

Adopted: July 5, 2017  
Effective: July 21, 2017

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

AMENDED ORDINANCE NO. 17-020

CONSOLIDATING SURFACE WATER MANAGEMENT SERVICE AREAS,  
AMENDING PORTIONS OF TITLE 4 RELATED TO REVENUE AND FINANCE,  
AMENDING TITLE 25 RELATED TO STORM AND SURFACE WATER  
MANAGEMENT, AND REPEALING TITLE 25A OF THE SNOHOMISH COUNTY CODE  
RELATED TO WATER QUALITY RESTORATION AND WATER QUALITY  
MANAGEMENT

WHEREAS, as authorized by chapter 36.89 RCW, Title 25 of the Snohomish County Code (SCC) imposes storm and surface water management service charges on real property located within the unincorporated area of Snohomish County and areas annexed to cities since 2009; and

WHEREAS, as authorized by chapter 36.89 RCW and chapter 90.72 RCW, Title 25A SCC imposes charges for both water quantity management services and water quality restoration services on real property located within the clean water district and the former clean water district as provided for therein; and

WHEREAS, the Snohomish County Council ("County Council") recognizes a need to provide water quality restoration and storm and surface water management services to all areas of unincorporated Snohomish County; and

WHEREAS, the County Council recognizes many storm and surface water management programs and services are county-wide in scope; and

WHEREAS, the County Council recognizes that administrative and operational cost benefits can be achieved by consolidating the existing service areas created under Titles 25 and 25A SCC into a single administrative area; and

WHEREAS, the Stillaguamish Clean Water District Advisory Board requested continued SWM staff support through the end of 2017, the Board members have valuable background and knowledge about SWM services and surface water issues, and SWM agreed to provide the requested staff support through the end of 2017 so that the Board can continue to provide input and recommendations during this transition period; and

WHEREAS, the County Council intends for the shellfish protection district under chapter 90.72 RCW to continue under the consolidated surface water management utility district; and

1  
2 WHEREAS, the County Council acknowledges that Titles 25 and 25A SCC  
3 authorize many of the same programs in different geographic parts of the County and  
4 also authorize some programs specific to certain areas of the County, and consolidating  
5 the titles is more administratively efficient; and  
6

7 WHEREAS, the County Council recognizes that SCC 4.113.010 and SCC  
8 4.113.020 require amendment as a result of repealing Title 25A SCC; and  
9

10 WHEREAS, service charge rates dedicated to control of aquatic plants on Lake  
11 Shoecraft and Lake Goodwin need to be added to Title 25 SCC to provide continued  
12 funding for invasive aquatic plant management; and  
13

14 WHEREAS, service charge rates for Lake Ketchum restoration need to be added  
15 to Title 25 SCC to provide continued funding for controlling algae and phosphorous  
16 pollution; and  
17

18 WHEREAS, the County Council desires to amend authority under Title 25 SCC  
19 to allow for cost share and small grant programs; and  
20

21 WHEREAS, on May 15, 2017, continued to June 7, 2017, continued to June 14,  
22 2017, continued to June 21, 2017, and continued to July 5, 2017, the County Council  
23 held a public hearing after proper notice and considered public comment and the entire  
24 record related to the code amendments contained in this ordinance.  
25

26 NOW, THEREFORE, BE IT ORDAINED:  
27

28 Section 1. The County Council adopts the following findings in support of this  
29 ordinance:

- 30 A. The foregoing recitals are adopted as findings as if set forth in full herein.  
31 B. This ordinance amends SCC 4.113.010 to remove the reference to repealed  
32 Title 25A SCC.  
33 C. This ordinance amends SCC 4.113.020 to remove the reference to repealed  
34 Title 25A SCC.  
35 D. This ordinance amends SCC 25.05.010 to change the name of the surface  
36 water service area and to carry forward a purpose statement regarding  
37 tidelands and shellfish beds from Title 25A SCC.  
38 E. This ordinance amends SCC 25.05.020 to add a new subsection authorizing  
39 the director to implement cost share and small grant programs in place of the  
40 discretionary fund in title 25A.  
41 F. This ordinance adds a new section codified as SCC 25.05.045 to add a  
42 reporting requirement to County Council on revenues and expenditures.

- 1 G. This ordinance repeals SCC 25.10.090 as the term “former watershed  
2 management area” is no longer used.
- 3 H. This ordinance adds a new definition codified as SCC 25.10.275 to define the  
4 extent of the consolidated surface water management utility district. This new  
5 definition supersedes the former definitions codified as SCC 25.10.305 and  
6 SCC 25A.10.025.
- 7 I. This ordinance repeals SCC 25.10.305 describing separate watershed  
8 management areas as the basis for the extent of the surface water  
9 management service area in favor of a definition for the consolidated service  
10 area.
- 11 J. This ordinance amends SCC 25.20.010 to amend language related to  
12 watershed management areas.
- 13 K. This ordinance amends SCC 25.20.020 to amend language related to  
14 watershed management areas.
- 15 L. This ordinance amends SCC 25.20.030 to amend language related to former  
16 watershed management areas
- 17 M. This ordinance amends SCC 25.20.040 to create a single rate structure for  
18 bond recovery areas as they are annexed by cities and towns from the  
19 surface water management utility district. Rates are recomputed to provide a  
20 single uniform and equitable rate structure across all bond recovery areas.
- 21 N. This ordinance adds a new section codified as SCC 25.20.050 related to  
22 aquatic plant control that is carried forward from repealed Title 25A SCC.
- 23 O. This ordinance adds a new section codified as SCC 25.20.055 related to Lake  
24 Ketchum restoration that is carried forward from Title 25A SCC.
- 25 P. This ordinance amends SCC 25.20.060 to amend language related to  
26 watershed management areas.
- 27 Q. This ordinance amends SCC 25.20.080 to amend language related to  
28 watershed management areas.
- 29 R. This ordinance amends SCC 25.20.090 to amend language related to former  
30 watershed management areas.
- 31 S. This ordinance amends SCC 25.20.140 to amend language related to  
32 watershed management areas.
- 33 T. This ordinance repeals Title 25A SCC.

- 34
- 35 Section 2. The County Council makes the following conclusions:
- 36 A. The proposed amendments are consistent with Washington State law and the  
37 County Code.
- 38 B. The proposed amendments provide for greater simplicity and understanding  
39 of the county surface water management program and rates.

1 C. The consolidation of the two watershed management areas and the clean  
2 water district into a single surface water management utility district is  
3 consistent with RCW 36.89 and in the best interest of the ratepayers.

4 Section 3. The County Council bases its findings and conclusions on the entire  
5 record including all testimony and exhibits. Any finding which should be deemed a  
6 conclusion, and any conclusion which should be deemed a finding, is hereby adopted  
7 as such.  
8

9 Section 4. Snohomish County Code Section 4.113.010, added by Ordinance No.  
10 07-141 on December 19, 2007, is amended to read:

11 **4.113.010.**

12 There is hereby created a surface water management fund, which shall be used to  
13 account for the operations, capital improvements, and debt service of the surface water  
14 management division of the department of public works as described in titles 25(~~(,25A))~~)  
15 and 25B SCC.  
16

17 Section 5. Snohomish County Code Section 4.113.020, added by Ordinance No.  
18 07-141 on December 19, 2007, is amended to read:

19 **4.113.020.**

20 The surface water management fund shall contain resources from rates and charges  
21 imposed pursuant to (~~chapters 25 and 25A~~)title 25 SCC, assessments, bonds, grant  
22 proceeds and other financial resources of the surface water management division of the  
23 department of public works.  
24

25 Section 6. Snohomish County Code Section 25.05.010, last amended by  
26 Amended Ordinance No. 15-069 on November 16, 2015, is amended to read:

27 **25.05.010 Purpose.**

28 It is the purpose and intent of this title:

- 29 (1) To establish a water quality restoration and storm and surface water  
30 management program for Snohomish County to be administered by the Snohomish  
31 County Department of Public Works;
- 32 (2) To create a service area(~~(s)~~) defined by ordinance to be known as (~~("watershed~~  
33 ~~management areas")~~)the "Surface Water Management Utility District";
- 34 (3) To provide a comprehensive approach to managing surface water to respect and  
35 preserve the county's rivers, streams, lakes and other water bodies; protect and restore  
36 water quality; control, accommodate and discharge storm runoff; provide for  
37 groundwater recharge; control sediment; stabilize erosion; monitor water quality and  
38 stream flow; and rehabilitate stream and drainage corridors for hydraulics, aesthetics,  
39 and fisheries benefits;
- 40 (4) To facilitate the preparation and implementation of comprehensive watershed  
41 action plans and watershed management plans;
- 42 (5) To recognize that programs to restore water quality and manage storm and  
43 surface water needs will vary from watershed to watershed and that specific watershed

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CODE RELATED TO WATER QUALITY RESTORATION AND WATER QUALITY MANAGEMENT - 4

1 management needs may be determined or refined when watershed action plans and  
2 watershed management plans are developed or revised; (~~and~~)

3 (6) To foster interagency cooperation on water quality restoration and storm and  
4 surface water management issues because watersheds do not conform to political  
5 boundaries(~~(-)~~); and

6 (7) To restore water quality in saltwater tidelands to allow the upgrading of  
7 conditionally approved, restricted, and prohibited shellfish beds.

8  
9 Section 7. Snohomish County Code Section 25.05.020, last amended by  
10 Amended Ordinance No. 15-069 on November 16, 2015, is amended to read:

11 **25.05.020 Authority.**

12 (1) Pursuant to chapter 36.89 RCW, chapter 90.72 RCW and the Snohomish County  
13 Home Rule Charter, Snohomish County is authorized to provide water quality  
14 restoration and storm and surface water management services throughout  
15 unincorporated Snohomish County and within its cities and towns for the benefit of all  
16 county residents.

17 (2) Whenever necessary to examine the property characteristics of a particular  
18 parcel of real property for the determination of rates and charges, the director may enter  
19 said property or portion thereof at reasonable times in compliance with the following  
20 procedures:

21 (a) If such real property or portion thereof is occupied, the director shall present  
22 identification credentials, state the reason for entry, and request entry.

23 (b) If such property or portion thereof is unoccupied, the director shall first make  
24 a reasonable effort to locate the property owner or other persons having charge or  
25 control of the real property or portion thereof, and request entry.

26 (c) Unless entry is consented to by the property owner or person in control of any  
27 real property or portion thereof, the director, prior to entry, shall obtain a search warrant  
28 as authorized by the laws of the state of Washington.

29 (3) The director shall have the authority to enter into an agreement or agreements  
30 with any property owner for any lawful purpose under this title, including, but not limited  
31 to, the creation and maintenance of drainage easements.

32 (4) The director shall have the authority to implement cost share or local grant  
33 programs for projects in furtherance of the program established by this title.

34  
35 Section 8. A new section is added to chapter 25.05 of the Snohomish  
36 County Code to read:

37 **25.05.045 Reporting requirement**

38 (1) To promote transparency in the allocation of resources, the director shall  
39 prepare and submit an annual report to the county council that accounts for revenue  
40 and expenditures county-wide and by council district.

41 (2) The director shall report to the county council during the first quarter of 2021  
42 concerning an analysis of the options to continue one utility district or re-establish three  
43 separate service areas.  
44

1           Section 9. Snohomish County Code Section 25.10.090, last amended by  
2 Amended Ordinance No. 15-069 on November 16, 2015, is repealed.

3  
4           Section 10. A new section is added to chapter 25.10 of the Snohomish County  
5 Code to read:

6 **25.10.275 Surface water management utility district.**

7       (1) The surface water management utility district shall consist of all unincorporated  
8 Snohomish County except the following areas:

- 9           (a) Stillaguamish Reservation;  
10          (b) Tulalip Indian Reservation;  
11          (c) Hat Island; and  
12          (d) Properties held in trust by the United States as tribal trust lands.

13       (2) The utility district may also include properties within cities and towns by interlocal  
14 agreement between the county and such cities or towns.

15       (3) Nothing in this chapter shall be interpreted as preventing adjustment of the utility  
16 district boundary by legislative action at a later date.

17  
18           Section 11. Snohomish County Code Section 25.10.305, last amended by  
19 Amended Ordinance No. 15-069 on November 16, 2015, is repealed.

20  
21           Section 12. Snohomish County Code Section 25.20.010, last amended by  
22 Amended Ordinance No. 15-069 on November 16, 2015, is amended to read:

23 **25.20.010 Applicability.**

24       The requirements of this chapter shall apply to all real property located within  
25 ~~((watershed management areas))~~ the surface water management utility district and  
26 ~~((former watershed management areas))~~ areas annexed by cities or towns.

