

**ORDINANCE NO. 2022-11**

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,  
AMENDING RICHLAND MUNICIPAL CODE TITLE 18: WATER.**

**WHEREAS**, the City has need, from time to time, to update the Richland Municipal Code to reflect current conditions; and

**WHEREAS**, according to established policy, Richland’s utility rates are set to recover the City’s costs for each service and class of customers; and

**WHEREAS**, the City periodically reviews the revenue requirements and rate structures for each of its utilities; and

**WHEREAS**, a 2021 review of the water utility’s revenue requirements indicated that current rates provide more revenue than is required to recover the City’s costs, even when considering anticipated expenses over the coming several years; and

**WHEREAS**, at its January 11, 2022 meeting, the Utility Advisory Committee (UAC) recommended that Richland City Council reduce water service rates by ten (10) percent; and

**WHEREAS**, outdated terms of service for temporary water service require updating to maintain consistency with the City’s terms of service and costs of providing that service.

**NOW, THEREFORE, BE IT ORDAINED** by the City of Richland as follows:

Section 1. Chapter 18.12 of the Richland Municipal Code, entitled Application of Services, as first enacted by Ordinance No. 80, and last amended by Ordinance No. 43-14, is hereby amended as follows:

**Chapter 18.12  
APPLICATION FOR SERVICES**

**Sections:**

- 18.12.010 Application for installation of service line.**
- 18.12.030 Installation of service line.**
- 18.12.040 Service lines installed by customer.**
- 18.12.050 Maintenance of certain existing lines.**
- 18.12.060 Water service application.**
- 18.12.081 Temporary supply – Metered fire hydrant deposit/refund.**
- 18.12.082 Relocation of fire hydrant meters.**
- 18.12.083 Temporary supply during residential construction.**
- 18.12.085 Temporary supply – Mobile fire hydrant meter.**
- 18.12.086 Irrigation service for commercial properties.**
- 18.12.087 Unauthorized use of water (theft).**
- 18.12.100 Meter installation on unmetered service lines.**

**18.12.110 Ownership of meters.**

**18.12.120 Responsibility for protection of city property.**

**18.12.140 Inspections.**

**18.12.150 Right of access.**

**18.12.010 Application for installation of service line.**

A person desiring the installation of a water service line to a building or property shall make application therefor with the public works development department and at the time of submitting his application pay a fee according to the schedule of fees in RMC 18.24.050. Application and fee must be submitted at least 30 days before the applicant's requested completion date.

The installation of any water service line is dependent on the available water distribution facilities and the department is not required to install a water service line in areas not served by the existing water distribution system or where the system is inadequate to handle the increased demand that would result from the applicant's proposed use. [Ord. 80; Ord. 12-94; Ord. 06-04; amended during 2011 recodification].

**18.12.030 Installation of service line.**

The service line from the water main up to and including a curb stop at the point of delivery shall be installed by the developer/contractor. In areas where the water main is installed by the customer, the service line shall be installed to the department's specifications and the department will maintain the service line from the main up to and including a curb stop at the point of delivery.

For other situations, upon approval of the application by the department and payment of the appropriate installation fees, the department will install and maintain the connection on the water main in a right-of-way or easement, and the service line from this connection up to and including the point of delivery.

**18.12.040 Service lines installed by customer.**

The service line from the point of delivery to the customer's building shall be installed and maintained by the customer, shall be placed at least 30 inches below the surface of the ground, and shall be provided with a valve in the building with which the customer may shut off the water supply to perform repair or alteration work.

**18.12.050 Maintenance of certain existing lines.**

Where on the effective date of the ordinance codified in this title one service line services two or more residential properties, the common service line shall be maintained by the city, and each property owner shall maintain the line serving only his own property; provided, however, that city maintenance responsibility shall not extend beyond the limits of public easements. The department at its discretion may require the rearranging of the piping system to provide for separate services. In such cases the rearranging of piping shall be done by the customer, and a fee for meter installation shall be paid by the customer.

**18.12.060 Water service application.**

The occupant, lessee or owner of any property desiring the city to provide water to such property shall make application for utility services before water is provided at such property. The person

signing the application shall be responsible for payment for water supplied to the property and water bills will be forwarded to this person.

**18.12.081 Temporary supply – Metered fire hydrant deposit/refund.**

Any persons making application for temporary construction water from a fire hydrant shall pay a deposit of ~~\$750.00~~ 1,500.00 for a hydrant meter; said deposit is to guarantee the return of the meter in good condition to the city.

When any person no longer needs temporary water service from a fire hydrant meter, notice shall be given to the water division ~~department~~ to have the meter recovered and a final reading taken.

For service durations less than thirty (30) days, the service charge, consumption charge, and any repair costs will be charged against the deposit. If charges exceed the deposit, the City will issue an invoice to the user. If charges are less than the deposit, the balance remaining will be refunded to the user.

For service durations in excess of thirty (30) days, each month the City will read the meter to determine consumption, after which the City will issue an invoice capturing the service charge, consumption charge, and repair charges. Users who fail to promptly pay the invoiced amount are subject to discontinuance of service. When service is discontinued, either by notice from the user or discontinuance by the City, charges consisting of outstanding balances owed, current service charges, consumption charges, and repair charges will be charged against the deposit. If charges exceed the deposit, the City will issue an invoice to the user. If charges are less than the deposit, the balance remaining will be refunded to the user. ~~All final charges, including those for monthly service charges, water consumption and repairs to damaged city property and equipment, will be deducted from the deposit amount and the balance refunded to the person. If charges exceed the amount deposited, the person will be billed for the remaining balance.~~

**18.12.082 Relocation of fire hydrant meters.**

If any person wants a fire hydrant meter moved to a different location ~~on the job~~, notice shall be given to the water division ~~department~~ 24 hours not less than two (2) business days in advance. ~~Failure to provide sufficient notice shall not constitute justification for the contractor or person to relocate the meter themselves. Moving or otherwise tampering with the meter by the contractor or person shall be cause for~~ is prohibited unless specific written authorization is provided by the water division to the user as provided in RMC 18.12.085. Violations of this section may result in charges for repair of damaged equipment, an administrative fine of up to \$250.00, or the discontinuance of temporary water service. ~~Water service will be restored upon payment of all costs incurred by the department to locate the meter (\$50.00) and replace damaged locks and locking devices (\$25.00 each).~~

**18.12.083 Temporary supply during residential construction.**

Any contractor or person seeking construction water for single-family residential construction may obtain metered water service on the property. Application for service and payment of a one-time \$50.00 fee for water usage shall be made at the time of taking out a building permit. Upon payment of the building permit and related fees, a water meter will be scheduled to be installed in the location identified by the contractor on the building permit plat drawing. The contractor may

connect a water tap/stand pipe to this service stub for dust control or construction water needs. The contractor is responsible for protecting the meter as indicated in RMC 18.12.120 and notifying the city if damages occur.

**18.12.085 Temporary supply – Mobile fire hydrant meter.**

At the sole discretion of the City, as determined by the Public Works Director or designee ~~Under limited circumstances,~~ the City department may authorize ~~issue a fire hydrant meter to the custody of~~ a company or contractor representative to retain and relocate a fire hydrant meter ~~which may be moved by the representative~~ from hydrant to hydrant within the city of Richland water system. Fees associated with this arrangement of temporary water supply are the same as stated in RMC 18.12.081. A user so authorized under this section ~~By accepting custody of a hydrant meter under this arrangement, the company or contractor representative agrees to~~ shall report the meter readings to the water division ~~water maintenance shop~~ within the first ~~10~~ five (5) days of each month. Failure to do so may result in discontinuance of mobility privileges extended to the company or contractor. Once a year, the City will test and inspect the hydrant meter condition and validate the meter read. The authorization granted under this section may be revoked by the City at its sole discretion and without recourse to the user.

**18.12.086 Irrigation service for commercial properties.**

Commercial properties may apply for a separate meter to measure water used for landscape irrigation and/or any use that will not result in discharge to the sanitary sewer. The department shall determine the location of the requested irrigation meter. If the irrigation meter is connected directly to the city’s public water main via a service line the applicant shall pay fees associated with a new service connection, including a water facility fee, meter fee, and service line fees. If the irrigation meter is connected downstream of the customer’s meter, the applicant shall pay fees associated with the new meter only.

**18.12.087 Unauthorized use of water (theft).**

Persons caught taking water from fire hydrants, curb stops or other water valves without proper authorization or metering are subject to an administrative fine from the city of \$500.00. Payment shall be made before the city will provide authorized water service under any circumstances.

**18.12.100 Meter installation on unmetered service lines.**

The department may at any time require the installation of a water meter on an unmetered service line. The fee for such installation, amounting to actual labor and material costs, shall be paid by the customer.

