

**CITY OF SNOHOMISH  
Snohomish, Washington**

**ORDINANCE 2415**

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, AMENDING SMC 15.05.040 “VOLUNTARY TERMINATION OF UTILITY SERVICES” TO ALLOW FOR SUSPENSION OF WATER AND SEWER CONNECTION BILLING FOR VACANT PROPERTIES WITHIN AREAS THAT DO NOT ALLOW UTILITY CONNECTIONS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, Snohomish Municipal Code 15.05.040 permits utility customers to temporarily turn off water service to vacant properties while still retaining a water meter and sewer connection; and

**WHEREAS**, a minimum monthly maintenance charge is assessed during periods of disconnection; and

**WHEREAS**, on rare occasions, situations arise where the vacant property is within an area that does not allow utility connections; and

**WHEREAS**, the abandoned water and sewer rate is currently \$20.00 per month;

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

**Section 1.** **Adoption of recitals as findings.** The City Council hereby adopts each of the recital paragraphs above as findings and hereby incorporates them by reference as though fully stated herein.

**Section 2.** **SMC 15.05.040 Voluntary Termination of Utility Services amended.** SMC 15.05.040 Voluntary Termination of Utility Services is hereby amended as follows:

A customer may request voluntary disconnection of utility services during periods where the premises are vacant. Three days advance written notice of such discontinuance shall be given to the City and the customer shall pay the City all charges to the date of the turnoff, and a minimum monthly maintenance charge as set forth by resolution of City Council for turned off services. Any customer who elects not to disconnect utility services shall also be charged a minimum monthly maintenance fee for billing periods where no water is used. Should a commercial or industrial utility customer whose premises is vacant be required by the City to maintain connection to meet fire flow requirements, or a vacant property with an abandoned water meter and sewer connection be within an area that does not allow utility connections, as defined by an ordinance, the monthly base fee and charges not incurred by customer use shall be waived.

Such waiver of fees and charges shall only apply where there is no water use or “de minimis use,” which for purposes of this ordinance shall mean less than 1% of the average use over the prior 12-month period. A minimum monthly maintenance charge as set forth by resolution of City Council for turned off services will be charged.

**Section 3. Severability.** If any section, subsection, sentence, clause, phrase, or word of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this Ordinance.

**Section 4. Authority to make necessary corrections.** The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance and attachments including, but not limited to, the correction of scrivener’s clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 5. Effective date.** This Ordinance shall be effective five days after adoption and publication by summary.

ADOPTED by the City Council and APPROVED by the Mayor this 4th day of May, 2021.

CITY OF SNOHOMISH

By John T. Kartak  
John T. Kartak, Mayor

ATTEST:

APPROVED AS TO FORM:

By Brandi Whitson  
Brandi Whitson, Deputy City Clerk

By Grant Weed  
Grant Weed, City Attorney

Date of Publication: May 8 2021

Effective Date (5 days after publication): May 13 2021