

ORDINANCE NO. 2024-29

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING CHAPTER 3.29 OF THE RICHLAND MUNICIPAL
CODE RELATED TO THE UTILITY LOW INCOME PROGRAM.**

WHEREAS, the City has need, from time to time, to amend the Richland Municipal Code (RMC) to promote the health, safety and general welfare of its citizens and to bring the code into alignment with state law; and

WHEREAS, the Clean Energy Transformation Act (CETA) codified in Chapter 19.405 RCW requires utilities to make programs and funding available for energy assistance to low-income customers; and

WHEREAS, each utility is responsible for demonstrating progress in providing energy assistance; and

WHEREAS, low-income programs are to be prioritized to reduce the energy burden for customers where energy costs are above 6% of household income. State law defines low-income as households with income less than the greater of 80% of Area Median Income AMI or 200% of the Federal Poverty Level FPL, adjusted for household size; and

WHEREAS, Chapter 3.29 RMC currently limits eligibility for a low income utility discount to seniors and disabled customers and must be amended to comply with CETA.

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

Section 1. Chapter 3.29 of the Richland Municipal Code, entitled Utility Low Income Program, as first enacted by Ordinance No. 40-02, and last amended by Ordinance No. 2022-29, is hereby amended as follows:

**Chapter 3.29
UTILITY LOW INCOME PROGRAM**

Sections:

3.29.010 Special residential rates – Low-income ~~senior citizens and low income disabled~~ citizens.

3.29.020 Special residential rates – Discounts for low-income ~~senior citizens and low income disabled~~ citizens.

3.29.030 Special residential rates – Qualification as low-income ~~senior citizen or low income disabled~~ citizen.

3.29.010 Special residential rates – Low-income ~~senior citizens and low income disabled~~ citizens.

There shall be a discount applied to rates for services provided to residential customers qualifying as low-income ~~senior citizens or low income disabled~~ citizens.

3.29.020 Special residential rates – Discounts for low-income ~~senior citizens and low income disabled~~ citizens.

The discounts shall be set forth in the City of Richland Fee Schedule. ~~as follows:~~

Service	Discount
Residential Electrical Rate Schedule 10 per RMC 14.24.060	The service charge shall be waived, and the energy charge shall be discounted 15% of Schedule 10
Residential Solid Waste per RMC 15.20.020	60%
Residential Stormwater Rate per RMC 16.08.035	33%
Residential Sewer Schedule 1 per RMC 17.56.010	60%
Residential Water Table 1 per RMC 18.24.020	60%

~~Provided, that such water discount shall not apply to any billing cycle that water consumption exceeds 5,000 cubic feet.~~

3.29.030 Special residential rates – Qualification as low-income ~~senior citizen or low income disabled~~ citizen.

A. The special residential rate for low-income ~~senior citizens or low income disabled~~ citizens specified in RMC 3.29.020 ~~shall~~ will be available to each person who shows satisfactory proof that he or she meets all of the following criteria:

- ~~1. a. Is 62 years of age or over; or~~
- ~~b. Is a citizen qualifying for special parking privileges under RCW 46.16.381(1)(a) through (f) or a blind citizen as defined in RCW 74.18.020(4), or developmentally disabled as defined in RCW 71A.10.020(2) or a mentally ill person as defined in RCW 71.05.020(1); and~~

21. Has a maximum annual income ~~of not more than 125 percent of~~ that falls within one of the following ranges of the Federal Poverty Level (FPL) established by the federal Office of Management and Budget (OMB) and the Area Median Income (AMI) established by the United States Department of Housing and Urban Development (HUD); and

- Income Range
- 0% - 50% FPL
- 51% - 100% FPL
- 101% - 150% FPL

151% - 80% AMI

32. Is the sole occupant or the head of a household; ~~and~~

43. Resides in a dwelling unit served directly by the city's utility; and

54. Is billed in his or her name by the city's utility.

B. All information presented in support of such application shall be verified by the applicant who shall provide such other data as deemed appropriate upon forms and in a manner determined by the finance director or designee.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. 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 4. 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 1st day of October, 2024.

Theresa A Richardson
Theresa Richardson, Mayor

Attest:

Jennifer Rogers
Jennifer Rogers, City Clerk

Approved as to Form:

Heather Kintzley
Heather Kintzley, City Attorney

First Reading: September 17, 2024

Second Reading: October 1, 2024

Date Published: October 6, 2024