

Final Version

CITY OF NORTH BONNEVILLE
ORDINANCE 1037

SECTION 1

AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, AMENDING NORTH BONNEVILLE MUNICIPAL CODE TITLE 13 BY AMENDING CHAPTER 13.12

ENTITLED SEWER SYSTEM AND ITS SECTIONS: 13.12.010 AUTHORITY AND INTENT; 13.12.020 DEFINITIONS; 13.12.030 SEWER SERVICE EXTENSIONS - SITE PLAN; 13.12.040 BUILDING SEWER CONNECTION – SITE PLAN; 13.12.050 CALL FOR INSPECTION; 13.12.070 SERVICE CALLS; 13.12.080 EXTENSIONS - SEWER MAINS; 13.12.090 SEWER EXTENSIONS PROHIBITED OUTSIDE CITY; 13.12.100 CONNECTION WITH PUBLIC SEWER REQUIRED – ABANDONMENT OF PRIVATE FACILITIES; 13.12.110 CHARGES FOR SEWER SERVICE - LEVIED AND IMPOSED; 13.12.115 CONNECTION WITH PUBLIC SEWER REQUIRED – APPEAL PROCEDURE; 13.12.0120 REFUSAL TO CONNECT –CONNECTION BY CITY – COST ASSESSMENT - LIENS; 13.12.125 DWELLINGS SERVED BY PUMPING UNITS; 13.12.130 PROPERTY OWNER RESPONSIBLE FOR CHARGES; 13.12.135 RATE SCHEDULE; 13.12.140 SEWER CONNECTION FEE - LEVIED AND IMPOSED; 13.12.145 SEWER CONNECTION FEES-ESTABLISHED –PAYMENT DUE; 13.12.150 APPEALS PROCEDURE; 13.12.155 PAYMENT; 13.12.160 COLLECTION; 13.12.165 DISCHARGE PROVISIONS ; 13.12.170 PRIVATE SEPTIC SYSTEMS; 13.12.175 DISCHARGE WASTE CONFORMING TO STANDARDS; 13.12.180 DISCHARGE STANDARDS; 13.12.185 PRELIMINARY TREATMENT; 13.12.190 UNLAWFUL TO DAMAGE OR PLUG SEWER SYSTEM; 13.12.195 INSPECTORS POWERS AND AUTHORITY-AUTHORIZED; 13.12.200 INSPECTORS POWERS AND AUTHORITY-SAFETY 13.12.205 INSPECTORS POWERS AND AUTHORITY- EASEMENTS; 13.12.210 ENFORCEMENT – LIEN-PENALTIES AND PROCEDURES

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APPROVING AN ORDINANCE SUMMARY FOR PUBLICATION

Whereas, the City of North Bonneville finds it useful to evaluate City sewer and utility codes from time to time to assure their policies and practices are in keeping with the times, and;

Whereas, the City's current sewer and utility codes were 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Whereas, a review of the current code finds the language outdated, lacking clarity, conflicting, and redundant, and;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 sewer and utility codes are 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 13.12. Entitled Sewer System and its sections 13.12.010 through 13.12.210

This section is amended to read as follows:

Sections:

- 13.12.010 Authority and intent
- 13.12.020 Definitions
- 13.12.030 Sewer service extensions--Site plan
- 13.12.040 Building sewer connection--Site plan
- 13.12.050 Call for inspection
- 13.12.070 Service calls
- 13.12.080 Extensions--Sewer mains
- 13.12.090 Sewer extensions prohibited outside City
- 13.12.100 Connection with public sewer required--Abandonment of private facilities
- 13.12.110 Charges for sewer service -Levied and imposed
- 13.12.115 Connection with public sewer required--Appeal procedure
- 13.12.120 Refusal to connect--Connection by City--Cost assessment--Lien
- 13.12.125 Dwellings served by pumping units
- 13.12.130 Property owner responsible for charges
- 13.12.135 Rate schedule
- 13.12.140 Sewer connection fee--Levied and imposed
- 13.12.145 Sewer connection fees--Established--Payment due
- 13.12.150 Appeals procedure
- 13.12.155 Payment
- 13.12.160 Collection
- 13.12.165 Discharge provision
- 13.12.170 Private septic systems
- 13.12.175 Discharge waste conforming to standards
- 13.12.180 Discharge standards
- 13.12.185 Preliminary treatment
- 13.12.190 Unlawful to damage or plug sewer system
- 13.12.195 Inspectors--Powers and authority--Authorized
- 13.12.200 Inspectors--Powers and authority--Safety
- 13.12.205 Inspectors--Powers and authority--Easements
- 13.12.210 Enforcement--Lien--Penalties and procedures

13.12.010 Authority and intent

Pursuant to the statutes of the State of Washington and the powers granted the City of North Bonneville, the City does declare its intention to acquire, own, construct, equip, operate and maintain sanitary sewers, sewage pump lift stations, sewage treatment plants and outfall sewers; to extend and expand the existing sewer system to areas exclusively within the incorporated municipal boundaries; and to reconstruct or replace the existing sanitary sewers, sewage pump lift stations and sewage treatment plants as determined necessary by the City Council. (Ord.1037, Ord. 832 (part), 2003)

13.12.020 Definitions

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

"Base capacity" means the existing capacities of the sewer system prior to any sizing for increased demand flows.

"BOD" means biochemical oxygen demand.

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

"Building sewer" means sewer line construction between the building and the City sewer line.

"Capacity" means the physical capability of the collection and treatment system to receive and process municipal sewage as measured on a volume scale of gallons per day or hour or by other accepted measurements.

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

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

"Commercial" means any premise connected to sewer that operates as a business including a home-based business.

"Commercial zone" means areas zoned for commercial use including, but not limited to, Central Business District (CBD), Commercial (C1), Commercial Recreation (CR), Industrial / Business Park (I/BP) and Mixed Use (MU).

"Connection fee" means a service connection fee charged for accessing the City's sanitary sewer system. The fee is due and payable at the time of building permit issuance.

"Demand flow" means the flow of municipal waste from any single element, structure, development or complex of developments within the City that places a direct demand for collection and processing upon the system.

"Equivalent service use" means any nonresidential use which has been reasonably found to place an additional demand on the City sewage system and based on an equivalent residential unit ERU.

"Industrial" means industrial sewer hookups for lots or land parcels zoned industrial.

"Minimum monthly charge" is the minimum fee charged to each customer who has water sewer service.

"Multifamily dwelling" means:

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

"Natural outlet" means, but not limited to, streams, ponds, drainage ditches, bioswales, catch basins, lakes and sloughs.

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

"Utility Supervisor" means the City representative authorized to perform the duties designated in this chapter.

"Pumping unit" means a pump for raising or lifting sewage to gravity flow level of sewage line.

"Sanitary sewer" means a sewer which carries sewage and intended to exclude storm, surface and groundwater.

"Sewer availability" means the availability of public sewer to a habitable structure reliant upon a septic system where the public system is located within proximity to the subject property.

"Service connection" means the sewer piping between the connection point of the building sewer line and City sewer line at the property line.

"Sewage" means a combination of waste water and grey water from residences, business buildings, institutions and industrial establishments, together with such ground, surface, and stormwaters as may be present.

"Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

"Sewer" means a pipe or conduit for carrying sewage.

"Sewerage system" means all City-owned facilities for collecting, pumping, treating and disposing of sewage.

"Sizing" means the increased physical sizing of lines, equipment, physical plant and elements of the collection and treatment system necessary to accommodate existing or proposed sewerage demand flows. (Ord.1037, Ord. 873 (part), 2005; Ord. 832 (part), 2003)

13.12.030 Sewer service extensions--Site plan

A property owner requesting a sewer service extension shall provide the City with a sewer site plan and statement of use for which the request is made signed by civil engineer licensed in the State of Washington. The statement of use shall include technical information concerning demand flow and sizing of the system. The site plan shall illustrate and identify the location of all extensions, points of desired hookup to existing facilities, and stub-outs for all service connections within a development. The plan shall illustrate and describe the method, location and materials required to connect to any City sewer main or manhole. A property owner intending to divide land through a land use process shall submit detailed plans for City review and approval. The site plan and service request shall be evaluated based upon the demand flow, base capacity and development sizing requirements. The plan approval process shall note the property owner's financial obligation to meet demand flow requirements. (Ord.1037, Ord. 922, 2007; Ord. 832 (part), 2003)

