

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



CO00019602

ORDINANCE NO. 99-109

AMENDING CHAPTER 25.20 SNOHOMISH COUNTY CODE
RELATING TO COLLECTION OF
SURFACE WATER MANAGEMENT SERVICE CHARGES

BE IT ORDAINED:

Section 1. Snohomish County Code Section 25.20.040, reenacted by Ordinance 92-126 on December 2, 1992, is hereby amended to read:

25.20.040 Billing.

(1) All property subject to service charges shall be assessed annually on January 1st based upon the rate category, land use classification, and acreage then applicable to each such property and at the rate as set forth in SCC 25.20.030.

(2) ~~((After 1987,)) ((b))~~ Billing statements shall be included on the annual property tax statements. ~~((Properties which do not receive a property tax statement will receive a separate service charge billing statement.))~~ In order to minimize administrative costs borne by county rate and taxpayers, the property tax statement will be used to bill all properties within watershed management areas, except for those properties that would not otherwise receive a tax statement. To further reduce administrative costs, the Director shall use alternative billing systems for the purposes of billing state and federal government agencies. The Director may elect to use alternative billing methods for the purposes of billing local government agencies with property in the watershed management areas.

(3) All service charges shall be due and payable on or before the thirtieth day of April and, except as provided in this section, shall be delinquent after that date. If one half of the service charge is paid on or before the thirtieth day of April, the remainder of such service charge shall be due and payable on or before the thirty first day of October following and shall be delinquent after that date.

(4) If a payment is received in conjunction with a combined property tax and service charge, and the payment is less than the sum of the total property tax plus service charge or less than the sum of one-half of the property tax plus one-half of the service charge, and unless otherwise specified by the parcel owner, the payment shall be applied

to the annual property tax of the parcel first pursuant to the provisions of Chapter 84.56 RCW and any remaining amount to the service charge.

~~((4) The total amount of the service charge shall be due and payable on or before the 30th day of April and shall be delinquent after that date; however, if one-half of such service charge is paid on or before the said 30th day of April, the remainder shall be due and payable before the 31st day of October and shall be delinquent after that date.))~~

Section 2. Snohomish County Code Section 25.20.060, reenacted by Ordinance 92-126 on December 2, 1992, is hereby amended to read:

25.20.060 Delinquent charges.

(1) ~~((Storm and surface water management s))~~ Service charges or any part thereof which become delinquent under the provisions of ~~((pursuant to))~~ SCC 25.20.040 shall bear interest at the rate 12 percent per annum ~~((, or such rate as may hereafter be authorized by law,))~~ computed on a monthly basis from the date of delinquency until paid, as provided by RCW 36.89.092. ~~((Such interest charge may be waived for delinquencies of 30 days or less. Interest shall be calculated at the rate in effect at the time of payment of the charges regardless of when the charges were first delinquent.))~~ Pursuant to RCW 36.94.150, penalties shall be imposed upon delinquent surface water charges as follows: (a) A penalty of three percent of the full annual charge imposed on a parcel by SCC 25.20.030 shall be assessed on any service charges delinquent on June 1st of the year in which the charges are due. (b) An additional penalty of seven percent of the full annual charge shall be assessed on any charges delinquent on December 1st of the year in which the charges are due. Notwithstanding these provisions, the total amount of penalties imposed under this section in any year shall not exceed 10 percent of the full annual charges imposed upon a parcel.

(2) The county shall have a lien for delinquent service charges, including interest thereon, against any property for which service charges are delinquent. As authorized by RCW 36.94.150, the Director shall certify delinquencies to the County Auditor annually in writing in January of each year at which time the lien shall attach. The County's lien shall be superior to all other liens and encumbrances except general taxes and local and special assessments. ~~((The lien shall be effective for a total not to exceed one year's service charges without the necessity of any writing or recording of the lien with the auditor, as provided in RCW 36.89.093.))~~

(3) The county may foreclose the lien in the same manner as the foreclosure of real property tax liens. ~~((,))~~ Costs associated with the foreclosure of the lien, including but not limited to advertising, title report, and personnel costs, shall be added to the lien upon filing of the foreclosure action and the court may allow the county a reasonable attorney's fee, as provided in ~~((RCW 36.89.090 and))~~ 36.94.150.

Section 3. Effective Date. This ordinance shall become effective on January 1, 2000.

PASSED this 1st day of December, 1999.

ATTEST:

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Dorissa Sitorasti
Clerk of the Council, *Asst.*

Barbara Cochran
Vice Chairperson

- APPROVED
 EMERGENCY
 VETOED

DATE: 12-2-99

ATTEST:

Joanna Swanson

Joan M Earl
County Executive

Approved as to form only:

Gov. W. M.
Deputy Prosecuting Attorney

JOAN M. EARL
Deputy Executive

PUBLISH _____ AND _____