WHEREAS, on May 20, 2003, the Washington State Legislature approved Laws of 2003, Chapter 394 § 3 amending RCW 36.89.080; and

WHEREAS, the law requires that counties reduce surface water management rates by a minimum of ten percent for commercial buildings with rainwater harvesting systems; and

WHEREAS, the law is based in part on guidelines for rainwater harvesting systems developed in 2002 by the Washington State Building Code Council; and

WHEREAS, surface water management rates are set forth in Snohomish County Code Title 25;

NOW, THEREFORE, BE IT ORDAINED:

NEW SECTION. Section 1. A new section 25.10.025 is hereby added to Chapter 25.10 Snohomish County Code as follows:

25.10.025 Commercial rainwater harvesting system

A system for storing, collecting, and reusing rainwater from a rooftop, installed at a commercial-use building, that has been designed and constructed in accordance with the Washington State Building Code Council’s Permissive Rainwater Harvesting System Guidelines For Nonresidential Occupancies (2002 or as amended), has a storage volume of at least ten per cent of the mean annual runoff volume generated from the contributing roof area, and for which design and construction has been approved by the director of the department of planning and development services.
NEW SECTION. Section 2. A new section 25.10.063 is hereby added to Chapter 25.10 Snohomish County Code as follows:

25.10.063 Mean annual rainfall depth

The mean annual rainfall depth based on climatic statistics from the United States National Oceanographic and Atmospheric Administration Atlas 2, Volume IX.

NEW SECTION. Section 3. A new section 25.10.065 is hereby added to Chapter 25.10 Snohomish County Code as follows:

25.10.065 Mean annual runoff volume

The runoff volume calculated as the product of a specified area and the mean annual rainfall depth, or the equivalent runoff volume statistic from that area calculated by a continuous-simulation hydrologic model using long-term local rainfall records.

Section 4. Snohomish County Code section 25.20.030, last amended by Ordinance 03-136 on November 19, 2003, is amended to read as follows:

25.20.030 Rate structure

(1) The director shall classify all properties in the watershed management areas into rate categories according to their land use classification and/or degree of impervious surface coverage. The "Index of Land Use Classifications and Rate Categories" dated January 8, 2002, or any revision thereafter compiled by the director, is available in the department of public works and incorporated by this reference.

(2) Beginning January 1, 2004, annual service charges for all watershed management areas, except as noted in subsections (3), and (5) and except for service charges for farms, shall be the Stillaguamish CWD rate. Annual service charges for farms shall be at the Stillaguamish CWD single-family rate for each quarter acre of a farm, up to a maximum of one acre.

(3) For the period beginning January 1, 2004 and ending December 31, 2009, the annual service charge for properties located in those portions of watershed management areas within the Urban Growth Areas shall be as follows:

<table>
<thead>
<tr>
<th>Rate Category</th>
<th>Annual Service Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>$65.00 per parcel</td>
</tr>
<tr>
<td>Condominium</td>
<td>$58.50 per unit</td>
</tr>
<tr>
<td>Farm</td>
<td>$65.00 per quarter acre; one acre maximum</td>
</tr>
<tr>
<td>Exempt</td>
<td>No charge</td>
</tr>
<tr>
<td>Very Light</td>
<td>$19.49 per quarter acre</td>
</tr>
<tr>
<td>Light</td>
<td>$65.00 per quarter acre</td>
</tr>
<tr>
<td>Moderate</td>
<td>$108.30 per quarter acre</td>
</tr>
<tr>
<td>Heavy</td>
<td>$147.31 per quarter acre</td>
</tr>
<tr>
<td>Very Heavy</td>
<td>$194.98 per quarter acre</td>
</tr>
</tbody>
</table>
(a) The service charges established in ((section)) subsection (2) 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 drainage improvement projects located in those portions of Watershed Management Areas 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.

(4) The following shall be exempt from annual service charges:
   
   (a) property that is owned by, and is the personal residence of, a person or persons approved by the county assessor for a senior citizen or disabled persons property tax exemption under RCW 84.36.381. Any person eligible for this low income senior citizen or disabled persons exemption shall be provided a refund of annual service charges for the subject property for the first year the exemption is sought and for up to three prior years, PROVIDED, that eligibility for each year has been approved by the Assessor's office, and PROVIDED FURTHER, that refunds shall not be approved for any year prior to 1999;

   (b) property that is owned by a "public benefit nonprofit corporation," as defined by RCW 24.03.490 and is used as a cemetery, provided the property does not discharge stormwater off-site through constructed conveyance facilities and a fifty foot vegetated buffer is maintained on the property along any waterbody that drains to a fishbearing stream or lake.

   (5) The rate charged for state highway right-of-way shall be thirty percent of the rate for comparable real property in terms of impervious surface coverage, or as otherwise provided by RCW 90.03.525.

   (6) In this section, "Stillaguamish CWD rate" means the total annual service charges imposed for each rate category set out in SCC 25A.20.030(2), except that the exceptions set out in SCC 25A.20.050, 25A.20.060 and 25A.20.070 shall not apply.

   (7) The rate charged for a parcel with a commercial rainwater harvesting system shall be reduced from the rate set out in this section by a fraction equal to the storage volume of the rainwater harvesting system divided by the mean annual runoff volume generated by the total impervious surface area at the parcel.

PASSED this 26th day of October, 2005.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

/s/ Gary A. Nelson________________________
Chairperson

ATTEST:

/s/ Barbara Sikorski__________
Asst. Clerk of the Council
Ordinance No. 05-102
Reductions in Surface Water Management Rates
For Rainwater Harvesting Systems, etc.
Amending Title 25 Snohomish County Code

(X) APPROVED
(  ) EMERGENCY
(  ) VETOED
DATE:  /s/ October 27, 2005

/s/ Mark Soine
Deputy Executive
for County Executive

ATTEST:

/s/ Laura Nelson

Approved as to form only:

/s/ Gordon W. Sivley  8/25/05
Deputy Prosecuting Attorney

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