

**HARTSTENE POINTE WATER AND SEWER DISTRICT
RESOLUTION 2010-03**

**A RESOLUTION OF THE
HARTSTENE POINTE WATER AND SEWER DISTRICT BOARD OF
COMMISSIONERS ESTABLISHING WATER AND SEWER
CONNECTION FEES**

WHEREAS, RCW 57.08 authorizes water and sewer districts to establish water and sewer fees; and

THEREFORE THE BOARD OF COMMISSIONERS OF HARTSTENE POINTE WATER AND SEWER DISTRICT HEREBY RESOLVES:

A. Water Connection Charges and Fees

1. Property on Which Connection Charges Imposed. Owners of real property within the District seeking to connect improvements of real property to the District's water system, shall pay, as a condition of the District's grant of the right to so connect, connection charges as are established in this resolution so that the property owner bears an equitable share of the cost of the District's water system. In addition, the property owner will also be required to pay the cost of making the connection and the cost of a water meter. These fees shall be paid at the time of issuance of the Binding Water Availability Letter.

2. General Facilities Charge (GFC).

Owners of real property seeking to connect to the District's water system shall pay a General Facilities Charge per Equivalent Residential Unit ("ERU"). The number of ERUs for the real property shall be determined by the District.

Capital Facility Charges are not applicable for guest houses and/or accessory dwelling units (as defined by Mason County Zoning Ordinance) when they are located on the same tax lot as a single family residence that is served by Hartstene Pointe Water-Sewer District.

The charge for residential class shall be assessed for each dwelling unit, and shall include a basic residential fire flow of 500 GPM. The General Facility Charge shall be paid when the binding letter of water availability for the housing structure is issued.

The GFC rates are as follows:

Year	2010	2011	2012
General Facility Charge	\$360	\$475	\$600

3. Water Service Connection Charges

a. Full Service Installation Charge For meters and related appurtenances installed by the District, including road crossings, the following charges shall be levied and collected at the time of service application:

3/4" Meter and Service:	\$2, 500
1" Meter and Service	\$2, 700

b.. Pre-Installed Service (Meter Only). The following fees for the installation of a meter only apply when the service connection and all associated valves, fittings, meter setters, etc. have already been installed in accordance with the District's specifications, at the expense of the property owner.

3/4" Meter and Service:	\$550
1" Meter and Service	\$700

B. Sewer Connection Charges and Fees

1. Property Subject to Connection Charges.

Owners of real property within or without the District seeking to connect improvements of real property to the District's sewer system shall pay, as a condition of the District's grant of the right to so connect, connection charges as established in this resolution, so that the real property owner bears an equitable share of the cost of the District's sewer system. In addition, the property owner may also be required to pay the cost of making any such connection. Owners of real property within or without the District changing or expanding the use of such real property or modifying the buildings on such real property, so that the total number of equivalent residential units (ERUs) are increased, shall pay connection charges established in this resolution for the increase in the total number of ERUs, at the rates in effect at the time of the increase. An ERU shall be defined as set forth in this resolution for the applicable type of connection charge. These fees shall be paid at the time of issuance of the sewer connection permit.

2. Capital Facilities Charge (CFC).

Owners of real property seeking to connect to the District's sewer system shall pay a capital facilities charge based on the number of Equivalent Residential Units (ERUs) that impact the wastewater system

Capital Facility Charges are not applicable for guest houses and/or accessory dwelling units (as defined by Mason County Zoning Ordinance) when they are located on the same tax lot as a single family residence that is served by the District.

The CFC rates are as follows:

Year	2010	2011	2012
Capital Facility Charge	\$850	\$1,100	\$1,900

3. Definition of ERU for Capital Facilities Charge.

For purposes of calculation sewer fees, an ERU shall be defined as follows:

Any single family dwelling is one ERU. Each tenant of a commercial building shall have at least one ERU, with the total number of ERUs for each tenant determined on the basis of wastewater volume, where one ERU shall be equal to 180 gallons of metered water usage per day. The District retains the right to use alternative methods of estimating flows and ERUs in any case that has unique circumstances, such as flows or wastewater loading.

4. Local Facilities Charge.

Owners of real property connecting to a District constructed extension shall pay a local facilities charge, which shall be \$250.

3. Sewer Service Connection Charges

a. Full Service Installation Charge When there is not a sewer service line available, the District or its agent shall be responsible for tapping into the sewer system. The following charges shall be levied and collected at the time of service application:

Sewer tap and 10-foot length of service to the property line:	\$2,500
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C. Construction Requirements

1. Inspections: All water and sewer service lines shall be inspected by the District before the work is back-filled.
2. Standards: All water and sewer construction shall comply with District standards.
3. Sewer Clean-outs: All new sewer connections or repairs of sewer service lines shall include sewer clean-outs at the proximity of the home and property line.
4. Cross Connection Prevention: All service connections to the system shall comply with all components of the District's cross connection program.

D. General Information

1. Taxation of Connection Charges. The connection charges received by the District are payments in aid of construction as defined in RCW 57.08.005(9) and contributions representing a share of the cost of capital facilities as defined in WAC 458-20-179, which do not constitute taxable income in computing tax under public utility tax and the business and occupation tax.

2. Application of Rates The General Manager is authorized to modify the method of calculating water consumption for Non-Residential accounts, if upon the General Manager's judgment, the revised method of calculating monthly water consumption more accurately

identifies the impact of the subject property to the sewer system. When such modification is approved, a memo shall be presented to the Board of Commissioners and filed with the property's sewer account.

3. Billing Dispute Policy

(a) Time Limitation: should any customer disagree with the amount of any bill or relating to a customer account for any reason, the customer may request a meeting with the General Manager in writing within sixty calendar days following the due date of the contested utility bill. Such written request shall set forth the reasons for the disagreement and the customer's estimate of the proper amount of the bill if the customer has an opinion about the amount.

(b) Appeal to General Manager: The General Manager and customer should make their best efforts to meet within ten business days after the District receives the request. The General Manager may require the customer to produce reasonable evidence and documentation to support the customer's request.

(c) After reviewing the customer's request and supporting documentation, the General Manager shall have the authority to correct the bill should it be determined that the change results in a credit to the customer account of less than five hundred dollars or a further debit to the customer account. If the General Manager believes the customer account should be credited in an amount equal to or greater than five hundred dollars, the General Manager shall submit the recommendation to the Board of Commissioners.

4. Permit Expiration A sewer permit issued by the District shall be valid for 180 days, and shall expire at the end of such period, unless the District extends its duration in writing. The permit extension is allowable if the construction is delayed. If a new sewer permit is requested to replace the expired permit, the new permit shall be subject to connection charges in amounts that are in effect on the date of issuance of the new permit, with credit given for the previous paid amount. The \$250 refundable deposit shall remain in effect.

6. Unauthorized Connections If a property is discovered that has been connected to the water or sewer system without the required payment of fees, charges, and/or monthly service payments, the District shall require payment of the applicable fees, charges and/or monthly service payments.

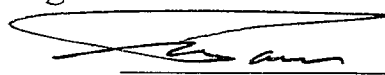
- a) If a property is discovered that has expanded its facilities to a degree that additional fees, charges and/or monthly service payments are due to the District, the District shall require payment of the applicable fees, charges and/or monthly service payments.
- b) The District has the authority to require back payment of up to 36 months of monthly service payments. The General Manager may authorize a waiver of the full 36 month back payments of the monthly service fee if in the General Manager's opinion that extenuating circumstances provide for such a waiver. Economic hardship of the rate payer and the property owner not knowing that the property was illegally connected to the sewer system are examples of the extenuating circumstances.

The General Manager or designated representative, is authorized to negotiate a payment plan for the payment of applicable fees, charges and/or monthly service payments that are due as a result of illegal sewer connections. The General Manager is not authorized to establish payment plans for approved

6. Hearing Before Board of Commissioners If a real property owner objects to the amount of the water/sewer fees computed specifically by the District for the real property, the owner may request a hearing before the District's Board of Commissioners. The owner shall file a notice in writing with the District before connection, stating the owners name, the legal description of the real property sought to be connected to the District's system, the total amount of the charges computed by the District, the owners contention as to what the reasonable charges should be, if any, and the basis for the owners calculation of the charges. The Board of Commissioners, upon receiving the notice, shall set a time and date for the hearing. At the hearing, the Board shall afford the property owner reasonable opportunity to present evidence and argument in support of the property owner's contention regarding the charges. After considering the evidence presented and the argument made, the Board shall render its decision, in writing, as to the correct charges.
7. Violation and Penalties: No unauthorized person or persons, firm, or corporation may tamper or permit tampering with the District water or sewer system. Any persons, firm, or corporation that tampers or permits tampering with the District water or sewer system shall be fined \$500 for each violation.
8. Savings Clause If any section, sentence, or portion of this resolution is for any reason determined to be unenforceable or invalid, such determination shall not affect the remaining portions of this resolution.

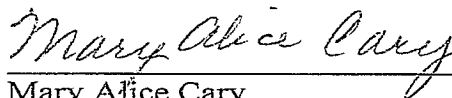
ADOPTED, by the Board of Commissioners of Hartstene Pointe Water and Sewer District, at a regular scheduled meeting on March 4, 2010.

HARTSTENE POINTE WATER AND SEWER DISTRICT
Mason County, Washington

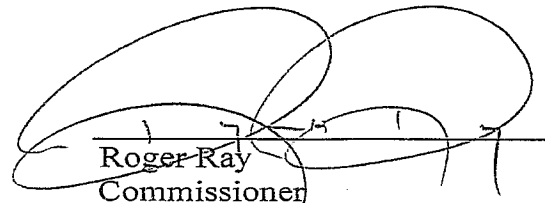


William Parisio
Chairperson

3/4/2010



Mary Alice Cary
Secretary



Roger Ray
Commissioner