

**MIDWAY SEWER DISTRICT
RESOLUTION NO. 2021-01**

RESOLUTION AMENDING DISTRICT CODE

Background: RCW 57.08.005 and RCW 57.08.081 establishes that the Board may establish rates charges and fees for providing sewer services.

The District has determined it is necessary to clarify its lien release policy and to formally establish a Billing Adjustment policy consistent with the District's historical practice..

Resolution: NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Midway Sewer District approves the following additions to the Midway Sewer District Code:

Chapter 5.20.080 is hereby amended as follows:

5.20.080 Delinquencies to be lien against property. When sewer service charges are delinquent for 30 days or more, such charges shall constitute a lien against the property served and the District may record a lien against the property served in the full amount of such past due charges together with late charges as specified in Section 5.20.070 and recording costs as specified in 5.24.060. The liened amounts shall accrue interest at the rate of four percent more than the prime lending rate of the District's bank. Such liened amounts shall be subject only to the lien for general taxes. Liens shall not be removed until all delinquent amounts have been paid and the account is current. (Res. 2009-02: Res. 2002-03: 1990-2 §8)

A new Chapter 5.20.180 is hereby added as follows:

5.20.180 Billing Adjustments. The District accounting clerks may authorize billing adjustments for residential accounts up to \$100.00 to be applied at the Clerk's discretion to address late fees for customers that have not had more than one delinquent payment in a twelve-month period. Adjustment accounts in excess of this limit may be approved by the Office Manager up to \$300.00 for good payment history as determined by the Office Manager. Billing adjustment for commercial accounts are approved by the Office Manager and must have had no more than one delinquent payment in a twelve-month period. All such adjustments shall be reported to the General Manager and Board on a monthly basis. Adjustments in excess of the Office Manger's authority shall require approval by the Board of Commissioners to be exercised in the Board's sole discretion. All adjustments should be documented on the customer's account.

Adoption: ADOPTED at an open public meeting of the Board of Commissioners of Midway Sewer District on _____, 2021 the following Commissioners being present and voting:

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner