

Subtitle I Water

Chapter 21.04

WATER RATES AND REGULATIONS

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Severability: If any section or provision of this chapter shall be held to be invalid the remaining sections or provisions thereof shall not be affected thereby.

(Ord. 65877 § 50, 1935.)

Cases: In setting wholesale rates, the Water Department needs to take into account water storage facilities of the purveyors. It may not pass on the effect of the City's utility tax. The Department's allocation of the costs of construction of the Tolt facilities was sustained. **King County Water District v. Seattle**, 89 Wn.2d 890, 577 P.2d 567 (1978).

**21.04.010Definitions—Number and gender.**

The word "Superintendent" wherever used in this chapter, means the Superintendent of Water of the City, and any act in this chapter required or authorized to be done by the Superintendent, may be done on behalf of the Superintendent by an authorized officer or employee of the Water Department. The word "person" wherever used in this chapter means and includes natural persons of either sex, associations, copartnerships and corporations whether acting by themselves or by a servant, agent or employee; the singular number includes the plural and the masculine pronoun includes the feminine.

(Ord. 65877 § 1, 1935.)

**21.04.020Connection to water supply system—Application.**

Any person desiring to have premises connected with the water supply system of the City shall present at the office of the Water Department a copy of a building permit or a regular certified copy from the Director of Construction and Land Use, containing his or her name, description of the lot, block and addition and the official house number of the premises on which water is desired,

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and shall make application therefor upon a printed form to be furnished for that purpose, which application shall contain the description of the premises where such water is desired, and shall specify the size of service pipe required and shall state fully the purposes for which water is to be used, and shall be signed by the owner of the premises to be served or his duly authorized agent, and shall be filed in the office of the Superintendent, and at the time of filing such application the applicant shall pay to the City Finance Director and make his or her receipt therefor, the fees for installation of water service provided in this chapter.

(Ord. 116368 § 273, 1992: Ord. 65877 § 2, 1935.)

**21.04.030Contract—City nonliability.**

A. The application provided for in Section 21.04.020 shall contain a contract on the part of the person making the same to pay for the water applied for at the rate and in the manner specified in such contract, and shall reserve to the City the right to charge and collect the rates and enforce the penalties provided for in this chapter in the manner herein provided, to change the rates at any time by ordinance, to temporarily discontinue the service at any time without notice to the consumer, and shall specify that the contract is subject to all the provisions of this chapter and of any ordinance of the City relating to the subject hereafter passed, and shall provide that the City shall not be held responsible for any damage by water or other cause resulting from defective plumbing or appliances on the premises supplied with water, installed by the owner or occupant of the premises, and that the fact that the agents of the City have inspected the plumbing and appliances shall not be pleaded as a basis of recovery in case of damage to premises from defective plumbing or appliances installed by the owner or occupant of such premises, and shall provide that in case the supply of water shall be interrupted or fail by reason of accident or any other cause whatsoever, the City shall not be liable for damages for such interruption or failure, nor shall such failures or interruptions for any reasonable period of time be held to constitute a breach of contract on the part of the City

or in any way relieve the consumer from performing the obligations of his contract.

B. The City shall not be held liable for damage to personal property stored in that portion of a street between the curblin and the property line, resulting from leakage or the breaking of pipes or appliances maintained by the City within that portion of the street described in this subsection. (Ord. 65877 § 3, 1935.)

**21.04.040 Contract—Effective date.**

All contracts shall take effect from the day they are signed and rates shall be charged from the day the premises are connected with the City's water supply and the meter installed. Meter rates shall be in effect as long as the meter remains on the service.

(Ord. 65877 § 4, 1935.)

**21.04.050 Connection—City responsibility.**

Upon the presentation at the office of the Superintendent of the Finance Director's receipt for the installation fees and the execution of the contract provided for in Section 21.04.030, the Superintendent shall cause the premises described in the application, if the same abut upon a street in which there is a City water main, to be connected with the City's water main by a service pipe extending at right angles from the main to the property line, except as provided in Sections 21.04.060, 21.04.070 and 21.04.080. The City connection, which shall include a union placed at the end of pipe, and a stopcock placed within the curblin, shall be maintained by and kept within the exclusive control of the City.

(Ord. 116368 § 274, 1992; Ord. 65877 § 5(part), 1935.)

**21.04.060 Connection—Where permanent structure erected—Premises not abutting street with water main—Limitations.**

A. Whenever it has been ascertained that a retaining wall, ornamental wall or landscape rockery or any other form of permanent structure is to be, or has been, erected upon any portion of a City street or public place in which a water service connection has been installed, the Superintendent may cause the relocation or readjustment of such water service connection or any portion thereof. The cost of such relocation or readjustment shall be charged against the property

at which the erection of the permanent structure, as hereinabove referred to, is to be or has been done, and to the owner thereof. In no case shall the City be required to maintain or repair any portion of the service connection between the union and property line.

B. In case of application for water service to supply premises not abutting upon a street in which there is a standard City water main, the Superintendent will require construction of a standard water main abutting the property before a connection is made, provided, that under certain conditions, a temporary connection may be provided for the property, or a service to the property of the applicant may be placed along and beneath any public street or avenue. The Superintendent, pursuant to the Administrative Code (Chapter 3.02), shall establish criteria and procedures for making the aforementioned exceptions.

C. Where water main construction is required and the applicant and/or other property owners jointly wish to construct the required water mains and appurtenances, the Superintendent is authorized to enter into a water main addition or extension agreement as set forth in the application and agreement forms attached as Exhibit "A" to Ordinance 65877<sup>1</sup> or such revised forms as approved by the City Attorney and adopted by Rule.

D. The Superintendent may limit the size and number of service connections which may be allowed for any separate property. No service connection will be allowed from the City mains to any property supplied by water from any other source unless special permission is given by the Superintendent, which special permission may be terminated at any time, if in the judgment of the Superintendent the public interest would be best served.

(Ord. 116368 § 275, 1992; Ord. 112035 § 1, 1984; Ord. 65877 § 5(part), 1935.)

1. Editor's Note: Exhibit A is on file with Ordinance 65877 in the City Clerk's office.

**21.04.070 Cross-connections.**

A. Cross-connections, as defined in Section 248-54 of the Washington Administrative Code (1991), or as may be amended, shall be eliminated or controlled in accordance with the administrative rules of the Water Department and any applicable rules of the State of Washington De-

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partment of Health or any other applicable City, State, or federal laws.

B. As a term and condition of all water service, the Superintendent of Water or his/her duly authorized representatives shall have a right to access at all reasonable times to all parts of the buildings or premises supplied by water from the City for the purpose of ascertaining the need to eliminate or control cross-connections.

C. The Seattle Water Department shall deny or discontinue water service to any customer failing to cooperate in the elimination of cross-connections or the control of cross-connections through the installation, maintenance, testing or inspection of backflow prevention assemblies required by the Seattle Water Department.

D. When in the discretion of the Superintendent of Water appropriate circumstances so warrant, the Superintendent may charge the account of any customer who violates any applicable rules and regulations concerning cross-connections for all costs, including service calls, and any damages incurred by the Water Department in relation to such violation.

(Ord. 115660 § 2, 1991; Ord. 65877 § 5(part), 1935.)

**21.04.080 Separate service connections for each house—Exceptions.**

Where there is a water main in front of any premises, the owner of each house supplied by City water must install his own separate service connection with the City main, and the premises so supplied will not be allowed to supply water to any other premises, except temporarily where there are no mains in the street, provided that such restrictions shall not apply to services already installed unless in the judgment of the Superintendent it is found necessary to enforce such provisions as to connections already made. Provided, further, where two (2) or more buildings are supplied by one metered service, not less than the minimum rate for premises supplied by meters, hereinafter provided for, shall be assessed for each separate building or premises so supplied. (Ord. 65877 § 5(part), 1935.)

**21.04.090 Connection—Pipe materials and covering—Sprinkler systems.**

A. Anyone connecting to City water service pipes or laying their own private pipe, shall use

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only standard galvanized wrought iron, galvanized steel, or copper pipe up to and including two inches (2") in size, and all pipes shall be laid with not less than two feet (2') of earth cover over the top of such pipe, exclusive of any pavement or other improvement laid on the earth cover, except as hereinafter provided. The Superintendent will maintain private services from City mains in streets which are being graded and will have such access on private property as shall be necessary to maintain such pipes during the work, and shall as soon as practicable upon the completion of such work, re-lay the pipes in street. Except for above cause, owners shall maintain their private pipes from the end of the City service to and into their property, or in case the Superintendent finds it necessary to maintain same the owner shall relinquish all right in the pipes. When necessary the Superintendent may slope service in on property to conform to the slope occasioned by the grading of street and charge expense to owner of service.

B. Whenever pipes connecting with a City service connection are to be used as part of a lawn and shrubbery sprinkling system exclusively such pipes may, at the option of the property owner, be laid with less than two feet (2') of earth cover. The property owner shall be required to install a control valve on each branch pipe which may lead from regular domestic supply pipes to the lawn and shrubbery sprinkling system.

C. Such lawn sprinkler systems may be constructed of nonmetallic material beyond an approved vacuum-breaker located on the discharge side of the last control valve; subject, however, to all provisions of the Plumbing Code (Ordinance No. 80242).<sup>1</sup>

D. Sprinkling systems of this nature shall be constructed in such manner that all pipes and fittings connected therewith can be thoroughly drained when their seasonable use has been discontinued.

(Ord. 88208 § 1, 1959; Ord. 65877 § 6, 1935.)

<sup>1</sup>Editor's Note: The current Plumbing Code is codified in Title 22 of this Code.

For current SMC, contact the Office of the City Clerk

**21.04.100 Connection—Minimum size—Fees and charges.**

A. No service connection less than three-fourths inch (3/4") in size shall be installed.

B. The fees for the installation of water service as hereinbefore provided shall be the actual cost of labor and material plus overhead charges to be determined by the Superintendent of Water in laying such a service and replacing the pavement.

C. The Superintendent of Water may establish standard charges based on a review of prevailing actual costs for the installation of the various sizes of service. Such standard charges shall be subject to annual review.

(Ord. 112035 § 2, 1984; Ord. 108837 § 1, 1979; Ord. 104062 § 1, 1974; Ord. 88208 § 2, 1959; Ord. 80042 § 1, 1951; Ord. 65877 § 7, 1935.)

**21.04.110 Special tap charge—Imposed—Agreement and payment.**

A. In addition to water service connection fees and charges required by ordinance, the owners of properties, which have not been assessed or charged or borne an equitable share of the cost of the City's water distribution and hydrant system, shall pay, prior to connection to a City water main or at the time of transfer of an existing metered water service connection to a standard main designed to serve the property, a special tap charge in an amount to be computed under Section 21.04.120; provided, that the special tap charge shall not apply to property which is so located that it would not have been assessed for the construction of the water main had a local improvement district been formed for such purposes. All properties with connections to a sub-standard water main which is replaced by a standard water main shall be transferred to the replacement water main, unless the Superintendent determines that such transfer is impractical and uneconomical.

The collection of the special tap charge to serve a residence may be deferred at the request of a person responsible for its payment who is economically disadvantaged, as defined in Section 20.12.020 B of the Seattle Municipal Code and both owns and occupies the residence which will be connected to the City system. Interest on

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# Seattle Municipal Code

August, 1996 code update file

Text provided for historic reference only.

See ordinances creating and amending sections for complete text, graphics, and tables and to confirm accuracy of this source file.

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the Office of the City Clerk

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Seattle Municipal Code  
August, 1996 code update  
Text provided for historical purposes only.

See ordinances creating special tap charges and tables and to conform to this source file.

deferred charges shall be computed at the same rate as provided in Section 21.04.110 B as if payment were being made in a timely manner under an installment contract. A request for deferral must be made thirty (30) days prior to the levy of the special tap charge. All charges, including interest so deferred, shall become due and payable in full at the time of sale or transfer of the property or if there is a change to a higher use than single family.

B. The special tap charge shall be paid in cash or under installment contract with interest computed on unpaid balances at the same rate as the effective annual interest rate of the most recent Seattle Local Improvement District Bond Issue unless such charges are deferred pursuant to 21.04.110 A. Such contract shall provide for a down payment of one-fortieth ( $1/40$ ) of the total special tap charge, payable upon execution of such contract and for payment of the balance in equal installments payable at specified intervals throughout the term of the contract, in addition to interest as provided in this section. Such installment contract shall provide that any unpaid balance may be paid in full at any time, shall describe the property served by water, shall be acknowledged by the property owner and shall be recorded by the Superintendent of Water in the office of the County Auditor at the expense of the property owner. Such contract shall include a provision that in the event of default the Superintendent of Water may disconnect the City's water service from and refuse to supply water to the premises in default until the same is paid. Upon full payment of the contract, the Superintendent of Water on behalf of the City shall execute and deliver to the property owner a release of such lien.

(Ord. 112035 § 3, 1984; Ord. 110695 § 1, 1982; Ord. 103103 § 1, 1974; Ord. 99705 § 1, 1971; Ord. 95526 § 1, 1967; Ord. 88614 § 1, 1959; Ord. 83825 § 1, 1955; Ord. 77534 § 1, 1948; Ord. 69583 § 1, 1939; Ord. 65877 § 7-A-1, 1935.)

**21.04.120 Special tap charge—Computation and payment.**

A. The special tap charge imposed by Section 21.04.110 hereof shall be paid into the water fund and shall be computed as follows: The number of units of property frontage determined in the manner prescribed in RCW 35.44.030 and 35.44.040 for determining "assessable units of frontage," shall be multiplied by the average local improvement assessment per unit of frontage for such facilities in Seattle for the year in which the water main to which the property is to be

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connected was constructed and accepted as completed, as set forth in C.F. 257032.

B. The Superintendent of Water is authorized and directed to annually compute and establish the average local improvement assessment paid by property owners for water mains and hydrants completed and accepted by the City during the previous calendar year. If no water main and hydrant local improvement districts are completed and accepted or those completed and accepted are not representative of the average current costs of construction, the Superintendent of Water is hereby authorized to compute and establish an average water main and hydrant construction cost per assessable unit of frontage, using all water main and hydrant projects completed during the previous calendar year. This average assessment or average cost shall be used in computing the special tap charge imposed in Section 21.04.110 as to water main and hydrant improvements completed in each year. A copy of such computation shall be delivered to the City Clerk not later than April 30th of each such year to be filed by him or her in C.F. 257032.

C. The special tap charge imposed by Section 21.04.110 and computed under Section 21.04.120 A and B shall be decreased for those properties with existing metered water service connections installed prior to December 31, 1984 and connected to abutting and certain non-abutting substandard water mains which are being replaced with mains of standard size, material and related appurtenances in accordance with standards and replacement criteria established by the Superintendent pursuant to the Administrative Code (Chapter 3.02). Such decrease may also be applied to the special tap charges imposed upon properties connected to non-abutting substandard mains if the Superintendent determines that there will be no future abutting water mains.

D. Properties eligible for a decreased special tap charge under Section 21.04.120 C shall be charged a percentage of the full special tap charge, based upon the sizes of the existing substandard main and the new standard main, according to the following schedule.

Existing Substandard Main Size	Percent of Special Tap Charge to be Charged for Replacement New Mains
8 inches	12 inches

	or smaller new main size	or larger new main size
2 inches and smaller, without hydrants	35%	70%
3 inches through 6 inches, without hydrants	15%	50%
8 inches, without hydrants	0%	40%
4 inches through 8 inches, with hydrants	0%	40%
Greater than 8 inches	0%	0%

1. The percentages in the above schedule are based upon estimates of the differential between the cost of replacing the existing substandard water mains and appurtenances with facilities of the same original size and the cost of replacing them with the larger standard size facilities. The Superintendent pursuant to the Administrative Code (Chapter 3.02) may change the above percentages. A copy of such changes shall be delivered to the City Clerk and filed by him or her in C.F. 257035.

2. Properties eligible for and charged the decreased special tap charge under Section 21.04.120 C and D are subject to the payment requirements authorized in Section 21.04.110 B.

E. The special tap charge imposed by Section 21.04.110 and computed under Section 21.04.120 may be decreased by the amount of a service line credit. Eligibility for such a credit is limited to properties which do not abut a public street, and where an abutting water main will not be required, and where there has been no reduction in the special tap charge according to the previous subsection or in certain other cases in accordance with criteria established by the Superintendent pursuant to the Administrative Code (Chapter 3.02). Service line credits shall be computed by multiplying the lineal foot distance from the street margin to the property line abutting the access route times the service line credit rate established for the year the water main was constructed, as set forth in Exhibit "B" attached to and by reference made part of the ordinance codified in this chapter.<sup>1</sup> For water mains constructed after 1984, the Superintendent of Water shall compute the service line credit based upon estimates of changes in costs of labor and materials and shall deliver a copy of such computation to the City Clerk not later than April 30th of each year to be filed by him or her in C.F. 257032.

(Ord. 112035 § 4, 1984; Ord. 108850 § 1, 1980; Ord. 95526 § 2, 1967; Ord. 65877 § 7-A-2, 1935.)



1. Editor's Note: Exhibit B is on file with Ordinance 112035 in the office of the City Clerk.

**21.04.130 Special tap charge—Credit to local improvement district fund.**

If the property for which a special tap charge has been paid is subsequently included in a local improvement district for the construction of a water main of similar nature, the amount or proper portion thereof so paid shall be credited to the assessment against such property and such amount shall be paid from the Water Fund to such local improvement district fund.

(Ord. 95526 § 3, 1967; Ord. 65877 § 7-A-3, 1935.)

**21.04.150 Unused connections.**

On all water service connections unused for a period fifteen (15) years, or more, from date of installation, the City reserves the right: (A) to consider the same obsolete and remove the service, at the City's option; or (B) to require payment for a new service.

(Ord. 72857 § 1, 1943; Ord. 65877 § 7-C, 1935.)

**21.04.160 Stop and waste cocks—Inspection of water pipes.**

A. Before water will be turned on to any premises connected with the City's mains, the service pipes upon such premises must be made to conform to the following regulations: The service pipes must be so located that the supply for each separate house or premises shall be controlled by separate stop and waste cocks of the best standard make, approved by the Superintendent, with extension handle, properly protected from the frost, and so placed within the premises that all service pipes and fixtures may be thoroughly drained during freezing weather. Where sags or depressions occur in the pipe and this stop and waste cock is not sufficient to fully drain all the pipes and fixtures within the premises, additional stop and waste cocks, with extension handles, or other approved vents must be so placed as to fully drain them. In cases where no fixtures are placed between the property line and the

basement the stop and waste cock may be placed in the basement, provided the basement is not less than six feet (6') in height and is provided with stairways or other means of access thereto; provided further, that where basements are enclosed in wooden walls the stop and waste cock shall be placed at least twelve inches (12") below the surface of the ground, and shall be provided with an extension handle. Stop and waste cocks on premises fronting on ungraded streets shall be placed at least six feet (6') inside of property line of the premises. The connection between the City's pipes at the property line and the service pipes on the premises must be made with a union. Every existing service or branch service not already equipped as required in this section must be so equipped at the owner's expense as soon as the defect is noted.

B. All water pipes which shall hereafter be laid, relaid or repaired on any private premises or in any street or public place within the City, shall be subject to inspection by the Superintendent, before such water pipes are covered.

(Ord. 65877 § 8, 1935.)

**21.04.170 Request to turn on water.**

Whenever the owner of any premises connected with the City's water supply system shall desire to use the water he shall notify the Superintendent and request that the water be turned on to the premises. The owner shall leave his portion of the service exposed in the trench until the water is turned on by the Superintendent, when he shall immediately properly cover the pipe.

(Ord. 65877 § 9, 1935.)

**21.04.180 Supplying water to additional premises—Application.**

It shall be unlawful for any person whose premises are supplied with water to furnish water to additional premises unless he shall first make application in writing so to do at the office of the Superintendent.

(Ord. 65877 § 10, 1935)

**21.04.190 Supplying water to additional premises—Charges.**

When additional premises are connected without the application prescribed in Section 21.04.180, such premises may be charged at double the rate for the time they are in use, and the service may be shut off by the Superintendent

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and the current standard charges made for shutting off and turning on such service. In case water shall be turned off as provided in this section, the same shall not be turned on again until all rates and charges against the premises have been paid in full.

(Ord. 110816 § 1, 1982; Ord. 65877 § 11, 1935.)

removal of meters. The same rate shall apply for reinstatement.

**21.04.200 New connections on old sites—Abandoned connections—Transfers to new water mains.**

When new buildings are to be erected on the site of the old ones and it is desired to increase the size or change the location of the old service connection, or where a service connection to any premises is abandoned or no longer used, the Superintendent may cut out or remove such service connection, after which, should a service connection be required to the premises, a new service shall be placed only upon the owner making an application and paying for a new tap in the regular manner. When service connection of any premises on an unpaved street does not exceed one inch (1") in size and the same does not come from the main in front of the premises the Superintendent shall, when a main is laid in front of the premises, after notifying the owner or tenant thereof, transfer the service connection to the new main without charge, and at the same time cut out the old service connection. When a new main is laid in any street owners of premises on the street, or within one-half (1/2) block on side streets, who are being supplied with City water from a private main or a connection to a private service shall make application for tap and shall connect up with a separate service connection to the main in front of premises.

(Ord. 65877 § 12, 1935.)

**21.04.210 Discontinuance of service—Reinstallation application—Temporary service.**

A. Whenever the owner of any premises connected with the City's water supply system desires to discontinue the use of water, he shall make written application to have the meter removed from the service. The actual cost of removing meter shall be charged to the property, except that the Superintendent may establish standard charges based on a review of prevailing actual costs of

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B. When it is desired to have a meter reinstalled the owner of the premises to be supplied by such meter shall file an application at the office of the Superintendent on forms provided for the purpose, and shall pay the cost in full for such reinstallation.

C. The Superintendent shall cause the reinstallation of meters within twenty-four (24) hours after the receipt of application for same. In the event of emergency the Superintendent may, at his discretion, permit the temporary use of unmetered water, such temporary use to be limited to the time of the placing of the meter on the service connection.

D. In all cases of the City furnishing temporary service within the meaning of this section a charge to be determined by the Superintendent of Water based on the actual cost of furnishing the temporary service shall be added to and made a part of the regular meter charges.  
(Ord. 104062 § 2, 1974; Ord. 86455 § 1, 1957; Ord. 65877 § 13, 1935.)

#### **21.04.230Reconnections—Procedure.**

When meter has been removed from any premises upon the application of the owner thereof, or for nonpayment of water charges, or for any other cause, it shall be unlawful for any person again to connect such premises with water until all arrearages for the premises have been paid, and application made for reinstallation of meter, and other cause or causes corrected to the satisfaction of the Superintendent.  
(Ord. 65877 § 15, 1935.)

#### **21.04.240Water shut off by City.**

When water has been shut off by the City for any cause, and is turned on again or allowed or caused to be turned on by the owner, no remission of rates will be made on account of its having been shut off, and the Superintendent may then shut off the water at the main, or remove a portion of the service connection in the street and shall charge the actual cost of cutting out and reinstating the water supply.  
(Ord. 65877 § 16, 1935.)

#### **21.04.250Charges—Delinquency and lien.**

All water rates will be charged against the premises for which the service was installed. All charges for water, when the same become delinquent and unpaid, shall be a lien against the

premises to which water has been furnished. In case any charges for water shall become a lien against any premises, the water shall be cut off until such charges are paid.  
(Ord. 65877 § 17, 1935.)