13.12.040 Building sewer connection--Site plan

When a property owner applies to connect into an existing sewer stub-out they shall supply information about the location and elevations of the building sewer connection points at the building foundation. The building site plan shall note the location of the building sewer line, methods of connection and proposed material applications including bedding and backfilling. (Ord.1037, Ord. 832 (part), 2003)

13.12.050 Call for inspection

It shall be the property owner's responsibility to request a sewer hookup inspection prior to connection and/or backfilling of ditches. Failure to request and obtain on-site inspection prior to backfilling shall be a basis for denying a certificate of occupancy for a structure requiring sewer service. The Building Official shall deny the certificate of occupancy until compliance is assured. The Building Official has the authority to insure that proper inspections are carried out prior to use of the system to include requiring the owner to uncover any sewer line or connection point backfilled or covered prior to final inspection (Ord.1037, Ord. 832 (part), 2003)

13.12.070 Service calls

The City assumes no responsibility for the adequacy, reliability or maintenance of the sewer line construction between the building and the City sewer line. If blockage or other malfunctions occur in this segment of line they shall be corrected at the property owner's expense. The City's maintenance crew will respond to complaint calls to determine if the problem is a public or private concern. If the problem is on the public side of the connection, the City staff will address the issue at no cost to the property owner. (Ord.1037, Ord. 832 (part), 2003)

13.12.080 Extensions--Sewer mains

Public sewer main extensions shall be built based upon plans and specifications developed by a civil engineer licensed in the State of Washington. The engineer shall inspect and verify the work is completed according to the plan. (Ord.1037, Ord. 832 (part), 2003)

13.12.090 Sewer extensions prohibited outside City

The City's sewer system shall not be extended outside the municipal boundaries. (Ord.1037, Ord. 832 (part), 2003)

13.12.100 Connection with public sewer required--Abandonment of private facilities

If a property contains a private sewage disposal system that cannot meet the State of Washington Health Standards and/or public sewer becomes available to a property served by a private sewage disposal system, the property shall be connected to the public sewer in compliance with this chapter. Additionally, any septic sewage disposal system that is not utilized for a continuous six (6) month period shall be considered abandoned. The property owner shall have the abandoned system pumped free of sewage and dismantled. Septic tanks shall be removed or opened and filled with soil or gravel at the owner's expense subject to Health Department regulation. (Ord.1037, Ord. 832 (part), 2003)

13.12.110 Charges for sewer service charge--Levied and imposed

A property owner whose property has a habitable structure shall be charged a sewer connection fee to connect into the City sewer system in accordance with the adopted utility rates, charges and fees schedule. Private or public septic systems that were installed prior to October, 1977, shall be excluded from a mandatory connection to the City sewer system as long as that system can meet State of Washington Health Standards. When a property subject to this exemption is sold to a new property owner the dwelling shall be connected to the public sewer system. If the new property owner fails to connect to public sewer within sixty (60) days after the City has provided them written notice of that obligation; the City shall shut off the property's public water service as a means to render the structure inhabitable. The City's turnoff fees shall apply to this shutoff action. (Ord.1037, Ord. 832 (part), 2003)

13.12.115 Connection with public sewer required--Appeal procedure

The property owner shall connect to public sewer in accordance with provisions of this chapter, within ninety (90) days after the date of official notice to do so. If during that time period the property owner files a written objection to this action, the provisions of this chapter shall be set aside until the City Council has held a meeting for purposes of hearing the objection and rendered a decision. The meeting 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 owner with a date and time certain for that purpose. The decision of the City Council shall be final unless timely appealed to a court with jurisdiction. (Ord.1037, Ord. 832 (part), 2003)

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

If a property owner fails, neglects or refuses to connect their premise to the City's public sewer within the time specified in the notice referred to in Section 13.12.115, or fails, neglects or refuses to do other work as specified and ordered to be done as provided in Section 13.12.115 within the time specified in the notice served upon them as provided in Section 13.12.115. In this circumstance the utilities supervisor shall cause the work to be completed and the connection cost assessed against the property. The cost shall become a lien upon the premises connected. The City staff is directed to collect this cost by either lien foreclosure or by a suit filed against the owner or occupant of the premises. Such suit shall be maintained in the name of the City as plaintiff, in any court of competent jurisdiction. As noted above, failure to comply with Section 13.12.100 will result in the City performing or causing the necessary procedure. The property owner shall pay all associated costs. (Ord.1037, Ord. 832 (part), 2003)

