

**WHATCOM COUNTY  
PUBLIC WORKS DEPARTMENT**

Jon Hutchings  
Director



**STORMWATER**  
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**MEMORANDUM**

**TO:** The Honorable Jack Louws, County Executive and  
The Honorable Members of the Whatcom County Council

**THROUGH:** Jon Hutchings, Public Works Director

**FROM:** Kraig Olason, Stormwater Program Manager

**DATE:** November 19, 2019

**RE:** Request for Amendment to Ordinance 2019-053, Lake Whatcom  
Stormwater Utility Funding Mechanism

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**Requested Action**

The Public Works Department requests that County Council amend Ordinance 2019-053 to change the initiation date for collection of the Capital Facilities Charge (CFC) from January 1, 2020 to January 1, 2021.

**Background and Purpose**

Whatcom County Council adopted Ordinance 2019-053 (codified as WCC 16.30), the Lake Whatcom Stormwater Utility Funding Mechanism in July 2019. Section 11.0 of WCC 16.30 calls for collection of a one-time CFC on new residential and commercial developments, effective January 1, 2020. Public Works reviewed this ordinance language and finds that: (1) the language is ambiguous as to legislative intent, and (2) does not provide a convenient mechanism for fee collection. Public Works seeks to delay the implementation of this fee to January 1, 2021 to allow time to propose clarifying language and to develop a suitable fee collection method. The ordinance includes a phase-in provision for the annual rate fee portion of the ordinance wherein 50% of the annual unit rate fee is collected in 2020 and 100% is collected in 2021. Delaying the effective date of the CFC would be consistent with this phased approach.

Please contact Kraig Olason at 6301, if you have any questions or concerns regarding this request.

Encl.