

ORDINANCE NO. 4855

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO TITLE 9 “UTILITIES” AND AMENDING SECTION 9.30.020 OF THE ELLENSBURG CITY CODE.

WHEREAS, staff has recently discovered an inconsistency in the current definition for “Low-income disabled citizen” in Chapter 9.30 of the Ellensburg, “Utility Rates”; and

WHEREAS, Ordinance No 4650 amended the definition of “Low-income disabled citizen” in ECC 9.30.030; and

WHEREAS, the agenda report for Ordinance No 4650 stated the amendments were merely correcting the change in RCW numbering for parking placard qualifications; and

WHEREAS, the intention of Council was to allow applicants who meet the income threshold to qualify by demonstrating one of the four criteria,

NOW, THEREFORE, the City Council of the City of Ellensburg, Washington, do hereby ordain as follows:

**Section 1. Section 9.30.020 of the Ellensburg City Code, as last amended by Section 1 of Ordinance 4844, is hereby amended to read as follows:**

**9.30.020 Definitions.**

“BOD (biochemical oxygen demand)” means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees centigrade, expressed in parts per million by weight.

“Debt service coverage” or “DSC” means the result of a calculation dividing a utility’s margin (profit) for the year by the utility’s annual debt payment.

“Domestic strength wastewater” means wastewater having a BOD of 200 mg/l and suspended solids of 250 mg/l.

“Electric demand” means the maximum KW delivered during a 15-minute period in which the consumption of energy is the greatest during the month.

“Income” means all moneys received by the claimant from any source. It includes, but is not limited to: wages, railroad retirement, Social Security benefits, investment income in the form of dividends from stock, interest on savings accounts and bonds, capital gains, gifts and inheritances, net rental income from real estate, disability payments, retirement pay and annuities. Reimbursement for losses shall not be considered as income.

“Low-income disabled citizen” means a person who: (A) has with a combined household income at or below 125 percent of the federally established poverty level; (B) who: (A) provides documentation of disability from the Social Security Administration of the federal government; or (C) (B) qualifies for special parking privileges under RCW 46.19.010(a) through (j); or (D) (C) demonstrates through documentation from a qualified medical professional that he or she has a disability identified in RCW 46.19.010(a) through (j); or (E) (D) qualifies as a blind person as defined in RCW 74.18.020.

“Low-income senior citizen” means a person who is 65 years of age or older with a combined household income at or below 125 percent of the federally established poverty level.

“Nonprofit agencies serving the disadvantaged” means agencies with a 501(c)(3) tax exempt designation from the Internal Revenue Service (IRS), a majority of whose clients/customers: (A) qualify for the low-income senior citizen rate, (B) are persons with disabilities of the types recognized by the city for determining eligibility for the low-income disabled citizen rate, regardless of their actual income level, or (C) are persons from families determined to be low income as defined by the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 USC Section 9902(2).

“Power factor” or “PF” means the ratio of the real power to the apparent power, and is a number between zero and one. “Real power” is the capacity of the circuit for performing work in a particular time. “Apparent power” is the product of the current and voltage of the circuit.

“Purchased gas cost adjustment” means the average cost of gas per Ccf paid by the city (including current city and state taxes per Ccf) the month prior to the billing month. [Ord. 4844 § 1, 2019; Ord. 4650 § 1, 2013; Ord. 4571 § 1, 2010; Ord. 4555 § 1, 2009; Ord. 4503 § 2, 2007.]

**Section 2. Severability.** If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

**Section 3. Corrections.** Upon the approval of the City Attorney, 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/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 4. Effective Date.** This ordinance shall take effect and be in force five (5) days, after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the \_\_\_\_\_ day of July, 2020.

ATTEST:

23/11-  
\_\_\_\_\_  
MAYOR  
Beth Leader  
CITY CLERK

Approved as to form:

        
CITY ATTORNEY

Publish: 7-29-20

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4855 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4855 was published as required by law.

Beth Leader  
BETH LEADER