

**TOWN OF YARROW POINT
ORDINANCE NO. 727**

**AN ORDINANCE OF THE TOWN OF YARROW POINT, WASHINGTON,
INCREASING THE STORMWATER UTILITY RATE AND PROVIDING
FOR AN AUTOMATIC YEARLY INCREASE TO THE SAME FEE
BASED UPON THE CONSUMER PRICE INDEX FOR ALL URBAN
CONSUMERS (CPI-U), SEATTLE-TACOMA-BELLEVUE; PROVIDING
FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, storm and surface water runoff need to be managed, regulated and controlled to reduce flooding, erosion, sedimentation and other pollution of water, danger and damage to life and property, and to protect and encourage the use of efficient means to these ends; and

WHEREAS, management of storm and surface water runoff must include anticipation of future growth and development in the design and improvement of the surface and storm water management system; and

WHEREAS, the costs associated with the design, construction, and management of the storm water management system increases annually; and

WHEREAS, the Town Council finds that the most effective way to fund maintenance of and improvements to the Town storm water distribution system is to establish a corresponding annual increase of the stormwater utility rate, set forth in Yarrow Point Municipal Code Section 13.12.020, to be tied to the Seattle-Tacoma-Bellevue Area Consumer Price Index; and

WHEREAS, the Yarrow Point Town Council finds it is in the best interest of the citizens of Yarrow Point to amend YPMC 13.12.020 as set forth herein to ensure continued funding for the Town's Storm Water Utility needs.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF YARROW POINT, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Findings. The foregoing recitals are hereby adopted as Findings of Fact in support of this Ordinance.

Section 2. Amendment to YPMC Section 13.12.020. YPMC Section 13.12.020 is hereby amended as follows:

13.12.020 Utility Fees

The Council may establish by resolution utility fees, rates, and charges to recover the costs of providing service to property in accordance with the cost of improving, operating and maintaining the Town's storm and surface water system. Costs may include but will not be limited to the expense of planning, administration, development of regulations, the enforcement of existing regulations, construction and/or repair of facilities, system

maintenance, provision of storm and surface water management equipment and services and any redemption of bonds that are used to finance any system improvement.


In addition to such other changes as may be approved by Council, commencing January 1, 2024, and in January of each successive year thereafter, the fees, rates and charges the Council establishes by resolution shall be automatically adjusted based upon the Consumer Price Index for All Urban Consumers (CPI-U), Seattle-Tacoma-Bellevue, as published by the Bureau of Labor Statistics for the year ending June 30th of the previous year; provided that in no instance shall these fees, rates, and charges decrease.

Section 3. 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, clause or phrase of this Ordinance.

Section 4. Corrections. The Town Clerk-Treasurer and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 5. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of the summary of this Ordinance, consisting of its title.

APPROVED BY THE TOWN COUNCIL OF THE TOWN OF YARROW POINT ON THIS 13th
DAY OF December, 2022.


Katy Kinney Harris, Mayor

Approved as to form:
Town Attorney


Ogden Murphy Wallace, PLLC

Attest/Authenticated:


Bonnie Ritter, Town Clerk-Treasurer

Deputy Clerk Austen Wilcox
for Bonnie Ritter.

PUBLISHED BY THE TOWN COUNCIL: December 13, 2022
PUBLISHED: December 16, 2022
EFFECTIVE DATE: December 17, 2022
ORDINANCE NO.: 727



The Seattle Times

AFFIDAVIT OF PUBLICATION

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Yarrow Point WA 98004

STATE OF WASHINGTON, COUNTIES OF KING AND SNOHOMISH

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12/16/2022

SUMMARY OF ORDINANCE NO. 727 TOWN OF YARROW POINT, WASHINGTON

On the 13th day of December 2022, the Town Council of the Town of Yarrow Point, Washington passed Ordinance No. 727. A summary of the content of said ordinance consisting of the title provides as follows:

AN ORDINANCE OF THE TOWN OF YARROW POINT, WASHINGTON, INCREASING THE STORMWATER UTILITY RATE AND PROVIDING FOR AN AUTOMATIC YEARLY INCREASE TO THE SAME FEE BASED UPON THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U), SEATTLE-TACOMA-BELLEVUE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

Dated this 14th day of December, 2022
Published this 16th day of December, 2022
Austen Wilcox, Deputy Clerk

Agent Debbie Collantes Signature Debbie Collantes

Subscribed and sworn to before me on 12/16/22
Frankie Flight

(Notary Signature) Notary Public in and for the State of Washington, residing at Seattle

Publication Cost: \$123.07
Order No: 46063
Customer No: 466
PO #:

