis. Monthly Water Use Charge at the Inside/Outside Commercial Rate plus the Ready to Serve Charge for a 2-Inch Meter Penalty for Unauthorized Use $1,000
*Deposit to be refunded by the Division after return of the meter and appurtenances. All costs for hydrant and/or meter repairs/replacement caused by improper operation or theft of said equipment shall be deducted from the deposit. Refund of deposit will be initiated after payment of closing/final water bill. Costs exceeding the deposit amount will be billed to customer. ** Subcontractor would be allowed to use same permit as general contractor provided subcontractor meets all cross-connection requirements and name is disclosed at issuance of permit.	
Category #2 *Multiple-Site Hydrant Use (Approved Hydrant Locations)	Permit Fee $100 Monthly Water Use Charge at the Inside/Outside Commercial Rate (based on estimated consumption**) plus the Ready to Serve Charge for a 2-inch Meter Penalty for Unauthorized Use $1,000
*Subcontractor would be allowed to use same permit as general contractor provided subcontractor meets all cross-connection requirements and name disclosed at issuance of permit. **Both general and subcontractors are required to submit a monthly log sheet of estimated water consumption per truck	
Category #3	
Short-Term (one day and minimal) Use	$50 per truck per day* Penalty for Unauthorized Use $1,000
*Approved hydrant only	

A Division-approved backflow protection assembly shall be installed by the person requesting the use of a fire hydrant. The assembly shall be accompanied by a current backflow assembly test report. The test report shall remain on the site for the duration of the hydrant use. The Division reserves the right to terminate any hydrant permit at any time for security and/or water quality control reasons.

(Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27522 § 16; passed Aug. 29, 2006: Ord. 27299 § 7; passed Dec. 7, 2004: Ord. 27024 § 5; passed Dec. 10, 2002)

12.10.310 System development charge ("SDC").

A. A system development charge ("SDC") shall be levied for each new water service connection to the City water system, for a service upgrade requiring a larger meter, or for any existing service with 3-inch and larger meters that exceeds 150 percent of their highest maximum annual daily average water use. The SDC fee is based on an equitable share of the cost of the entire existing water system and future facilities necessary to accommodate projected growth. This fee is established pursuant to RCW 35.92.025, the City Charter, and this chapter. SDCs are considered contributions for or in aid to construction, and shall be accounted for accordingly. Customer water consumption amounts on and after May 9, 1999, the original effective date of Ordinance No. 26408, will be examined to determine whether additional SDC amount is owed to the Department.

B. For retail meters 5/8-inch through 2-inches, the charge will be based on customer class and meter size.

System Development Charges – 2" Meter Size or Smaller				
Meter Size (Inches)	Residential		Commercial & Other	
	Inside City	Outside City	Inside City	Outside City
	Effective Date			
	1/1/2020	1/1/2020	1/1/2020	1/1/2020
5/8	$809	$970	$1,061	$1,273
3/4	$1,213	$1,456	$1,592	$1,910
1	$2,022	$2,426	$2,653	$3,183
1.5	$4,043	$4,852	$5,306	$6,367
2	$6,469	$7,763	$8,489	$10,187

The SDC for a multiple family dwelling unit arrangement to be served by a single meter shall be calculated by taking the number of units in the premise and multiplying by 60 percent of the SDC for a single-family dwelling (5/8-inch meter) . If said premise chooses in the future to separately meter each premise the additional 40 percent of the SDC for a single-family dwelling (5/8-inch meter) shall be due and payable at the time of application for services.

For meters 3-inches and larger, estimates of anticipated average day and peak day water use will be determined by the Division. Peak day is defined as the maximum 24-hour use during summer months of June through, and including, September.

System Development Charges – 3" Meter Size or Larger		
Cost per Gallon	Inside City of Tacoma	Outside City of Tacoma
	Effective Date	
	1/1/2020	1/1/2020
Average Day	$2.09	$2.51
Peak Day	$2.09	$2.51

The SDC will be the sum of the average day use multiplied by the average day cost/gallon, and the peak day use minus average day use multiplied by the peak day cost/gallon.

As of April 23, 2001, the SDC paid for meters 3-inches and larger will be adjusted annually based on actual usage. If usage is greater than 110 percent of the anticipated average or peak day use during a 12-month period of time, an additional SDC will be charged, using the same methodology for calculating average day and peak day water use and multiplying by the respective SDC cost per gallon in effect at the time of adjustment. This requirement for an additional SDC may be waived upon satisfactory demonstration by the customer that the increased water use was temporary in nature and will return to the originally anticipated level.

C. SDC Exemptions:

1. New water service connections dedicated exclusively for fire protection purposes shall be exempt from payment of the SDC. The conversion of a dedicated fire service to a service for use other than exclusively for fire protection shall require the payment of the SDC as provided for in subsection B above.

2. The Division requires that all new single family dwelling residential combination domestic/fire sprinkler service and meters be served by a 1-inch service and 3/4-inch meter. If a larger size meter is required for fire protection the customer must install separate fire service and domestic services. The customer is required to pay all fees to construct said 1-inch service and ¾-inch meter and all applicable main charges. When such use is documented through the plan review process, the SDC for a 5/8-inch meter will apply. The monthly customer charge will be at the standard charge for a 3/4-inch meter as set forth in TMC 12.10.400.

3. If a residential customer has an existing ¾-inch x 5/8-inch service and meter an exchange to a ¾-inch meter will be allowed if the customer's fire protection engineer determines it will provide adequate flow. All applicable fees will apply. If flow tests after the meter exchange show inadequate flow the customer will be required to pay the additional fees to retire the ¾" service and install a new 1" service. Residential customers requesting an upgrade to an existing meter to a 3/4-inch meter for a combination domestic/fire sprinkler service will be exempt from payment of the additional SDC when such use is approved through the plan review process. The monthly customer charge will be at the standard charge for a 3/4-inch meter as set forth in TMC 12.10.400.

