

Approved: 11/23/2022
Effective: 12/10/2022

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

AMENDED ORDINANCE NO. 22-042

AMENDING CHAPTER 25.20 SCC TO ADD A SURFACE WATER SERVICE CHARGE FOR INVASIVE AQUATIC PLANT MANAGEMENT ON LAKE ROESIGER, CLARIFYING THE TITLE OF SCC 25.20.050 AND REPEALING SCC 25.20.060

BE IT ORDAINED:

Section 1. Snohomish County Code section 25.20.050, last amended by Ordinance 20-081 on January 20, 2021, is amended to read:

25.20.050 Service charges for aquatic plant control – Lake Goodwin and Lake Shoecraft.

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

(2) For the period beginning January 1, 2020, and ending December 31, 2024, the rate categories and additional annual service charges for real property abutting Lake Goodwin or Lake Shoecraft shall be as follows:

Table 25.20.050(2) Annual Service Charge for Aquatic Plant Control

| Rate Category | 2020 | 2021 | 2022 | 2023 | 2024 |
|-----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| Single Family Residential | \$160.00 per parcel | \$90.00 per parcel | \$95.00 per parcel | \$100.00 per parcel | \$105.00 per parcel |
| Undeveloped | \$160.00 per parcel | \$90.00 per parcel | \$95.00 per parcel | \$100.00 per parcel | \$105.00 per parcel |
| Community Beach Lot | \$32.00 per parcel | \$18.00 per parcel | \$19.00 per parcel | \$20.00 per parcel | \$21.00 per parcel |
| Public and Semi-public Recreation | \$0.93 per foot of lake frontage | \$0.53 per foot of lake frontage | \$0.55 per foot of lake frontage | \$0.58 per foot of lake frontage | \$0.61 per foot of lake frontage |

(3) The single family rate category or the undeveloped rate category applies to each lake front land parcel classified by the Snohomish County assessor as either single family residential or undeveloped, respectively. The community beach rate category applies to each land parcel having an undivided ownership interest in a lake

1 front parcel used for common beach access. The public and semi-public recreation rate
2 category applies to lake front parcels classified by the Snohomish County assessor as
3 resorts, recreational activities, camping activities, or parks, as well as other publicly
4 owned recreational parcels. Lake front parcels are defined as land parcels abutting the
5 lake shore.

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

9 (5) A detailed map of the tax parcels subject to the additional service charges
10 established in this section is available in the department of conservation and natural
11 resources and incorporated herein by this reference.

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14 Section 2. A new section is added to chapter 25.20 of the Snohomish County
15 Code to read:

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17 **25.20.053 Service charges for aquatic plant control – Lake Roesiger.**

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19 (1) In addition to the annual service charges established in SCC 25.20.020, all
20 affected real property within the lake basin of Lake Roesiger shall be subject to an
21 additional annual service charge for the purpose of managing invasive aquatic plants in
22 Lake Roesiger pursuant to the Lake Roesiger Integrated Aquatic Vegetation
23 Management Plan.

24 (2) For the period beginning January 1, 2023, and ending December 31, 2027,
25 the rate categories and additional annual service charges for the affected real property
26 shall be as follows:

27
28 **Table 25.20.053(2)**

29 **Annual Service Charge for Lake Roesiger Aquatic Plant Control**

30

| Rate Category | Annual Service Charge |
|--------------------------|---|
| Lake Front - Developed | \$170.00 per parcel of developed real property abutting the shoreline of Lake Roesiger |
| Lake Front - Undeveloped | \$120.00 per parcel of undeveloped real property abutting the shoreline of Lake Roesiger |
| Shared Lakefront | \$35.00 per parcel of real property with an undivided ownership interest in lake front real property used for common beach access |
| Off Lake | \$20.00 per parcel of developed real property within the Lake Roesiger lake basin that is not lakefront or shared lakefront |

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1 (3) All service charges collected under this section shall be used solely for the
2 management and control of invasive aquatic plants in Lake Roesiger.
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5 Section 3. Snohomish County Code section 25.20.060, adopted by Amended
6 Ordinance 15-069 on November 16, 2015, last amended by Amended Ordinance 20-
7 081 on January 20, 2021, is repealed.
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10 Section 4. Snohomish County Code section 25.20.080 last amended by
11 Ordinance 18-089 on November 19, 2018, is amended to read:
12

13 **25.20.080 Credits.**
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15 Real property located in the surface water management utility district may be
16 eligible for reductions in service charges as described below:

17 (1) For real property having a rate category of light, moderate, heavy, or very
18 heavy, the rate category shall be reduced one category if the storm water runoff
19 discharges into an onsite storm and surface water management facility built to comply
20 with the detention and water quality regulations and standards set forth in
21 chapter 30.63A SCC, and said facility is adequately operated and maintained by the
22 property owner.

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

28 (3) For real property located in the surface water management utility district, if all
29 or any portion of the real property is regulated by a valid and active permit issued by the
30 Washington State Department of Ecology or the federal Environmental Protection
31 Agency pursuant to the National Pollutant Discharge Elimination System (NPDES)
32 permit program established by the federal Clean Water Act, codified at 33 U.S.C.
33 § 1251 et seq., then the portion of the annual service charges imposed pursuant to
34 SCC 25.20.020, SCC 25.20.050, SCC 25.20.053, SCC 25.20.055, (~~SCC 25.20.060,~~)
35 and SCC 25.20.065 under authority of chapter 36.89 RCW shall be reduced by 35
36 percent. This rate adjustment shall not be available to real property that is a right-of-way
37 owned by a municipality, the county, or the state subject to the rates provided in
38 SCC 25.20.070(2) or SCC 25.20.070(3). The property owner requesting a rate
39 adjustment under this subsection (3) shall provide the director with sufficient
40 documentation to verify that the real property at issue is subject to a valid NPDES
41 permit. The property owner shall also provide the director with written notice promptly
42 upon the expiration of or other termination of coverage under the NPDES permit.

43 (4) Public and private schools that provide water quality or watershed instruction
44 approved by the director shall be given credit equal to the dollar value of the instruction
45 offered. This credit shall be applied against the annual service charge billed under the

1 authority of chapter 36.89 RCW. This annual credit shall not exceed the annual service
2 charge authorized by chapter 36.89 RCW.

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

8 (6) Except for automatic credits granted pursuant to subsections (3) and (5) of
9 this section, credits granted under this section shall be subject to renewal every two
10 years in accordance with administrative procedures developed by the director pursuant
11 to SCC 25.20.150.

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14 Section 5. Snohomish County Code section 25.20.090, last amended by
15 Ordinance 17-020 on July 5, 2017, is amended to read:

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17 **25.20.090 Billing.**

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19 (1) All real property subject to service charges under this chapter shall be
20 assessed annually on January 1st based upon the rate categories and property
21 characteristics then applicable to the real property and at the rates set forth herein (~~in~~
22 ~~SCG 25.20.020, SCG 25.20.040, SCG 25.20.060 and SCG 25.20.065~~)).

23 (2) To minimize administrative costs, where feasible, the billing statement for
24 service charges imposed under this title shall be included on the annual property tax
25 statement for the real property at issue. To further reduce administrative costs, the
26 director may use alternative billing systems for the purposes of billing local, state and
27 federal government agencies. The director may elect to use alternative billing methods
28 for the purpose of billing other property owners with real property in the surface water
29 management utility district or areas annexed by cities and towns where alternative
30 methods provide for greater administrative convenience.

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

38 (4) If a payment is received in conjunction with a combined property tax and
39 service charge, and the payment is less than the sum of the total property tax plus the
40 total service charge, or less than the sum of one-half of the property tax plus one-half of
41 the service charge, and unless otherwise specified by the owner of the real property at
42 issue, the payment shall be applied first to the annual property tax due for the real
43 property, pursuant to the provisions of chapter 84.56 RCW, and any remaining amount
44 to the service charge due for the real property.

1 Section 6. Snohomish County Code Section 25.20.110, last amended by
2 Ordinance 17-008 on March 29, 2017, is amended to read:

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4 **25.20.110 Rate adjustments and appeals.**
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6 (1) Any person receiving a billing statement for water quality restoration and
7 storm and surface water management service charges pursuant to (~~SCC 25.20.020,~~
8 ~~SCC 25.20.060 or SCC 25.20.065~~) this chapter and making a timely payment thereof
9 may apply to the director for a rate adjustment based on any of the circumstances listed
10 in SCC 25.20.070, SCC 25.20.080 or SCC 25.20.100.

11 (2) Any person receiving a billing statement for water quality restoration and
12 storm and surface water management service charges pursuant to SCC 25.20.040 and
13 making a timely payment thereof may apply to the director for a rate adjustment based
14 on any of the circumstances listed in SCC 25.20.070(1) through (3) or SCC 25.20.100.

15 (3) Applications for rate adjustments shall be made to the director. The burden of
16 proof shall be on the applicant to show that the rate adjustment sought should be
17 granted. The director shall make a written decision on an application for rate adjustment
18 within 60 days after receipt of the application, except when additional information is
19 needed in which case the director shall provide the applicant with an estimated timeline
20 for a written decision. The estimate shall be based on reasonable limits for obtaining the
21 required information to render a decision. In the event that the applicant does not
22 provide the additional information needed, the director shall notify the applicant that the
23 application is cancelled. The director may also initiate a rate adjustment or correct a
24 billing error for a property at any time when new information becomes available to the
25 director.

26 (4) Applications for rate adjustments submitted pursuant to SCC 25.20.100 must
27 be submitted within three years of the date of payment of the water quality restoration
28 and storm and surface water management service charges. Applications for rate
29 adjustments submitted pursuant to SCC 25.20.070 or SCC 25.20.080 must be
30 submitted by April 30th to be effective for the current billing year. Applications for rate
31 adjustments submitted pursuant to SCC 25.20.070 or SCC 25.20.080 received after
32 April 30th shall only be effective for subsequent years. If the director grants an
33 adjustment which reduces the charge for the current year, or, for requests submitted
34 pursuant to SCC 25.20.100 only, for up to three prior years, the applicant shall be
35 refunded the amount overpaid with interest at the rate specified in RCW 84.69.100, as
36 set forth in WAC 458-18-220 or any successor regulation thereto. If the director
37 determines that an adjustment should be made which increases the service charge due
38 for the current year, an amended bill shall be issued and the applicant shall submit the
39 additional amount due within 30 days of the notice of additional service charge.

40 (5) Any person eligible for the low income senior citizen or disabled persons
41 exemption from service charges under SCC 25.20.070(1)(a) shall be provided a refund
42 of annual service charges for the subject property for the current year and up to three
43 prior years when eligibility for each year has been approved by the assessor's office.
44

1 (6) Except for requests submitted pursuant to SCC 25.20.070(1)(a) or
2 SCC 25.20.100, rate adjustments shall not be retroactive and are subject to renewal
3 every two years.

4 (7) Decisions of the director on applications for rate adjustments shall be in
5 writing and shall be final.
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8 Section 7. Snohomish County Code section 25.20.140, last amended by
9 Ordinance 17-020 on July 5, 2017, is amended to read:
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11 **25.20.140 Special operating funds.**
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13 (1) ~~((Except as provided in subsection (3) of this section, all))~~ All service charges
14 collected from the surface water management utility district shall be deposited in a
15 special fund in the department of finance. The funds generated thereby shall be used
16 only for the purpose of paying all or any part of the cost of establishing, administering,
17 maintaining and operating the storm and surface water (water quality restoration and
18 water quantity) management program created by this title, including, but not limited to,
19 the costs for planning, designing, establishing, acquiring, developing, constructing and
20 improving needed facilities and features, or to pay or secure the payment of all or any
21 portion of any issue of general obligations, councilmanic or revenue bonds issued for
22 such purpose.

23 (2) All service charges collected from areas annexed by cities or towns shall be
24 deposited in a special fund in the department of finance. The funds generated thereby
25 shall be used only for purposes permitted by RCW 36.89.120.

26 ~~(((3) The funds generated by service charges collected from the surface water
27 management utility district under SCC 25.20.060 shall be used solely for cooperative
28 watershed management actions for purposes of water quality and water resource
29 management pursuant to one or more intergovernmental agreements as authorized by
30 RCW 36.89.130.))~~
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32 PASSED this 23rd day of November, 2022.
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34 SNOHOMISH COUNTY COUNCIL
35 Snohomish County, Washington
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38 _____
39 Council Chair
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41 ATTEST:
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44 _____
45 Asst. Clerk of the Council

- 1 (X) APPROVED
- 2 () EMERGENCY
- 3 () VETOED

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5 DATE: November 30, 2022

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9 _____
County Executive

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12 ATTEST:

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18 Approved as to form only:

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21 _____
22 Deputy Prosecuting Attorney