

RCW 35.92.385 Connection charge waivers.

*** CHANGE IN 2026 *** (SEE 1302-S.SL) ***

(1) Municipal utilities formed under this chapter may waive connection charges for properties owned or developed by, or on the behalf of, a nonprofit organization, public development authority, housing authority, or local agency that provides emergency shelter, transitional housing, permanent supportive housing, or affordable housing, including a limited partnership as described in RCW 84.36.560(7)(f)(ii) and a limited liability company as described in RCW 84.36.560(7)(f)(iii).

(2)(a) Except as provided in (b) of this subsection, connection charges waived under this chapter shall be funded using general funds, grant dollars, or other identified revenue stream.

(b) In a county east of the crest of the Cascade mountains with a population of greater than 500,000, a waiver of connection charges may be allowed under this chapter without an explicit requirement to pay the exempted connection charges from the funds described in (a) of this subsection if the waiver is conditioned upon requiring the developer to record a covenant that prohibits using the property for any purpose other than provided under this chapter. At a minimum, the covenant must address price restrictions and household income limits and that if the property is converted to a use other than described in subsection (1) of this section, the property owner must pay the applicable connection charges in effect at the time of conversion. Covenants required by this subsection must be recorded with the applicable county auditor or recording officer.

(3) At such time as a property receiving a waiver under subsection (1) of this section is no longer operating under the eligibility requirements under subsection (1) of this section:

(a) The waiver of connection charges required under subsection (1) of this section is no longer required; and

(b) Any connection charges waived under subsection (1) of this section are immediately due and payable to the utility as a condition of continued service.

(4) For the purposes of this section:

(a) "Affordable housing" has the same meaning as in RCW 36.70A.030.

(b) "Connection charges" means the one-time capital and administrative charges, as authorized in RCW 35.92.025, that are imposed by a utility on a building or facility owner for a new utility service and costs borne or assessed by a utility for the labor, materials, and services necessary to physically connect a designated facility to the respective utility service.

(c) "Emergency shelter" means any facility that has, as its sole purpose, the provision of a temporary shelter for the homeless and that does not require occupants to sign a lease or occupancy agreement.

(d) "Permanent supportive housing" has the same meaning as in RCW 36.70A.030.

(e) "Transitional housing" has the same meaning as in RCW 84.36.043. [2025 c 351 s 1; 2023 c 249 s 1.]