4. Customers who are requesting a separate water service connection and are being provided with water service by way of another Division customer (i.e., multi-premises connection), shall be exempt from payment of the SDC if:

Billing record exists showing multi-premise rate for each premise on meter.

All premises served by meter of record were constructed prior to October 7, 1991.

D. Existing Facilities:

1. Multiple dwelling unit arrangements currently being served by a single meter shall be exempt from payment of the SDC when changing to separate water service connections for each unit if the original meter was installed prior to October 7, 1991. If the existing meter was installed after October 7, 1991, the customer will be required to pay the 40 percent differential for each individual meter installed as noted in B above.

E. Credit policy for retail customers previously or currently metered:

1. When a request or requirement for a larger meter is made, an SDC credit for the existing meter will be made. The credit for meters up to 2-inches will be the current published SDC amount using the rate in place prior to the requested or required up-sizing. For meters 3-inches and larger, the credit would be calculated based on 150 percent of the highest maximum annual daily average water use derived from billing records. If billing records are not available for a specific meter, the SDC credit calculation will be based on a system-wide use data for that size meter.

2. For situations where meters 3-inches or larger exist and water use will increase, but no change in the meter is required, an SDC will not be required unless the projected use is more than 150 percent of historical use. If the projected use exceeds the 150 percent historical use quantity, an SDC will be calculated for the quantity of water in excess of the 150 percent figure. Prior written commitments to deliver a specific quantity of water, if greater than 150 percent of historical use, will be honored.

3. Credit shall be given for inactive or previously removed meters that can be verified by Division records. The credit will be determined as stated in subsection E.1 above.

Multiple dwelling unit arrangements – Credit for existing multiple dwelling unit meters shall be calculated at 60 percent of the applicable 5/8-inch meter rate per unit and applied to the required SDC if previously served by a single meter.

4. Credits as computed will be subtracted from the determined SDC amount. If an available credit exceeds the SDC amount, the balance shall remain with the parcel previously receiving water service. No refunds shall be allowed for the amount of this credit.

5. All SDC credits are non-transferable unless parcels are combined to facilitate redevelopment.

6. This section is not applicable to the Pulp Mill's existing services.

F. For wholesale meters, as sized by the Division, the SDC will be determined based on the customer's anticipated water use.

1. Estimates of anticipated average day use and peak day water use will be submitted to and approved by the Division. Peak day is defined as the maximum 24-hour use during summer months of June through, and including, September. The average and peak day SDC costs are determined by the charges set forth in the Outside City of Tacoma column of the System Development Charges table for 3" meter size or larger of this section.

The SDC will be the sum of the average day use multiplied by the average day cost/gallon and the peak day use minus average day multiplied by the peak day cost/gallon.

The SDC, as of the effective date of this ordinance, will be adjusted annually based on actual usage. If usage is greater than 110 percent of the anticipated average or peak day use during a 12-month period of time, an additional SDC may be charged using the same methodology for calculating average day and peak day water use and multiplying by the respective SDC cost per gallon in effect at the time of adjustment. This requirement for an additional SDC may be waived upon satisfactory demonstration by the customer that the increased water use was temporary in nature and that water use will return to the originally anticipated level.

2. For situations where an existing wholesale customer is increasing its purchase of water, SDC credit for existing service will be based on either maximum historic use or prior written commitments to deliver a specific quantity of water, whichever is greater.

G. SDCs for meters 2-inches and smaller are payable in full at the time the meter installation is requested. Time payments will be allowed for SDCs for meters 3-inches and larger, for up to ten years, at the discretion of the customer, as follows:

1. When a down payment of 20 percent or more is initially paid, the Division will accept annual payments, with interest, on the unpaid balance calculated using the then current prime rate of interest less 2 percent.

2. When a down payment of at least 10 percent, but less than 20 percent, is initially paid, the Division will accept annual payments, with interest, on the unpaid balance calculated using the then current prime rate of interest.

3. The time payment agreements shall provide that this obligation constitutes a lien on the benefited premises and that the City has the right to terminate water service for any nonpayment of the amounts due on the outstanding balance. In addition, unless the customer is a financially stable public entity, the customer shall be required to provide security such as a financial guarantee bond to guarantee payment of the SDC or make incremental prepayments of the SDC plus interest on the balance of the outstanding total amount of the SDC.

H. Rate Adder to Recover Capital Costs Not Covered by the SDC. In addition to paying the SDC set forth in this section, a customer who proposes to use water for a new or enlarged power plant, and who does not use best available water conservation technology (BAWCT), shall be required to pay, in addition to the applicable water rate, an adder to such rate in accordance with the Division's Customer Service Policy for New Power Plants. The adder shall be calculated to recover over a period of 20 years a portion of the capital costs that are not covered by the SDC for such customer. This present value of the adder (spread over 20 years) will be equivalent to an SDC on that portion of the customer's water consumption that is in excess of the amount of water the customer would have consumed had BAWCT been used. Said customers shall also be required to enter into a water service agreement with the Division, and such agreement shall be submitted to the Public Utility Board for approval.

(Ord. 28643 Ex. A; passed Dec. 17, 2019: Ord. 28413 Ex. A; passed Mar. 21, 2017: Ord. 28286 Ex. A; passed Mar. 17, 2015: Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27570 § 8; passed Dec. 19, 2006: Ord. 27522 § 17; passed Aug. 29, 2006: Ord. 27299 § 8; passed Dec. 7, 2004: Ord. 27024 § 6; passed Dec. 10, 2002: Ord. 26872 § 1; passed Nov. 6, 2001: Ord. 26800 § 14; passed Apr. 10, 2001: Ord. 26408 § 1; passed Apr. 27, 1999: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.315 Water main charge.

Where all or a portion of the premises to be served has not been previously assessed or contributed its share towards the cost of installing a permanent distribution main to serve such premises, or the property does not abut a distribution water main, water service shall be provided upon payment of a water main charge as provided for in this section, in addition to a water service construction charge, in accordance with TMC 12.10.250 and the SDC in accordance with TMC 12.10.310.

If the main is a temporary main and is not acceptable for meeting the water requirements of the customer, the service will be installed and connected to the nearest water main that is acceptable in accordance with TMC 12.10.350, Water main charge - Premises not abutting a water main. If the temporary main is a supply or transmission pipeline, the water service will be installed in accordance with the Customer Service Policies (Direct Service From Supply and Transmission Pipelines).

Credit shall be given for the portion of the property which has been previously assessed or has contributed its share toward the cost of installing a permanent water main. Water main charge shall be based on the frontage of the property served, as determined by the Division, in accordance with the following schedule and subject to the following terms and conditions:

A. Residential Service.

The water main charge shall be based on the frontage of the property served. The minimum charge shall be based on 50 front feet and the maximum charge on 100 front feet.

Commencing 1/1/2007
$50/per front foot

B. Commercial Service.

Where the property is zoned for the same, the water main charge shall be based on the entire frontage of the property served. The minimum charge shall be based on 50 front feet.

Commencing 1/1/2007
$50/per front foot

C. Industrial Service.

Where the property is zoned for the same, the water main charge shall be based on the entire frontage of the property served. The minimum charge shall be based on 50 front feet.

Commencing 1/1/2007
$55/per front foot

D. Water main charges for services abutting a permanent main shall be considered revenue of the Division.

The water main charge herein above provided for shall be credited to and considered as a benefit to the specific property served by said connection. Said property so benefited shall be described and recorded as a part of the Division's permanent records pertaining thereto.

(Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27522 § 18; passed Aug. 29, 2006: Ord. 27299 § 9; passed Dec. 7, 2004: Ord. 26800 § 14; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.350 Premises not abutting a permanent water main.

Where the premises to be served is not abutting a permanent water main (as described in the Customer Services Policies) and said premises owner has not previously paid a water main charge, the water service connection will be constructed by the Division to the nearest available temporary or permanent water main that is acceptable for meeting the water requirements of the customer upon application and payment of a temporary water main charge as provided for in TMC 12.10.315 in addition to a service construction charge, in accordance with TMC 12.10.250 and the SDC in accordance with TMC 12.10.310. The water main charge shall be paid to the Division in accordance with and subject to the same terms and conditions as detailed in TMC 12.10.315 above.

All water main charges received where no main abuts subject parcel shall be deposited by the City in the Water Main Deposit Fund and shall be credited to and considered as a benefit to the specific property served by said connection. The property so benefited shall be legally described and recorded as part of the Division's permanent records pertaining thereto.

When a public road is improved or resurfaced by a person where there is currently no water main or said public road has a temporary water main as defined in the Customer Service Policies, it shall be the person's responsibility to extend the water main/system to the extent of the road improvements or to a point that meets the approval of the Division. Said water main/system may be extended using the private contract process, TMC 12.10.200, or by the LID process as set forth in RCW 35.44, and Division standards.

If a permanent water main exists or is being constructed between the existing service and the specific benefited property, said service may be relocated to the permanent main at a point closer to the benefited property at no charge, provided the owner reroutes its property-side water pipe between the new meter location and the property.

Upon the installation of permanent mains, the main charge collected by the City shall be applied toward the payment for said mains for the benefit of the properties in accordance with Division records. The temporary water service will be relocated by the Division to the permanent main abutting the benefited property at no charge. The owner must reroute its property-side water pipe between the new meter location and the property and make the connection. If the property owner does not agree to relocate its property-side water pipe at the time of main installation and requests a service relocation at a later date, the work will be done at the expense of the property owner.

(Ord. 27522 § 19; passed Aug. 29, 2006: Ord. 27299 § 10; passed Dec. 7, 2004: Ord. 26800 § 15; passed Apr. 10, 2001: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.400 Rates – Inside and outside City limits.

The standard charge for water supplied inside and outside the City for residential, and commercial/industrial use shall consist of a customer charge, also termed a "monthly ready to serve charge," based on the meter size together with the rate for the quantity of water used, and public fire protection fees, where applicable. The standard charge for wholesale shall consist of a monthly ready to serve charge based on contracted peak capacity together with a rate for the quantity of water used.

For water supplied to a single premises which contains multiple dwelling units, i.e., two or more houses under the same ownership, duplexes, apartment buildings, condominiums, mobile home parks, trailer courts, industrial buildings, etc., the monthly charges will be the same as indicated above.

When water is being supplied to an existing multiple premises, i.e., two or more separate premises being served by one service and meter, the "monthly ready to serve charge" will be based on either the existing meter size or on a 5/8-inch meter size for each premises served, whichever is the greater charge.

When more than one service supplies a premises, the consumption of water for each meter shall be computed separately.

A. Standard charges:

1. The monthly ready to serve charge shall be calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies in accordance with the following schedule for residential, commercial/industrial, and commercial/industrial large volume.

~~Residential, Commercial & Large Volume – Ready to Serve Charge~~				
~~Meter Size (Inches)~~	~~Inside City of Tacoma~~		~~Outside City of Tacoma~~	
	~~Rate Effective Dates~~			
	~~1/1/2019~~	~~1/1/2020~~	~~1/1/2019~~	~~1/1/2020~~
~~5/8~~	~~$24.76~~	~~$24.95~~	~~$29.94~~	~~$30.21~~
~~3/4~~	~~$35.79~~	~~$35.98~~	~~$43.18~~	~~$43.45~~
~~1~~	~~$57.84~~	~~$58.03~~	~~$69.64~~	~~$69.91~~
~~1.5~~	~~$112.96~~	~~$113.15~~	~~$135.78~~	~~$136.05~~
~~2~~	~~$179.11~~	~~$179.30~~	~~$215.16~~	~~$215.43~~
~~3~~	~~$333.46~~	~~$333.65~~	~~$400.38~~	~~$400.65~~
~~4~~	~~$553.96~~	~~$554.15~~	~~$664.98~~	~~$665.25~~
~~6~~	~~$1,105.21~~	~~$1,105.40~~	~~$1,326.48~~	~~$1,326.75~~
~~8~~	~~$1,766.71~~	~~$1,766.90~~	~~$2,120.28~~	~~$2,120.55~~
~~10~~	~~$2,538.46~~	~~$2,538.65~~	~~$3,046.38~~	~~$3,046.65~~
~~12~~	~~$3,723.65~~	~~$3,723.84~~	~~$4,468.61~~	~~$4,468.88~~

Residential, Commercial & Large Volume – Ready to Serve Charge				
Meter Size (Inches)	Inside City of Tacoma		Outside City of Tacoma	
	Rate Effective Dates			
	1/1/2021	1/1/2022	1/1/2021	1/1/2022
5/8	$25.01	$25.07	$30.29	$30.36
3/4	$36.04	$36.10	$43.53	$43.60
1	$58.09	$58.15	$69.99	$70.06
1.5	$113.21	$113.27	$136.13	$136.20
2	$179.36	$179.42	$215.51	$215.58
3	$333.71	$333.77	$400.73	$400.80
4	$554.21	$554.27	$665.33	$665.40
6	$1,105.46	$1,105.52	$1,326.83	$1,326.90
8	$1,766.96	$1,767.02	$2,120.63	$2,120.70
10	$2,538.71	$2,538.77	$3,046.73	$3,046.80
12	$3,723.90	$3,723.96	$4,468.96	$4,469.03

The monthly ready to serve charge shall be in accordance with the following schedule for parks and irrigation.

~~Parks and Irrigation – Ready to Serve Charge~~				
~~Meter Size (Inches)~~	~~Inside City of Tacoma~~		~~Outside City of Tacoma~~	
	~~Rate Effective Dates~~			
	~~1/1/2019~~	~~1/1/2020~~	~~1/1/2019~~	~~1/1/2020~~
~~5/8~~	~~$11.03~~	~~$7.35~~	~~$13.23~~	~~$8.82~~
~~3/4~~	~~$16.54~~	~~$11.03~~	~~$19.85~~	~~$13.23~~
~~1~~	~~$27.57~~	~~$18.38~~	~~$33.08~~	~~$22.05~~
~~1.5~~	~~$55.13~~	~~$36.75~~	~~$66.15~~	~~$44.10~~
~~2~~	~~$88.20~~	~~$58.80~~	~~$105.84~~	~~$70.56~~
~~3~~	~~$165.38~~	~~$110.25~~	~~$198.45~~	~~$132.30~~
~~4~~	~~$275.63~~	~~$183.75~~	~~$330.75~~	~~$220.50~~
~~6~~	~~$551.25~~	~~$367.50~~	~~$661.50~~	~~$441.00~~
~~8~~	~~$882.00~~	~~$588.00~~	~~$1,058.40~~	~~$705.60~~
~~10~~	~~$1,267.88~~	~~$845.25~~	~~$1,521.45~~	~~$1,014.30~~
~~12~~	~~$1,860.47~~	~~$1,240.31~~	~~$2,232.57~~	~~$1,488.38~~

Parks and Irrigation – Ready to Serve Charge				
Meter Size (Inches)	Inside City of Tacoma		Outside City of Tacoma	
	Rate Effective Dates			
	1/1/2021	1/1/2022	1/1/2021	1/1/2022
5/8	$3.68	$0.00	$4.42	$0.00
3/4	$5.51	$0.00	$6.61	$0.00
1	$9.19	$0.00	$11.03	$0.00
1.5	$18.38	$0.00	$22.06	$0.00
2	$29.40	$0.00	$35.28	$0.00
3	$55.13	$0.00	$66.16	$0.00
4	$91.88	$0.00	$110.26	$0.00
6	$183.75	$0.00	$220.50	$0.00
8	$294.00	$0.00	$352.80	$0.00
10	$422.63	$0.00	$507.16	$0.00
12	$620.16	$0.00	$744.19	$0.00

The monthly ready to serve charge shall be in accordance with a wholesale customer's contracted peak capacity in MGD times the monthly rate.

~~Wholesale – Ready to Serve Charge~~	
~~Range in MGD (million gallons per day)~~	~~Rate Effective Date~~
	~~1/1/2020~~
~~For each MGD of contracted peak capacity~~	~~$1,276.20~~

Wholesale – Ready to Serve Charge		
Range in MGD (million gallons per day)	Rate Effective Dates	
	1/1/2021	1/1/2022
For each MGD of contracted peak capacity	$2,597.13	$2,649.07

2. The schedule of rates for water used shall be as follows and billed to the nearest CCF (100 cubic feet or approximately 748 gallons):

~~Residential Service – Rate per CCF~~				
~~Range in CCF (100 cubic feet)~~	~~Inside City of Tacoma~~		~~Outside City of Tacoma~~	
	~~Rate Effective Dates~~			
	~~1/1/2019~~	~~1/1/2020~~	~~1/1/2019~~	~~1/1/2020~~
~~Winter Tier: For each CCF of water consumption during the winter months of October through and including May~~	~~$2.011~~	~~$2.132~~	~~$2.413~~	~~$2.558~~
~~Summer Tier 1: For the first five CCF of water consumption per month during the summer months of June through and including September~~	~~$2.011~~	~~$2.132~~	~~$2.413~~	~~$2.558~~
~~Summer Tier 2: For each CCF of water consumption over five CCF during the summer months of June through and including September~~	~~$2.514~~	~~$2.665~~	~~$3.016~~	~~$3.198~~

Residential Service – Rate per CCF				
Range in CCF (100 cubic feet)	Inside City of Tacoma		Outside City of Tacoma	
	Rate Effective Dates			
	1/1/2021	1/1/2022	1/1/2021	1/1/2022
Winter Tier: For each CCF of water consumption during the winter months of October through and including May	$2.227	$2.327	$2.672	$2.792
Summer Tier 1: For the first five CCF of water consumption per month during the summer months of June through and including September	$2.227	$2.327	$2.672	$2.792
Summer Tier 2: For each CCF of water consumption over five CCF during the summer months of June through and including September	$2.784	$2.909	$3.341	$3.491

~~Commercial and Industrial – General Service – Rate per CCF~~

~~Range in CCF (100 cubic feet)~~	~~Inside City of Tacoma~~		~~Outside City of Tacoma~~	
	~~Rate Effective Dates~~			
	~~1/1/2019~~	~~1/1/2020~~	~~1/1/2019~~	~~1/1/2020~~
~~For each CCF of water consumption~~	~~$2.209~~	~~$2.298~~	~~$2.651~~	~~$2.758~~

Commercial and Industrial – General Service – Rate per CCF				
Range in CCF (100 cubic feet)	Inside City of Tacoma		Outside City of Tacoma	
	Rate Effective Dates			
	1/1/2021	1/1/2022	1/1/2021	1/1/2022
For each CCF of water consumption	$2.382	$2.468	$2.858	$2.962

~~Commercial and Industrial – Large Volume Service – Rate per CCF.~~ ~~Customers may qualify for this rate based on an established consumption history greater than 65,000 CCF annually.~~				
~~Range in CCF (100 cubic feet)~~	~~Inside City of Tacoma~~		~~Outside City of Tacoma~~	
	~~Rate Effective Dates~~			
	~~1/1/2019~~	~~1/1/2020~~	~~1/1/2019~~	~~1/1/2020~~
~~For each CCF of water consumption~~	~~$1.784~~	~~$1.787~~	~~$2.141~~	~~$2.144~~

Commercial and Industrial – Large Volume Service – Rate per CCF *				
Range in CCF (100 cubic feet)	Inside City of Tacoma		Outside City of Tacoma	
	Rate Effective Dates			
	1/1/2021	1/1/2022	1/1/2021	1/1/2022
For each CCF of water consumption	$1.824	$1.861	$2.189	$2.233
Customers may qualify for this rate based on an established consumption history greater than 65,000 CCF annually.				

~~Parks and Irrigation Service – Rate per CCF~~				
~~Range in CCF (100 cubic feet)~~	~~Inside City of Tacoma~~		~~Outside City of Tacoma~~	
	~~Rate Effective Dates~~			
	~~1/1/2019~~	~~1/1/2020~~	~~1/1/2019~~	~~1/1/2020~~
~~For each CCF of water consumption~~	~~$3.739~~	~~$3.998~~	~~$4.487~~	~~$4.798~~

Parks and Irrigation Service – Rate per CCF				
Range in CCF (100 cubic feet)	Inside City of Tacoma		Outside City of Tacoma	
	Rate Effective Dates			
	1/1/2021	1/1/2022	1/1/2021	1/1/2022
For each CCF of water consumption	$4.319	$4.665	$5.182	$5.598

B. Wholesale Service. Wholesale water service may be provided to community water systems that are in compliance with state Department of Health regulations. All wholesale water agreements are subject to Tacoma Public Utility Board approval. Any customer purchasing wholesale water must adopt or commit, in writing, to a water conservation and water shortage response program substantially equivalent to the Division's program as a condition of service.

1. Water Rates. A wholesale water service customer with contractual agreement from Tacoma Water may choose either a rate schedule below with a corresponding ready to serve charge as described in Section A1 for an outside city customer or a market-based price set by Tacoma Water staff based on an analysis of the wholesale system and their supply alternatives. All wholesale contractual agreements with market-based pricing shall be approved by the Tacoma Public Utility Board and Tacoma City Council.

a. Constant Use Customer:

~~Wholesale Constant Use Customer – Rate per CCF~~	
~~Range in CCF (100 cubic feet)~~	~~Rate Effective Date~~
	~~1/1/2020~~
~~Per CCF for winter months (October – May)~~	~~$1.797~~
~~Per CCF for summer months (June – September)~~	~~$2.246~~

Wholesale Constant Use Customer – Rate per CCF		
Range in CCF (100 cubic feet)	Rate Effective Dates	
	1/1/2021	1/1/2022
Per CCF for winter months (October – May)	$1.341	$1.368
Per CCF for summer months (June – September)	$1.677	$1.710

This option may be considered by those customers using water on a year-round basis where their average summer day use divided by their average winter day use results in a summer/winter use ratio of 2.5 or less.

b. Summer Season, Peaking:

~~Wholesale Summer Season, Peaking – Rate per CCF~~	
~~Range in CCF (100 cubic feet)~~	~~Rate Effective Date~~
	~~1/1/2020~~
~~For each CCF of water consumption~~	~~$3.369~~

Wholesale Summer Season, Peaking – Rate per CCF		
Range in CCF (100 cubic feet)	Rate Effective Dates	
	1/1/2021	1/1/2022
For each CCF of water consumption	$2.515	$2.565

This option will be used for those customers using relatively large amounts of water in the summer months and little or no water in winter months. The ratio of average summer day use divided by average winter day use shall be greater than 2.5.

For purposes of these rates, summer-use months are defined as June through September and winter-use months are October through May.

Existing customers will be classified into one of the two rate schedules upon annual review of their usage patterns. New customers will select a rate based upon anticipated use. This selection will be subject to revision if usage is not consistent with the above options after a six-month period.

2. Additional Water. Additional or new water may be provided by the City to a wholesale customer conditioned upon satisfying the following:

a. For every new customer of the wholesale customer that is provided with water from City's surplus supply, the wholesale customer shall remit to the City (on a monthly basis or by other arrangement as agreed to by the Superintendent) the appropriate SDC for said customer based on meter size in accordance with TMC 12.10.310.

b. That, in lieu of satisfying subsection A above, in the event the wholesale customer is in a water deficient status or later becomes water deficient as determined by the Superintendent in consultation with wholesale customer, then the Superintendent shall establish a SDC equivalent for said wholesale customer. This SDC equivalent shall not be less than what the total "retail customer equivalent" would have been for the total deficiency.

c. That the City and wholesale customer shall enter into a letter agreement setting forth the above requirements and committing the wholesale customer to remit the SDC payment to City. The wholesale customer may be required to provide City with periodic reports, certified to be accurate, detailing pertinent data.

C. Emergency Intertie Service. Requests for one-way and two-way emergency intertie service between the City and another purveyor will be considered.

The Superintendent may enter into specific agreements, specifying the terms under which water will be furnished or accepted by the Division. Water furnished to a purveyor through an emergency intertie service will be billed as a wholesale service with a ready to serve charge and rate for water used. Billing will be at the constant use rate for up to 30 days. If use exceeds 30 days the Superintendent will have the discretion to change the constant use rate to the summer season peaking rate. Said agreement shall provide that neither party shall be liable for failure to deliver water to the other at any time.

D. Fire Protection Service. When a customer does not receive domestic water from the Division and requests a fire service from the Division the appropriate regular domestic service rates shall apply as detailed above. In addition all regular

construction fees, main charges and SDC shall apply. Where City water is used for domestic purposes, such customers are entitled to a separate fire service at the regular fire service rate, payable monthly as follows:

~~Fire Protection Service – Ready to Serve Charge~~					
~~Meter Size (Inches)~~	~~Inside City of Tacoma~~		~~Outside City of Tacoma~~		~~Maximum Allowable Monthly Water Usage for Testing and Leakage, CCF~~
	~~Rate Effective Dates~~				
	~~1/1/2019~~	~~1/1/2020~~	~~1/1/2019~~	~~1/1/2020~~	
~~2~~	~~$27.37~~	~~$28.78~~	~~$32.84~~	~~$34.54~~	~~2.99~~
~~3~~	~~$39.85~~	~~$41.91~~	~~$47.82~~	~~$50.29~~	~~2.99~~
~~4~~	~~$66.58~~	~~$70.01~~	~~$79.90~~	~~$84.01~~	~~2.99~~
~~6~~	~~$149.35~~	~~$157.04~~	~~$179.22~~	~~$188.45~~	~~2.99~~
~~8~~	~~$265.87~~	~~$279.57~~	~~$319.04~~	~~$335.48~~	~~2.99~~
~~10~~	~~$415.86~~	~~$437.28~~	~~$499.03~~	~~$524.74~~	~~2.99~~
~~12~~	~~$665.16~~	~~$699.43~~	~~$798.19~~	~~$839.32~~	~~2.99~~

Fire Protection Service – Ready to Serve Charge					
Meter Size (Inches)	Inside City of Tacoma		Outside City of Tacoma		Maximum Allowable Monthly Water Usage for Testing and Leakage, CCF
	Rate Effective Dates				
	1/1/2021	1/1/2022	1/1/2021	1/1/2022	
2	$29.36	$29.95	$35.23	$35.94	2.99
3	$42.75	$43.61	$51.30	$52.33	2.99
4	$71.42	$72.86	$85.70	$87.43	2.99
6	$160.20	$163.42	$192.24	$196.10	2.99
8	$285.20	$290.93	$342.24	$349.12	2.99
10	$446.10	$455.06	$535.32	$546.07	2.99
12	$713.52	$727.86	$856.22	$873.43	2.99

Where such fire service is provided, the monthly rate shall include usage of up to a maximum of 2.99 units of water per month. The 2.99 units of allowable water use is for incidental water use for monthly leakage and system testing and is the maximum amount allowed in a single month. In any month where the total consumption is in excess of the amount shown above, the rate for water consumed shall be as noted below.

~~Fire Protection Service – Rate per CCF~~				
~~Range in CCF (100 cubic feet)~~	~~Inside City of Tacoma~~		~~Outside City of Tacoma~~	
	~~Rate Effective Dates~~			
	~~1/1/2019~~	~~1/1/2020~~	~~1/1/2019~~	~~1/1/2020~~
~~For each CCF of water consumption~~	~~$3.960~~	~~$3.960~~	~~$4.752~~	~~$4.752~~

Fire Protection Service – Rate per CCF				
Range in CCF (100 cubic feet)	Inside City of Tacoma		Outside City of Tacoma	
	Rate Effective Dates			
	1/1/2021	1/1/2022	1/1/2021	1/1/2022
For each CCF of water consumption	$3.960	$3.960	$4.752	$4.752

If the Water use in excess of the maximum monthly allowable amount was used in extinguishing fires of incendiary or accidental origin and the customer at the location where the use occurs gives written notice to the Division within ten days from the time of such fire the customer shall pay only for actual water used at the rate noted above. If the Division is not notified the Division will conclude that water is being used for purposes other than extinguishing fires and charge the additional fee noted below of 12 times the monthly rate.

Whenever water from the Division is available on a premise through a service being charged the rate for fire protection only and is used for purposes other than extinguishing fires of incendiary or accidental origin including ongoing leakage of the fire service line and the amount of water used is in excess of the amount shown in the table above, 12 times the ready to serve charge for the specific service in question shall be the monthly minimum charge and the charge for water consumed shall be as noted in the "Fire Protection Service – Rate per CCF" table above. Waivers may be granted from the assessment of the 12 times the ready to serve charge for leaks or other accidental use upon written request with all supporting documentation but the charge for water consumed shall not be waived.

Nonpayment of invoices related to the construction of or monthly use of a fire service will result in the service being turned off and notification of the appropriate fire official who may then disallow occupancy of the premise.

Unauthorized use of water through a detector check meter more than once per calendar year may be cause for installation of a turbine meter assembly, UL/FM approval for fire service assemblies at the expense of the customer. Within the City of Tacoma, whenever water is used for purposes other than extinguishing fires, the amount of water used may be subject to the appropriate sanitary sewer charge as defined in TMC 12.08, in addition to the rates noted above and assessment of the 12 times the ready to serve charge.