27  
28           Section 13. Snohomish County Code Section 25.20.020, last amended by  
29 Amended Ordinance No. 15-069 on November 16, 2015, is amended to read:

30 **25.20.020 Rate structure for ~~((watershed management areas))~~ the surface water**  
31 **management utility district.**

32       (1) The director shall assign all developed real property located in ~~((watershed~~  
33 ~~management areas))~~ the surface water management utility district to service charge rate  
34 categories according to the land use classification and the degree of impervious surface  
35 coverage of the real property. The "Index of Land Use Classifications and Rate  
36 Categories" dated January 8, 2002, or any revision thereafter compiled by the director,  
37 is available in the department of public works and incorporated by this reference. When  
38 assigning real property to appropriate service charge rate categories, if portions of any  
39 tax parcel or legal lot have been placed into separate taxation categories by the county  
40 assessor, the director shall treat each of those separate portions of the tax parcel or  
41 legal lot as separate properties and assign an appropriate service charge rate category  
42 to each. When assigning the real property to appropriate service charge rate categories,  
43 if the property exhibits mixed use, the director shall assign the rate category based on

1 the use associated with the majority of the impervious surface area on the real property  
 2 or portion thereof.

3 (2) Except as provided in SCC 25.20.070, SCC 25.20.080, and SCC 25.20.100,  
 4 developed real property located in ((watershed management))surface water  
 5 management utility district areas shall be subject to annual service charges as follows:  
 6

7 **Table 25.20.020(2)(a)**

8 **Annual Service Charge for Residential and Farm**

Rate Category	Impervious Surface Coverage	Annual Service Charge
Single Family Residential	N/A	\$90.00 per dwelling unit
Condominium	N/A	\$81.00 per dwelling unit
Farm	N/A	\$90.00 per parcel

10 **Table 25.20.020(2)(b)**

11 **Annual Service Charge for Commercial, Non-residential and Other Uses**

Rate Category	Impervious Surface Coverage	Annual Service Charge
Exempt	Less than 1%	\$0.00
Very Light	1% to 19%	\$26.99 per quarter acre
Light	20% to 39%	\$90.00 per quarter acre
Moderate	40% to 59%	\$149.95 per quarter acre
Heavy	60% to 79%	\$203.97 per quarter acre
Very Heavy	80% to 100%	\$269.97 per quarter acre

12  
 13  
 14 (3) For the period beginning January 1, 2016, and ending December 31, 2021, the  
 15 annual service charge for developed real property located in those portions of  
 16 ((watershed management areas))the surface water management utility district within  
 17 urban growth areas shall be based on the rates set forth in subsection (2) above, plus  
 18 the following amounts:  
 19

20 **Table 25.20.020(3)**

21 **Annual Surcharge for Urban Growth Areas**

Rate Category	Additional Annual Urban Growth Area Service Charge
Single Family Residential	\$32.00 per dwelling unit
Condominium	\$28.80 per dwelling unit
Farm	\$32.00 per parcel
Exempt	No charge
Very Light	\$9.60 per quarter acre

Rate Category	Additional Annual Urban Growth Area Service Charge
Light	\$32.00 per quarter acre
Moderate	\$53.32 per quarter acre
Heavy	\$72.52 per quarter acre
Very Heavy	\$95.99 per quarter acre

(a) The service charges established in subsection (2) above represent the base rate. All service charges collected under this subsection (3), less the base rate applicable each year, shall be used solely for surface water management projects related to impacts originating from or providing benefit to those portions of ~~((watershed management areas))~~ the surface water management utility district within urban growth areas.

(b) The first priority for expenditure of service charges collected under this subsection shall be capital projects as listed in the surface water management annual construction program.

Section 14. Snohomish County Code Section 25.20.030, last amended by Amended Ordinance No. 15-069 on November 16, 2015, is amended to read:

**25.20.030 Bond debt service allocable to ~~((former watershed management areas))~~ areas annexed by cities or towns.**

As provided in RCW 36.89.120, whenever a city or town annexes an area, or a city or town incorporates an area, and the county has issued revenue bonds or general obligation bonds to finance storm and surface water management facilities that are payable in whole or in part from rates or charges imposed in the area, the county shall continue imposing all portions of the rates or charges that are allocated to payment of the debt service on bonds in that area after the effective date of the annexation or official date of the incorporation until: (1) The debt is retired; (2) any debt that is issued to refinance the underlying debt is retired; or (3) the city or town reimburses the county an amount that is sufficient to retire that portion of the debt borne by the annexed or incorporated area. The county shall construct all facilities included in the storm and surface water management plan intended to be financed by the proceeds of such bonds. If the county provides storm and surface water management services to the city or town by contract, the contract shall consider the value of payments made by property owners to the county for the payment of debt service. The rates to be charged under this section are provided in SCC 25.20.040.

Section 15. Snohomish County Code Section 25.20.040, last amended by Amended Ordinance No. 15-069 on November 16, 2015, is amended to read:

**25.20.040 Rate structure for ~~((former watershed management areas))~~ bond debt service in areas annexed by cities and towns.**

(1) The director shall assign all developed real property located in ~~((former watershed management areas))~~ areas annexed by cities and towns to service charge



1 rate categories according to the land use classification and the degree of impervious  
 2 surface coverage of the real property. The "Index of Land Use Classifications and Rate  
 3 Categories" dated January 8, 2002, or any revision thereafter compiled by the director,  
 4 is available in the department of public works and incorporated by this reference. When  
 5 assigning real property to appropriate service charge rate categories, if portions of any  
 6 tax parcel or legal lot have been placed into separate taxation categories by the county  
 7 assessor, the director shall treat each of those separate portions of the tax parcel or  
 8 legal lot as separate properties and assign an appropriate service charge rate category  
 9 to each. When assigning the real property to appropriate service charge rate categories,  
 10 if the property exhibits mixed use, the director shall assign the rate category based on  
 11 the use associated with the majority of the impervious surface area on the real property.

12 (2) Except as provided in SCC 25.20.070(1) through (3) and SCC 25.20.100, all  
 13 developed real property in all ~~((former watershed management areas))~~ areas annexed  
 14 by cities and towns shall be subject to annual service charges for bond debt payment  
 15 under RCW 36.89.120 as follows:

16 ~~((a) Developed real property located in the South County Former Watershed~~  
 17 ~~Management Area shall be subject to the following annual service charges for bond~~  
 18 ~~debt payment under RCW 36.89.120:))~~

19  
 20 **Table 25.20.040(2)((a))**

21  
 22 **Annual Service Charge for ~~((South County Former Watershed Management~~**  
 23 **~~Area))~~ Bond Debt Service**

Rate Category	Rate
Single Family Residential	<del>((12.07))</del> <u>\$14.97</u> per dwelling unit
Condominium	<del>((10.86))</del> <u>\$13.48</u> per dwelling unit
Farm	<del>((12.07))</del> <u>\$14.97</u> per parcel
Exempt	No charge
Very Light	<del>((3.62))</del> <u>\$4.49</u> per quarter acre
Light	<del>((12.07))</del> <u>\$14.97</u> per quarter acre
Moderate	<del>((20.13))</del> <u>\$24.97</u> per quarter acre
Heavy	<del>((27.37))</del> <u>\$33.96</u> per quarter acre
Very Heavy	<del>((36.21))</del> <u>\$44.92</u> per quarter acre

24  
 25 ~~((b) Developed real property located in the Snohomish Former Watershed~~  
 26 ~~Management Area shall be subject to the following annual service charges for bond~~  
 27 ~~debt payment under RCW 36.89.120:~~  
 28

1  
2  
3  
**Table 25.20.040(2)(b)**

**Annual Service Charge for Snohomish Former Watershed Management Area**

Rate Category	Rate
Single Family Residential	\$15.01 per dwelling unit
Condominium	\$13.51 per dwelling unit
Farm	\$15.01 per parcel
Exempt	No charge
Very Light	\$4.50 per quarter acre
Light	\$15.01 per quarter acre
Moderate	\$25.04 per quarter acre
Heavy	\$34.04 per quarter acre
Very Heavy	\$45.04 per quarter acre))

4  
5 (3) A reasonable administrative fee in an amount sufficient to reimburse the county  
6 for its actual, reasonable costs of performing administrative functions related to the  
7 service charges shall be added to the amount charged.

8 (4) Rights-of-way owned by the state shall be subject to annual service charges to  
9 the extent permitted by law.

10 (5) Service charges collected under this section shall be used solely for purposes  
11 permitted by RCW 36.89.120.

12  
13 Section 16. A new section is added to chapter 25.20 of the Snohomish County  
14 Code to read:

15 **25.20.050 Service charges for aquatic plant control.**

16 (1) In addition to the annual service charges established in SCC 25.20.020, each tax  
17 parcel abutting the shore of Lake Goodwin or Lake Shoecraft shall be subject to an  
18 additional annual water quality restoration service charge for the purpose of managing  
19 and controlling invasive aquatic plants.

