

---

HOUSE BILL 2976

---

State of Washington

57th Legislature

2002 Regular Session

By Representatives Roach, Casada, Bush and Carrell

Read first time . Referred to Committee on .

1 AN ACT Relating to charges for surface water runoff; and amending  
2 RCW 36.89.080.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 36.89.080 and 1998 c 74 s 1 are each amended to read  
5 as follows:

6 Any county legislative authority may provide by resolution for  
7 revenues by fixing rates and charges for the furnishing of service to  
8 those served or receiving benefits or to be served or to receive  
9 benefits from any storm water control facility or contributing to an  
10 increase of surface water runoff. In fixing rates and charges, the  
11 county legislative authority may in its discretion consider: (1)  
12 Services furnished or to be furnished; (2) benefits received or to be  
13 received; (3) the character and use of land or its water runoff  
14 characteristics; (4) the nonprofit public benefit status, as defined in  
15 RCW 24.03.490, of the land user; (5) income level of persons served or  
16 provided benefits under this chapter, including senior citizens and  
17 disabled persons; or (6) any other matters which present a reasonable  
18 difference as a ground for distinction. The service charges and rates  
19 collected shall be deposited in a special fund or funds in the county

1 treasury to be used only for the purpose of paying all or any part of  
2 the cost and expense of maintaining and operating storm water control  
3 facilities, all or any part of the cost and expense of planning,  
4 designing, establishing, acquiring, developing, constructing and  
5 improving any of such facilities, or to pay or secure the payment of  
6 all or any portion of any issue of general obligation or revenue bonds  
7 issued for such purpose. Rates and charges must take into  
8 consideration and be based on impacts or lack of impacts the property  
9 served has on receiving waters and storm water systems. Other factors  
10 such as impacts to water quality, extent of capital and operational  
11 best management practices, natural or constructed water infiltration by  
12 property served, and surrounding properties absorption characteristics,  
13 shall be taken into consideration when assessing surface water  
14 management fees. Rates and charges shall not apply to lands taxed as  
15 forest land under chapter 84.33 RCW or as timber land under chapter  
16 84.34 RCW. An administrative process must be provided for property  
17 owners and their representatives to appeal rates and fees assessed by  
18 served property. Property tax and surface water management fees may  
19 appear on the same collection statement, if surface water fees and  
20 taxes are clearly defined and payable separately. This section does  
21 not require counties to change the timing of payment of surface water  
22 fees.

--- END ---