

**CITY OF WHITE SALMON  
ORDINANCE NO. 2014-08-944**

**AN ORDINANCE OF THE CITY OF WHITE SALMON, WASHINGTON, REVISING STAFF AUTHORITY TO WAIVE LATE FEES AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Council recognizes that from time to time circumstances may arise that cause customers to pay their bills or other fees late; and

**WHEREAS**, in view of the objective criteria for implementation and of the benefits received by the City, and since late fees do not involve a benefit or product bestowed on a private party, this ordinance does not permit or create a gift of public funds.

**NOW, THEREFORE**, the City Council of the City of White Salmon do ordain as follows:

**Section 1.** Items ~~stricken through~~ are removed and items underlined are added.

**Section 2.** White Salmon Municipal Code 3.43 as follows is adopted.

**3.43 LATE FEE WAIVER**

Sections:

3.43.010 Purpose.

3.43.020 Definitions.

3.43.030 Policy.

**3.43.010 Purpose**

The Council recognizes that circumstances arise that may cause customers to pay their bills or other fees late. In view of the objective criteria for implementation and of the benefits received by the City, and since late fees do not involve a benefit or product bestowed on a private party, this ordinance does not permit or create a gift of public funds.

**3.43.020 Definitions**

“Account” is the unique identifier of the customer.

“Customer” is the party named on the account. One customer may have multiple accounts.

**3.43.030 Policy**

The Customer may apply for a request for a waiving of a late fee provided they meet the following criteria:

- A. The customer shall have paid all other utility billings on time for the last twelve months, and
- B. The late charge shall have been assessed within the previous twelve months; and
- C. The customer shall apply for a waiver using a form provided by the city.

If the customer does not meet section 3.43.030(A) and has had a late charge within the previous twelve months, the late fee may be waived provided they meet the other criteria and sign up for some form of automated payment through the city.

The amount waived may not be greater than one late fee charge per customer account. The customer shall be entitled to no more than one rate adjustment per 12-month period under the procedure authorized in this ordinance.

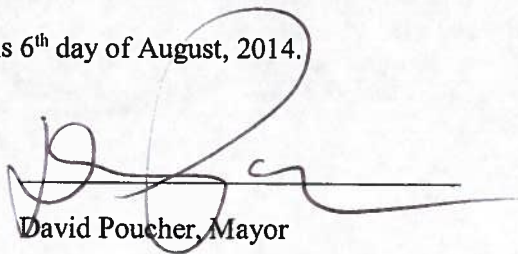
All adjustments will be approved by the Clerk Treasurer with a report to council on the number of adjustments each month.

The customer is still responsible for paying their bill in full while the application is being processed. Any adjustments on an account that has been paid will show as a credit on the next billing cycle.


**SECTION 3- SEVERABILITY.** If any section, sentence, or phrase of this Chapter is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence or phrase of this Chapter.

**SECTION 4 - EFFECTIVE DATE.** This ordinance shall become effective following passage and publication as provided by law.

**PASSED** in regular session this 6<sup>th</sup> day of August, 2014.

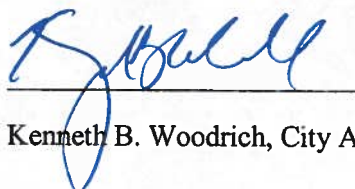


David Poucher, Mayor



Leana Johnson, Clerk/Treasurer

APPROVED AS TO FORM:



Kenneth B. Woodrich, City Attorney