#### **21.04.260Accounts to be in name of owner or leaseholder.**

A. All accounts for water shall be kept only in the name of the owner of the premises for which service was installed, provided, however, that persons holding under recorded lease may be supplied on their own account, and in such cases the Superintendent may require such deposit of money with the Finance Director of the City as in his or her judgment shall be necessary to protect the City against any and all delinquent and unpaid charges for water or other charges on account of such service. The property owner shall have the right to have water bills mailed to a tenant, or agent, but this shall not relieve the property from liability for water charges incurred.

B. The Superintendent of Water may establish and collect charges based on actual costs, for special meter readings ordered in connection with property ownership or occupancy changes.  
(Ord. 116368 § 276, 1992; Ord. 104062 § 3, 1974; Ord. 65877 § 18, 1935.)

#### **21.04.270Water for construction purposes.**

A. It shall be the duty of the Superintendent of Buildings to report to the Superintendent of Water the beginning of construction or repairs of all buildings in the City, such reports to be a duplicate of the building permit issued, containing a general description of the building to be erected or repaired, the name of the owner and contractor thereof, the official house number and street name, the lot, block and addition.

B. Water for construction purposes will only be furnished upon the application of the owner or authorized agent of the property.

C. Water for construction purposes shall be furnished by meter, and charged to the premises supplied and the owner thereof.  
(Ord. 65877 § 19, 1935.)

**21.04.300 City right to shut off water.**

The City reserves the right at any time, without notice, to shut off the water supply for repairs, extensions, nonpayment of rates, or any other reason, and the City shall not be responsible for any damage, such as bursting of boilers

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21.04.300

UTILITIES

# Seattle Municipal Code

August, 1996 code update file

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(Seattle 3-93)

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supplied by direct pressure; the breaking of any pipes or fixtures, stoppage or interruption of water supply, or any other damage resulting from the shutting off of water.

(Ord. 65877 § 22, 1935.)

**21.04.310 Owner's responsibility for maintenance.**

A. The service pipes, connections and other apparatus within any private premises must be kept in good repair and protected from freezing, at the expense of the owner or lessee, who will be responsible for all damages resulting from leaks and breaks. In case of neglect to promptly repair any service or fixture, or make any changes or alterations required in this chapter, the Superintendent shall have authority, when deemed necessary, to go on the premises and make or cause to be made such changes, alterations or repairs, and charge the same against the premises and the owner thereof.

B. The repairs of any meter damaged by hot water shall be charged to the owner of the property for which such meter was installed. The deformation or warping of a metered disc or a register figure disc of any meter shall be held to be prima facie evidence of such damage having been caused by the action of heat.

(Ord. 65877 § 23, 1935.)

**21.04.320 Wasting water and other unlawful uses.**

It shall be unlawful for any person to wilfully allow water to be wasted by imperfect or leaking stops, valves, pipes, closets, faucets or other fixtures, or to use water closets without self-closing valves, or to use the water for purposes other than those named in the application upon which rates for water are based, or for any other purpose than that for which his contract provides.

(Ord. 65877 § 24, 1935.)

**21.04.330 Fire protection services—Use of water.**

A. Services for fire protection must be metered and fitted with such fixtures only as are needed for fire protection and entirely disconnected from those used for other purposes. Persons having such services shall be charged not less than the minimum service charge provided in Section 21.04.430. No charge will be made for water used in extinguishing fire if the owner or occupant of premises where such fire occurs gives written notice to the office of the Superintendent within thirty (30) days from the time of such fire. In no case shall any tap be made upon any pipe used for

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fire service purposes, or any tank connected therewith, nor shall the use of any water be permitted through any fire service nor through any pipes, tank or other fixtures therewith connected for any purpose except the extinguishing of fire on the premises. Provided, however, that all fire protection services heretofore or hereafter installed by the City or by the state exclusively for fire-control purposes on Interstate Highways 5 and 90 are exempted from the provisions of this section requiring installation of meters on fire protection services; provided further that all water for such connections be used exclusively for fire-control purposes.

B. If in the event water is used for any other purpose than firefighting, through a fire service, after notice of a prior violation has been given by letter to the owner and/or occupant, and such service is not equipped with a device for accurately recording such flow of water, the Superintendent shall install a detector meter on such service and charge all cost of such installation to the property.

(Ord. 100988 § 1, 1972; Ord. 66316 § 1, 1936; Ord. 65877 § 25, 1935.)

**21.04.340 Fire protection services—Applications from apartments and hotels.**

The Superintendent of Water is authorized to accept applications for fire protection service connections from owners of apartment houses, apartment hotels and hotels constructed prior to May 4, 1970, for purposes of complying with provisions of the Seattle Fire Code (Ordinance 87870, as amended) contained in Sections 8.31.010, 8.31.030 and 8.31.040 thereof,<sup>1</sup> and there is imposed upon those owners of apartment houses, apartment hotels and hotels making such applications and electing to install such fire protection devices a special tapping charge computed and payable pursuant to Section 21.04.350.

(Ord. 100701 § 1, 1972; Ord. 65877 § 25-1, 1935.)

1. Editor's Note: The current Fire Code is codified in Title 22 of this Code.

**21.04.350 Fire protection services—Special tap charge.**

The special tap charge imposed by Section 21.04.340 shall be in an amount equal to the

actual installation cost to the City and be paid in cash or under installment contract with interest computed on unpaid balances at the same rate as the effective annual interest rate of the most recent



Seattle Local Improvement District Bond Issue. Such contract shall provide for a down payment of one-fortieth ( $\frac{1}{40}$ ) of total estimated installation cost of such service connection at the time of application to the Water Department for such service connection and for payment of the balance, such balance being based upon actual installation cost less down payment, in equal installments payable at specified intervals throughout the term of the contract, in addition to interest as provided for in this section. Such installment contract shall provide that any unpaid balance may be paid in full at any time, shall describe the property served by such fire protection service connection, shall be acknowledged by the property owner and shall be recorded by the Superintendent of Water in the office of the County Auditor at the expense of the property owner and become a lien upon the property served. Such contract shall include a provision that, in the event of default, the Superintendent of Water may disconnect the City's water service from and refuse to supply water to the premises in default until the same is paid. Upon full payment of the contract, the Superintendent of Water, on behalf of the City, shall execute and deliver to the property owner a release of such lien.

(Ord. 110695 § 2, 1982; Ord. 103103 § 2, 1974; Ord. 100701 § 2, 1972; Ord. 65877 § 25-2, 1935.)

**21.04.360 Right of entry for Superintendent—Unlawful obstruction of water meter.**

A. The Superintendent or his duly authorized representatives shall have free access at all reasonable times to all parts of buildings or premises supplied by water from the City's mains, for the purpose of ascertaining the quantity of water used, of inspecting the condition of pipes and fixtures and shutting off or turning on of water through the service connection.

B. It shall be unlawful for any person to hinder, obstruct, or unnecessarily delay the entering, by the Superintendent or his duly authorized representatives to any building or premises at the times and for the purposes referred to in subsection A.

C. It shall be unlawful for any person to store, maintain or keep any goods, merchandise, material or refuse within a distance of six feet (6') from any water meter, gate valve or other appliance in use on any water connection of the City.

(Ord. 65877 § 26, 1935.)

**21.04.370 Penalty for violation of Section 21.04.360.**

In case of any violation of Section 21.04.360 the Superintendent may cause the disconnecting of the service pipe and withhold the supply of water from the premises where such violation occurs until there is a full compliance with the provisions of the section. Whenever a service connection has been disconnected in accordance with the provisions of this section, the cost of such disconnection together with the cost of reconnecting shall be charged against the property where such work has been performed and to the owner thereof.

(Ord. 65877 § 27, 1935.)

**21.04.380 Meter installations between curblines and property line.**

A. Whenever a meter is to be or has been installed within that portion of the street lying between the curblines and the property line and in which an areaway exists the Superintendent shall cause the erection of such bases, supports, or barriers as will reasonably secure the meter and pipes connected therewith against any damage or strain or settlement. The cost of the erection of such bases, supports or barriers shall be charged against the property for which the meter was installed and to the owner thereof.

(Ord. 65877 § 28, 1935.)

**21.04.390 Connection outside City limits—House number.**

A. Whenever the City shall receive application for the installation of a water service connection to supply property beyond the limits of the City, the person filing application shall be required to furnish such property description as will be deemed sufficient by the Superintendent.

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From the information contained in such description the Superintendent shall determine the correct house number for the premises to be supplied with water. The house number mentioned in this section shall be noted in the application for the installation of water service connection.

B. The property owner shall be required to set up and fix in a conspicuous place on the premises to be served with water, the house number as determined by the Superintendent. (Ord. 65877 § 29, 1935.)

**21.04.400 Protection of connections from driveways or crossings.**

A. Whenever a driveway or crossing, to be used for vehicular traffic, is constructed within that portion of a City street lying between the curblines and the property line, the Superintendent shall cause the removal and relocation of any water service connection or any part thereof which may be within the lines of such driveway or crossing; provided, however, that instead of such removal of water service connection the Superintendent may, if he deems it advisable, cause the construction and placing of an iron or masonry box or chamber of sufficient strength to withstand the stress of vehicular traffic.

B. The cost of removal, relocation or maintenance of water service connections as provided in this section shall be charged against the property for which driveway or crossing was constructed and to the owner thereof. (Ord. 65877 § 30, 1935.)

**21.04.410 Accounts of charges and penalties.**

A. It shall be the duty of the Superintendent to keep accounts for all customers of the Water Department and to enter on such accounts all charges and penalties.

B. Pursuant to the provisions of the Administrative Code (Seattle Municipal Code Chapter 3.02, Ordinance 102228, as amended), the Superintendent will establish policies and procedures for the collection and reporting of all moneys due, specifying when and how collection is to be effected, including the discontinuation of service for past due accounts, negotiation of payments, collection of interest and such costs as may be incurred due to delinquency. (Ord. 112686 § 2, 1986; Ord. 65877 § 31, 1935.)

**21.04.420 Flat rates.**

A. The rates for use of water other than measured by meters shall be known as "flat rates" and shall be as follows:

Paving and laying sidewalks, concrete, per hundred sq. yds. or less for:

6" base or less .....	\$0.50
6 1/4" and over .....	.75
Earthwork, for settling each	
100 cubic yards of earth .....	1.40
Curing pavement, per sq. yd. ....	.04
Portable engines:	
For first horsepower	
(per month or less) .....	.80
For each additional	
horsepower .....	.20
For laying brick, per thousand .....	.15
Cement, per barrel .....	.10

B. Water used for all other purposes not enumerated in this section shall be furnished and charged for either at meter rates or a special rate to be fixed by the Superintendent. (Ord. 65877 § 32, 1935.)

**21.04.430 Rates inside City.**

All water used inside the City for domestic and commercial purposes shall be supplied by meter only at the following rates and charges.

A. Residential. The rates for metered water supplied to single-family and duplex residences within the City in one (1) month, or fractional part thereof, shall be based on a commodity charge and a meter charge, in accordance with the following schedule:

**Effective January 1, 1995:**

<b>Commodity Charge</b>	<b>Per 100 Cubic Feet</b>
Summer (mid-May—mid-September)	
First 500 cubic feet per residence	\$ 1.333
All over 500 cubic feet per residence	2.089
Winter (mid-September—mid-May)	
All usage	1.333

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**Meter Charge** residence 2.089

**Meter Size** **Monthly Charge** Winter (mid-September—mid-May)  
All usage .591

3/4 inch and less \$ 1.40  
1 inch 4.00  
1 1/2 inch 8.00  
2 inch 13.00  
3 inch 40.00

**Meter Charge**  
**Meter Size** **Monthly Charge**

3/4 inch and less \$ 1.40  
1 inch 4.00  
1 1/2 inch 8.00  
2 inch 13.00  
3 inch 40.00  
4 inch 40.00  
6 inch 80.00  
8 inch 130.00  
10 inch 190.00  
12 inch 270.00  
16 inch 450.00  
20 inch 660.00  
24 inch 1,060.00

**Effective January 1, 1996:**

**Commodity Charge** **Per 100 Cubic Feet**

Summer (mid-May—mid-September)  
First 500 cubic feet per residence \$ 1.405  
All over 500 cubic feet per residence 2.202  
Winter (mid-September—mid-May)  
All usage 1.405

**Effective January 1, 1996:**

**Meter Charge**

**Meter Size** **Monthly Charge**

3/4 inch and less \$ 2.00  
1 inch 5.00  
1 1/2 inch 10.00  
2 inch 16.00  
3 inch 50.00

**Commodity Charge** **Per 100 Cubic Feet**

Summer (mid-May—mid-September)  
First 500 cubic feet per residence \$ 1.405  
All over 500 cubic feet per residence 2.202  
Winter (mid-September—mid-May)  
All usage .591

1. Master Metered Residential Development. The rates for residential developments with master meters of one and one-half (1 1/2) inches or larger, which operate and maintain their own distribution systems on private property and which use water primarily to serve single-family, detached residences on at least two (2) separate legal parcels, shall be based on a commodity charge and a meter charge, in accordance with the following schedule:

**Meter Charge**

**Meter Size** **Monthly Charge**

3/4 inch and less \$ 2.00  
1 inch 5.00  
1 1/2 inch 10.00  
2 inch 16.00  
3 inch 50.00  
4 inch 50.00  
6 inch 100.00  
8 inch 160.00  
10 inch 240.00  
12 inch 340.00  
16 inch 570.00

**Effective January 1, 1995:**

**Commodity Charge** **Per 100 Cubic Feet**

Summer (mid-May—mid-September)  
First 500 cubic feet per residence \$ 1.333  
All over 500 cubic feet per

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20 inch	830.00
24 inch	1,330.00

**Meter Charge**

**Meter Size**

**Monthly Charge**

B. Commercial. The rates for metered water supplied to houseboats and premises other than single-family and duplex residences within the City in one (1) month, or fractional part thereof, shall be in based on a commodity charge and a meter charge in accordance with the following schedule:

3/4 inch and less	\$ 2.00
1 inch	5.00
1 1/2 inch	10.00
2 inch	16.00
3 inch	50.00
4 inch	50.00
6 inch	100.00
8 inch	160.00
10 inch	240.00
12 inch	340.00
16 inch	570.00
20 inch	830.00
24 inch	1,330.00

**Effective January 1, 1995:**

**Commodity Charge Per 100 Cubic Feet**

Summer (mid-May—mid-September)	
All usage	\$ 1.323

Winter (mid-September—mid-May)	
All usage	.529

**Meter Charge**

**Meter Size Monthly Charge**

3/4 inch and less	\$ 1.40
1 inch	4.00
1 1/2 inch	8.00
2 inch	13.00
3 inch	40.00
4 inch	40.00
6 inch	80.00
8 inch	130.00
10 inch	190.00
12 inch	270.00
16 inch	450.00
20 inch	660.00
24 inch	1,060.00

**Effective January 1, 1996:**

**Commodity Charge Per 100 Cubic Feet**

Summer (mid-May—mid-September)	
All usage	\$ 1.488

Winter (mid-September—mid-May)	
All usage	.529

C. Fire Service. The rates for water supplied for fire protection purposes exclusively shall be deemed service charges and shall be for any one (1) month, or fractional part thereof, as follows:

**Effective January 1, 1995:**

**Size of Service Service Charge**

2 inch and less	\$ 7.50
3 inch	23.00
4 inch	23.00
6 inch	47.00
8 inch	75.00
10 inch	107.00
12 inch	158.00

In addition, for each one hundred (100) cubic feet of water consumption in excess of the first one hundred (100) cubic feet, except water used for extinguishing fires, the charge shall be \$6.615.

**Effective January 1, 1996:**

**Size of Service Service Charge**

2 inch and less	\$ 7.50
3 inch	23.00
4 inch	23.00
6 inch	47.00
8 inch	75.00

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10 inch	107.00
12 inch	158.00

**Effective January 1, 1996:**

In addition, for each one hundred (100) cubic feet of water consumption in excess of the first one hundred (100) cubic feet, except water used for extinguishing fires, the charge shall be \$7.440. (Ord. 117386 § 1, 1994; Ord. 116423 § 1, 1992; Ord. 116185 § 4, 1992; Ord. 115529 § 1, 1991; Ord. 114370 § 1, 1989; Ord. 111440 § 1, 1983; Ord. 109398 § 1, 1980; Ord. 104062 § 4, 1974; Ord. 99109 § 1, 1970; Ord. 66316 § 2, 1936; Ord. 65877 § 33, 1935.)

**Commodity Charge Per 100 Cubic Feet**

<b>Summer (mid-May—mid-September)</b>	
First 500 cubic feet per residence	\$ 1.602
All over 500 cubic feet per residence	2.510
<b>Winter (mid-September—mid-May)</b>	
All usage	1.602

**Meter Charge**

<b>Meter Size</b>	<b>Monthly Charge</b>
3/4 inch and less	\$ 2.30
1 inch	5.70
1 1/2 inch	11.00
2 inch	18.00
3 inch	57.00

**21.04.440 Rates outside City.**

Except as otherwise provided in this chapter, the rates and charges for water supplied not within the limits of the City shall be as follows:

A. Residential. The rates for metered water supplied to single-family and duplex residences not within the limits of the City in one (1) month, or fractional part thereof, shall be based on a commodity charge and a meter charge, in accordance with the following schedule:

**Effective January 1, 1995:**

**Commodity Charge Per 100 Cubic Feet**

<b>Summer (mid-May—mid-September)</b>	
First 500 cubic feet per residence	\$ 1.520
All over 500 cubic feet per residence	2.381
<b>Winter (mid-September—mid-May)</b>	
All usage	1.520

**Meter Charge**

<b>Meter Size</b>	<b>Monthly Charge</b>
3/4 inch and less	\$ 1.60
1 inch	4.60
1 1/2 inch	9.10
2 inch	15.00
3 inch	46.00

1. Master Metered Residential Developments. The rates for residential developments with master meters of one and one-half (1 1/2) inches or larger, which operate and maintain their own distribution systems on private property and which use water primarily to serve single-family, detached residences on at least two (2) separate legal parcels, shall be based on a commodity charge and a meter charge, in accordance with the following schedule:

**Effective January 1, 1995:**

**Commodity Charge Per 100 Cubic Feet**

<b>Summer (mid May—mid-September)</b>	
First 500 cubic feet per residence	\$ 1.520
All over 500 cubic feet per residence	2.381
<b>Winter (mid-September—mid-May)</b>	
All usage	.674

**Meter Charge**

<b>Meter Size</b>	<b>Monthly Charge</b>
3/4 inch and less	\$ 1.60

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1 inch	4.60
1½ inch	9.10
2 inch	15.00
3 inch	46.00
4 inch	46.00
6 inch	91.00
8 inch	148.00
10 inch	217.00
12 inch	308.00
16 inch	513.00
20 inch	752.00
24 inch	1,208.00

**Effective January 1, 1995:**

**Commodity Charge Per 100 Cubic Feet**

Summer (mid-May—mid-September)  
All usage \$ 1.508

Winter (mid-September—mid-May)  
All usage 0.603

**Meter Charge**

**Meter Size Monthly Charge**

¾ inch and less	\$ 1.60
1 inch	4.60
1½ inch	9.10
2 inch	15.00
3 inch	46.00
4 inch	46.00
6 inch	91.00
8 inch	148.00
10 inch	217.00
12 inch	308.00
16 inch	513.00
20 inch	752.00
24 inch	1,208.00

**Effective January 1, 1996:**

**Commodity Charge Per 100 Cubic Feet**

Summer (mid-May—mid-September)  
First 500 cubic feet per residence \$ 1.602  
All over 500 cubic feet per residence 2.510

Winter (mid-September—mid-May)  
All usage .674

**Meter Charge**

**Meter Size Monthly Charge**

¾ inch and less	\$ 2.30
1 inch	5.70
1½ inch	11.00
2 inch	18.00
3 inch	57.00
4 inch	57.00
6 inch	114.00
8 inch	182.00
10 inch	274.00
12 inch	388.00
16 inch	650.00
20 inch	946.00
24 inch	1,516.00

**Effective January 1, 1996:**

**Commodity Charge Per 100 Cubic Feet**

Summer (mid-May—mid-September)  
All usage \$ 1.696

Winter (mid-September—mid-May)  
All usage 0.603

**Meter charge**

**Meter Size Monthly Charge**

¾ inch and less	\$ 2.30
1 inch	5.70
1½ inch	11.00
2 inch	18.00
3 inch	57.00
4 inch	57.00
6 inch	114.00
8 inch	182.00
10 inch	274.00
12 inch	388.00

B. Commercial. The rates for metered water supplied to premises other than single-family and duplex residences not within the limits of the City in one (1) month, or fractional part thereof, shall be based on a commodity charge and a meter charge, in accordance with the following schedule:

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16 inch	650.00
20 inch	946.00
24 inch	1,516.00

master meter furnished by the City, shall be based on a commodity charge and a meter charge, as follows:

C. Fire Service. The rates for water supplied for fire protection purposes exclusively shall be deemed service charges and shall be for any one (1) month, or fractional part thereof, as follows:

**Effective January 1, 1995:**

Service Size	Service Charge
2 inch and less	\$ 8.50
3 inch	27.00
4 inch	27.00
6 inch	53.00
8 inch	85.00
10 inch	122.00
12 inch	180.00

In addition, for each one hundred (100) cubic feet of water consumption in excess of the first one hundred (100) cubic feet, except water used for extinguishing fires, the charge shall be \$7.541 per hundred (100) cubic feet.

**Effective January 1, 1996:**

Service Size	Service Charge
2 inch and less	\$ 8.50
3 inch	27.00
4 inch	27.00
6 inch	53.00
8 inch	85.00
10 inch	122.00
12 inch	180.00

In addition, for each one hundred (100) cubic feet of water consumption in excess of the first one hundred (100) cubic feet, except water used for extinguishing fires, the charge shall be \$8.482 per hundred (100) cubic feet.

D. Wholesale Customers. The rate to be charged to municipal water districts, other municipalities, and nonprofit water associations being served prior to January 1, 1970, authorized to and engaging in the distribution of water under the laws of the state and where such districts, municipalities, and associations, operate, maintain and distribute water for resale purposes through a

**Effective January 1, 1995:**

**Commodity Charge Per 100 Cubic Feet**

Summer (mid-May—mid-September)	
All usage	\$ 0.481
Winter (mid-September—mid-May)	
All usage	0.306

In addition, from January 1st through December 31st, each one hundred (100) cubic feet of consumption in excess of the average amount of water supplied to the wholesale customer for a corresponding period of time in the three (3) year base period between January 1, 1979 and December 31, 1981 shall be charged at \$0.872.

**Meter Charge**

**Meter Size Monthly Charge**

1 inch	\$ 45.00
1½ inch	50.00
2 inch	55.00
3 inch	65.00
4 inch	90.00
6 inch	160.00
8 inch	250.00
10 inch	375.00
12 inch	440.00
16 inch	580.00
20 inch	790.00
24 inch	1,030.00

E. Wholesale Customers—Demand Charge. In addition to the foregoing, each municipal water district, other municipality, and nonprofit water association being served prior to January 1, 1970, shall be subject to a demand charge based on effective deficient water storage, as determined by the peak instantaneous flow rate, and the equivalent financing costs to provide storage. The proceeds from this demand charge, together with any interest earnings thereon, shall be deposited in the Water Fund. The amount of the proceeds shall be recorded in a separate account and shall be recognized in cost allocation studies as a credit to

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the total revenue to be recovered from wholesale customers through any wholesale rates on consumption in excess of base period amounts.

Such demand charge and method of application thereof shall be as follows:

1. The policy of the Seattle Water Department is to supply water to wholesale water purveyor customers (municipal water districts, other municipalities, and nonprofit water associations) at the twenty-four (24) hour average flow rate. Water purveyors are expected to provide or pay for storage for peaking rates above such average flow rate.

2. A demand charge will be applicable to water purveyors who are found to have deficient storage as determined in the following paragraphs.

3. The water services (master meters) to purveyors will be monitored by the Water Department to determine applicability of the demand charge. Demand metering equipment will be installed on master meters to purveyors at Water Department expense.

4. Water services to a purveyor on a uniform segment of supply line may be considered as one (1) water service in calculating storage deficiency.

5. A "day" for purposes of this schedule commences at nine (9:00) a.m. and ends at nine (9:00) a.m. the following calendar day.

6. The demand factor for each water service is determined by dividing the fifteen (15) minute peak flow rate by the twenty-four (24) hour average flow rate of the same day.

7. The ten (10) maximum flow days for each water service will be used to determine the average demand factor from which storage deficiency will be calculated. The average demand factor is the average of the demand factors of the ten (10) maximum flow days for each water service.

8. A demand charge for each water service shall be applied only when the average demand factor exceeds 1.3.

9. The deficient storage volume of each water service for demand charge calculation rate shall be  $S = 0.22(F-1)Q$ : where  $S$  = storage deficiency in gallons,  $F$  = average demand factor and  $Q$  = average daily quantity of water in gallons used in the ten (10) maximum flow days for each water service.

10. As of January 1, 1995, the demand charge shall be calculated by applying a storage

deficiency rate of Nineteen Dollars and Ninety Cents (\$19.90) per month per thousand gallons of deficient storage. The total purveyor demand charge shall be the sum of the demand charges for each water service.

11. The demand charge will be calculated in the fall of each year based upon evaluation of the summer months (June, July and August) water delivery flow rates and upon the storage deficiency rate in effect at the time that those flows occurred. The monthly storage deficiency demand charge billing shall commence in January at which time a new charge, if any, shall be applied.

12. Peak flow rates through master meters will be monitored during the summer months; however, if peak flow rates create adverse hydraulic conditions, demand metering may be applied year-round, after reasonable notice to purveyor customers.

13. Purveyors may use other sources of supply approved by the Superintendent of Water such as interconnection with other purveyors' systems or wells for summer water supply peaking purposes.

14. If purveyors formulate approved cooperative operating agreements, their services on uniform segments of supply line may be considered as one (1) service in determining demand charge.

15. Peak flows caused by major accidents in a purveyor's water system will be excluded in determining the demand charge. Peak flows caused by other unusual situations may also be excluded at the discretion of the Superintendent of Water. Documentation of such incidents shall be provided by purveyors to the Superintendent of Water within thirty (30) days after an accident.

16. Artificially created daily flow rates which differ substantially from customers' daily consumption may be disallowed in calculating the demand charge.

17. Approved electrical sensing circuits (e.g., for telemetering) from City master meters may be made available to purveyors on a reimbursable-cost basis. Such circuits shall be installed and maintained by the City; there will be no need for purveyors' representatives to enter City chambers.



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18. The demand charge for a certain master meter(s) may be excused if lower pressure water (or gravity-flow water) replaces City-pumped water (or higher flow water), provided that the peak flow rate through this service does not exceed the demand rate threshold which would occur without the replacement of water service flow.

19. In case of malfunction of metering equipment, the Water Department shall estimate the charge, if any, from best available data. (Ord. 117386 § 2, 1994: Ord. 117296 § 1, 1994: Ord. 116423 § 2, 1992: Ord. 116185 § 2, 1992: Ord. 115529 § 2, 1991: Ord. 114370 § 2, 1989: Ord. 111440 § 2, 1983: Ord. 109398 § 2, 1980: Ord. 107429 § 1, 1978: Ord. 107081 § 1, 1978: Ord. 104922 § 1, 1975: Ord. 104062 § 5, 1974: Ord. 99890 § 1, 1971: Ord. 99109 § 2, 1970: Ord. 65877 § 34, 1935.)

**21.04.450 Cost for new mains constructed outside City limits.**

In areas outside the limits of the City where new mains or replacements are constructed by the City the cost thereof together with interest at four percent (4%) per year computed on unpaid balances shall be repaid by users of water in the districts served by the mains by payment at the rate of One Dollar (\$1.00) per month or more by agreement, in addition to the general rate established by ordinance for water outside the City. The additional payments shall begin upon completion of the installation of such mains and continue until the cost thereof with interest at four percent (4%) per year computed as above is returned to the City. In the event of delinquency in payment of any such charges for water or water service or construction costs the Superintendent of Water is directed to disconnect the City's water service from and refuse to supply water for the premises so in default until the same are paid. (Ord. 75725 § 1, 1947: Ord. 65877 § 34-1, 1935.)

**21.04.460 Separate meters on same service—Rounding off of rates.**

A. In all cases where water is furnished for purposes other than manufactories, laundries and elevators on the same service, separate meters must be provided and the water consumer charged at schedule rates, and such consumers must pay for all service connections as provided in this chapter.

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B. In computing meter rates as provided hereinbefore, results ending in One or Two Cents (\$.01 or .02) will be counted "0"; results ending in Three (\$.03), Four (\$.04), Six (\$.06) or Seven Cents (\$.07) will be counted "5"; results ending in Eight (\$.08) or Nine Cents (\$.09) will be counted "10." (Ord. 65877 § 35, 1935.)

**21.04.465 Standard and administrative charges.**

A. The Superintendent shall develop and update annually a schedule of charges for standard, recurring services which are incidental to the sale of water. Such charges shall be based on a review of the prevailing actual costs for providing these services.

B. The Superintendent may establish reasonable administrative charges for handling dishonored checks, money orders, or other instruments; fees for turning water on or off; charges for delinquent accounts and for related field visits; charges for meter tests, hydrant flow tests, and hydrant use; fees for customer statements of prior billings; charges for utility crossing permits; and for other services not encompassed in the schedule of standard charges.

C. Any standard charges, including administrative charges, and interest rates shall be developed and adopted pursuant to the provisions of the Administrative Code (Seattle Municipal Code Chapter 3.02, Ordinance 102228, as amended).

D. Administrative charges and interest rates developed and adopted pursuant to subsection C of this section shall apply to all delinquent sewer and solid waste charges that are assessed through the combined utility bill; provided that interest rates shall not exceed the maximum rate allowed by law. See RCW 35.67.200.

(Ord. 117731 § 1, 1995: Ord. 112686 § 1, 1986.)

**21.04.470 Bills for water used—Delinquency.**

A. The Superintendent in his discretion may cause bills for water used for domestic purposes to be issued and mailed every three (3) months (quarterly) or less.

B. All bills for metered water shall become past due and delinquent as prescribed by Water Department administrative rule and date of delinquency shall be plainly noted on bill.

C. Upon nonpayment of bills as prescribed in this section, water supply will be subject to shut off. A standard charge will be assessed upon production of notice of intent to shut off, in order to compensate in part for the cost in delivery and associated collection efforts. The Superintendent of Water shall prescribe by administrative rule a standard charge based on a review of prevailing actual costs for shutting off water service. The Superintendent may give a further grace period as provided by Water Department administrative rule before actual shutting off. The water shall again be turned on upon payment of all charges due and owing or upon approval of credit arrangements for payment of such charges. If credit arrangements are not honored by the customer, the water is again subject to shut off until all charges due and owing are paid in full.

(Ord. 110816 § 4, 1982; Ord. 104062 § 6, 1974; Ord. 86455 § 2, 1957; Ord. 65877 § 36, 1935.)

**21.04.480 Meters—Property of City—Failure to register properly.**

All meters, unless otherwise authorized by the Superintendent, shall be and remain the property of the City and will not be removed unless the use of water on the premises is to be entirely stopped or the service connection discontinued or abandoned. In all cases where meters are lost, injured or broken by carelessness or negligence of owners or occupants of premises, they shall be replaced or repaired by or under the direction of the Superintendent and the cost charged against the owner or occupant, and in case of nonpayment the water shall be shut off and will not be turned on until such charges and the charge for turning out of order or failing to register properly the consumer shall be charged on an estimate made by the Superintendent on the average monthly consumption during the last three (3) months that the same was in good order or from what he may

consider to be the most reliable data at his command.

(Ord. 65877 § 37, 1935.)

**21.04.490 Meters—Test for accuracy.**

A. Where the accuracy or record of a water meter is questioned, it shall be removed at the consumer's request and shall be tested in the shops of the Water Department by means of the apparatus there provided, and a report thereon duly made. It shall be the privilege of the consumer to be present at the Water Department shops and witness such test. If the test discloses an error against the consumer of more than three percent (3%) on the meter's registry, the excess of the consumption on the three previous readings shall be credited to the consumer's meter account.

B. No meter shall be removed, or in any way disturbed, nor the seal broken, except in the presence or under the direction of the Superintendent. (Ord. 104062 § 7, 1974; Ord. 65877 § 38, 1935.)

**21.04.500 Emergency water use restrictions.**

A. The Superintendent of Water, upon finding that an emergency situation exists which threatens to seriously disrupt or diminish the municipal water supply, may order and enforce restrictions on water use so as to distribute the available supply on a just and equitable basis to all customers, including residential, industrial, and commercial users, as well as to municipal water districts, other municipalities and nonprofit water associations which purchase water from the City.

B. Upon declaration of a water supply emergency by the Superintendent of Water, no water shall be used for outdoor uses including, but not limited to, irrigation of lawns, turf or other outdoor surfaces by any customer at any residence, apartment building, commercial building, or property or structure except at times and under conditions as specified by the Superintendent of Water.

C. Before putting into effect any restrictions on water use for more than twenty-one (21) days pursuant to this section, the Superintendent of Water shall explain fully to the Mayor, City Council and Board of Public Works the reasons for such restrictions, and shall in addition give notice of a public hearing before the Board of

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Public Works for the ratification and confirmation, or modifications or rejection of the Superintendent's order, which notice shall be given as provided in the Administrative Code of the City (Ordinance 102228)<sup>1</sup>; provided that such public hearing shall be held and such order ratified and confirmed, modified, or rejected not more than ten (10) days from the date of such notice.

(Ord. 114479 § 1, 1989; Ord. 106418 § 1, 1977; Ord. 65877 § 39, 1935.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

**21.04.505 Emergency rate surcharge.**

A. To effect conservation of water during water emergencies, the Superintendent of Water is authorized to impose a surcharge for each day in which a customer's water usage exceeds the restrictions or target goals established by the Superintendent. The surcharge shall be just, fair, reasonable and sufficient for the purpose of ensuring and maintaining a sufficient water supply to satisfy the needs of its residential, commercial and wholesale customers during the emergency.

B. The surcharge for residential, commercial and wholesale customers will be established annually by administrative rule.

C. Prior to the imposition of any surcharge authorized by this section, the Water Department shall notify customers through public announcements that mandatory water restrictions are in effect. Such notice shall advise customers that a surcharge shall be imposed for any water usage contrary to mandatory water restrictions established by the Superintendent, and shall advise the customers of the amount of such surcharge.

D. The restrictions and surcharge shall not compromise the health, safety or welfare of the public, and shall not restrict the essential watering of vegetable gardens or ornamental plants. Exemption from the imposition of a surcharge may be granted by the Superintendent of Water, upon written request, if the Superintendent finds that a surcharge will constitute an undue burden on the customer.

E. The Superintendent of Water is hereby authorized to promulgate such rules and regulations pursuant to the Administrative Code (SMC Chapter 3.02) as shall be necessary to implement such a surcharge.

(Ord. 115157 § 1, 1990; Ord. 114479 § 2, 1989.)

**21.04.510 Aid in enforcement—Reports of fire.**

It shall be the duty of the employees of the Police, Fire, Engineer's and Streets and Sewers Departments to give vigilant aid to the Superintendent in the enforcement of the provisions of this chapter, and to this end they shall report all violations thereof which come to their knowledge to the office of the Superintendent, and it shall be the duty of the Chief of the Fire Department to report immediately to the Superintendent in case of fire in premises having metered service for fire protection purposes that fire has occurred there.

(Ord. 65877 § 40, 1935.)

**21.04.520 Copies of ordinance.**

A copy of the ordinance codified in this chapter may be obtained by all owners of property and consumers of water.

(Ord. 65877 § 41, 1935.)

**21.04.530 Use of fire hydrants.**

A. It shall be unlawful for any person except when duly authorized by the Superintendent, or who shall be a member of the Fire Department, to open, operate, close, turn on, turn off, interfere with, attach any pipe or hose to or connect anything with any fire hydrant, stop valve or stopcock belonging to the City.

B. Any person, other than employees of the Fire Department, requiring the use of any hydrant, stopcock or valve belonging to the City must make written application for the same in advance to the Superintendent. The Superintendent shall then send a hydrant inspector to open such hydrant, stopcock or valve, and the time of such inspector shall be charge to the person making application for the use of such hydrant stopcock or valve. Should it be necessary for the inspector to remain at the hydrant, stopcock or valve until the person using the same has secured the necessary supply of water, the full

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time consumed by the inspector shall be charged to the person securing such service, but in no case shall the charge be less than One Dollar (\$1.00). The Superintendent may require a deposit in advance as a condition for supplying such water. (Ord. 65877 § 42, 1935.)

**21.04.540 Unlawful interference or damage to property.**

It shall be unlawful for any person, unless duly authorized by the Superintendent, to disturb, interfere with or damage any water main, water pipe, machinery, tool, meter or any other appliances, buildings, improvement, lawns, grass plots, flowers, vines, bushes or trees belonging to, connected with, or under the control of the municipal water supply system of the City. (Ord. 65877 § 43, 1935.)

**21.04.550 Unlawful use of reservoirs or grounds.**

It shall be unlawful for any person to bathe in, fish in or throw any substance into any reservoir, or place any foreign substance upon any grounds belonging to, connected with or under the control of the municipal water supply system of the City. (Ord. 65877 § 44, 1935.)

**21.04.560 Obstruction or illegal use of fire hydrant.**

It shall be unlawful for any person to obstruct the access to any fire hydrant by placing around or thereon any stone, brick, lumber, dirt or other material, or to open or operate any fire hydrant, or draw or attempt to draw water therefrom, or to wilfully or carelessly injure the same. (Ord. 65877 § 45, 1935.)

**21.04.570 Unlawful connections to water supply system.**

It shall be unlawful for any person to make a connection with any fixtures or connect any pipe with any water main or water pipe belonging to the municipal water supply system, without first obtaining permission so to do from the Superintendent. It shall also be unlawful to connect to, or use, any water main or water pipe belonging to the municipal water supply system for electrical grounding purposes. (Ord. 113925 § 1, 1988; Ord. 65877 § 46, 1935.)

**21.04.580 Violation—Penalty.**

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in any sum not exceeding One Hundred Dollars (\$100.00), or imprisonment for a term not exceeding thirty (30) days, or by both such fine and imprisonment. (Ord. 65877 § 47, 1935.)

**21.04.590 Violation—Reward for securing conviction.**

The Superintendent shall cause a reward not to exceed Ten Dollars (\$10.00) to be paid to any person securing the conviction of any person for violation of any of the provisions of this chapter. (Ord. 65877 § 48, 1935.)

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