

CITY OF NORTH BONNEVILLE
ORDINANCE 1067

AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON, AMENDING NORTH BONNEVILLE MUNICIPAL CODE
TITLE 13 BY AMENDING CHAPTER 13.04

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Whereas, a review of the current code finds the language outdated, lacking clarity, possibly inconsistent with law and conflicting with other City policies and practices and;

Whereas, the City Council believes updating certain portions of the City water code serves the public's interest, and:

The following sections are amended as follows:

- Section 1 Amending Section 13.04.020 - Definitions of Terms
- Section 2 Amending Section 13.04.064 - Billing on Closed Water Connections
- Section 3 Amending Section 13.04.070 Connection fees – Established - Payment due
- Section 4 Amending Section 13.04.120 Water Shut Off
- Section 5 Amending Section 13.04.280 Request for New Supply Mains

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

Section 1 Amending 13.04.020 Definitions of Terms

This section is amended to read as follows:

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

"As Built Construction Drawing" A revised set of drawing submitted by a contractor upon completion of a project or a particular job. They reflect all changes made in the specifications and working drawings during the construction process, and show the exact dimensions, geometry, and location of all elements of the work completed under the contract.

"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

Section 2 Amending Section 13.04.064 - Billing on Closed Water Connections

This section is amended to read as follows:

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 but shall not be charged a consumption fee. Customers who ask the City to turn their water off permanently as evidenced by the city locking their water meter for a time period greater than 180 days or who have had their water service shut off by the City for nonpayment shall will not continue to pay the monthly service charge or consumption charge 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.

Section 3 Amending Section 13.04.070 Connection fees – Established - Payment due

This section is amended to read as follows:

Water connection fees levied by this chapter shall be due at the time of building permit application 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.

Section 4 Amending Section 13.04.120 Water Shut Off

This section is amended to read as follows:

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.

B. 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.

C. 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 pay the applicable water and sewer monthly services charges but shall not be charged a consumption fee. 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.

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.

Section 5 Amending Section 13.04.280 Request for New Supply Mains

This section is amended to read as follows:

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

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.

Section 5 Amending Section 13.04.280 Request for New Supply Mains

This section is amended to read as follows:

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. The property owner shall provide the City with "As Built Construction Drawings" upon completion of a project or a particular job.

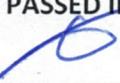
Section 6 Severability

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 [5] days after publication.

PASSED IN REGULAR SESSION this 13TH day of September, 2016



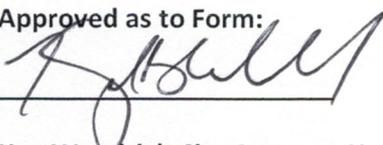
Mayor Don Stevens

Attest:



City Administrator Steven Hasson

Approved as to Form:



Ken Woodrich City Attorney North Bonneville