20 (2) For the period beginning January 1, 2015, and ending December 31, 2019, the  
21 rate categories and additional annual service charges for real property abutting Lake  
22 Goodwin or Lake Shoecraft shall be as follows:

23  
24 **Table 25.20.050(2)**

25  
26 **Annual Service Charge for Aquatic Plant Control**

Rate Category	Annual Service Charge
Single Family Residential	\$60.00 per parcel
Undeveloped	\$60.00 per parcel
Community Beach Lot	\$12.00 per parcel

Rate Category	Annual Service Charge
Public and Semi-public Recreation	\$0.35 per foot of lake frontage

1  
2 (3) The single family rate category or the undeveloped rate category applies to each  
3 lake front land parcel classified by the Snohomish County Assessor as either single  
4 family residential or undeveloped, respectively. The community beach rate category  
5 applies to each land parcel having an undivided ownership interest in a lake front parcel  
6 used for common beach access. The public and semi-public recreation rate category  
7 applies to lake front parcels classified by the Snohomish County Assessor as resorts,  
8 recreational activities, camping activities, or parks, as well as other publicly owned  
9 recreational parcels. Lake front parcels are defined as land parcels abutting the lake  
10 shore.

11 (4) All service charges collected under this section shall be used solely for  
12 management and control of non-native invasive aquatic plants in Lake Goodwin and  
13 Lake Shoecraft.

14 (5) A detailed map of the tax parcels subject to the additional service charges  
15 established in this section is available in the department of public works and  
16 incorporated herein by this reference.

17  
18 Section 17. A new section is added to chapter 25.20 of the Snohomish County  
19 Code to read:

20 **25.20.055 Service charges for Lake Ketchum restoration.**

21 (1) In addition to the annual service charges established in SCC 25.20.020, all real  
22 property abutting the shore of Lake Ketchum shall be subject to an additional annual  
23 service charge for the purpose of managing and controlling blue-green and toxic algae  
24 blooms and phosphorus pollution in Lake Ketchum.

25 (2) For the period beginning January 1, 2014, and ending December 31, 2018, the  
26 rate categories and additional annual service charges for real property abutting Lake  
27 Ketchum shall be as follows:

28  
29 **Table 25.20.055(2)**

30  
31 **Annual Service Charge for Lake Ketchum Restoration**

Rate Category	Annual Service Charge
Lake Front	\$150.00 per parcel of real property abutting the shoreline of Lake Ketchum
Community Beach Lot	\$30.00 per parcel of real property with an undivided ownership interest in lake front real property used for common beach access

32  
33 (3) All service charges collected under this section shall be used solely for the  
34 management and control of blue-green and toxic algae blooms and phosphorus  
35 pollution in Lake Ketchum.

36 (4) A detailed map of the real property subject to the additional service charges  
37 established in this section is available in the department of public works and  
38 incorporated herein by this reference.

1  
2 Section 18. Snohomish County Code Section 25.20.060, last amended by  
3 Amended Ordinance No. 15-069 on November 16, 2015, is amended to read:

4 **25.20.060 Service charges for lake management.**

5 (1) Each developed tax parcel abutting the shore of Lake Stevens in the  
6 (~~Snohomish Watershed Management Area~~)surface water management utility district  
7 shall be subject to an annual service charge. The charge imposed under this section  
8 shall be in addition to the annual service charges established in SCC 25.20.020 and  
9 shall be for the purpose of managing the water quality and quantity of Lake Stevens in  
10 accordance with RCW 36.89.080 and RCW 36.89.130.

11 (2) The rate categories and annual service charges for parcels abutting Lake  
12 Stevens shall be as follows:

13  
14 **Table 25.20.060(2)**

15 **Annual Service Charge for Lake Management**

16

Rate Category	Annual Service Charge
Lake Front Lot	\$120.00 per parcel
Split Lot	\$85.00 per parcel
Community Beach Lot	\$12.00 per parcel

17  
18 (3) The lake front lot rate category applies to each land parcel abutting the lake  
19 shore and located entirely between the lake shore and the adjacent county road. The  
20 split lot rate category applies to each land parcel with a portion of the lot abutting the  
21 lake shore and a portion of the lot separated from the lake shore by the county road.  
22 The community beach lot rate category applies to each land parcel having an undivided  
23 ownership interest in a lake front parcel used for common beach access.