13.12.125 Dwellings served by pumping units

The property owner of a property served by pumping units is subject to the sewer service charges provided by this chapter and may be subject to other charges enacted by City Council resolution. (Ord.1037, Ord. 832 (part), 2003)

13.12.130 Property owner responsible for charges

The property owner is ultimately responsible for payment of all sewer service charges. If the charges are not paid a lien will be placed on the property in accordance with Section 13.12.210. (Ord.1037, Ord. 832 (part), 2003)

13.12.135 Rate schedule

A. Base Rate.

The sewer base rate shall be charged each utility customer in accordance with the adopted utility rates, charges and fees schedule multiplied by the number of units served, except for those fees discussed in subparagraphs 1 and 2 below.

1. The base rate for a lodging facility shall be in accordance with the adopted utility rates, charges and fees schedule per unit.

2. The owner of an RV Park whose business is not connected to the City's water system shall pay a sewer per unit space sewer fee rather than a sewer base fee.

B. Consumption Charge.

In addition to the base rate, each customer shall pay a consumption fee for each 100 cubic feet of water consumed and payable in accordance with the adopted utility rates, charges and fees schedule. Water consumption will be determined each year by averaging the customer's water meter reading during the months November through February. This average monthly usage shall be applied to each customer's monthly bill until the next averaging update. Average consumption shall be re-computed in March of each year.

1. A property owner or account holder whose property does not have a sufficient history to calculate an average water consumption shall be charged according to the City-wide average consumption based on zoning and/or use (i.e. single family, multi-family, commercial). Those subject to averaging include residential property owners or account holder who do not occupy their dwelling between November 1st and March 1st, this being the time period when averaging is determined. Once a property's history has been established, the account will be re-evaluated every March.

2. A property owner or account holder who occupies a dwelling less than one month between November 1st and March 1st shall be charged according to the City-wide averaging process based on zoning and/or use (i.e. single family, multi-family, commercial)

3. A property owner or account holder who voluntarily has their water turned off temporarily shall continue to pay the applicable water and sewer monthly service charges. Customers who ask the City to turn their water off permanently [a time period greater than 180 days] or those whose water has been turned off by the City will not continue to pay the monthly sewer and water service charges until service has been restarted. For the purposes of this section “temporarily” shall mean less than 180 contiguous days.

4. A property owner or account holder who routinely discharge less water into the sewer system than they consume through the water system may apply to the City council for an amended rate, which may be the city-wide average consumption based on zoning and/or use (i.e. single family, multi-family, commercial).

5. A property owner or account holder who applies for a water usage adjustment under section 13.04.200 may also apply for an adjustment of consumption-based sewer bills in accordance with the City’s adjustment procedures.

C. RV Parks and Campgrounds.

The property owner of an RV Park and/or Campground that is not connected to the City’s water system shall provide the City a monthly accounting of their sewer usage based on the number of spaces occupied through a monthly lease arrangement and the number of transient customers who occupy a space or site for less than a month.

The RV Park or campground fee for each space or site based on a monthly lease or per day basis for those who are transient [stay a time period less than a month] shall be according to the adopted utility rates, charges and fees schedule.

D. Annual Increase.

On March 1st of each year, the sewer base and consumption rates shall increase according to the Consumer Price Index for All Urban Consumers (CPI-U) relying on the August reading of the previous year, rounded to the nearest penny.

(Ord.1037, Ord. 1023, 2013; Ord. 1022, 2013; Ord. 1015, 2012; Ord. 1004, 2012; Ord. 992, 2011; Ord. 982, 2011; Ord. 979, 2011; Ord. 873 (part), 2005; Ord. 832 (part), 2003)

13.12.140 Sewer connection fee--Levied and imposed

A. A property owner will be charged a connection fee for connecting their property into the City’s sanitary sewer system. The fee is based upon the existing or intended use of the property at the time the application is made for connection.

B. Properties served by pumping units shall be subject to the sewer connection fee. The City Council may determine to impose other charges for properties reliant on these types of systems. (Ord.1037, Ord. 832 (part), 2003)

13.12.145 Sewer connection fees--Established--Payment due

Sewer connection fees shall be levied on each property connecting into the City’s sanitary sewer system at the time of issuance of a building permit and prior to system connection. Property owners shall pay all construction costs required for installation of a service lateral to the owner’s lot line. The property owner will also pay their proportionate share of new service trunk extension costs. Sewer connection fees are charged in accordance with the adopted utility rates, charges and fees schedule.