Should the unauthorized use continue, including leakage in excess of the maximum amount of water allowed, the service will be considered as other than standby fire protection and be billed in accordance with the type of use pursuant to this section, and shall be subject to payment of the applicable SDC pursuant to TMC 12.10.310. Refusal to pay for the installation of the fire line meter and/or the SDC shall result in termination of service pursuant to TMC 12.10.130.

When a customer desires a fire service for the protection of a premises and the domestic water for said premises is provided from another source, the applicable single-family residential, multi-family residential, or commercial/industrial rates shall apply for the requested fire protection service inside and outside the City, respectively. When any outlet for fire protection purposes is installed on a residential, commercial or industrial service, no rebate will be allowed for water used for extinguishing a fire.

E. The Pulp Mill Contract. The rates, terms, and conditions in the contract originally entered between the City and RockTenn CP, LLC ("Pulp Mill") and all future assignee to the contract are applicable, except as modified by this section. For a nominated contract demand, the water rate will be based on a monthly distribution charge and the daily supply charge. If the monthly water use exceeds 103% of the contract demand or the daily water use exceeds 109% of the contract demand, an excess water usage charge will be applied. The excess water usage charge will be either the daily excess water use charge or the monthly excess water use charge, whichever is greater.

1. Water use within the range of contract demand plus 3 percent: The charge will consist of a monthly distribution charge and daily supply charge per ccf metered as stated below.

2. Daily water use greater than one hundred and nine percent (109%) of the contract demand: The charge will consist of a monthly distribution charge, daily supply charge, plus a Daily Excess Water Usage Charge (based upon the commercial and industrial-large volume rate) for water metered daily in excess of the contract demand plus 9 percent as stated below.

3. Monthly water use greater than one hundred and three percent (103%) of the contract demand: The charge will consist of a monthly distribution charge, daily supply charge, plus a Monthly Excess Water Usage Charge (based on the commercial and industrial-large volume rate) for water metered during a month in excess of the contract demand plus 3 percent, as stated in the following table.

~~Pulp Mill~~

~~Billing Components~~	~~Rate Effective Dates~~	
	~~1/1/2019~~	~~1/1/2020~~
~~Distribution Charge per Month~~	~~$82,296.95~~	~~$84,354.37~~
~~Supply Charge/CCF~~	~~$0.7620256~~	~~$0.7810762~~
~~Daily or Monthly Excess Water Usage Charge (Commercial and Industrial - Large Volume Rate) per CCF~~	~~$1.784~~	~~$1.787~~

Pulp Mill		
Billing Components	Rate Effective Dates	
	1/1/2021	1/1/2022
Distribution Charge per Month	$86,041.46	$87,762.29
Supply Charge/CCF	$0.7966977	$0.8126317
Daily or Monthly Excess Water Usage Charge (Commercial and Industrial - Large Volume Rate) per CCF	$1.824	$1.861

4. The Superintendent is hereby authorized to execute a contract with the Pulp Mill to provide additional terms and conditions of service and other provisions consistent with this ordinance.

F. Meter Tests. If a customer has informed the Division that its water consumption has been above its normal billing consumption and verification discovers no leaks on the customer facilities, the customer may request that the Division test the meter. If the test discloses the meter is accurate within the American Water Works Association ("AWWA") specifications, the customer will be billed for the test and their water bill will not be adjusted. If the test discloses the meter is not accurate within the AWWA specifications and the inaccuracy is the cause of the recorded high consumption, the customer's water bill will be adjusted and credit given for the excessive consumption and the customer will not be billed for the test. The charge for testing meters shall be added to the customer's bill as follows:

Meter Size	Cost
1-inch and smaller	$75.00
>1-inch	*Estimated Cost

*The customer shall pay a deposit in the amount of the Division's estimated cost.

If the actual cost differs from the estimated cost, the customer will be refunded or billed the difference.

The Division will not test meters owned by others.

G. Low Pressure or Low Flow Concerns. The customer may request the Division to conduct a flow and pressure test on the service to its premises. If the cause of the problem is found to be located on the property side of the meter yoke outlet, the customer will be invoiced for a fee of $25. If the test discloses that the low flow and/or pressure is caused by Division facilities, the Division will attempt to correct the problem and the customer will not be charged.

H. Low-income Senior and/or Low-income Disabled Residential Rate Discount. Residential customers who qualify as low-income senior or low-income disabled shall be eligible for a ~~30~~ 35 percent reduction from the regular residential water rates. The determination of low-income senior and low-income disabled shall be made as set forth in TMC 12.06.165 for City Light Division (d.b.a. "Tacoma Power") customers. Customers must submit an application for review and acceptance by the authorized administering agency to qualify for this reduction. For the water rate discount, there is no requirement that a customer be a Tacoma Power customer or submit to an energy audit.

I. Water System Acquisition. A water system may be acquired by the City under an agreement between the water system owner(s) and the City with Board and City Council approval. When all or a portion of the acquired system requires upgrading equal to Division standards, the agreement shall provide for funds to achieve compliance with said standards. Under the agreement, a surcharge may be levied by the City for a period of time or an LID may be formed in accordance with RCW Title 35. The surcharge shall be an additional charge equivalent to the Ready to Serve charge per month times a multiplier, or an actual dollar amount as stated in the acquisition agreement and set forth below. The current surcharge areas include:

Former Water System	
Hyada Mutual Service Company	Total Monthly Charge $30.00 per month through July 2022
Andrain	Total Monthly Charge equal to the Ready to Serve charge per month until paid in full.
Curran Road	Total Monthly Charge equal to the Ready to Serve charge per month until paid in full.

If allowed by the acquisition agreement, a customer in a surcharge area may opt to pay off the outstanding surcharge amount.

