

ORDINANCE NO. 4571

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO UTILITY RATES AND AMENDING SECTION 9.30.020 OF THE ELLENSBURG MUNICIPAL CODE TO CLARIFY DEFINITIONS FOR “NON-PROFIT AGENCY SERVING THE DISADVANTAGED” AND “LOW-INCOME SENIOR CITIZEN.”

WHEREAS, the City Council finds that special utility rates for nonprofit agencies serving the disadvantaged, presently enjoyed by agencies whose primary clients are low-income seniors and low-income disabled citizens, should also be offered to tax exempt agencies serving persons from low-income families or who, regardless of income level, are identified as disabled, and

WHEREAS, the definition of “low-income disabled citizen” relied upon by the City to determine a person’s eligibility for the low-income disabled utility rates is in need of clarification to more accurately encompass those individuals entitled to the benefit of such rates,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 9.30.020 of the Ellensburg Municipal Code, as last amended by Ordinance No. 4555, 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 30-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 persons with a combined household income at or below 125 percent of federally established poverty level, as specified in RCW 70.164.020(4), who: (1) provides documentation of disability from the Social Security Administration of the federal government, (2) qualify qualifies for special parking privileges under RCW 46.16.381 (1)(a) through ~~(i)~~ (i), (3) demonstrates through documentation from a qualified medical professional that he or she has a disability identified in RCW 46.16.381 (1)(a) through (i), or (4) qualify qualifies as a blind person as defined in

RCW 74.18.020, with a combined household income at or below 125 percent of federally established poverty level, as specified in RCW 70.164.020(4).

“Low-income senior citizen” means a persons who are is 65 years of age or older with a combined household income at or below 40 percent of the state median income.

“Nonprofit agency serving the disadvantaged” means agencies with a 501(c) 3 tax exempt designation from the Internal Revenue Service (IRS), a majority of whose primary clients/customers: (1) qualify for the low-income senior citizen rate, or the low-income disabled citizen rate (2) 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 (3) 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 U.S.C. 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. 4555 § 1, 2009; Ord. 4503 § 2, 2007.]

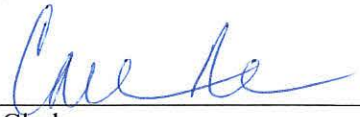
Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, cause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of a summary, consisting of the title.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council this 16 day of August, 2010.



Mayor

ATTEST: 

City Clerk

APPROVED AS TO FORM:



City Attorney

Publish: 8-19-10

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4571 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, that Ordinance No. 4571 was published as required by law.



COREEN M. RENO, CMC