

## **Title 13**

### **PUBLIC UTILITIES**

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#### **Chapter 13.04**

##### **WATER SYSTEM\***

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\* Prior ordinance history: Ord's. 523, 527, 615, 635, 660, 676, 681, 698, 726, 730, 755, 767, 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. 1036, 2014; Ord. 831 (part), 2003)

**13.04.020 Definitions of terms.**

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

"As Built Construction Drawing" A revised set of drawings 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 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 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.

"Habitual" means a person in payment arrears for a certain 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) premises.

"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" means 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.

"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.

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

"Water utility service" means all piping and fittings from the main line to and including the water meter assembly. (Ord. 1067, 2016; Ord. 1036, 2014; Ord. 923, 2007; Ord. 872, 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 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 after two years of the account being current and in good standing or occupancy is discontinued with all sewer and water service charges paid in full.

1. A property owner or account holder in good standing, whose bills have been paid by the due date consecutively for a 24-month period, may apply for a utility deposit refund by requesting a form to be turned into the City.

(Ord.1162, Ord. 1141, 2021, Ord. 1036, 2014; 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, 2014; Ord. 831 (part), 2003)

#### **13.04.050 Payment.**

A. Obligation to pay. Each person shall pay the City Utility charges owed when due. The charges for utilities [sewer and water] shall accrue monthly and be billed bi-monthly. Utility bills shall be mailed to the property owner or account holder's most current address or known address the first part of January, March, May, July, September, and November. Utility payments are applied in a priority fashion, first to payment of wastewater [sewer] charges and second to water charges.

B. Content of Bill Notice. The Utility bill shall contain the following: Notify the customer that payment of the bill is due within 25 days after it has been sent and if not paid within that timeframe will be deemed to be delinquent on the 26th day and subject to a late fee applied in accordance with the adopted utility rates, charges, and fees schedule. The late fee will be added to the account.

1. A customer in good standing, whose bills have been paid by the due date consecutively for a 12-month period or longer, may apply for a late fee adjustment by requesting a form to be turned into the City. If approved, a customer may be granted one late fee adjustment in a 12-month period.

C. Content of Notice of Delinquency. A Notice of the Delinquency shall be designed to alert the customer of a delinquent balance. It also serves as a shutoff [discontinuation] notice and notice of right to appeal.

1. Notice of Right to Appeal. The notice of delinquency shall advise the property owner or account holder of an opportunity to present billing objections and discrepancies to the City's attention through a hearing process. The notice shall provide that the property owner or account holder contact the City in writing within 10 days after the notice of delinquency is sent in order to request an appeal hearing.

2. The Notice of Delinquency shall be mailed to the property owner's or account holder's most current address provided to the City in writing, allowing them an additional 10 days to pay the full utility amount due or make payment arrangements by way of a payment agreement.

3. The notice shall advise customers that if they wish 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.

4. The notice of delinquency shall contain a shut off notice advising the customer that delinquent accounts shall result in water service discontinuation action [shut off] on the 11<sup>th</sup> day after the Notice of Delinquency has been sent in accordance with provisions of this chapter.

D. Appeal Hearing Procedure: The timely written request of the property owner or account holder to seek an appeal hearing shall suspend water disconnection action during the pendency of an appeal as provided herein. The hearing shall be held within 5 days of the hearing request, or longer upon mutual agreement of the appellant and the City. The property owner or account holder shall have the right to present evidence why such utility should not be terminated. The hearing shall be conducted during normal business hours on an informal basis. A written decision on the appeal, including the date of the hearing, who was present, and the findings made as to whether the customer had good cause not to pay the bill and the reasons therefore, shall be timely issued to the appellant. The decision shall be filed in the town utility system record. The hearing shall be conducted by the City designee familiar with the customer's billing information. The decision shall be final and not subject to further administrative appeal. If the property owner or account holder fails to make payment or to take other steps as required by the decision within 5 days after the issuance of the decision, water service may be discontinued without further notice.

E. Service Reconnection Fee. 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 water service is 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. Water service restoration requests made after 3:00 P.M. Monday through Thursday will be subject to an additional fee in accordance with the adopted utility rates, charges, and fee schedules. If water shut off is scheduled for Friday or on a City or Federal Holiday, the service will be continued until the next work day.

F. NSF Checks /Returned Checks. If the City receives a non-sufficient funds or a returned check [NSF], the property owner/account holder shall be given a 3 Day notice to make account current before service is shut off. The property owner/account holder will be charged a handling fee along with any additional fees if the service is shut off 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.

Deposit Upon Reconnection: If a property owner or account holder has their water shut off for non-payment twice in a 12 month period, the City shall require an additional deposit to reconnect the water in accordance with the adopted utility rates, charges, and fees schedule. Termination of service does not relieve the utility customer of the obligation to pay all outstanding bills and charges.

(Ord. 1162, Ord.1111 (part) 2019, Ord. 1095, 2018; Ord. 1055, 2015; Ord. 1036, 2014; 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. The minimum monthly service charge for water furnished to multifamily dwellings 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.

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. 1095, 2018; Ord. 1092, 2018; Ord. 1083, 2017; Ord. 1036, 2014; Ord. 1023, 2013; Ord. 1015, 2012; Ord. 982, 2011; Ord. 971, 2010; Ord. 872 (part), 2005; Ord. 831 (part), 2003)

**13.04.061 Low Income Senior Citizen Utility Rate--Granted**

There is granted relief to low-income senior citizens who meet the qualifications and requirements of 13.04.062 from any municipal utility charges of the follows: for all billings by the City after May 1, 2022, low-income senior citizens shall pay 50% of the minimum service charge for base rate for municipally operated water service. Such reduced rate does not apply to excess water consumption or other charges beyond the base rate for the services provided.

**13.04.062 Low Income Senior Citizen Utility Rate—Requests and Qualifications.**

To qualify for the relief set forth in Section 13.04.061; a senior citizen shall:

A. Be 62 years of age or older at time of application.

B. If a single person, have an income, from all sources whatsoever, not to exceed 25% of the median income for a family of four in the State of Washington, or if multiple persons, have income, from all sources whatsoever, not to exceed 40% of the median income for a family of four in the State of Washington. Median income shall be established by Title XX of the Social Security Act and the Washington States Senior Citizens Services program, Guidelines for Income Resources, WAC 388-17-160(1976), including any amendments thereto.

- C. File an annual claim for relief with the clerk-treasurer of the City on forms provided by the clerk-treasurer. (Ord. 1145, 2022)

**13.04.064 Billing on Closed Water Connections.**

Utility customers who have their water be turned off by the City shall continue to pay the applicable minimum monthly water service charge base rate but shall not be charged a consumption fee. (Ord. 1083, 2017; Ord. 1067, 2016; Ord. 1036, 2014; 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, 2014; 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 building permit application. 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. 1067, 2016; Ord. 1036, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; 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.

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.

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. 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. (Ord. 1092, 2018; Ord. 1067, 2016; Ord. 1036, 2014; Ord. 831 (part), 2003)

**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, 2014; Ord. 831 (part), 2003)

**13.04.140 Meter ownership.**

Water meters are municipal property. (Ord. 1036, 2014; Ord. 831 (part), 2003)

**13.04.150 Water charges constitutes lien.**

A. The City 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. 1095, 2018; Ord. 1036, 2014; Ord. 872 (part), 2005; Ord. 831 (part), 2003)

**13.04.160 Accounting.**

A. The City 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. 1095, 2018; Ord. 1036, 2014; 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, 2014; 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, 2014; 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, 2014; Ord. 831 (part), 2003)

#### **13.04.200 Adjustments.**

A. The maintenance and repair of the water service pipe on the customer side of the water meter location is the responsibility of the owner of the premises being served. The maintenance and repair of the sanitary sewer service pipe from the connection to the city's sewer main to the premises is the responsibility of the owner of the premises being served. The owner shall keep said water and sewer service pipes in good working order.

B. In the case of a leak in the water service pipe, the owner may be entitled to an adjustment of their current water utility bill provided each of the following conditions are met:

1. Within seven days of the leak discovery by the owner or within seven days of the city notifying the owner of a probable leak, whichever occurs sooner, the owner shall have completed the repair of said leak. The owner shall submit to the city a Reduction Request form along with an invoice or other evidence to show that the leak was repaired within the aforementioned time frame. An adjustment in the water utility billing shall not be permitted if such excess water consumption is due to a customer's neglect or failure to timely repair the leak.
2. Said leak in the water service pipe was not caused by and/or the fault of the owner.
3. An adjustment for a water service leak shall only be allowed for the buried water service pipe from the water service setter to the premises. No adjustment shall be made for leaking plumbing fixtures, leaks or breaks associated with an irrigation system, or any other typically visible leaks.
4. Said property has not had a previous water bill adjustment due to a water service leak in the previous 24 months.
5. Customer's utility account is current with no past due amounts owed to the city.
6. Customers will be eligible for a water service leak adjustment if the total dollar amount of the adjustment is greater than \$50.00 but shall not exceed \$250.00. Adjustments less than \$50.00 will not be processed by the city. Adjustments for water service leaks are limited to no more than \$250.00.

C. If all the conditions of subsection B of this section are met, pending City Council approval, the water consumption portion of the utility bill in the month the leak is detected shall be adjusted to an amount that is one-half of the difference between the same time period of the previous year's consumption and the existing disputed bill's consumption. For customers who have been owners for less than one year, the adjustment will be by one of the following methods:

1. The water consumption portion of the utility bill in the month the leak is detected shall be adjusted to an amount that is one-half of the difference between the previous three-month average consumption immediately preceding the disputed bill and the existing disputed bill's consumption.
2. In the absence of three complete prior billing cycles, water consumption after the leak repair is complete can be used to estimate consumption during the leak period.

D. The city reserves the right to discontinue water service to any premises where the owner refuses to make necessary repairs to avoid the wasting of water. If after reasonable efforts to contact the owner about observable water being lost through leakage, the city at its option may terminate water service and shall leave a written notice as to its action and the reason therefor.

(Ord. 1162, Ord. 1095, 2018; Ord. 1036, 2014; 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, 2014; 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, 2014; 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, 2014; 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. Application and fees must be submitted to the city prior to the installation and use of a backflow system. Customers shall make at least annual 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, unauthorized use or lack of a backflow-prevention assembly shall be grounds for termination of water service. (Ord. 1149, 2022, Ord. 1036, 2014; 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, 2014; 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, 2014; 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, 2014; 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 resub divide 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. (Ord. 1067, 2016; Ord. 1036, 2014; 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, 2014; 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, 2014; 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, 2014; Ord. 971, 2010; Ord. 831 (part), 2003)

**Chapter 13.12**

**SEWER SYSTEM**

**Sections:**

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- 13.12.020 Definitions.**
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- 13.12.200 Inspectors--Powers and authority—Safety**
- 13.12.205 Inspectors--Powers and authority--Easements.**
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\* Prior ordinance history: Ord's. 808, 680, 676, 660, 635, 612, 574, 527, 524.

#### **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, 2014; Ord. 832 (part), 2003)

#### **13.12.020 Definitions.**

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

"As Built Construction Drawing" A revised set of drawings 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. 1068, 2016; Ord.1037, 2014; 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, 2014; 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. The property owner shall provide the City with “As Built Construction Drawings” upon completion of the project or particular job. (Ord. 1068, 2016; Ord.1037, 2014; 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, 2014; 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, 2014; 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. The property owner shall provide the City with "As Built Construction Drawings" upon completion of the project or particular job. (Ord. 1068, 2016; Ord. 1037, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; 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. 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. 1068, 2016; Ord. 1037, 2014; 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, 2014; 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, 2014; Ord. 832 (part), 2003)

**13.12.135 Rate schedule.**

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.

(Ord. 1092, 2018; Ord. 1083, 2017; Ord. 1068, 2016; Ord. 1056, 2015; Ord. 1037, 2014; 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)

**13.12.136 Low Income Senior Citizen Utility Rate—Granted**

There is granted relief to low-income senior citizens who meet the qualifications and requirements of 13.12.137 from any municipal utility charges of the follows: for all billings by the City after May 1, 2022, low-income senior citizens shall pay 50% of the minimum service charge for base rate for municipally operated water service. Such reduced rate does not apply to excess water consumption or other charges beyond the base rate for the services provided.

**13.12.137 Low Income Senior Citizen Utility Rate—Requests and Qualifications.**

To qualify for the relief set forth in Section 13.04.061; a senior citizen shall:

- A. Be 62 years of age or older at time of application.



