

CITY OF KIRKLAND
ORDINANCE NO. 274

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, RELATING TO SEWERAGE AND DRAINAGE FROM PUBLIC AND PRIVATE PREMISES AND TO THE COLLECTION AND DISPOSAL THEREOF: REGULATING THE CONSTRUCTION, ALTERATION, REPAIR IN CONNECTION WITH SIDE SEWERS: LICENSING SIDE SEWER CONTRACTORS: REGULATING THE DISCHARGE WASTES IN PUBLIC SEWERS AND THE PLANTING OF CERTAIN TREES AND SHRUBS IN PROXIMITY TO SEWERS AND DRAINS AND DESCRIBING PENALTIES: AND REPEALING ORDINANCE NO. 631.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KIRKLAND, WASHINGTON, AS FOLLOWS:

Section 1.0 This Ordinance is declared to be an exercise of the police power of the State of Washington and of the City of Kirkland to promote the public health, safety and welfare and its provisions shall be liberally construed for the accomplishment of that purpose.

Section 2.0 Words and phrases used herein, unless the same, shall be contrary to or in consistence with the context shall remain as follows:

Section 2.1 "B.O.D." (Denoting bio-chemical oxygen demand) means the quantity of oxygen utilized in the bio-chemical oxidation of organic matter under standard laboratory procedure in five days at twenty degree Centigrade expressed in milligrams per liter.

Section 2.2 City Engineer includes an authorized representative.

Section 2.3 "LICENSED CONTRACTOR SIDE SEWER" means a bonded and licensed person approved by the City Engineer as qualified and competent to do work incidental to the construction and/or repair of side sewers under a permit issued under this Ordinance.

Section 2.4 "COVER" means the depth of the material lying between the top of the sewer, or drain, and the finished grade immediately above it.

Section 2.5 "HEALTH OFFICER" means the officer responsible for public health or his authorized representative.

Section 2.6 "DOWNSPOUT" means the leader or pipe above ground which is installed to conduct water from the roof gutter.

Section 2.7 "DRAIN" means any conductor of liquids.

Section 2.8 "GARBAGE" shall mean all animal and vegetable refuse from kitchen and household waste that shall have been prepared for or shall have resulted from preparation of food or drink to be consumed on the premises or for consumption off the premises when served by caterers.

Section 2.9 "GARBAGE PROPERLY SHREDED" shall mean garbage that has been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than $\frac{3}{8}$ ths inch in any dimension.

Section 2.10 "HOUSE DRAIN" shall mean the cast-iron pipe used for conveying sewerage from the building to a point two and one-half ($2\frac{1}{2}$) feet outside the foundation wall and if there be no foundation wall to a point two and one-half ($2\frac{1}{2}$) feet beyond the outer line of any footings, pilings, building supports, or porch under which it may run, whether such drain consists of one line extending from the building or of two or more such lines.

Section 2.11 "INDUSTRIAL WASTE" shall mean any liquid, solid, or gaseous substance or form of energy or combination thereof resulting from any process of industry, manufacturing, food processing, business, trade or research, including the development, recovery, or processing of natural resources.

Section 2.12 "NATURAL OUTLET" shall mean any outlet into a water course, pond, ditch, lake, sound, or other body of surface water.

Section 2.13 "PARKING STRIP,-INSIDE" means that portion of the street area lying between a public sidewalk location and the property line.

Section 2.14 "PARKING STRIP,-OUTSIDE" means that portion of a street area lying between a public sidewalk location and the curb location.

Section 2.15 "PERMIT CARD" means a card issued in conjunction with any permit and such card shall be posted on the premises and shall be readily and safely accessible to the City Engineer.

Section 2.16 "PERSON" means any individual, firm, company, group, association, society or corporation.

Section 2.17 "ph" shall mean the negative of the logarithm to the base ten of the reciprocal of the hydrogen ion concentration in grams per liter of solution.

Section 2.18 "PUBLIC PLACE or PUBLIC AREA" means any space dedicated to or acquired by the City of Kirkland for the use of the general public.

Section 2.19 "SEWAGE" means a combination of the water-carried waste from residences, business buildings, institutions, industrial establishments, etc., together with such ground, surface, and storm waters as may be present.

Section 2.20 "SEWAGE WORKS" means all the facilities for collecting, pumping, treating, and disposing of sewage.

Section 2.21 "SEWAGE TREATMENT PLANT" means any arrangement of devices and structures used for treating sewage.

Section 2.22 "SEWER" means a pipe or conduit for carrying sewage.

Section 2.23 "SEWER PLAT" means a plat issued by the City Engineer in conjunction with any permit and the plat shall serve as his record of all matters pertaining to said permit.

Section 2.24 "SEWER PUBLIC" means a sewer in which all owners of abutting properties have equal rights and which is controlled by public authority.

Section 2.25 "SEWER, SANITARY" shall mean any pipe, conduit, or other structure, outlet or drain designed to carry sanitary sewage or sanitary sewage and industrial wastes, and to which storm, surface and ground waters are not intentionally admitted.

Section 2.26 "SEWER, STORM" means a sewer which carries storm and surface waters and drainage but excludes sewage and polluted industrial wastes.

Section 2.27 "SIDEWALK" means the walkway in the public area lying parallel or generally parallel to the roadway. If the walk is not yet paved all measurements shall be based on location and elevation established by the City Engineer.

Section 2.28 "STANDARD PLANS AND SPECIFICATIONS" means those rules, regulations and amendments thereto issued by the City Engineer pursuant to Section 40.0.

Section 2.29 "SUSPENDED SOLIDS" means solids that either float on the surface of or are in suspension in water, sewage, or other liquids and which are removable by filter.

Section 2.30 "WATER COURSE" shall mean a channel in which a natural flow of water occurs or has occurred either continuously or intermittently.

Section 3.0 The owner or occupant of any lands or premises shall connect all buildings located thereon and used as a receptacle or drainage with the nearest accessible public sewer whenever there is a public sewer within 200 feet thereof. The City Engineer shall prescribe the manner in which such connections shall be made.

No drain or sewer shall be constructed so as to discharge upon the surface of any public area.

Section 4.0 Whenever any land, buildings or premises is required to be connected with a public sewer or otherwise drained, as provided in Section 3, the Health Officer shall serve upon the owner, agent, or occupant of said lands, buildings or premises, a notice in writing specifying the time within which such connection must be made, which time shall not be more than sixty (60) days from the date of delivery of such notice.

If such owner, agent or occupant shall fail and neglect or refuse to connect said lands, buildings or premises with the public sewer within the specified time, the Health Officer shall notify the City Engineer, whereupon the City Engineer may make such connection and the cost thereof shall be charged to the owner, agent or occupant and a bill showing the amount thereof mailed or delivered to him or posted upon the premises, whereupon the amount shall immediately be paid to the City Treasurer.

Section 5.0 It shall be unlawful to make any connection to any public sewer or to lay, repair, alter or connect any private drain or sewer in any public area except by a holder of a side sewer contractor's license issued under provisions of any applicable licensing Ordinances of the City of Kirkland, and unless such licensee has filed a bond under the provisions of such Ordinance, said bond to be in the amount of \$2,500.00.

No licensed side sewer contractor shall break, alter or tamper with any public sewer except that he may connect to a ^("Y") wye or ^("T") tee which exists for that purpose, under the supervision of the City Engineer.

Section 6.0 It is unlawful to make any connection with any public or private sewer, drain or natural outlet without complying with all of the provisions of this Ordinance in relation thereto and having a permit to do so from the City Engineer.