At the time the City approves the service connection, the property owner will be charged a minimum monthly sewer rate based on the type of development. The property owner shall be responsible for actual costs to install the service lateral from the main trunk line to the premises. All installations shall be reviewed and approved by the utility supervisor prior to construction. Each separate unit structure located within the commercial zone shall be charged a connection fee based on sewer line size.

Each separate dwelling unit within a Multi-Family structure shall be charged a connection fee based on sewer line size. (Ord.1037, Ord. 922, 2007; Ord. 928, 2007; Ord. 908, 2006; Ord. 873 (part), 2005; Ord. 832 (part), 2003)

13.12.150 Appeals procedure

A. A property owner aggrieved by City staff's interpretation of this chapter may submit a written appeal to the City Council setting forth the events and circumstances leading to the appeal.

B. A Council hearing set for appeal purposes shall be held no less than ten (10) days or more than forty-five (45) days after the appeal has been filed. No less than seven (7) days prior to the meeting date the City Council shall provide the property owner with 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. (Ord.1037, Ord. 832 (part), 2003)

13.12.155 Payment

Each person shall pay the City utility charges owed when due. (Ord.1037, Ord. 832 (part), 2003)

13.12.160 Collection

A. The City is directed to collect the sewer service charges and connection fees and distribute them as follows: Sewer service charges shall be paid into a fund designated as the "sewer fund." and connection fees shall be paid into a fund designated as the "sewer reserve fund."

B. Sewer charges shall accrue and if not paid on or before 20 days after the billing date they will become delinquent. At that time a delinquency fee will be added to the bill and a notice of the delinquency, will be sent by mail to the last known mailing address or known address. The notice provides an additional 10 days to pay the full amount due or make payment arrangements by way of a payment contract. (Ord. 1037, Ord. 982, 2011; Ord. 971, 2010; Ord. 832 (part), 2003)

13.12.165 Discharge provisions

A. It is unlawful to discharge any wastewater or other polluted waters into any storm drain or natural outlet within the City.

B. It is unlawful for any person to discharge or cause to be discharged any stormwater, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process water to any sanitary sewer.

C. Stormwater, industrial cooling water, or unpolluted process waters may be discharged into a storm sewer provided that action is in compliance with State and Federal laws governing such action. This water shall not be discharged over a public walk way into a storm sewer.

D. The City reserves the right to limit commercial businesses that discharge high volumes of waste water to certain time periods of the day where overall wastewater flow volumes are low.

E. No person shall discharge or cause to be discharged, any of the following described waters or wastes to any public sewer:

1. Liquid or vapor having a temperature higher than one hundred forty (140) degrees Fahrenheit;
2. Water or waste which contains more than forty (40) parts per million by weight of animal or vegetable fat, oil or grease;

3. Gasoline, benzene naphtha, fuel oil, or other flammable liquid, solid or gas, or other petroleum products and their derivatives;
 4. Garbage that has not been properly shredded;
 5. Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, hair, bristles, or other solid or viscous substance capable of causing obstruction to the flow in sewers or having the capacity to interfere with the proper operations of the sewer works;
 6. Waters or wastes having pH lower than five and one-half (5.5) or higher than nine (9) or having any other corrosive properties capable of causing damage or hazard to sewer structures, equipment, personnel or in any way impacting the sewage treatment processes;
 7. Waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;
 8. Any noxious or malodorous gas or substance capable of creating a public nuisance or hazard.
- (Ord.1037, Ord. 832 (part), 2003)

13.12.170 Private septic systems

Private or quasi public wastewater disposal systems are prohibited within the City. Every habitable property located within the City shall connect to the City’s sanitary sewer and water systems other than the exceptions noted in Title 13. Septic Tank Effluent Pumping Systems [STEP] as noted in Chapter 13.36 are not considered private septic systems.
(Ord.1037, Ord. 832 (part), 2003)

13.12.175 Discharge waste conforming to standards

A property owner or business concern shall comply with all of the wastewater discharges provisions found in 13.12.165 or discharge standards found in 13.12.180 before discharging into the public sewer.
(Ord.1037, Ord. 832 (part), 2003)

13.12.180 Discharge standards

A. No wastewater shall be admitted into public sewers possessing the following characteristics: (1) a five (5) day BOD greater than three hundred (300) parts per million by weight; (2) containing more than three hundred fifty (350) parts per million by weight of suspended solids, or six hundred (600) parts per million of total solids; (3) containing any quantity of substances having the characteristics described in Section 13.12.240(D) of this chapter; or (4) having an average daily flow greater than two (2) percent of the average daily sewage flow of the City.

