

**CITY OF PACIFIC
WASHINGTON
ORDINANCE No. 12 - 1824**

**AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, AMENDING
PACIFIC MUNICIPAL CODE SECTION 14.48.110 REGARDING SEWER
UTILITY LEAK ADJUSTMENTS FOR NONRESIDENTIAL**

WHEREAS, the City recently approved Ordinance 12-1819 amending the municipal code for Section 14.48.110, Sewer Leak adjustments on Commercial Accounts; and

WHEREAS, it has come to staffs attention that the code inadvertently left out the 50% credit amount that the original sewer leak adjustment municipal code spoke to; and

WHEREAS, Staff and the Finance committee recommends correcting the language to reflect the original intent of providing customers with a 50% credit of the volume and rate above the average consumption for non residential accounts;

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

(repealed language is noted by strike through and new language is underlined)

Section 1. Pacific Municipal Code section 14.48.110 is amended as follows:

14.48.110 Sewer leak adjustment on Commercial Accounts~~§~~

In the event of a water leak or of failure of a private water system located on the private property of a nonresidential account that results in excess consumption, the city may in its discretion through administrative staff determination, provide for a sewer billing adjustment through a credit of 50 percent of the volume and rate above the average consumption. Average consumption is based on the account's actual consumption for the same period in the prior two years, in the event the account does not have two years consumption history the City will use the city's average for a similar type account i.e. restaurant, car wash. In no event will the adjustment be for more than two billing cycles. The adjustment will be considered only if the following conditions are met: (1) the adjustment is allowed no more than once every 24 months; (2) the city is notified of the leak or failure either by notice from the customer or from the city's own written notice to the property owner; and (3) the city requests verification of system or leak repair within 30 days of the notification. Verification of system or leak repair requires copies of repair invoices and/or receipts and confirmation by City staff that the repair is complete.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or

otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application.

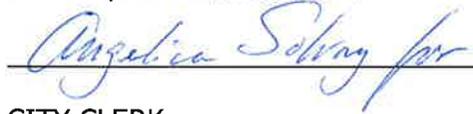
Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force effective April 18th, 2012.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9TH DAY OF APRIL, 2012.

CITY OF PACIFIC


CY SUN, MAYOR

ATTEST/AUTHENTICATED:



CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY