

ORDINANCE NO. 2021 - 11

**AN ORDINANCE OF THE CITY OF SUNNYSIDE, WASHINGTON,
AMENDING SMC 13.20.110 “LOW-INCOME SENIOR CITIZEN AND LOW-INCOME
DISABLED CITIZEN SPECIAL UTILITY RATES – ELIGIBILITY – APPLICATION”**

WHEREAS, the City of Sunnyside Municipal Code (SMC) 13.20.110 sets the eligibility requirements and application process for certain citizens to receive discounted utility rates; and

WHEREAS, SMC 13.20.110 does not currently coincide with the application being used for eligibility; and

WHEREAS, the application and SMC 13.20.110 have been updated to ease the process for both citizens and staff and the City Council of the City of Sunnyside finds and determines that such updates are in the best interests of the City of Sunnyside and will promote the general health, safety and welfare.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

SECTION 1. That revised Section 13.20.110 of the Sunnyside Municipal Code entitled “Low-income senior citizen and low-income disabled citizen special utility rates – Eligibility - Application” to read as follows:

13.20.110 Low-income senior citizen and low-income disabled citizen special utility rates – Eligibility – Application.

A. Qualification. The special residential rate for low-income senior citizens or low-income disabled citizens specified in SMC 2.02.020(F) shall be available to each person who shows satisfactory proof to the Director of Finance & Administrative Services, or their designee, that he or she:

1. Is 62 years of age or older on or before the thirty-first of January of the year of his or her application. Proof of age must be presented at the time of application; or
2. Is qualified for and entitled to receive special parking privileges established pursuant to RCW 46.19.010(1)(a) through (j), or be blind as defined in RCW 74.18.020(4), or a person who qualifies for supplemental Social Security benefits due to a disability, or developmentally disabled as defined in RCW

71A.010.020(2), or a mentally ill person as defined in RCW 70.05.020(1). Proof of such disability must be presented at the time of application; and

3. Applicant must reside on the property being served and the utility account must be in the applicant's name. If the applicant is leasing the residence or the account is not in the applicant's name, the owner of the residence must sign the Attestation of Owner on the application. Persons in federally subsidized housing are not eligible for low-income senior citizen and low-income disabled citizen special utility rates; and
4. Is a single occupant or the head of household or the spouse of the head of household; and
5. Must have a combined household income from all sources, based on family size, not exceeding 125% of the federally established poverty level for Yakima County or qualify for and be entitled to the exemption from regular real property taxes as set forth in RCW 84.36.381(5)(b)(i) or (ii) as it now exists or is hereafter amended. Proof of such exemption must be presented at the time of application. Appropriate tax statements issued by Yakima County establishing such exemption shall be satisfactory proof of eligibility for the special utility rate.

B. Application and Processing. The City Manager of the City, or their designee, shall be authorized and empowered to implement the procedures for application and processing of requests for low-income senior citizen and low-income disabled citizen special utility rates and to adjust the discount rate as set forth in SMC 2.02.020. The application for low-income senior citizen or low-income disabled citizen special utility rate must be filed annually with the City Finance Department prior to the thirtieth of April of each year and, if approved, shall be effective for the year of application until the following thirtieth of April. Any filing of an application after the thirtieth of April of any year shall apply only to utility accounts mailed after the date of filing and shall not be applied retroactively.

C. Discount Rate. The low-income senior citizen and low-income disabled citizen special utility rate shall consist of the applicable water, sewer and stormwater rates set forth in SMC 2.02.020(F). The amount of reductions shall be deducted from the utility bills otherwise payable by the qualified low-income senior citizen or low-income disabled citizen.

D. False Information. Any individual willfully providing false information to the city in an application for reduced utility rates shall forfeit the low-income senior or disabled citizen's eligibility for rate reductions in utility rates and shall be guilty of a misdemeanor. Additionally, the low-income senior or disabled citizen making such false statement to obtain benefits under this chapter shall be required to repay the amount of any utility discount received based upon such false information, together with interest at the rate of 12 percent per annum until repaid in full.

SECTION 2. This ordinance shall take full force and effect five (5) days after its approval passage and publication is provided by law.

PASSED this 23rd day of August 2021.



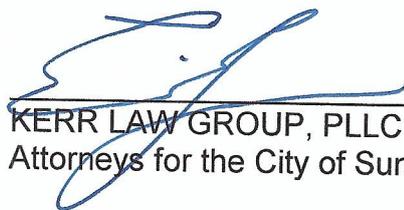
FRANCISCO GUERRERO, MAYOR

ATTEST:



JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:



KERR LAW GROUP, PLLC
Attorneys for the City of Sunnyside