24 (4) All service charges collected under this section shall be used solely for  
25 cooperative watershed management actions for purposes of water quality and water  
26 resource management pursuant to one or more intergovernmental agreements as  
27 authorized by RCW 36.89.130.

28 (5) The department of public works shall maintain and make available to the public a  
29 detailed map of the tax parcels subject to the service charges established in this  
30 section.

31  
32 Section 19. Snohomish County Code Section 25.20.080, last amended by  
33 Amended Ordinance No. 15-069 on November 16, 2015, is amended to read:

34 **25.20.080 Credits.**

35 Real property located in (~~watershed management areas~~)the surface water  
36 management utility district may be eligible for reductions in service charges as  
37 described below:

38 (1) For real property having a rate category of light, moderate, heavy, or very heavy,  
39 the rate category shall be reduced one category if the storm water runoff discharges into

1 an onsite storm and surface water management facility built to comply with the  
2 detention and water quality regulations and standards set forth in chapter 30.63A SCC,  
3 and said facility is adequately operated and maintained by the property owner.

4 (2) For real property having a rate category of light, moderate, heavy, or very heavy,  
5 the rate category shall be reduced one category if the site contains wholly or partly, an  
6 aquatic system that complies with the detention and water quality regulations and  
7 standards set forth in chapter 30.63A SCC, and said aquatic system is maintained in its  
8 natural state by the property owner.

9 (3) For real property located in (~~(a watershed management area)~~)the surface water  
10 management utility district, if all or any portion of the real property is regulated by a valid  
11 and active permit issued by the Washington State Department of Ecology or the federal  
12 Environmental Protection Agency pursuant to the National Pollutant Discharge  
13 Elimination System (NPDES) permit program established by the federal Clean Water  
14 Act, codified at 33 U.S.C. § 1251 et seq., then the portion of the annual service charges  
15 imposed pursuant to SCC 25.20.020, SCC 25.20.060 and 25.20.065 under authority of  
16 chapter 36.89 RCW shall be reduced by 35%. This rate adjustment shall not be  
17 available to real property that is a right-of-way owned by a municipality, the county, or  
18 the state subject to the rates provided in SCC 25.20.070(2) or SCC 25.20.070(3). The  
19 property owner requesting a rate adjustment under this subsection (3) shall provide the  
20 director with sufficient documentation to verify that the real property at issue is subject  
21 to a valid NPDES permit. The property owner shall also provide the director with written  
22 notice promptly upon the expiration of or other termination of coverage under the  
23 NPDES permit.

24 (4) Public and private schools that provide water quality or watershed instruction  
25 approved by the director shall be given credit equal to the dollar value of the instruction  
26 offered. This credit shall be applied against the annual service charge billed under the  
27 authority of chapter 36.89 RCW. This annual credit shall not exceed the annual service  
28 charge authorized by chapter 36.89 RCW.

29 (5) Pursuant to RCW 85.38.160, real property within diking, drainage, or flood  
30 control districts shall be given a credit equal to the dollar value of the annual special  
31 district assessment. This credit shall be applied against the annual service charge billed  
32 under the authority of chapter 36.89 RCW. This annual credit shall not exceed the  
33 annual service charge authorized by chapter 36.89 RCW.

34 (6) Except for automatic credits granted pursuant to subsections (3) and (5) above,  
35 credits granted under this section shall be subject to renewal every two years in  
36 accordance with administrative procedures developed by the director pursuant to SCC  
37 25.20.150.

38  
39 Section 20. Snohomish County Code Section 25.20.090, last amended by  
40 Amended Ordinance No. 15-069 on November 16, 2015, is amended to read:

41 **25.20.090 Billing.**

42 (1) All real property subject to service charges shall be assessed annually on  
43 January 1st based upon the rate categories and property characteristics then applicable  
44 to the real property and at the rates set forth in SCC 25.20.020, SCC 25.20.040, SCC  
45 25.20.060 and SCC 25.20.065.

