

CITY OF NORTH BONNEVILLE ORDINANCE 1036

AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, AMENDING NORTH BONNEVILLE MUNICIPAL CODE TITLE 13 BY AMENDING CHAPTER 13.04 ENTITLED WATER SYSTEM AND ITS SECTIONS:

13.04.010 RIGHT OF SERVICE; 13.04.020 DEFINITION OF TERMS; 13.04.030 APPLICATION FOR SERVICE; 13.04.040 NEW SERVICE- FIRST BILLED; 13.04.050 PAYMENT; 13.04.060 RATE SCHEDULE; 13.04.064 BILLING ON CLOSED WATER CONNECTIONS; 13.04.065 FALIURE TO READ; 13.04.070 CONNECTION FEES ESTABLISHED – PAYMENT DUE; 13.04.080 SERVICE INSTALLATION GENERAL; 13.04.090 SERVICE INSTALLATION-SPECIAL CONDITION; 13.04.100 SERVICE INSTALLATIONS - LOCATIONS OF SERVICE PIPE; 13.04.110 REQUIREMENTS FOR PLUMBING; 13.04.120 WATER SHUT OFF; 13.04.130 LIABILITY DISCLAIMER; 13.04.140 METER OWNERSHIP; 13.04.150 WATER CHARGES CONSTITUTES LIEN; 13.04.160 ACCOUNTING; 13.04.170 REQUIRED USE OF CITY WATER; 13.04.180 REFUSAL TO CONNECT – CONNECTION BY CITY- COST ASSESSMENT- LIEN; 13.04.190 METER MAINTENANCE AND REPAIR; 13.04.200 ADJUSTMENTS; 13.04.210 EMERGENCY INTERRUPTION OF SERVICE; 13.04.220 CONSTRUCTION INTERFERENCE; 13.04.230 CROSS - CONNECTION PREVENTION; 13.04.240 BACKFLOW – PREVENTION ASSEMBLIES; 13.04.250 WATER TESTING; 13.04.260 FIRE SERVICE WATER EASEMENT; 13.04.270 RIGHT OF ENTRY- LARGE WATER SERVICE AREA; 13.04.280 REQUEST FOR NEW SUPPLY MAINS; 13.04.290 AUTHORIZED USE OF HYDRANT AND HYDRANT WATER; 13.04.300 PLAN REVIEW AND DATA ANALYSIS FEE; 13.04.310 PENALTIES; SEVERABILITY AND APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION.

Whereas, the City of North Bonneville finds it useful to evaluate its City water code from time to time to assure its policies and practices are in keeping with the times, and;

Whereas, the City’s current water code was crafted by a variety of authors over a forty year time period with the last major review occurring in 2003, and;

Whereas, a review of the current code finds the language outdated, lacking clarity, conflicting and redundant and;

Whereas, the City Council has determined that a comprehensive update of the City water code is in order and this action serves the public’s best interests, and;

NOW, THEREFORE; THE CITY COUNCIL OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

**Section 1 Amending Chapter 13.04.and its sections 13.04.010 through 13.04.310
This section is amended to read as follows:**

WATER SYSTEM

Sections:

- 13.04.010 Right of service**
- 13.04.020 Definitions of terms**
- 13.04.030 Application for service**
- 13.04.040 New service--First billed**

- 13.04.050 Payment
- 13.04.060 Rate schedule
- 13.04.064 Billing on Closed Water Connections
- 13.04.065 Failure to read
- 13.04.070 Connection fees--Established--Payment due
- 13.04.080 Service installation--General
- 13.04.090 Service installation--Special condition
- 13.04.100 Service installations--Locations of service pipe
- 13.04.110 Requirements for plumbing
- 13.04.120 Water shut off
- 13.04.130 Liability disclaimer
- 13.04.140 Meter ownership
- 13.04.150 Water charges constitutes lien
- 13.04.160 Accounting
- 13.04.170 Required use of city water
- 13.04.180 Refusal to connect--Connection by city--Cost assessment--Lien
- 13.04.190 Meter maintenance and repair
- 13.04.200 Adjustments
- 13.04.210 Emergency interruption of service
- 13.04.220 Construction interference
- 13.04.230 Cross-connection prevention
- 13.04.240 Backflow-prevention assemblies
- 13.04.250 Water testing
- 13.04.260 Fire service water easement
- 13.04.270 Right-of-entry--Large water service area
- 13.04.280 Request for new supply mains
- 13.04.290 Authorized use of hydrant and hydrant water
- 13.04.300 Plan review and data analysis fee
- 13.04.310 Penalties

Prior ordinance history: Ordinances 523, 615, 635, 660, 676, 681, 698, 726, 730, 755, 767 and 807.

13.04.010 Right of service.

All persons, corporations, partnerships and associations owning or occupying real property within the City's water distribution system shall be entitled to use water from the system for any lawful purpose pursuant to the charges, rates and regulations and constraints hereinafter provided in this chapter. (Ord. 831 (part), 2003)

13.04.020 Definitions of terms

As used in this chapter, the following terms are defined:

"Base capacity" means the existing maximum capacity of the system to supply water at a given sustained rate.

"Bimonthly" means occurring every two (2) months.

"Building Official" means City representative charged with review of building plans in accordance with International Fire, Building and Plumbing Codes.

"Capacity" means the physical capability of the water well(s), pumping system, reservoir supply, and distribution lines to supply potable water at a given sustained volume necessary to meet minimum fire

flows, throughout the system, while also having the capacity to meet domestic consumption demands. The capacity of the system shall be measured in terms of its maximum capability to supply water at a sustained rate. Each element of the system shall enter into the measurement of sustained capacity: (1) resource (the well and aquifer); (2) pumping system; (3) reservoir storage; and (4) sizing of distribution lines.

"City" means the City of North Bonneville, Washington.

"City Administrator" means the employee charged with administration of the chapter

"City Council" means the City Council of North Bonneville, Washington.

"Connection fee" means the fee due of property owners who wish to establish a service connection to the utility.

"Commercial/industrial users" means any establishment other than a residence using water from the system exclusive of the municipal needs of the City.

"Commercial zone" means areas zoned commercial use including, but not limited to, Central Business District (CBD), Commercial (C-1), Commercial Recreation (CR), Industrial/Business Park (I/BP) and Mixed Use (MU).

"Demand flow" means the demand for a flow of potable water at a given sustained rate to meet peak demand for fire flows and domestic consumption for any given single element, structure, development, or complex or developments within the City.

"Department" means the water/sewer department of the City of North Bonneville.

"Habitable" means a building, dwelling or premise that is suitable for habitation and in compliance with City and State health standards. The building, dwelling or premise shall be connected to a functioning sewer and water system to be considered habitable.

"Habitual" means a person in payment arrears for a certain defined period of time.

"Industrial" means industrial sewer hookups for those City lots and parcels zoned industrial.

"Mains" means a water line designated or used to serve more than one (1) premise.

"Mayor" means the Mayor of North Bonneville, Washington.

"Meter size" relates to the size of the pipe on the discharge side of each meter.

"Minimum monthly charge" means the minimum fee levied to each customer who has water service available and has paid the required connection fee.

"Multifamily dwelling" means:

1. A habitable building containing two (2) or more dwelling units, designed to house two (2) or more families living independently of each other; or

2. A cluster of habitable buildings, each building being designed to house one (1) or more families living independently of each other.

"Person" mean persons, associations, company partnerships and corporations, whether acting alone or on another's behalf.

"Premises" means a private home, building, apartment house, condominium, trailer court, mobile home park, recreational vehicle park and/or a group of adjacent buildings or property utilized under one (1) ownership and under single control with respect to use of water and responsibility for payment therefore.

"Property Owner" means a person, association, company, partnership and corporation, ultimately responsible for payment of all City utility rates, charges and fees

"Utility Supervisor" means the water system representative of the City of North Bonneville.

"Residence" means single-family dwelling houses, manufactured homes, duplex units or multifamily apartments leased or rented for occupancy periods of one (1) month or greater.

"Sizing" means the increased physical sizing of lines, equipment, physical plant, and other elements of the system necessary to accommodate any demand flow, existing or proposed.

"System" means all water source and supply facilities, transmission pipelines, and storage facilities, pumping stations, distribution mains and appurtenances.

"Water utility service" means all piping and fittings from the main line to and including the water meter assembly. (Ord. 1036, Ord. 923, 2007; Ord. 872 (part), 2005; Ord. 831 (part), 2003)

13.04.030 Application for service

A. Application for water service shall accompany a building permit application. The City shall not finalize a water service connection until all delinquent water service charges, penalties, connection charges, claims and other charges pending against the owner of the premise have been paid in full, or other arrangements have been made as provided in this chapter.

B. A person, association, company partnership and/or corporation applying for water system connection shall pay a utility deposit with the City in accordance with the adopted utility rates, charges and fees schedule. This sum shall constitute a refundable deposit for security for any utility charges thereafter accruing. A property owner or account holder whose service predates passage of Ordinance 1036 shall be obligated to provide a deposit in the event their water service is turned off for non-payment. The deposit is refundable when occupancy is discontinued and after all unpaid sewer and water service charges are resolved. (Ord. 1036, Ord. 1014, 2012; Ord. 831 (part), 2003)

13.04.040 New service--First billed

At the time water service is available to the building, dwelling, or premise the property owner will be charged the monthly water fee in accordance with the adopted utility rates, charges and fees schedule. (Ord. 1036, Ord. 831 (part), 2003)

13.04.050 Payment

The charges for water shall accrue monthly and be billed bi-monthly and if not paid within 20 days after the date of billing, the charges shall be deemed to be delinquent on the 21 day; at that time a late fee will be charged in accordance with the adopted utility rates, charges and fees schedule. The late fee will be added to the account and a notice of the delinquency shall be mailed to the property owner or account holder's most current address or known address, allowing them an additional 10 days to pay the full utility amount due or make payment arrangements by way of a payment agreement.

If a person wishes to make payment arrangements, they shall do so by way of a water/sewer payment agreement. A property owner in billing arrears whose service has not been shut off for non-payment shall provide a minimum 50 percent payment of their unpaid utility balance. If the property owner has multiple accounts payment arrangements can only be made on one account at a time. The property owner is responsible for the tenant's unpaid bills. The unpaid balance is subject to additional late fees and must be paid off prior to the next billing.

If payment or payment arrangements have not been resolved within this 10 day grace period, immediately thereafter [day 11] a discontinuance notice hanger shall be affixed to that person's property at a prominent location. If the property owner or account holder does not respond to the discontinuance notice by paying a minimum one half of the unpaid balance within four [4] business days of its posting, the water meter will be shut off to the property. After the water service has been discontinued for non-payment, the City shall only accept full sewer and water payment, to include all payment in arrears before water service is restored.

In the event the City shuts off a water supply, the property owner/account holder will be assessed a turn on fee in accordance with the adopted utility rates, charges and fees schedule.

If the City receives a non-sufficient check [NSF] the property owner/account holder shall be charged a handling fee in accordance with the adopted utility rates, charges and fees schedule. If a person writes more than one NSF check to the City within a 12 month period, the City reserves the right to require cash payment for services rendered.

If a property owner or account holder is habitually in arrears on their utility payments, their water shall be shut off until all past due utility payments are paid in full. The designation "Habitual" applies to a property owner or account holder who is in utility payment arrears three [3] consecutive months or six [6] of the past 12 months. Prior to the City discontinuing a habitual property owner or account holder's water service the City shall mail and/or post a notice on the premises providing 10 days for payment response.

A property owner or account holder who feels aggrieved by the City's utility charges or billing practices has the opportunity to appeal the charge or practice to the City Council by filling out an appeal with the City. The City Council shall provide an opportunity for the person to have their concerns addressed and acted upon within two council meetings of filing an appeal. (Ord. 1036, Ord. 982, 2011; Ord. 971, 2010; Ord. 831 (part), 2003)

13.04.060 Rate schedule

All water services shall be metered.

A. The minimum monthly service charge for water for all customers shall be in accordance with the adopted utility rates, charges and fees schedule.

B. Multifamily dwellings shall have each dwelling unit individually metered. The minimum monthly service charge for water furnished to multifamily dwellings not individually metered shall be in accordance with the adopted utility rates, charges and fees schedule multiplied by the number of units serviced.

C. Meter Charge for Water Consumption.

The minimum service charge shall not include any water. All water shall be charged by way of a consumption fee in increments of 100 cubic feet charged in accordance with the adopted utility rates, charges and fees schedule. The cubic feet rate measurement shall be rounded upwards to the next 100 cubic feet.

On January 1st of each year the water base and consumption rates shall increase according to the Consumer Price Index for All Urban Consumers (CPI-U) as of August of the previous year, rounded to the nearest penny. This rate increase shall appear on the March billing.

D. Service for fire protection systems will be charged on a metered basis.

1. All fire protection systems (whether sprinkler or hydrant) shall be installed and billed as a separate service from any main water service.

2. All fire protection systems will be equipped with flow-detector check valves and backflow prevention valves at customer's expense.

3. Use of water through a fire protection system for uses other than fire protection is prohibited with the exceptions noted in subparagraph D 4 below. The City reserves the right to bring a civil action for damages against any person who uses water through a fire protection system for uses other than fire protection, according to RCW 80.28.240.

4. A City fire hydrant may be available for certain types of temporary usage through a permitting and metering process in accordance with the provisions of 13.04.290.

(Ord. 1036, Ord. 1023, 2013; Ord. 1015, 2012; Ord. 982, 2011; Ord. 971, 2010; Ord. 872 (part), 2005; Ord. 831 (part), 2003)

13.04.064 Billing on Closed Water Connections

Utility customers who temporarily request their water be turned off for a period of time, not to exceed 180 days, shall continue to pay the applicable minimum monthly water service charge base rate. Customers who ask the City to turn their water off permanently [a time period greater than 180 days] or who have had their water service shut off by the City for nonpayment will not continue to pay the monthly service charges until the service has been restarted. For health and safety reasons the City shall notify the County Health District whenever a utility service disconnected for non-payment has not been restored within seven [7] days. For the purposes of this section “temporarily” shall mean less than 180 contiguous days. Customers must request the City turn off their water for more than 180 days in order to avoid monthly service charges. (Ord. 1036, Ord. 1004, 2012)

13.04.065 Failure to read

In the event that it is impossible or impractical for City staff to read a meter on the regular reading date, the water usage will be billed based upon the usage from the last billing cycle. (Ord. 1036, Ord. 831 (part), 2003)

13.04.070 Connection fees--Established-- Payment due

Water connection fees levied by this chapter shall be due at the time of issuance of a building permit and prior to connection to the water system. The fees shall be levied in accordance with the adopted utility rates, charges and fees schedule.

- A. Each dwelling unit within a Multi-family structure, connecting to the City water system shall be charged the basic connection fee determined by water meter size.
- B. The City will not accept a connection fee unless it is accompanied by a valid building permit, unless it is a connection fee associated with an existing permanent structure.
- C. After the water service connection is approved and the water turned on the property owner will be charged the minimum monthly rate as applicable to the lot, type of development and/or zoning.
- D. Each unit, located in a structure, connecting to the City water system in the commercial zone shall be charged a connection fee based on water meter size. (Ord. 1036, Ord. 923, 2007; Ord. 927, 2007; Ord. 907, 2006; Ord. 872 (part), 2005; Ord. 831 (part) 2003)

13.04.080 Service installation--General

The property owner shall be responsible for the cost to install the service lateral from the water main trunk line to the premises as well as the ongoing care and maintenance of that lateral. All installations shall be reviewed and approved by the utility supervisor prior to construction. (Ord. 1036, Ord. 831 (part), 2003)

13.04.090 Service installation--Special condition

All plumbing fixtures shall be connected to an approved water supply in accordance with the Section “R306 Sanitation” of the 2012 International Residential Code or as it may be amended. A property owner shall not furnish water to another premise except in an emergency circumstance. Emergency circumstance extending beyond one business day shall require City approval. When a water service is changed or the structure altered in such a fashion as to be non-compliant with current city regulations then a new service shall be installed at the property owner or account holders expense. (Ord. 1036, Ord. 831 (part), 2003)

13.04.100 Service installations--Locations of service pipe

All water service piping from the water main to the meter shall be laid a minimum twenty-four (24) inches below the surface level ground or street surface. The piping shall be constructed of copper drawn tubing with no joints below street surface and imbedded in a six (6) inch layer of leveling material. All meter boxes shall be bedded with a six (6) inch layer of leveling course material below the pipe. The line shall not be placed less than twenty-four (24) inches below ground level at the meter box. Plumbing from the meter to the premises shall be installed according to the current Uniform Plumbing Code. The building official shall review the service applications for compliance with applicable City codes. (Ord. 1036, Ord. 831 (part), 2003)

13.04.110 Requirements for plumbing

Water fixtures and/or appliances shall be installed in accordance with the City's adopted plumbing standards and inspected and approved by the building official prior to service connection. (Ord. 1036, Ord. 831 (part), 2003)

13.04.120 Water shut off

A. In the event the City shuts off a water supply for non-utility payment, the property owner/account holder will be assessed a turn on fee in accordance with the adopted utility rates, charges and fees schedule. Shutoff water valves located on public property or within a utility easement are public property and only City employees are authorized to turn them off.

It is unlawful for a person to tamper with, or in any manner deface a public water meter or valve or otherwise re-establish a discontinued service, except as provided in this section. Where water service has been discontinued for any reason and the water is subsequently turned on by the customer or other unauthorized person, the City staff may respond by shutting off the water main and/or remove the meter. The charge for shutting off the water at the main or removing the meter shall be computed to actual cost to the department plus 20% overhead.

Should a property owner/account holder wish to have the public water valve turned off to check for a leak or to address some repair or maintenance issue, the City will provide this service free of charge with at least one business day notice. Any request to turn off water service which requires immediate action by authorized City staff and cannot be accomplished during regular working hours, shall be deemed to constitute an emergency shut off. An emergency shut off is subject to payment of a fee in accordance with the adopted utility rates, charges and fees schedule (Ord. 1036, Ord. 831 (part), 2003)

D. If a property owner/account holder turns off a public water valve connected to their property because of an emergency situation where they contacted City Hall seeking assistance prior to that action, they shall not be charged a meter inspection fee but shall assume responsibility for costs associated with impairment to the water system that may result from that action.

E. Utility customers who voluntarily request their water be temporarily turned off will continue to receive monthly utility billing charges. Temporarily shall mean any consecutive time period less than 180 days. A person choosing to have their water turned off for a longer period of time will not be subject to monthly billing charges but will need to pay a reconnection fee in accordance with the adopted utility rates, charges and fees schedule. A property owner/account holder requesting their water meter turned off for a temporary period of time is responsible for monthly utility payments.

F. The City is not responsible for the care or maintenance of private water shut off valves. The property owner/account holder may turn their private water valve off at any time. Shutting off a private water valve does not reduce the property owner/account holder's monthly utility billing obligation. Only the closure of the City's water meter will result in a billing reduction.

13.04.130 Liability disclaimer

The City is not liable for any damage to persons or property that may result from the property owner/account holder's actions to turn on or off or their water service or from the service being left on while the premise is unoccupied. (Ord.1036, Ord. 831 (part), 2003)

13.04.140 Meter ownership

Water meters are municipal property. (Ord. 1036, Ord. 831 (part), 2003)

13.04.150 Water charges constitutes lien

A. The City Administrator may use such means of water charge collection as may be provided by the laws of the State of Washington or permitted by the City Charter and ordinances.

B. The property owner shall be ultimately responsible for all water service charges associated with their property.

C. Unpaid water charges may be levied against the property in the form of a lien filed with the County of Skamania for the amount that is delinquent plus a 10 percent penalty.

D. In the event it becomes necessary to file a lien, all costs incurred by the City to file the lien shall be the responsibility of the property owner and these costs shall be included in the lien. (Ord. 1036, Ord. 872 (part), 2005; Ord. 831 (part), 2003)

13.04.160 Accounting

A. The City Administrator is directed to collect the water service charges and connection fees as provided for herein.

B. Water service fees shall be paid into a fund designated as "water fund." Meter and connection fees shall be paid into a fund designated as "water reserve fund." (Ord. 1036, Ord. 831 (part), 2003)

13.04.170 Required use of City water

Property owners shall connect their premises to the City's municipal water supply system. Private or non-municipal water systems established prior to the passing of City Ordinance 831 [2003] may be excluded from a mandatory connection to the City's water system if the State of Washington's Health Standards are met. Property owners possessing private or non-municipal water systems must provide water samples to the State in accordance with their guidelines as applied to various types and sizes of private or non-municipal water systems. Copies of the test results must be supplied to the City. If the test results indicate a decline in the water quality of the private or non-municipal public system, the City will require local health district review. If the health district determines the water quality to be hazardous to the health and welfare of its users, the system will be discontinued and affected users will be required to connect to the City's water system. When connection is required it shall be made in accordance with the provisions of this chapter, within ninety (90) days after the date of official notice to do so.

The property owner may file a written objection to this action during that noticing period. When a written objection is filed with the City that action will suspend the water connection obligation until the City Council has heard objections from the property owner and rendered a decision.

The meeting established for this purpose shall be held not less than ten (10) days or more than forty-five (45) days after the date of the filing of the objection. Not less than seven (7) days prior to the meeting date the City Council shall provide the property owner notice of the date and time established for the hearing. The decision of the City Council shall be final unless appealed as provided by law. The City will not accept ownership or operational control of a private or non-municipal water system under any circumstance. (Ord. 1036, Ord. 831 (part), 2003)

13.04.180 Refusal to connect--Connection by city--Cost assessment--Lien

If a property owner fails, neglects or refuses to connect their lands, buildings, or premises to the City water system within the time specified in the notice referred to in Section 13.04.170 the City shall make, or cause to be made, the connection. The cost of the connection shall be assessed against the property and the cost shall become a lien upon the premises. City staff is directed to collect the amount of the cost of such connection, either by foreclosure of the lien or by a suit against the property owner of the premises which suit shall be maintained in the name of the City as plaintiff in any court of competent jurisdiction. (Ord. 1036, Ord. 831 (part), 2003)

13.04.190 Meter maintenance and repair

A. The water department shall maintain and repair all domestic, commercial and industrial service meters without charge to the property owner and replace meters periodically when they are determined to be dysfunctional by ordinary use. When a meter registers more than eight (8) percent from an established norm through meter testing processes it shall be considered unserviceable and repaired or replaced.

B. The property owner shall be responsible for all costs to repair or replace their meter resulting from a willful act, neglect or carelessness.

C. A person requesting the City test their meter shall pay a testing fee in accordance with the adopted utility rates, charges and fees schedule. In the event the domestic, commercial and industrial meter is found to be defective, a new meter shall be installed at City expense, unless the deflection results from the property owner's willful act, neglect or carelessness in which circumstance they will bear the replacement cost burden.

D. It is unlawful to conceal a water meter or otherwise render it inaccessible. The property owner will be charged labor costs for public works to locate and uncover meters that are not accessible for routine inspection and maintenance because they have been concealed or rendered inaccessible. (Ord. 1036, Ord. 831 (part), 2003)

13.04.200 Adjustments

Installation and maintenance of water service lines from the City owned water meter to the building or premises of the private property is the property owner's responsibility, as well as the utility charges resulting from water loss due to leaks or breakage. If the property owner sustains a pipe leak they may seek onetime billing adjustment. The landowner must report the leak to the City within seven (7) days of its discovery and provide proof of its repair five days thereafter. After these conditions have been met the owner may apply for an adjustment of the excess water meter charges. All applications for adjustments will be submitted to and reviewed by the City Administrator. All leak adjustments will be approved by the City Council prior to crediting the account. The adjusted rate for the period in which the leak was detected, shall be equal to the metered water charges of the same period from the previous years as the month the leak was detected. The landowner may also request an adjustment to its annual sewer average if the leak influences that process by more than 10 percent.

Adjustment relief shall not be provided for leaking toilets, plumbing fixtures or hoses, only service pipe leaks. (Ord. 1036, Ord. 952, 2009; Ord. 831 (part), 2003)

13.04.210 Emergency interruption of service

The Mayor may authorize the water department to change, reduce, limit, or temporarily discontinue the use of water in the event of an emergency or due to public health, safety, or welfare concerns. Water service may be temporarily interrupted for purposes of making repairs, extensions or doing other necessary work. The City shall notify all water customers to the extent possible before changing, reducing, limiting and/or interrupting water service. The City shall not be responsible for any damage resulting from interruption, change or failure of the water supply. (Ord. 1036, Ord. 831 (part), 2003)

13.04.220 Construction interference

All persons, firms, corporations, quasi public and governmental agencies, and their contractors performing maintenance or inspection work within the public rights-of-way that have the potential to impact the City's water system, as determined by the Utility Supervisor shall apply for a permit with the department not less than two (2) weeks prior to commencing the work. Construction activity involving City roadways requires a preconstruction conference. The utility supervisor must give approval prior to the work commencing. If the person, firm, corporation, quasi public or governmental agency and their contractors do not fully comply with the City's street repair requirements, the City may require them to provide a performance bond for future street work. No work may occur within the public rights of way without prior authorization even in an emergency circumstance. (Ord. 1036, Ord. 831 (part), 2003)

13.04.230 Cross-connection prevention

Cross-connections between the City's water system and any other water source is prohibited, unless authorized by the Utility Supervisor in combination with the use of a backflow-prevention assembly. Service connections and individual customer plumbing systems shall be constructed and maintained to prevent backflow of potentially contaminated water into a potable water system. The control or elimination of cross-connections shall be in accordance with the provision of WAC 246-290-490 and as modified from time to time. The City reserves the right to inspect all customer water facilities to ensure that no cross-connections exist. If an unauthorized cross-connection is discovered and not immediately eliminated, that water service shall be terminated until the cross-connection is removed. (Ord. 1036, Ord. 831 (part), 2003)

13.04.240 Backflow-prevention assemblies

The City requires certain customers to install a backflow-prevention assembly on their plumbing system or service connection. The customer shall assume all costs of backflow prevention assembly. Those required to install backflow-prevention assemblies include but are not limited to the following:

- A. Operate a commercial or residential fire sprinkler system connected to their plumbing;
- B. Operate an irrigation system connected to their plumbing;
- C. Maintain cross-connections of their water system with air-conditioning systems, medical equipment, or other devices or processes where chemical, microorganisms, or other objectionable substances may be drawn into the water system.

The entire cost of installing a backflow-prevention assembly shall be borne by the customer, and the assembly shall remain in the customer's ownership and be their responsibility. Customers shall make periodic inspections and repairs to their backflow-prevention assemblies, as required by WAC 246-290-490, relying on firms or individuals who are licensed as cross-connection control specialists. A signed copy of the inspector's completed report shall be provided to the City to confirm the assembly is operating in a satisfactory manner.

Inadequate maintenance of a backflow-prevention assembly shall be grounds for termination of water service. (Ord. 1036, Ord. 831 (part), 2003)

13.04.250 Water testing

The City will collect water samples and test them for bacteria count no less than every thirty (30) days and in accordance with State health regulations. (Ord. 1036, Ord. 831 (part), 2003)

13.04.260 Fire service water easement

Property owners whose development requires a six (6) inch or larger water service for public fire flow protection as determined by the City shall dedicate a ten (10) foot easement and provide a right-of-entry the City for purposes of inspecting and servicing the on-site fire hydrants. (Ord. 1036, Ord. 831 (part), 2003)

13.04.270 Right-of-entry--Large water service area

The owner of a development possessing more than one (1) water meter shall provide the City a signed right-of-entry document authorizing City utility personnel to install, service and read individual meters dispersed throughout the property. (Ord. 1036, Ord. 831 (part), 2003)

13.04.280 Request for new supply mains

A. A property owner who requests a water main extension shall provide the City with a site plan and statement of intent reflecting the uses for which the request is made. The site plan shall be constructed by a civil engineer licensed in Washington State. The statement of intent shall be supported by information reflecting proposed water uses and technical data demonstrating demand flows that will be generated by the proposed activity. The site plan shall illustrate the location of main lines, lateral extensions, hookup connection points and meter box placements.

B. The plans and specifications shall illustrate and describe the method, location and materials required to connect to the City distribution system. A property owner who proposes to subdivide unplatted lands or resubdivide platted lands through land division processes shall provide the City detailed plans and specifications prepared by a civil engineer licensed in the State of Washington. Water service plans shall be evaluated based upon the development's demand flows, the base capacity of the existing system and piping size to insure capacity to meet peak domestic demand and fire flow requirements. The plan approval process shall note the property owner's financial obligation to meet demand flow requirements. (Ord. 1036, Ord. 831 (part), 2003)

13.04.290 Authorized use of hydrant and hydrant water

A. City fire hydrants are available for temporary use through a permitting and metering process to accommodate construction, dust abatement, and road maintenance activities, provided the subject meter is not the sole hydrant available to service the immediate area.

B. It is unlawful for any person other than an authorized City employee, authorized volunteer or member of the Fire Department to operate fire hydrants and hose outlets other than as noted above. Persons wishing to access a hydrant shall fill out an application and pay a meter deposit. City staff will review the application for adequacy. City staff shall collect a deposit, connect the meter to the hydrant and provide operating instructions.

The costs to repair a damaged fire hydrant shall be the applicant's responsibility. The base fee for hydrant use shall be in accordance with the adopted utility rates, charges and fees schedule.

C. Hydrant use may be withdrawn in the event of an emergency.

D. The City's fire hydrant water use shall be compensated from the City's General Fund by way of an interfund transfer to the water fund. The rate shall be commensurate with City's water consumption fee per hundred cubic feet.

(Ord. 1036, Ord. 982, 2011; Ord. 971, 2010; Ord. 872 (part), 2005; Ord. 831 (part), 2003)

13.04.300 Plan review and data analysis fee

A plan and specification review fee shall be charged to cover the cost to review and analyze the plans demand flows, sizing data and water extension construction. The plans and specifications shall be approved and stamped by a civil engineer licensed in the State of Washington. A plan review fee associated with subdivisions and/ or other types of development requiring extension of water mains for fire protection and fire flows purposes shall be charged in accordance with the adopted utility rates, charges and fees schedule at the time of application. An on-site material, ditching, bedding, connection, testing and backfilling inspection fee shall be charged for plans approved and constructed. The on-site construction inspection fee shall be in accordance with the adopted utility rates, charges and fees schedule (Ord. 1036, Ord. 831 (part), 2003)

13.04.310 Penalties

Any person violating any of the terms of this chapter shall be subject to a fine in accordance with Section 7.01.020(C) for each infraction. (Ord. 1036, Ord. 971, 2010; Ord. 831 (part), 2003)

Section 2 Severability

If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3 Effective Date and Publication

A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect five [5] days after publication.

PASSED IN REGULAR SESSION this 8TH day of April, 2014



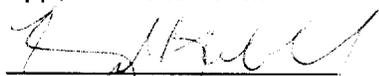
Mayor Don Stevens

Attest:



City Administrator Steven Hasson

Approved as to Form:



Ken Woodrich City Attorney North Bonneville