

**MIDWAY SEWER DISTRICT
RESOLUTION NO. 2015-07**

RESOLUTION AMENDING DISTRICT CODE

Background: RCW 57.08.005 and RCW 57.08.081 establishes that the Board may establish rates charges and fees for providing sewer services.

The District occasionally encounters situations in which customers properties are declared temporarily uninhabitable and the District's current code provisions do not allow for the temporary waiver of sewer charges in this situation.

Resolution: NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Midway Sewer District approves the following revision to the Midway Sewer District Code:

Chapter 5.24.050 of the Midway Sewer District Code is hereby amended as follows:

5.24.050 Property vacancies--Waiver of service charge.

A. A property owner must advise the District in writing that a living unit whether a single residence, a part of a multiple residence complex or a commercial property has been continuously vacant for six months. The notice must include the date the property first became continuously vacant and the service charges for the account must be current. The District will not impose a service charge on that living unit or commercial property for the next billing period. A Vacancy Certificate must be received by the District for each subsequent bill period to continue suspension of billing. If the Vacancy Certificate is not received, the account will be activated and billed.

B. The District will not impose further service charges on a living unit whether a single residence, a part of a multiple residence or a commercial property after the District has been advised and has verified that the living unit or commercial property has become uninhabitable and the sewer line capped watertight and inspected by the District staff. A capping permit will be required if the sewer line is capped. However, when a property has been temporarily declared uninhabitable "red tagged" by a local jurisdiction, the District may waive service charges without requiring the capping of the service line during the "red tag" period. At such time as the local jurisdiction removes the red tag or declares the property permanently uninhabitable, sewer service charges shall be reinstated beginning with the next following billing period unless the sewer line is capped watertight and inspected by District staff. The cap may be on a private side sewer if a portion of the property will still receive sewer service. A capping permit will be required if any of the sewer line is capped. A new sewer permit will be required if a side sewer is to be re-routed.

The District reserves the right at any time or times to verify the accuracy of all claims of vacancy and un-inhabitability. Should any such claim be found false, either from the onset of the claim or at any time later, service charges for the entire time billing had been suspended shall become immediately due and payable, which shall be 110% of what they would have been if they had not been suspended. (Res. 1999-07 §§ 1, 2, 3; Res. 1991-9 §§1, 2)

Adoption: ADOPTED at a regular meeting of the Board of Commissioners of Midway Sewer District on May 13, 2015 the following Commissioners being present and voting:

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner