**Battle Ground Conservancy District**

**Ordinance 22-13**

**An Ordinance Amending the Fees and Charges for the Use of and Services Rendered by the Waterworks System of the Battle Ground Conservancy District and other Matters Related Thereto**

Whereas, the Board of Directors of the Battle Ground Conservancy District (“District”) is duly constituted to provide and maintain a waterworks system inside and outside of its geographical boundaries and is authorized to fix, alter, charge and collect reasonable and just rates and other charges in the area served or to be served by the waterworks, either directly or indirectly; and

Whereas, the current fees and charges of the waterworks are set forth in Ordinances 16-08, 18-01 and 19-04 of the District (the “Existing Rate Ordinance”);

Board of Directors of the District has reviewed its Tap-on Fee for New Service and Private Fire Hydrant charges; and

Whereas, based upon its review, the Board of Directors of the District finds that the current Tap-on Fee for New Service was designed for residential tap-on and that the District needs a tap-on fee for non-residential tap-on and that the current Private Fire Hydrant charge is insufficient to cover the District’s costs for private fire hydrant; and

Whereas, the Board of Directors of the District finds, based on its review, that a new Tap-on Fee for New Service applicable to non-residential tap-on needs to be established and that the current Private Fire Hydrant charges must be adjusted in order to provide sufficient revenue to cover its costs of providing private fire hydrant service; and

Whereas, the Board of Directors of the District finds that the Tap-on Fee for New Service for non-residential taps and the Private Fire Hydrant charge set forth herein are based upon providing service to the customers of the waterworks and will enable the District to meet its legal revenue requirements for the waterworks; and

Whereas, the Board of Directors of the District caused notice of a public hearing on the rates and charges herein to be duly advertised and held a public hearing the 4th day of May 2022; and

Now, Therefore, be it Ordained by the Board of Directors of the Battle Ground Conservancy District, as follows:

Section 1. The above-recitation or whereas clauses are adopted as findings of fact by the Board of Directors of the District.

Section 2. Sections (D) and (I) pertaining to Private Fire Hydrant and Tap-on Fee for New Service of the Existing Rate Ordinance are hereby amended effective May 31, 2022, to provide as follows:

(D) *Private Fire Hydrant*

Private Fire Hydrants shall pay an annual fee of $540. The fee will be assessed in 12 equal monthly payments.

(I) *Tap-on Fee for New Service.*

(1) *Residential Tap-on.* The fee for installation of new 5/8-3/4” service is $1,520.00.

(2) *Non-residential Tap-on.* The fee for installation of new service is the greater of $3,000.00 or the aggregated cost of time and materials to complete the installation.

(3) *Irrigation Tap-on*. Existing services will pay time and materials for installation of irrigation service.

Section 3. All ordinances and parts of ordinances, including the Existing Rate Ordinance, in conflict herewith are hereby repealed.

Section 4. In the event any one or more of the provisions contained in this Ordinance should be held invalid, illegal, or unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired and shall remain in full force and effect.

Section 5. This Ordinance shall be in full force and effect from and after its passage.

Adopted on first reading this 4th day of May 2022 by a vote of \_\_\_Aye and \_\_\_Nay.

Board of Directors of the Battle Ground Conservancy District

**Attest: Directors:**

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Georgia Jones, Financial Clerk Rick Oliver, Chairman

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Carol Watson, Vice Chairman

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Andrea Agree

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Philip Baer

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David Bisher

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Rondell Holladay

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Joe Kline

Adopted on second reading this \_\_\_\_ day of May 2022 by a vote of \_\_\_Aye and \_\_\_Nay.

Board of Directors of the Battle Ground Conservancy District

**Attest: Directors:**

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Georgia Jones, Financial Clerk Rick Oliver, Chairman

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Carol Watson, Vice Chairman

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Andrea Agree

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Philip Baer

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David Bisher

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Rondell Holladay

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Joe Kline