B. If the property owner or business concern cannot meet the discharge standards noted in 13.12.165 and 13.12.180 they shall provide the City’s utility supervisor and the Washington State Department of Ecology with plans and specifications demonstrating how a pretreatment system, constructed and maintained at their expense, will comply with City and State standards to achieve the following ; (1) reduce the BOD to three hundred (300) parts per million by weight; (2) reduce objectionable characteristics or constituents to within the maximum allowable limits provided for in Section 13.12.240 of this chapter; or (3) control the quantities and rates of discharge of such waters or wastes. (Ord.1037, Ord. 832 (part), 2003)

13.12.185 Preliminary treatment

The property owner or business concern shall continuously maintain their pretreatment system in a satisfactory and effective manner and provide reports to the City as requested, qualifying the system’s ability to resolve discharge conflicts and meet acceptable standards. (Ord.1037, Ord. 832 (part), 2003)

13.12.190 Unlawful to damage or plug sewer system

A. No person shall uncover, connect, open, use, alter, or disturb any public sewer or appurtenance without first obtaining City permission in the form of a permit.

B. It is unlawful for a person to deposit garbage, rubbish, animals, heavy metals or other substances that obstruct the flow of the sewer, in a manhole, lamp hole, flush tank or sewer opening.

C. It is unlawful for a person to break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the City's sewer system. (Ord.1037, Ord. 832 (part), 2003)

13.12.195 Inspectors--Powers and authority--Authorized

A. City employees may enter private property connected to the City's sewer or water systems with the owner's permission, according to directives found in documents, and/or court authorization for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter.

B. City employees shall limit their inspections and inquires to those concerns relating to the City's sanitary sewer or water systems. (Ord.1037, Ord. 832 (part), 2003)

13.12.200 Inspectors--Powers and authority--Safety

Sewer or water issues originating on private property are the property owner's concern; pretreatment measurement, sampling and testing shall be the property owner's obligation (Ord.1037, Ord. 832 (part), 2003)

13.12.205 Inspectors--Powers and authority--Easements

City employees are permitted to enter private property after the City has acquired a recorded easement that provides this type of access consent. The access should be in accordance with the terms and conditions of the easement which are generally limited to inspection, observation, measurement, sampling, repair and maintenance of the sewer or water system lying within the easement. (Ord.1037, Ord. 832 (part), 2003)

13.12.210 Enforcement--Lien--Penalties and procedures

A. The City Administrator may use all available collection means provided by the laws of the State of Washington and/or permitted by the Charter and ordinances of the City of North Bonneville.

B Utility liens shall be levied against the property with the County of Skamania for the amount that is delinquent; collection and interest charges shall be added to the lien amount along with a ten percent (10%) penalty.

C. A fine will be levied for discharging septic tank waste or other waste substance not conforming to Sections 13.12.165, 13.12.170 and 13.12.185 into the public sewer system. The fine will be levied in accordance with Section 7.01.020(E) for each infraction plus any cost that may have been incurred by the City including sampling, testing and time required for monitoring, treating or otherwise correcting the effects or impacts resulting from the discharge.

D. The City Administrator shall administer and enforce the terms of this chapter. (Ord.1037, Ord. 982, 2011; Ord. 832 (part), 2003)

Section 2 Repealing chapter 13.20 entitled Special Provisions –Residence Constructed over Lot Lines

Chapter 13.20 has been deleted in its entirety

(Ord.1037, Ord. 635 § 3, 1989)

Section 3 Repealing chapter 13.28 entitled Television System

Chapter 13.28 has been deleted in its entirety
(Ord.1037, Ord. 982, 2011; Ord. 827 (part), 2003)

Section 4 Amending Chapter 13.32 Entitled Utility Extensions outside City Prohibited and its section 13.32.010

This section is amended to read as follows:

13.32.010 Extensions prohibited.

13.32.0 10 Utility Extensions prohibited.