Section 7.0 Application for the permit required by Section 6.0 of this Ordinance shall be filed with the City Engineer stating the name of the owner, the correct address and legal description of the property to be served, dimensions and locations of any buildings on the property and the whole course of the drain from the public sewer or other outlet to its connection with the building or property to be served. The application shall be submitted to the City Engineer for approval, who may change or modify the same and designate the manner and place in which such sewers shall be connected with the public sewer, may also specify the material, size and grade of such sewer, and shall endorse his approval upon the application if the same is acceptable to him. The City Engineer will require the permittee to furnish him plans pertaining to the application and issuance of the permit.

Upon approval of said application, the City Engineer shall issue for his records a sewer plat showing the size and location of the public sewer, the point of connection, the location of any buildings on the lot, and such other information as may be available and required.

Upon approval of the application and issuance of the permit it shall be unlawful to alter or to do any other work than as provided for in the permit.

The City Engineer shall prepare and keep on file in his office all cards and records of sewer connections showing the information obtained in the course of inspection of completed work done under the permit.

Section 8.0 It shall be the duty of any police officer and of the Health Officer finding any person breaking ground for the purpose of making connection with a public or private sewer or drain, to ascertain if such person has a permit therefor and, if not, to immediately report the fact to the City Engineer.

Section 9.00 It is unlawful to construct, extend, relay, repair or to make connection to any sewer or drain inside the property line without obtaining a permit from the City Engineer as provided in Section 6.0.

The City Engineer may issue such permit to the owner or occupant of any property to construct, extend, relay, repair or make connection to any private sewer or drain inside the property lines; provided, such owner or occupant shall comply with the applicable provisions of this Ordinance, except that he need not employ a licensed side sewer contractor to do the work. Should the owner or occupant employ a licensed side sewer contractor to do the work, such contractor shall take the permit in his own name and the owner, occupant or other person shall lay no pipe on the contractor's permit.

It shall be unlawful to leave unguarded any excavation made in connection with the construction or repair of any side sewer or private drain within four feet of any public place or to fail to maintain the lateral support of any public place in connection with the construction, alteration or repair of any side sewer or drain.

Section 10.0 When a permit has been issued for a side sewer or drain as herein provided, no work other than that covered by the permit, shall be done without the approval of the City Engineer; and he may, if he deems the additional work of sufficient consequence require a new permit to cover the same.

Section 11.0 The City Engineer may, upon application containing such information as is required by him, issue a permit for a temporary connection to a public sewer, side sewer, drain or natural outlet. Said permit may be revoked by the City Engineer at any time upon thirty (30) days notice posted upon the premises and directed to the owner or occupant of the premises; and in the event said side sewer or drains are not disconnected at the expiration of said thirty (30) days the City Engineer may disconnect the same and charge the cost thereof to the owner or occupant and such costs shall be immediately payable to the City Treasurer following a written notice of the amount thereof given to such owner or posted on said premises. Such temporary permit shall be issued only upon the applicant recording with the County Auditor an acceptable instrument agreeing to save the City of Kirkland harmless from all damages resulting to the City by reason of such temporary connection or disconnection, and

exhibiting to the City Engineer the recording number thereof.

Section 12.0 No permit issued under this Ordinance shall be valid for a longer period than ninety days unless extended or renewed by the City Engineer upon application therefor prior to expiration. Failure to renew said permit prior to expiration thereof shall require the payment of a new permit fee.

Section 13.0 Fees for side sewer permits shall be prescribed by separate Ordinance.

Section 14.0 The permit card required by this Ordinance must at all times during the performance of the work, and until the completion thereof and approval by the City Engineer, be posted in some conspicuous place at or near the work and must be readily and safely accessible to the City Engineer.

Section 15.0 Any person performing work under permit pursuant to the provisions of this Ordinance shall notify the City Engineer when the work will be ready for inspection, and shall specify in such notification the location of the premises by address and the file number of the permit.

On any calls for inspection 48 hours notice plus Saturday, Sunday and Holidays may be required by the City Engineer.

If the City Engineer finds the work or material used is not in accordance with this Ordinance, he shall notify the person doing the work, and also the owner of the premises, by posting a written notice on the permit card, and such posted notice shall be all the notice that is required to be given of the defects in the work or material found in such inspection.

In the case of a licensed side sewer contractor, either the contractor or a competent representative shall be on the premises, whenever so directed to meet the inspector.

Section 16.0 No trench shall be filled nor any sewer covered until the work shall have been inspected and approved by the City Engineer.

Section 17.0 All work within the limits of any public area shall be carried on to completion with due diligence, and if any excavation is left

open beyond a time reasonably necessary to fill the same, the City Engineer may cause the same to be backfilled and the public area restored forthwith, and any cost incurred in such work shall be charged to the side sewer contractor in charge of such work and shall be immediately payable to the City Treasurer by the contractor upon written notification of the amount thereof given to the contractor or posted at the location.

Section 18.0 If any work done under a permit granted is not done in accordance with the provisions of this Ordinance and the plans and specifications as approved by the City Engineer, and if the contractor or person doing the work shall refuse to properly construct and complete such work, notice of such failure or refusal shall be given to the owner or occupant of the property for whom said work is being done, and the City Engineer may cause said work to be completed and said sewer connected in the proper manner, and the cost of such work and any materials necessary therefor shall be charged to the owner or contractor and be payable by the owner or contractor immediately upon the City Engineer's giving written notice of the amount thereof or posting a notice thereof on the premises.

Section 19.0 When any side sewer is constructed, laid, connected or repaired, and does not comply with the provisions of this Ordinance, or where it is determined by the Health Officer or the City Engineer that a side sewer, drain, ditch, or natural watercourse is obstructed, broken, or inadequate or is a menace to health or threatens to cause damage to public or private property, the Health Officer shall give notice to the owner, agent or occupant of the property in which such condition exists and if he shall refuse to reconstruct, relay, reconnect, repair or remove the obstruction of said side sewer, drain, ditch or natural watercourse within the time specified in such notice, the Health Officer shall so notify the City Engineer and the City Engineer may perform such work as may be necessary to comply with this Ordinance, and the cost of such work so done shall be charged to the property owner or occupant and shall become immediately payable to the City Treasurer upon written notice of such amount being given to the property owner or occupant or posted upon said premises.

Section 20.0 All costs and expenses incidental to the installation and connection and maintenance of a side sewer shall be borne by the owner or occupant of the premises served by the side sewer.

Section 21.0 The use of an existing side sewer may be permitted when approved by the City Engineer as conforming to all requirements of this Ordinance for a new or converted building or new installation replacing an old one.

Section 22.0 In any building structure or premise in which a house drain or other drainage is too low to permit gravity flow to the public sewer the same shall be lifted by artificial means and discharged into the public sewer.

Whenever a situation exists involving an unusual danger of backups the City Engineer may prescribe a minimum elevation at which the house drain may be discharged into the public sewer. Drains or sewers below such minimum elevation shall be lifted by artificial means or if approved by the City Engineer a backwater sewage valve may be installed. The effective operation of the backwater sewage valve shall be the responsibility of the owner of the sewer or drain. Approval of a backwater sewage valve shall be made only upon the applicant's recording with the County Auditor an acceptable instrument agreeing to save the City of Kirkland harmless from all damage resulting therefrom and exhibiting to the City Engineer his or their recording number thereof.

Section 23.0 All side sewers shall be laid on a not less than two percent (2%) grade; shall be not less than thirty inches from any foundation wall of any building, and if there be no foundation wall not less than thirty (30) inches from the outer line of any footings, pilings, or building supports; shall have not less than sixty (60) inches of cover at the curb line or in a public alley, thirty (30) inches of cover at the property line and eighteen (18) inches of cover on the private property. No side sewer which is laid generally parallel to the curb or curb line shall have less than forty-eight (48) inches of cover between the grade or on existing improvements or shall be approved by the City Engineer. No side sewer shall be less than six inches in diameter in public areas except as otherwise

specified in the "Standard Plans and Specifications of the City of Kirkland". Not more than one building shall be connected to a side sewer except by permission of the City Engineer. Any one single-family residence shall be connected with not less than four inch diameter pipe and any multiple dwelling, industrial or commercial building or group of two single-family residences shall be connected with not less than six inch diameter pipe. All cover measurements shall be based on the established curb or curb line and the sidewalk or sidewalk line or less than thirty inches of cover between the sidewalk or sidewalk line and the property line.

All vaults or privies shall be disinfected and filled with fresh earth; and all septic tanks, cesspools and similar installations shall be disinfected and filled with fresh earth at the time of the discontinuance of the use thereof.

Section 23.1 Wherever a storm sewer is available, downspouts shall be connected therewith in a manner approved by the City Engineer. The connection of any downspout with a sanitary sewer is hereby prohibited and declared to be unlawful.

Section 24.0 Before any side sewer may be located on any building site other than that owned by the owner of the side sewer, the owner of the side sewer shall secure from the owner of such building site a written easement duly acknowledged covering and granting the right to occupy such property for such purpose, and such written easement shall be recorded by the owner of the sewer in the office of the County Auditor.

Before the City Engineer shall issue a permit authorizing the laying of a side sewer on any building side other than the one served by it, the owner of the sewer shall secure from the building site owner and record with the Auditor the sewer easement herein referred to and shall exhibit to the City Engineer the recording number thereof.

Where a side sewer is to be connected in a public area to a side sewer which is owned by another and does not involve an easement, written permission for such connection shall be obtained from the owner of such

side sewer and shall be filed with the City Engineer before any permit authorizing such connection is issued.

Where physical conditions render compliance with the foregoing provisions impracticable, the City Engineer may issue a special permit for installation of a side sewer requiring compliance with said provisions insofar as is reasonably possible, and such permit shall be issued only upon the condition that the permittee shall record with the County Auditor an instrument acceptable to the City Engineer agreeing to save harmless and indemnify the City of Kirkland from any damage or injury resulting from such installation.

Section 25.0 All material and workmanship in connection with the installation of any side sewer and connection with a public sewer shall be as required by the "Standard Plans and Specifications" of the City of Kirkland except as to modifications or changes approved by the City Engineer.

Whenever it becomes necessary to disturb pavement in connection with any work authorized under this Ordinance, the opening shall be not less than two feet by seven feet nor more than two and one-half feet by eight feet; provided the City Engineer may specify a different size of said opening and additional cuts to be made when needed to insure a proper backfill.

No excavation shall be made in any public area except at the times and in the manner prescribed by the City Engineer.

All backfill of excavation and tunnels under concrete or asphalt surfacing and the restoration of these surfaces in public areas shall be done by the contractor under the supervision of the City Engineer.

Section 26.0 It is unlawful to break, damage, destroy, deface, alter or tamper with any structure, appurtenance, or equipment which is part of the sewer system of the City of Kirkland, or without authority from the City Engineer to break, damage, destroy or deface any public walk, curb, or pavement, or to make openings or excavations in a public area for the purpose of connection to any public or private sewer.

Section 27.0 Any excavation made by any licensed sewer contractor in any public place, or immediately adjacent thereto, shall be protected and guarded by fencing or covering and by proper lights. The protection of the public from the danger of such excavation shall be the responsibility of the side sewer contractor; and said contractor shall be liable on his bond for any damage caused by his failure to properly protect and guard such excavation as herein required. If the contractor fails to properly protect and guard such excavation as herein required, the City Engineer may properly protect and guard such excavation and charge the cost thereof to the side sewer contractor, who shall, upon receiving written notice of the amount of such charge or by the posting of a notice of the amount of such charge at the location of the excavation, immediately pay the same to the City Treasurer.

Section 28.0 All street, sidewalks, parking strips and other public areas except as mentioned in Section 25.0, disturbed or altered in the course of any side sewer or drainage work, shall be restored by the licensed sewer contractor to the original surface condition as approved by the City Engineer; and in the event of the failure of the contractor to so restore the area the City Engineer may make such restoration and charge the cost thereof to the side sewer contractor, who shall, upon receiving written notice of the amount thereof or upon posting of such notice on the area, make immediate payment thereof to the City Treasurer.

Section 29.0 No one shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, subsurface drainage, cooling water or unpolluted industrial process water to any sewer which is built solely for sanitary sewage.

Section 30.0 Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated storm sewers or to a natural outlet approved by the City Engineer. Industrial cooling water or unpolluted process water may be discharged upon approval of the City Engineer to a storm sewer or natural outlet.

Section 31.0 It is unlawful to discharge or cause to be discharged any of the following described waters or wastes in any public sewer,

drain ditch or natural outlet:

- (a) Any liquid or vapor having the temperature higher than 150 degrees Fahrenheit.
- (b) Any water or waste which contains more than one hundred parts per million by weight of fat, oil or grease.
- (c) Any gasoline, benzine, naphtha, oil, or other flammable or explosive liquid, solid, or gas.
- (d) Any garbage that has not been properly shredded.
- (e) Any ashes, cinders, sand, mud, straw, hair, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- (f) Any waters or wastes having a pH lower than five and five-tenths (5.5) or higher than eight and five-tenths (8.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the sewage works.
- (g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any seware treatment process, constitute a hazard to humans, animals, fish or fowl, or create any hazard in the receiving waters of the sewage treatment plant.
- (h) Any waters or wastes containing suspended solids of such character and quanxtity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

Section 32.0 No grease, oil, sand, liquid, waste containing grease or inflammable material or other harmful ingredients in excessive amounts shall be discharged into any public sewer without the installation of interceptors which shall be of a type and capacity approved by the City

Engineer and shall be so located as to be readily accessible for cleaning and inspection.

When any interceptors are installed for private use, they shall be maintained by the owner at his expense and in continuously efficient operation at all times.

Section 33.0 Whenever preliminary treatment is necessary to reduce the B.O.D. to three hundred parts per million by weight or to reduce the objectionable characteristics or constituents to within the maximum limits prescribed in Section 31.0, such preliminary treatment shall be at the sole expense of the owner of the premises and shall be installed when the City Engineer determines that the same is necessary to comply with the standards prescribed.

All plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the City Engineer; and no construction of such facilities shall be commenced until such approval is noted on the plan.

Where such facilities are installed and used they shall be maintained continuously in satisfactory and efficient operation by the owner at his own expense.

Section 34.0 In any property served by a side sewer carrying industrial wastes when required by the City Engineer, the owner or occupant shall install a control manhole in the side sewer to facilitate observation, sampling and measurement of the wastes. Such manhole shall be necessarily accessibly and safely located and shall be constructed and installed in accordance with the plans approved by the City Engineer. Such manhole shall be installed and maintained by the owner or occupant at his sole expense.

Section 35.0 All measurements, tests and analyses of the characteristics of waters and waste to which reference is made in this Ordinance shall be determined in accordance with the standards prescribed in "Standard Methods for the Examination of Water and Sewage", published jointly by the American Health Association and the American Water Works Association.

Section 36.0 The City Engineer shall make recommendations to the City Council in regard to entering into any agreement whereby any waste of unusual character may be accepted by the City for treatment before entry into the public sewer, the payment for such treatment to be such as is fixed by the City Council.

Section 37.0 All hard surface or graded areas such as parking lots and service station yards shall be drained in such manner as will protect adjacent public and private property from damage and such drainage shall enter the storm sewer or other outlet by way of an interceptor of such design as is approved by the City Engineer.

Section 38.0 It is unlawful to plant, within thirty (30) feet of any public or private sewer, any willow, poplar, cottonwood, soft maple, gum trees, or any other tree or shrub whose roots are likely to enter and obstruct the flow of said sewers.

The City Engineer is authorized to remove any trees or shrubs from any public street or the roots of any trees or shrubs which extend into any public street when such trees or shrubs or the roots thereof are obstructing or are liable to obstruct any public or private sewer or drainage. Before making any such removal the City Engineer shall give ten days notice, in writing, to the owner or occupant of the abutting property or the property on which such trees or shrubs are growing, requiring such owner or occupant to remove the same. If the written notice cannot be given such owner or occupant the notice may be posted on the premises or in the street at the location of the trees or shrubs requiring such removal. If such owner or occupant fails or refuses to remove such trees or shrubs and roots within the time specified, the City Engineer is authorized to do so and the cost of removal thereof shall be charged to the owner or occupant and upon giving such written notice the amount thereof to the owner or occupant or by posting such notice at the location of the trees or shrubs, the cost thereof shall be immediately payable to the City Treasurer by such owner or occupant.

Section 39.0 The City Engineer or other city officials or employees of the City of Kirkland, bearing proper credentials and identifications, shall be permitted to enter upon any and all premises at all reasonable times for the purpose of inspection, observation, measurement, sampling and testing of sewers and sewage waste in accordance with the provisions of this Ordinance; and it is unlawful for any person to prevent or attempt to prevent any such entrance or obstruct or interfere with any such officer or employee while so engaged.

Section 40.0 The City Engineer may make rules and regulations and amend the same from time to time, not inconsistent with the provisions of this Ordinance, as he shall deem necessary and convenient to carry out the provisions of this Ordinance. Such rules and regulations shall be known as and are herein referred to as "The Standard Plans and Specifications of the City of Kirkland". Such rules, regulations and amendments thereto shall be in writing signed by the City Engineer and become effective ten (10) days after filing with the City Clerk. Copies of all current rules and regulations shall be at all times available in the office of the City Engineer.

In the event any person desires to object to any proposed rules, regulations or amendments, ^{as filed with the City Clerk} he shall before the expiration of said ten (10) day period file a written notice of objection with the City Clerk and leave a copy thereof with the City Engineer's office. Filing of such notice of objection shall stay the effective date of the proposed rule, regulation or amendment pending hearing on the objection before the City Council at their next regular meeting. Such hearing may be continued to a future meeting but the decision to so continue shall be within the sole discretion of the City Council.

Section 41.0 Whoever violates any of the provisions of this Ordinance shall, in addition to any penalties provided for such violation, be liable for any expenses, losses or damages occasioned thereby to the City of Kirkland.

Section 42.0 Violation of or failure to comply with the provisions of this Ordinance shall subject the offender to a maximum fine of three hundred dollars (\$300.00) or imprisonment for ninety days or both; and each

day that any violation or failure to comply exists shall constitute a separate offense.

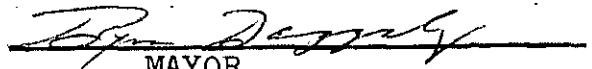
Section 43.0 If any section or portion of this Ordinance is adjudged to be invalid, such adjudication shall not affect the validity of the remaining portions.

Section 44.0 Ordinance No. 631 of the City of Kirkland and all other Ordinances or parts of Ordinances inconsistent herewith be and they hereby are repealed.

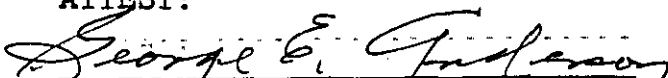
Section 45.0 This Ordinance shall take effect five (5) days from and after its passage by the Council, approval by the Mayor and posting or publishing in accordance with law.

INTRODUCED this 7 day of May, 1962.

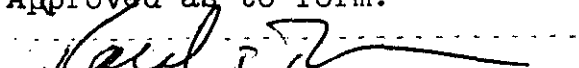
PASSED AND APPROVED this 21 day of May, 1962.


MAYOR

ATTEST:


George A. Compton - City Clerk

Approved as to form:


Ralph L. Thomas - City Attorney