

CITY OF NORTH BONNEVILLE
ORDINANCE 1068

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

Whereas, the City of North Bonneville finds it useful to evaluate its City wastewater 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Whereas, a review of the current code finds the language outdated, lacking clarity, possibly inconsistent with law and conflicting with other City policies and practices and;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 wastewater code serves the public's interest, and:

The following sections are amended as follows:

- Section 1 Amending Section 13.12.020 - Definitions of Terms
- Section 2 Amending 13.12.040 Building sewer connection - Site plan
- Section 3 Amending 13.12.080 Extensions - Sewer mains
- Section 4 Amending 13.12.120 Refusal to connect -Connection by City - Cost assessment - Lien
- Section 5 Amending 13.12.135 Rate schedule
- Section 6 Amending 13.12.145 Sewer connection fees – Established – Payment due

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

Section 1 Amending 13.12.020 Definitions of Terms

This section is amended to read as follows:

13.12.020 Definitions

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 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)

Section 2 Amending 13.12.040 Building sewer connection - Site plan

This section is amended to read as follows:

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. The property owner shall provide the City with "As Built Construction Drawings" upon completion of a project or a particular job. (Ord.1037, Ord. 832 (part), 2003)

Section 3 Amending 13.12.080 Extensions--Sewer mains

This section is amended to read as follows:

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. The property owner shall provide the City with "As Built Construction Drawings" upon completion of a project or a particular job. (Ord.1037, Ord. 832 (part), 2003)

Section 4 Amending 13.12.120 Refusal to connect -Connection by City - Cost assessment - Lien

This section is amended to read as follows:

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. City employees shall not enter private property for addressing sewer related activities without the owner's permission and/or court authorization. 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)

Section 5 Amending 13.12.135 Rate schedule

This section is amended to read as follows:

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 [748 gallons] 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 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 [a time period greater than 180 days] or those whose water has been turned off by the City shall will not continue to pay the monthly sewer and water service charges or consumption 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)

Section 6 Amending 13.12.145 Sewer connection fees – Established – Payment due
This section is amended to read as follows:

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 application, 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.

Section 7 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.

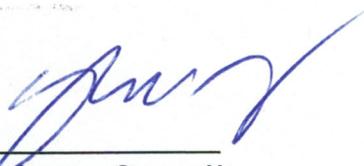
Section 8 Effective Date and Publication

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.

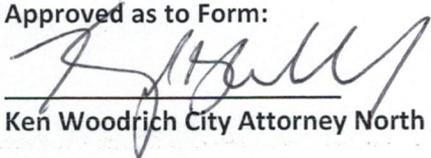
PASSED IN REGULAR SESSION this 13TH day of September, 2016



Mayor Don Stevens

Attest: 

City Administrator Steven Hasson

Approved as to Form:


Ken Woodrich City Attorney North Bonneville