(Ord. 28643 Ex. A; passed Dec. 17, 2019: Ord. 28554 Ex. A; passed Nov. 20, 2018: Ord. 28490 Ex. A, passed Feb. 13, 2018: Ord. 28423 Ex. A; passed Apr. 11, 2017: Ord. 28413 Ex. A; passed Mar. 21, 2017: Ord. 28305 Ex. A; passed Jul. 14, 2015: Ord. 28286 Ex. A; passed Mar. 17, 2015: Ord. 28133 Ex. A; passed Feb. 26, 2013:Ord. 27971 Ex. A; passed Feb. 8, 2011: Ord. 27970 Ex. A; passed Feb. 1, 2011: Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 27570 § 9; passed Dec. 19, 2006: Ord. 27522 § 20; passed Aug. 29, 2006: Ord. 27299 § 11; passed Dec. 7, 2004: Ord. 27137 § 2; passed Sep. 9, 2003: Ord. 27076 § 1; passed Apr. 8, 2003: Ord. 27024 § 7; passed Dec. 10, 2002: Ord. 26872 § 2; passed Nov. 6, 2001: Ord. 26800 § 16; passed Apr. 10, 2001: Ord. 26409 § 1; passed Apr. 27, 1999: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.485 City not liable for damages.

The Division reserves the right to require any customer to install as a condition of water service a pressure reducing valve, backflow prevention assembly, pressure relief valve or similar devices at any location where the Superintendent determines a need to protect the Division's facilities, water quality or customer's service.

The City shall not be liable for damages and allowances will not be made for loss of production, sales or service in case of: (1) water pressure variations, (2) revisions to pressure within the system, (3) operation of the City's source of water supply or means of distribution fails or is curtailed, suspended, interrupted or interfered with, or (4) for any cause reasonably beyond the Division's control. Pressure variations, equipment failure, failure to supply, curtailment, suspension, interruption or interference shall not constitute a breach of contract on the part of the City, or in any way affect any liability for payment for water made available or for money due on or before the date of such occurrence. The customer shall notify the Division as soon as possible in the event of unusual occurrences. The Division reserves the right to make system modifications as deemed necessary for the operation and maintenance of the system.

When water service is turned on or left on at the request of the customer, or the Division discontinues service for "nonpayment" or "no contract," the Division shall not be liable for damages incurred to the premises because of such actions.

If a water meter or other Division pipes and equipment is located on the customer's premises, as a condition of water service the customer agrees not to make claim against nor sue the City for any damages due to water leakage and shall hold the City harmless from any and all claims and litigation which allege damages resulting from water leakage occurring at such meter, pipes, and equipment.

The responsibility for customer facilities installed by the Division for the benefit of the customer shall be that of the owner of the premises served and the City shall not be liable for any part of the cost nor for any damage resulting from its use.

(Ord. 27778 Ex. A; passed Jan. 6, 2009; Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.490 Protection of public health.

The Superintendent may arrange for a periodic inspection of the water system in coordination with the appropriate State Director of Health. The Superintendent shall from time to time promulgate, publish and enforce such rules and standards deemed necessary by the Division to protect the municipal potable water supply from pollution. Copies of such rules and standards, and amendments thereto, shall be placed on file with the Clerk of the Public Utility Board.

(Ord. 27299 § 12; passed Dec. 7, 2004: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.495 South Tacoma Groundwater Protection.

Upon receipt of written request and documentation from the Director of the Tacoma-Pierce County Health Department, or his or her designee, that a customer is in violation of the requirements of TMC 13.09, the Superintendent may order water service to be discontinued.

(Ord. 27522 § 21; passed Aug. 29, 2006)

12.10.500 Waivers – By Superintendent.

The Superintendent is authorized to grant minor waivers to specific requirements contained in this chapter. The Superintendent may grant a minor waiver upon Division initiation or upon a clear demonstration by the applicant that such waiver will not be in conflict with the intent and spirit of this chapter.

(Ord. 26048 § 1; passed Mar. 25, 1997.)

12.10.505 Customer service policies – Additional rules and regulations.

The Superintendent, with the approval of the Director, may promulgate and enforce Customer Service Policies and related additional rules and standards as may be deemed appropriate to implement this chapter, to encourage conservation and the efficient use of water, and for further clarification of service.

Legal criminal enforcement shall be vested in the Police Department of the City, and all prosecutions for violations hereof shall originate in the Municipal Court of the City of Tacoma. The penalties provided herein are in addition to any civil remedy provided at law.

(Ord. 27522 § 22; passed Aug. 29, 2006: Ord. 27299 § 13; passed Dec. 7, 2004: Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.515 Violations – Penalties – Enforcement.

Any person violating any of the provisions relating to the rate schedules, general provisions, and customer service policies governing the sale of water shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine in any sum not exceeding $1,000.00, or imprisonment for a period not to exceed one year, or both; and, in addition to the penalty herein above provided, the service to the premises of any person found guilty of violating these provisions shall be discontinued. The person violating same shall be liable for all damages resulting and for all water used by reason of such violation.

Legal criminal enforcement shall be vested in the Police Department of the City and all prosecutions for violations hereof shall originate in the Municipal Court of the City of Tacoma. The penalties provided herein are in addition to any civil remedy provided by law.

(Ord. 26800 § 17; passed Apr. 10, 2001; Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.520 Severability.

If any clause, sentence, paragraph, subdivision, section or part of the provisions relating to the rate schedules, general provisions and customer service policies governing the sale of water shall for any reason be adjudged to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this chapter.

(Ord. 26048 § 1; passed Mar. 25, 1997)

12.10.525 Interference with and/or damage to City water system.

Any person causing damage to any property belonging to the Division shall be liable to the Division for any and all damages resulting either directly or indirectly therefrom.

It shall be unlawful for any person to willfully disturb, break, deface, damage or trespass upon any property belonging to or connected with the water system of the Division in any manner whatsoever.

It shall be unlawful for any person to build, store, maintain or keep any goods, merchandise, materials or rubbish that will interfere with the access to or operation and maintenance of any water facilities, or any of their appurtenances.

(Ord. 27299 § 14; passed Dec. 7, 2004: Ord. 26048 § 1; passed Mar. 25, 1997)