

ORDINANCE NO. 1662

AN ORDINANCE FOR THE CITY OF LYNDEN
ADOPTING THE 2023 BUDGET
FOR THE CITY OF LYNDEN, WASHINGTON

WHEREAS, the preliminary budget of the City of Lynden for the year 2023 has been heretofore filed in the office of the City Clerk of the City of Lynden; and

WHEREAS, a notice of such filing and that the City Council would, on the 5th of December, 2022 meet for the purpose of adopting the final budget, and has been duly published by law; and

WHEREAS, the City Council of the City of Lynden has considered said budget and has resolved and determined the separate items thereof,

NOW, THEREFORE, THE CITY OF LYNDEN, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section A. That the final budget including addendums A through J be and the same is hereby adopted and that the appropriation totals be allowed as follows:

GENERAL FUND

CURRENT EXPENSE \$ 20,616,242

SPECIAL REVENUE FUNDS

BERTHUSEN PARK \$ 240,239
HOTEL/MOTEL TAX 248,908
DRUG BUY IMPREST 15,450
PUBLIC FACILITIES PROTECTIVE INSPECTIONS 230,000
TRANSPORTATION BENEFIT DISTRICT 2,151,000

CAPITAL FACILITIES/IMPROVEMENT FUNDS

IMPACT FEES – TRANSPORTATION \$ 700,200
IMPACT FEES – PEPIN CREEK TRANSPORTATION 100,000
IMPACT FEES – FIRE 430,000
IMPACT FEE – PARK 1,321,000
STREETS CAPITAL CONSTRUCTION 12,892,011
CITY TRAIL 2,696,000
BENSON ROAD/PEPIN CREEK 2,609,012

RESERVE FUNDS

GENERAL GOV. CAPITAL RESERVE \$ 93,900
POLICE CAPITAL RESERVE 630
POLICE (STATE) SEIZURES/FORFEITURES 5,670
PARKS CAPITAL RESERVE 2,179,520
PUBLIC SAFETY CAPITAL RESERVE (1/10th) of 1% 1,075,000
FIRE/EMS CAPITAL RESERVE 181,800

DEBT FUNDS

CITY OF LYNDEN NOTE REDEMPTION, A	\$ 1,495,638
CITY OF LYNDEN NOTE REDEMPTION, B	7,555,561
PUBLIC WORK TRUST LOAN – STREETS	128,802
LTGO BOND REDEMPTION 2017 (2005)	333,250
UTGO BOND REDEMPTION 2017 (2007)	1,066,000
WHATCOM COUNTY EDI LOAN	145,516
PUBLIC WORKS TRUST LOAN - 17TH ST	31,053
2012 LTGO BOND REDEMPTION	815,551
COMMUNITY ECONOMIC REVITALIZATION BOARD	70,022

UTILITY FUNDS

WATER	\$ 8,539,000
SEWER	14,236,100
STORMWATER	4,499,794
AIRPORT	181,780
USDA RURAL DEV. WATER REV BOND GUARANTY	419,700
WA/SE REV REFUNDING BOND, 2017B (2008-1)	132,613
WA/SE REV REFUNDING GUARANTY, 2017B (2008-1)	15,900
2017-A GUARANTY (2003 W/S REV BOND)	146,900
WATER FACILITIES CAPITAL IMPROVEMENT	1,758,000
SEWER FACILITIES CAPITAL IMPROVEMENT	4,980,000
WATER SOURCE	1,140,000

TOTAL 2023 BUDGET

Less anticipated cash on hand	\$ 25,798,676	
Anticipated receipts to be raised by taxes, service fees and bond issues	<u>69,679,086</u>	\$ 95,477,762

Section B. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional.

Section C. This ordinance shall take effect and be in force from and after its passage by the Council and after its approval by the Mayor, if approved, otherwise, as provided by law and five (5) days after the date of its publication.

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE, _____ IN FAVOR _____ AGAINST,
AND SIGNED BY THE MAYOR THIS 5th DAY OF DECEMBER, 2022.

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

CITY OF LYNDEN 2023 BUDGET

ADDENDUM A

WATER RATES

The following rates are adopted with the budget with an effective date of June 1, 2023. Rates are being raised by 7% from 2022 along with an increase in the multiplier for volume Outside City Limits.

CUSTOMER CATEGORY	MONTHLY BASE CHARGE (Per Unit)	VOLUME CHARGE <5ccf	VOLUME CHARGE 5-18 ccf	VOLUME CHARGE >18ccf
Single Family & Duplex (w/ Separate Meters)				
¾"	\$ 34.08	\$ 1.68	\$ 2.21	\$ 3.37
1"	51.75	1.68	2.21	3.37
1.5"	101.26	1.68	2.21	3.37
2"	161.23	1.68	2.21	3.37
Low Income Senior Discount	7.86			

CUSTOMER CATEGORY	MONTHLY BASE CHARGE² (per Unit)		VOLUME CHARGE (per ccf¹)
Multi-Family, including Duplex (w/ Single, Shared Meter)			
Business/Commercial/Industrial			
¾"	\$ 34.08		\$ 2.09
1"	56.24		2.09
1.5"	109.86		2.09
2"	174.48		2.09
3"	347.85		2.09
4"	541.39		2.09
6"	1,079.96		2.09
8"	1,726.55		2.09
Grounds (Irrigation) Meter			
¾"	\$ 34.08		\$ 2.80
1"	56.24		2.80
1.5"	109.86		2.80
2"	174.48		2.80
3"	347.85		2.80
4"	541.39		2.80
Hydrant Meters	\$174.48 first month	\$34.08 each additional month	\$ 3.37
Outside City Limits Multipliers	1.5 x base charge		1.10 x base volume
Associations (Wholesale) (multiplier already included in rate)			
1½" (Twin Ditch/Meadowbrook)	\$ 164.78		\$ 2.51
2"	261.72		2.51
4" (Berthusen)	812.09		2.51

SEE NOTES ON NEXT PAGE

NOTES:

1. The volume charge is for each hundred cubic feet (ccf) - approximately 748 gallons.
2. In addition to charges levied herein, an additional charge of 6.5% shall be assessed, which shall be paid into the Water Debt Reduction Fund to be used exclusively for debt reduction for construction debt.
3. In addition to charges levied herein, an additional 2% Utility Tax shall be assessed per City Ordinance.

CLASSIFICATION INFORMATION:

- A. Single Family shall include Mobile Homes.
- B. Business/Commercial/Industrial (Non-Permit) covers all non-residential uses, including: Offices and Retail Stores, Churches, Recreation Centers, Service/Gas Stations, Fairgrounds, Hotels/Motels, Nursing Homes, Assisted Living Facilities (without full kitchens, including oven and cooktop), Food and Beverage Establishments, Laundromats, Car Washes, Schools, and Industries which the City has determined do not require a NPDES Permit.
- C. Grounds services shall be for all non-potable uses, including irrigation.

CITY OF LYNDEN 2023 BUDGET

ADDENDUM B

Water General Facility Capital Improvement (FCI) Charges

The following rates are adopted with the budget and become effective January 1, 2023. The rate table below increases the charges by 7% to reflect increases in the cost of construction.

Residential:

	<u>FCI Charge</u>	<u>Meter Installation Fee</u>
Single Family (1 ERU)	\$ 5,560	\$371
Duplex (per unit) ¹	\$ 5,560	\$371
Detached Accessory Dwelling Unit (ADU)	\$ 4,296	\$371
Multi-family (3+ units, per unit) ²	\$ 4,296	Same as Commercial below

Commercial (Non-Residential) and Industrial:

<u>Meter Size</u>	<u>FCI Charge</u>	<u>Meter Installation Fee</u>
3/4-inch	\$5,560	\$371
1-inch	\$9280	\$519
1-1/2-inch	\$18,537	\$2,009
2-inch	\$29,705	\$2,282
3-inch	\$59,412	\$2,831
4-inch	\$92,798	time & material ³
6-inch	\$185,361	time & material ³
8-inch	\$296,577	time & material ³

Additional Information:

- A. When a service is changed from a smaller meter to a larger meter, the fee calculation shall be the difference between the two.
- B. When a service is changed from a larger meter to a smaller meter, there will be no fee credit adjustment.
- C. Water Associations identified by the Washington State Department of Health (WSDOH) as having a contaminated groundwater source and which agree to connect to the City of Lynden for wholesale water supply will not be charged a General Facilities Capital Improvement (FCI) Charge per the terms of WSDOH loans provided to the City in 2013 for the treatment facility.
- D. Water connections **outside the City Limits** will have a **1.5 multiplier** applied to the above connection charges. New connections outside the City Limits are only allowed with City Council approval.

¹ Both units must be metered unless authorized by Public Works Director

² Multifamily charges are based on 75% of Single Family ERU

³ Actual Cost. Estimate to be provide by City, upon request, prior to installation

CITY OF LYNDEN 2023 BUDGET

ADDENDUM C

SEWER RATES

The following rates are adopted with the budget with an effective date of June 1, 2023 and reflect an increase of 7% over the 2022 rates. BOD and TSS testing fees were increased at a higher rate to reflect increases in labor costs.

CONSUMER CATEGORY	MONTHLY BASE CHARGE	CHARGE PER UNIT
Single Family, Duplex, and/or a Multi-Family Dwelling Unit with a Separate Individual Meter	\$ 53.84	N/A
Multi-Family (Including Duplex) with a Connected Single Meter Serving All Units		
First dwelling unit	\$ 53.84	N/A
Each additional dwelling unit	\$ 40.00	N/A
Mobile Home additional unit and Accessory Dwelling Unit (ADU)	\$ 29.99	N/A
Business/Commercial/Industrial – NPDES ⁴ Not Required		
Basic Charge	\$ 53.84	\$ 2.96
Volume Charge: per 100 cubic feet (ccf)		
Industrial Users – NPDES ¹ Permitted		
Basic Charge	\$ 106.68	
Volume Charge: per 100 cubic feet (ccf)		\$ 2.31
BOD Charge: per pound (lb)		\$ 0.78
TSS Charge: per pound (lb)		\$ 0.78
BOD Testing Fee (per sample) ⁵	\$ 65.00 ea	
TSS Testing Fee (per sample) ²	\$ 22.00 ea	
Outside City Limits Multiplier ⁶	1.5 X	

Additional Information:

- A. Business/Commercial/Industrial (Non-NPDES Permit) covers all non-residential uses, including: Offices and Retail Stores, Churches, Recreation Centers, Service/Gas Stations, Fairgrounds, Hotels/Motels, Nursing Homes, Assisted Living Facilities (without full kitchens, including oven and cooktop), Food and Beverage Establishments, Laundromats, Car Washes, Schools, and Industries which the City has determined do not require an NPDES Permit.
- B. Multi-Family shall include apartments, duplexes, Independent Living Facilities, and multiple condominium units served by a single meter.
- C. Mixed Use (with a single meter). Consumer Category to be determined by Public Works.
- D. A non-representative sample will be billed as if 100% of the Daily Maximum Demand was delivered.
- E. If an Industrial User exceeds the permit limit for Flow, BOD or TSS; it will result in a rate 3-times the established per unit rate, for each violation over the permit or contract limit.
- F. A pH reading outside the permit limit will result in a rate 3-times the established rate for flow for the period of violation.
- G. A concentration level in mg/l over the permit or contract level will result in a rate three (3) times the established per unit rate for the permit or contract charge.

⁴ National Pollution Discharge Elimination System (NPDES)

⁵ A late payment charge 5% will be added to payments not made within 30 days of invoice

⁶ Residential Outside City Limits Multiplier applied to Base Rate; Commercial Outside City Limits Multiplier applied to Base Rate and Unit Volume; and installation of flow meter(s) will be required.

CITY OF LYNDEN 2023 BUDGET

ADDENDUM D

Sewer General Facility Capital Improvement Charges (FCI)

The following rates are adopted with the budget and become effective January 1, 2023. The rate table below increases the charges by 7% to reflect increases in the cost of construction.

The general FCI charges applicable to all areas served by the City are shown in the table below in the “All Areas” column and those additional FCI charges only applicable to the East Lynden/ Line Road Sub-Basin, per Ordinance No. 1447, are shown in the “East Lynden” column:

Consumer Category	Unit	All Areas	East Lynden
Single Family Residential		\$ 7,625	\$ 5,671
Accessory Dwelling Unit	Per unit	4,778	3,424
Duplex	Per unit	7,625	5,671
Multi-Family			
3- or 4-unit building	Per unit	5,648	4,071
5 or more-unit building	Per unit	4,777	3,424
Mobile Home Parks			
First 4 pads	Per pad	5,648	4,071
5 or more pads	Per pad	4,777	3,424
Business, Commercial and Industrial Users	Meter Size	All Areas	East Lynden
	¾-inch	\$ 5,648	\$ 4,071
	1-inch	\$ 9,414	\$ 6,778
	1½-inch	\$ 18,816	\$ 13,543
	2-inch	\$ 29,884	\$ 21,674
	3-inch	\$ 60,187	\$ 43,337
	4-inch	\$ 94,027	\$ 67,704
	6-inch	\$ 188,044	\$ 135,388
	8-inch	\$ 300,863	\$ 193,793

Classification Information:

1. Single Family shall include Mobile Homes.
2. Business and Commercial covers all non-residential uses, including: Offices and Retail Stores (with or without public restrooms), Industrial Users (not requiring an NPDES Permit), Churches, Recreation Centers, Service/Gas Stations, Fairgrounds, Nursing Homes, Assisted Living Facilities, without full kitchen (including oven and cooktop) Food and Beverage Establishments, Laundromats, Car Washes, and Schools.
3. Where a property owner is eliminating a septic system and connecting to the City’s sanitary sewer system, the “All Areas” FCI charges shown above may be waived, Per LMC 13.12.55.

CITY OF LYNDEN 2023 BUDGET

ADDENDUM E

STORMWATER RATES

The following stormwater rates reflect a 7% adjustment effective June 1, 2023.

<u>Customer Category</u>	<u>Monthly Base Rate Per Residential Unit</u>	<u>Monthly Increment Rate</u>
Single Family, Duplex and/or Multi-Family Dwelling Unit with Individual Meter	\$ 10.87	N/A
	<u>Monthly Base Rate</u> (up to 10,000 sf Impervious Surface Area)	<u>Monthly Increment Rate</u> (over 10,000 sf Impervious Surface Area)
Non-Single Family	\$ 16.93	\$ 8.29 per each 5,000 sf
NSF w/ Provision of Water Quality	\$ 16.93	\$ 6.79 per each 5,000 sf
NSF w/ Provision of Water Quality & Detention	\$ 16.93	\$ 4.22 per each 5,000 sf
NSF w/ Provision of Water Quality & Retention	\$ 16.93	\$ 2.21 per each 5,000 sf

CITY OF LYNDEN 2023 BUDGET
ADDENDUM F
STORMWATER MANAGEMENT GENERAL FACILITY CAPITAL
IMPROVEMENT (FCI) CHARGES

The following rates are adopted with the budget and become effective January 1, 2023. The rate table below increases the charges by 7% to reflect increases in the cost of construction.

Customer Category	Base Fee	Increment over 10,000 SF
Single Family, Duplex and/or Multi-Family Dwelling Unit with Individual Meter in a Platted Subdivision with approved Stormwater Facilities	\$ 200.00 /unit	Not Applicable
Single Family, Duplex and/or Multi-Family Dwelling Unit with Individual Meter	\$ 400.00 /unit	Not Applicable
Non-Single Family (up to 10,000 sf)	\$ 797.00	Additional \$ 334.00 for each 5,000 sf over 10,000 sf
Non-Single-Family w/ Water Quality Treatment	\$ 797.00	Additional \$ 250.00 for each 5,000 sf over 10,000 sf
Non-Single-Family w/ Detention and Water Quality Treatment (up to 10,000 sf)	\$ 797.00	Additional \$ 152.00 for each 5,000 sf over 10,000 sf
Non-Single-Family w/ Retention and Water Quality Treatment (up to 10,000 sf)	\$ 797.00	Additional \$ 76.00 for each 5,000 sf over 10,000 sf

CITY OF LYNDEN 2023 BUDGET

ADDENDUM G

COMPOST FEES

The following rates, adopted on January 1, 2022, will continue to be in effect in 2023.

Category	Amount	Fee
Any customer	up to 50 cubic yards per year	\$ 14.00/cubic yard + tax
Any customer	50 to 100 cubic yards per year	\$ 11.00/cubic yard + tax
Any customer	100 to 299 cubic yards per year	\$ 8.00/cubic yard + tax
Double Screened	N/A	20% additional cost per cubic yard
Fall Clearance October 1 – December 31	N/A	20% discount per cubic yard

Notes:

1. Citizens who are utility customers may self-load one-half yard per visit at no charge, depending on availability.
2. Please call ahead for large orders.

CITY OF LYNDEN 2023 BUDGET

ADDENDUM H

CITY EQUIPMENT RATES

The following rates will be effective January 1, 2023:

1. The hourly rate for City equipment will be charged at the FEMA Schedule of Equipment Rates for the current year.
<https://www.fema.gov/assistance/public/tools-resources/schedule-equipment-rates>
2. The hourly labor rate for a City Equipment Operator will be \$55.00 (including wages, benefits, and overhead).

CITY OF LYNDEN 2023 BUDGET
ADDENDUM I
PUBLIC WORKS DEVELOPMENT REVIEW FEES
Updated with the 2023 Engineering Design and
Development Standards Project Manual

Review Deposits

Development Type	Amount of Deposit
Residential	\$400.00 per lot, \$4,000.00 minimum
Non-Residential	2% of Civil Construction Cost Estimate, \$6,000.00 Minimum

Inspection Deposits

Development Type	Amount of Deposit
Residential	\$500.00 per lot, \$10,000.00 minimum
Non-Residential	2% of Civil Construction Cost Estimate, \$10,000.00 Minimum

CITY OF LYNDEN 2023 BUDGET
ADDENDUM J
LYNDEN MUNICIPAL AIRPORT FEES

The following fees are effective January 1, 2023:

Fuel

Current fuel price for Lynden Municipal Airport (38W) listed at www.airnav.com.

Access Fees

Residential Access from Adjacent Parcels\$ 47.25 /month or \$472.50 /year if paid prior to January 15th of current year

Off Premises Access Fees

Commercial (Jansen Hangers)\$ 308.70 /month if 8 or more planes are stored (less than 8 planes - price will be negotiated with Public Works Director). \$3,087.00 /year if paid prior to January 15th of current year

362 Piper Street.....\$ 47.25 /month or \$472.50 \$/year if paid prior January 15th of current year
 Lot is adjacent to the airport and is grandfathered into the airport overlay zone.

366 Piper Street.....\$ 101.85 /month or \$1,018.50 /year if paid

Lot is adjacent to the airport and is grandfathered into the airport overlay zone. prior to January 15th of current year

Vehicle Parking Fees

Daily\$ 7.00 *
 Monthly\$ 35.18 *
 Yearly\$ 347.29 *

**Plus effective leasehold excise tax rate*

Note: If Tie-Down Agreement executed, one vehicle may be parked at no charge.

Tie-down Fees

First night\$ 13.00 *
 Each additional night\$ 7.00 *
 Per Month\$ 52.50 *

**Plus effective leasehold excise tax rate*

Note: First night at no charge with fuel purchase

Late Payment Penalty

Assessed Per Month on Past-Due Balance

Less than \$200.00\$ 11.00
 \$200 or greater5% of the outstanding balance