AMENDED ORDINANCE NO. 17-020

CONSOLIDATING SURFACE WATER MANAGEMENT SERVICE AREAS, AMENDING PORTIONS OF  
TITLE 4 RELATED TO REVENUE AND FINANCE, AMENDING TITLE 25 RELATED TO STORM AND  
SURFACE WATER MANAGEMENT, AND REPEALING TITLE 25A OF THE SNOHOMISH COUNTY  
CODE RELATED TO WATER QUALITY RESTORATION AND WATER QUALITY MANAGEMENT - 13

1 (2) To minimize administrative costs, where feasible, the billing statement for service  
2 charges imposed under this title shall be included on the annual property tax statement  
3 for the real property at issue. To further reduce administrative costs, the director may  
4 use alternative billing systems for the purposes of billing local, state and federal  
5 government agencies. The director may elect to use alternative billing methods for the  
6 purpose of billing other property owners with real property in ~~((the watershed  
7 management areas))~~ the surface water management utility district or ~~((former watershed  
8 management areas))~~ areas annexed by cities and towns where alternative methods  
9 provide for greater administrative convenience.

10 (3) All service charges billed on the annual property tax statement shall be due and  
11 payable on or before the 30th day of April and, except as provided in this section, shall  
12 be delinquent after that date. If one half of the service charge owed is paid on or before  
13 the 30th day of April, the remainder of such service charge shall be due and payable on  
14 or before the 31st day of October following and shall be delinquent after that date.  
15 Service charges billed under alternative methods shall be due within the calendar year  
16 in which they are billed on such date as set by the director.

17 (4) If a payment is received in conjunction with a combined property tax and service  
18 charge, and the payment is less than the sum of the total property tax plus the total  
19 service charge, or less than the sum of one-half of the property tax plus one-half of the  
20 service charge, and unless otherwise specified by the owner of the real property at  
21 issue, the payment shall be applied first to the annual property tax due for the real  
22 property, pursuant to the provisions of chapter 84.56 RCW, and any remaining amount  
23 to the service charge due for the real property.  
24

25 Section 21. Snohomish County Code Section 25.20.140, last amended by  
26 Amended Ordinance No. 15-069 on November 16, 2015, is amended to read:

27 **25.20.140 Special operating funds.**

28 (1) Except as provided in subsection (3) below, all service charges collected from  
29 ~~((watershed management areas))~~ the surface water management utility district shall be  
30 deposited in a special fund in the department of finance. The funds generated thereby  
31 shall be used only for the purpose of paying all or any part of the cost of establishing,  
32 administering, maintaining and operating the storm and surface water (water quality  
33 restoration and water quantity) management program created by this title, including, but  
34 not limited to, the costs for planning, designing, establishing, acquiring, developing,  
35 constructing and improving needed facilities and features, or to pay or secure the  
36 payment of all or any portion of any issue of general obligations, councilmanic or  
37 revenue bonds issued for such purpose.

38 (2) All service charges collected from ~~((former watershed management))~~ areas  
39 annexed by cities or towns shall be deposited in a special fund in the department of  
40 finance. The funds generated thereby shall be used only for purposes permitted by  
41 RCW 36.89.120.

42 (3) The funds generated by service charges collected from ~~((watershed  
43 management areas))~~ the surface water management utility district under SCC 25.20.050  
44 shall be used solely for cooperative watershed management actions for purposes of

1 water quality and water resource management pursuant to one or more  
2 intergovernmental agreements as authorized by RCW 36.89.130.

3  
4 Section 22. Snohomish County Code Title 25A, last amended by Amended  
5 Ordinance No. 15-070 on November 16, 2015, is repealed.

6  
7 Section 23. Severability and Savings. If any section, sentence, clause or phrase  
8 of this ordinance shall be held to be invalid or unconstitutional by a court of competent  
9 jurisdiction, such invalidity or unconstitutionality shall not affect the validity or  
10 constitutionality of any other section, sentence, clause or phrase of this ordinance.  
11 Provided, however, that if any section, sentence, clause or phrase of this ordinance is  
12 held to be invalid or unconstitutional by a court of competent jurisdiction, then the  
13 section, sentence, clause or phrase in effect prior to the effective date of this ordinance  
14 shall be in full force and effect for that individual section, sentence, clause or phrase as  
15 if this ordinance had never been adopted.

16  
17 *[The remainder of this page is intentionally left blank.]*

PASSED this 5<sup>th</sup> day of July, 2017.

ATTEST:

*Randy Reed*  
Asst. Clerk of the Council

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

*Brian Sullivan*  
Brian Sullivan, Council Chairperson

APPROVED

EMERGENCY

VETOED

DATE: 7.11.17

ATTEST:

*Cornelia Palmer* Acting

*Shari King*  
County Executive

Approved as to form only:

\_\_\_\_\_  
Deputy Prosecuting Attorney