The City does not provide for utility services outside its municipal limits.
(Ord.1037, Ord. 529 1983)

Section 5 Amending Chapter 13.36 Entitled Septic Tank Effluent Pumping Systems and its sections 13.36.010 through 13.36.070

This section is amended to read as follows:

Sections:

- 13.36.010** Definitions
- 13.36.020** Standard specifications
- 13.36.030** Application
- 13.36.040** Installation
- 13.36.050** STEP maintenance agreement and easement
- 13.36.060** Ownership of system
- 13.36.070** Damage to STEP system

13.36.010 Definitions

Unless the context specifically indicates otherwise, the terms used in this chapter shall have the following meanings:

"City" means the City of North Bonneville.

"Control unit" means an electrical panel with pump switches that is mounted in an easily accessible location at each separate STEP service.

"Owner" means any individual, firm, partnership, corporation, company, association, or any other legal entity which holds title to property upon which a STEP system now or hereafter is located

"Service box" means a utility box located at the property line that houses the valve and discharge line which run from the pump to the main sewage transmission line.

"Standard specifications" means those specifications and standards set forth in a manual entitled "City of North Bonneville, Septic Tank Effluent Pumping (STEP) System."

"STEP maintenance agreement and easement" means an agreement whereby the owner assumes responsibility for the care and maintenance of the STEP system installed on their property to include all costs, liabilities, care and maintenance associated with that action. The agreement provides that City employee's shall have ongoing access to the owner's property for inspection purposes.

"STEP system" means a sanitary sewage system which utilizes a high head pump, alarms, and a control panel to pump waste from a collection tank into pressurized mainlines. (Ord.1037, Ord. 724 § 1, 1995)

13.36.020 Standard specifications

The City STEP System packet, and the installation guide and drawings which are a part thereof or as may be amended from time to time to respond to State and Federal requirements or new technologies is adopted by reference and incorporated herein as the standard specifications for STEP sewer systems.(Ord.1037, Ord. 724 § 2, 1995)

13.36.030 Application

A property owner seeking to connect their property into the City's sanitary sewer system by means of a STEP system shall file an application with the City. The owner shall provide the location of the property, the nature of the structure to be constructed, the land use designation, the proposed location and design of the STEP system and other information as requested. The property owner shall also demonstrate why they need this type of connection. The public works staff will shall review the application and determine the suitability of the system for usage and whether it is in the public benefit to allow its connection to the public sewer. (Ord.1037, Ord. 724 § 3, 1995)

13.36.040 Installation

A. The property owner shall assume all costs involved with installation of the STEP system, and its component parts. A civil engineer licensed in Washington State shall design the system and its public connection.

B. City staff will inspect the system prior to usage to ensure it is has been properly installed. The inspection fee shall be in accordance with the adopted utility rates, charges and fees schedule. (Ord.1037, Ord. 724 § 4, 1995)

13.36.050 STEP maintenance agreement and easement

A property owner desirous of connecting into the City's sanitary sewer system by means of a STEP system shall enter into an easement agreement with the City. The agreement shall require the owner to maintain the STEP or system at their expense. The agreement authorizes City employees to access the owner's property for the purpose of inspecting the STEP system and its associated components as the need should arise. The STEP easement agreement shall be a condition of application approval process. (Ord.1037, Ord. 724 § 5, 1995)

13.36.060 Ownership of system

The property owner shall retain ownership of the STEP system. The care and maintenance of any portion of this system on City property shall be way of license agreement. Under all circumstances the property owner will be responsible for maintaining the STEP system components as well as pumping the STEP tank and disposing of its waste materials in accordance with applicable health standards. The property owner is responsible for paying for all electrical costs associated with the operation of the STEP system. (Ord.1037, Ord. 724 § 6, 1995)

13.36.070 Damage to STEP system.

The property owner shall assume full responsibility for the cost of damages to the City's sanitary system resulting from their negligence and/or improper use of the STEP system (Ord.1037, Ord. 724 § 7, 1995)

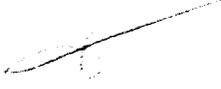
Section 6 Severability

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 7 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 days after publication.

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



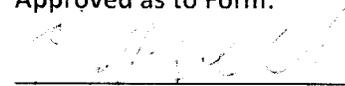
Mayor Don Stevens

Attest:



City Administrator Steven Hasson

Approved as to Form:



Ken Woodrich City Attorney North Bonneville