- B. If a single person, have an income, from all sources whatsoever, not to exceed 25% of the median income for a family of four in the State of Washington, or if multiple persons, have income, from all sources whatsoever, not to exceed 40% of the median income for a family of four in the State of Washington. Median income shall be established by Title XX of the Social Security Act and the Washington States Senior Citizens Services program, Guidelines for Income Resources, WAC 388-17-160(1976), including any amendments thereto.
- C. File an annual claim for relief with the clerk-treasurer of the City on forms provided by the clerk-treasurer. (Ord., 1145, 2022)

**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, 2014; 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 building permit application. 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. 1068, 2016; Ord. 1037, 2014; 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. A separate utility billing appeals procedure is set forth in 13.12.155, which shall be the exclusive means of appeal of utility service charges. (Ord. 1056, 2015; Ord. 1037, 2014; Ord. 832 (part), 2003)

**13.12.155 Payment.**

A. Obligation to pay. Each person shall pay the City Utility charges owed when due. The charges for utilities [sewer and water] shall accrue monthly and be billed bi-monthly. Utility bills shall be mailed to the property owner or account holder's most current address or known address the first part of January, March, May, July, September and November. Utility payments are applied in a priority fashion, first to payment of wastewater [sewer] charges and second to water charges.

B. Content of Bill Notice. The Utility bill shall contain the following: Notify the customer that payment of the bill is due within 20 days after it has been sent and if not paid within that timeframe will be deemed to be delinquent on the 21<sup>st</sup> day and subject to a late fee applied in accordance with the adopted utility rates, charges and fees schedule. The late fee will be added to the account.

C. Content of Notice of Delinquency. A notice of the Delinquency shall be designed to alert the customer of a delinquent balance. It also serves as a shutoff [discontinuation] notice and notice of right to appeal.

1. Notice of Right to Appeal. The notice of delinquency shall advise the property owner or account holder of an opportunity to present billing objections and discrepancies to the City's attention through a hearing process. The notice shall provide that the property owner or account holder must contact the City in writing within 10 days after the notice of delinquency is sent in order to request a hearing.

2. The Notice of Delinquency shall be mailed to the property owner's or account holder's most current address provided to the City in writing, allowing them an additional 10 days to pay the full utility amount due or make payment arrangements by way of a payment agreement.

3. The notice shall advise customers that if they wish 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.

4. The notice of delinquency shall contain a shut off notice advising the customer that delinquent accounts shall result in water service discontinuation action [shut off] on the 11<sup>th</sup> day after the Notice of Delinquency has been sent in accordance with provisions of this chapter.

D. Appeal Hearing Procedure: the written request of the property owner or account holder to seek and informal hearing shall suspend water disconnection action. The hearing shall be held within 5 days of the hearing request, or longer upon mutual agreement of the appellant and the City. The property owner or account holder shall have the right to present evidence why such utility should not be terminated. The hearing shall be conducted during normal hours on an informal basis. A record of the hearing, including the date of the hearing, who was present, and the findings made as to whether or not the customer had good cause not to pay the bill and the reasons therefore, shall be in writing. The written finding shall be filed in the town utility system record. The hearing shall be conducted by the City administrator or designee familiar with the customer's billing information.

E. Service Reconnection Fee. 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 water service is 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. Water service restoration requests made after 3:00 P.M. Monday through Thursday will be subject to an additional fee in accordance with the adopted utility rates, charges and fee schedules. If water shut off is scheduled for Friday or on a City or Federal Holiday the service will be continued until the next work day.

F. NSF Checks. 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.

Deposit Upon Reconnection: If a property owner or account holder has their water shut off twice in the past 12 months the City shall require an additional deposit to reconnect the water in accordance with the adopted utility rates, charges and fees schedule. Termination of service does not relieve the utility customer of the obligation to pay all outstanding bills and charges. (Ord. 1056, 2015; Ord. 1037, 2014; 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 on the 21<sup>st</sup> day. 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. If utility charges are not paid according to the timelines outlined in 13.12.155 and/or an appeal filed timely, the property owner/account holder is subject to water disconnection. The City reserves the right to assign delinquent utility customer debts to licensed collection agencies under the authority provided in RCW 19.16.500. (Ord. 1056, 2015; Ord. 1037, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; Ord. 982, 2011; Ord. 832 (part), 2003)

**Chapter 13.32**

**UTILITY EXTENSIONS OUTSIDE CITY PROHIBITED**

**Sections:**

**13.32.010 Extensions prohibited.**

**13.32.010 Utility Extensions prohibited.**

The City does not provide for utility services outside its municipal limits. (Ord. 1037, 2014; Ord. 529 1983)

**Chapter 13.36**

**SEPTIC TANK EFFLUENT PUMPING SYSTEMS**

**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, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; 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, 2014; Ord. 724 § 7, 1995)