Where water is now supplied to more than one building through a single service line, the department at its discretion may require the rearranging of the piping system to provide for separate metering. In such cases, the rearrangement of piping shall be done by the customer, and a fee for meter installation shall be paid by the customer.

**18.12.110 Ownership of meters.**

All water meters shall be the property of the city.

**18.12.120 Responsibility for protection of city property.**

It shall be the responsibility of each customer to protect the water meter, service line, and shutoff device inside customer’s property or building from damage due to frost. All such equipment, either inside or outside, must also be protected by the customer from damage from backed up hot water or steam. The repair costs for any damage due to negligence of the customer shall be charged to the customer.

**18.12.140 Inspections.**

The duly authorized and properly identified employees of the department shall have the right, but shall not be obligated, to inspect the water supply, piping and plumbing at any customer’s premises before or after water service is turned on; service may be refused or discontinued where such piping or plumbing is not in conformance with the applicable city ordinances. Such inspection, or failure to inspect, or failure to refuse or discontinue service shall not render the city liable or responsible for any loss, damage, or injury resulting from defects in the piping or plumbing.

**18.12.150 Right of access.**

The duly authorized and properly identified employees of the department shall have access to the customer’s premises at all reasonable times for the purposes of: inspecting water supply, piping and plumbing; inspecting, testing or repairing water department equipment; and for reading water meters.

Section 2. Chapter 18.24 of the Richland Municipal Code, entitled Domestic Water Rates and Charges, as first enacted by Ordinance No. 80, and last amended by Ordinance No. 57-15, is hereby amended as follows:

**Chapter 18.24  
DOMESTIC WATER RATES AND CHARGES**

**Sections:**

- 18.24.010 Delinquency.**
- 18.24.020 Water rate schedule (metered).**
- 18.24.030 Water – Economic development rate.**
- 18.24.040 Users outside of city limits – Contracts authorized.**
- 18.24.050 Water facilities assessment.**
- 18.24.060 Effective date of assessment.**
- 18.24.070 Imposition of adjusted facilities assessment.**
- 18.24.075 Latecomer agreements.**
- 18.24.080 Severability.**

**18.24.010 Delinquency.**

Bills are due and payable upon receipt, and are delinquent after 20 days from date of billing. Late fees and interest will be charged on all delinquent accounts according to RMC 3.30.040. Failure to receive bill will not release customer from payment of the obligation due.

**18.24.020 Water rate schedule (metered).**

A. Residential, multifamily, commercial and large user customers serviced through a water meter

will be charged monthly for metered water consumption on the basis of Table 1 below, which includes applicable taxes:

**TABLE 1  
Water Rates (Metered)**

**RESIDENTIAL, MULTIFAMILY AND COMMERCIAL RATES**

<b>Meter Size</b>	<b>Rate Effective 4-1-2015</b>	<b><u>Rate</u></b>
1" or less	<del>\$27.25</del>	<u>\$24.55</u>
1 1/2"	<del>90.85</del>	<u>81.80</u>
2"	<del>145.35</del>	<u>130.80</u>
3"	<del>272.50</del>	<u>245.25</u>
4"	<del>454.15</del>	<u>408.75</u>
6"	<del>908.35</del>	<u>817.50</u>
8" or larger	<del>1,453.35</del>	<u>1,308.00</u>
Fire hydrant meter <u>monthly rent charge</u>	<del>30.00</del>	<u>30.00</u>

<b>Additional Charge per 100 cf</b>	<b>2012 Rate</b>	<b><u>Rate</u></b>
Residential and fire hydrant meter	<del>\$0.95</del>	<u>\$0.85</u>
Multifamily and irrigation	<del>0.85</del>	<u>0.75</u>
Commercial/municipal	<del>0.70</del>	<u>0.65</u>

**LARGE USER RATES**

<b>Meter Size</b>	<b>Rate Effective 4-1-2015</b>	<b><u>Rate</u></b>
1" or less	<del>\$239.80</del>	<u>\$215.80</u>
1 1/2"	<del>799.33</del>	<u>719.40</u>
2"	<del>1,278.93</del>	<u>1,515.05</u>
3"	<del>2,398.00</del>	<u>2,158.20</u>
4"	<del>3,996.67</del>	<u>3,597.00</u>
6"	<del>7,993.33</del>	<u>7,194.00</u>
8" or larger	<del>12,789.33</del>	<u>11,510.40</u>
Additional charge per 100 cf:	<del>0.67</del>	<u>.60</u>

B. The city may furnish water to customers at locations outside the corporate limits of the city. The monthly rates for water furnished to out-of-city customers shall be the rates set forth in this title for the applicable class of service plus 50 percent of such rates.

C. Residential customers serviced through a single meter will be billed at the one-inch or less base rate per living unit, plus consumption charges. Consumption charges will be billed to the account to which the meter is addressed.

D. Commercial and mixed-use customers serviced through a single meter, where multiple units are served, will be billed the appropriate commercial rate, plus consumption charges. This utility charge, including all consumption charges, will be billed to the one account where the meter is addressed.

E. Condominiums and townhouses, which share a single meter, will be billed at the multifamily rate with the bill going to a homeowners' association or like account. Condos and townhouses which are individually metered will be billed at the residential rate with charges based on the meter size.

F. The rates for water supplied to the residential customers qualifying as low-income senior citizens or low-income disabled citizens shall be discounted by 60 percent. Additional rate information regarding low income senior citizens and low-income disabled citizens can be found in Chapter 3.29 RMC (Utility Low Income Program).

G. Commercial customers utilizing the domestic water system for irrigation purposes as described in RMC 18.12.086 will be charged the appropriate commercial rates for usage during the months of April through October of each year. The appropriate commercial rates will be charged if consumption is detected outside of this time period.

**18.24.030 Water – Economic development rate.**

A. Terms and conditions of negotiated rate will be by contract.

B. Will be based upon the benefits derived from the new load and/or employment opportunities that expand the local economy.

C. Will utilize marginal costing concept.

**18.24.040 Users outside of city limits – Contracts authorized.**

The city manager may, with the approval of the city council, enter into contracts with customers at locations outside the corporate limits of the city, at a rate lower than those prescribed in RMC 18.24.020, but not less than those prescribed for the users of the same class located in the city, when the extraordinarily high volume of use warrants such a lower rate.

**18.24.050 Water facilities assessment.**

Water transmission, storage, source of supply and frontage facilities charges shall be assessed and collected as a condition precedent to providing water service connection by the city of Richland according to the following table:

<b>Size of Water Meter</b>	<b>Facilities Assessment for Indoor and Non-irrigation Uses Only<sup>1</sup></b>	<b>Facilities Assessment for Uses that Include Outdoor Landscape Irrigation and Car Washes<sup>2</sup></b>	<b>Facilities Assessment for Badger South<sup>3,4</sup></b>	<b>Frontage Charge<sup>5</sup></b>
3/4"	\$2,100.00	\$2,990.00	\$2,235.00	\$15/ft.
1"	2,100.00	2,990.00	2,235.00	15/ft.
1 1/2"	6,993.00	9,957.00	7,443.00	15/ft.
2"	11,193.00	15,937.00	11,913.00	15/ft.
3"	21,000.00	29,900.00	22,350.00	15/ft.
4"	By Contract	By Contract	By Contract	15/ft.
6"	By Contract	By Contract	By Contract	By Contract

1. This charge is for residential and commercial lots which have a separate irrigation source and typically do not have a high demand water usage season.
2. This charge is for residential and commercial lots which do not have a separate irrigation source or do have a high demand water usage season (i.e., a car wash).
3. The Badger South facilities assessments will be collected by the city as part of the building permit approval process. The city will reimburse the Badger Mountain Irrigation District \$300.00 per ERU (ERU is an equivalent residential unit or a service provided by up to one-inch meter size) on the first 350 ERUs collected and reimburse \$192.00 per ERU thereafter.
4. The Badger South area is defined as shown in Exhibit A attached to the ordinance codified in this section.
5. The frontage fee shall apply to all connections to the public water system except:
  - A. When the existing main crosses the entire property frontage and was installed by the property owner or developer of the property; or
  - B. When the existing main crosses the entire property frontage and was included in an approved latecomer agreement.

For a corner lot, the frontage fee shall be calculated on the longest side of the lot.

The city, as part of the Tri-Cities Estates Local Improvement District (LID) No. 190, constructed water main lines in Oxford Avenue and Oregon Street. Three residences did not participate in the water portion of the LID. The following three properties are required to pay a lump sum frontage charge of \$3,166.45, in addition to the applicable meter charge and facility assessment, at the time of connection to the city water system. These three properties are: 1366 Baywood, 1381 Baywood, and 1391 Baywood. On January 1st of each year, beginning in 2009, the lump sum amount shall be adjusted to compensate for inflation as documented in the Consumer Price Index – Urban (CPI-U) using the Pacific Cities, West – B/C data for July of the previous year. [As of January 1, 2022, the rate has been updated to \\$4,150.09.](#)



<b>Original Price per Lot</b>	<b>2009 West-BC CPI-U= 5.4%</b>	<b>2010 West-BC CPI-U= -2.4%</b>	<b>2011 West-BC CPI-U= 0.7%</b>	<b>2012 West-BC CPI-U= 3.3%</b>	<b>2013 West-BC CPI-U= 1.1%</b>	<b>2014 West-BC CPI-U= 1.6%</b>	<b>2015 West-BC CPI-U= 1.8%</b>	<b>2016 West-BC CPI-U= 0.3%</b>
\$3,166.45	\$3,337.44	\$3,257.34	\$3,280.14	\$3,388.39	\$3,425.66	\$3,480.47	\$3,543.12	\$3,553.75

Editor’s note: The Tri-Cities Estates water latecomer rates in RMC 18.24.050 were updated ~~by the public works department~~ on January 1, ~~2016~~ 2022.

The water facilities assessment may be waived by the Richland city council when providing a water service connection, or connections, to any municipally owned public park, where the cost of constructing such municipally owned public park, or a portion of such cost, has been borne by the property owners specially benefitted thereby and may likewise be waived by the Richland city council when providing water service connection, or connections, to previously existing residences where the cost of providing a water service connection, or connections, is paid in whole or in part by a state or federal grant-in-aid community rehabilitation, or to newly constructed residences where the cost of providing a water service connection, or connections, is paid in whole or in part by a state or federal grant to provide housing for low-income families or handicapped persons and may likewise be waived by Richland city council when providing a water service connection or connections for new publicly funded facilities built for public use.

**18.24.060 Effective date of assessment.**

The water transmission, storage and source of supply facilities assessment as described in RMC 18.24.050 is imposed upon all property owners who have requested a new water service connection or increased capacity water service by their purchase of a water services connection permit on or after December 9, 1975; provided, however, that in no event shall such assessment be charged where the actual connection was made prior to the effective date of the ordinance codified in RMC 18.24.050 through 18.24.070. Such assessment shall become due and owing at the time the water services connection permit is obtained; provided further, that in those instances where the permit was obtained prior to the effective date of the ordinance codified in RMC 18.24.050 through 18.24.070, such fee shall become due at the time the actual connection is made.

**18.24.070 Imposition of adjusted facilities assessment.**

All existing customers, notwithstanding their exemption from the imposition of a facilities assessment by virtue of having received a meter connection prior to the effective date of the ordinance codified in RMC 18.24.050 through 18.24.070, shall be required to pay an adjusted facilities assessment where an increased capacity water service connection permit is requested after December 9, 1975; provided, however, that in no event shall such an assessment be made where the actual increased capacity connection is made prior to the effective date of the ordinance codified in RMC 18.24.050 through 18.24.070. The amount to be assessed in such instances shall be the difference between the facilities charge that would have been required for the earlier installed service and that charge imposed upon the size water service connection installed.

A customer having paid an initial water facilities assessment shall also be required to pay an adjusted facilities assessment where an increased capacity water service connection permit is

obtained after the effective date of the ordinance codified in RMC 18.24.050 through 18.24.070. The adjusted facilities charge shall be determined as provided in this section.

**18.24.075 Latecomer agreements.**

Any developer using private funds to construct utility system improvements in the city or within the city’s utility service area may request to enter into a latecomer agreement with the city in order to recover a pro rata share of the costs of construction from other property owners that will later derive a benefit from the utility system improvements made by the developer. The procedure for entering into such an agreement is administered by the city and provided in Chapter 3.10 RMC.

**18.24.080 Severability.**

The invalidity of any section, subsection, provision, clause or portion thereof, or the invalidity of the application thereof to any person or circumstances, shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances.

Section 3. This Ordinance shall be published in the official newspaper of the City of Richland on April 10, 2022 and take effect on June 1, 2022.

Section 4. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 5. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener’s errors/clerical errors, section numbering, references, or similar mistakes of form.

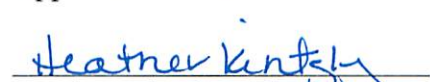
**PASSED** by the City Council of the City of Richland, Washington, at a regular meeting on the 5<sup>th</sup> day of April, 2022.

  
Michael Alvarez, Mayor

Attest:

  
Jennifer Rogers, City Clerk

Approved as to Form:

  
Heather Kintzley, City Attorney

First Reading: March 15, 2022  
Second Reading: April 5, 2022  
Date Published: April 10, 2022