

Repealed by 2718

ORDINANCE NO. 2027

AN ORDINANCE OF THE CITY OF KIRKLAND, WASHINGTON, RELATING TO SEWERS PROVIDING FOR THE LICENSING OF SIDE SEWER CONTRACTORS AND PIPE LAYERS ESTABLISHING A LICENSE FEE AND BOND REQUIREMENTS AND DEFINING OFFENSES AND PRESCRIBING PENALTIES.

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. It shall be unlawful for any person, individual, corporation or other entity or group to build, construct or install or repair any side sewer on property not owned by him or to engage in the business of constructing side sewers without first obtaining a license from the City of Kirkland and meeting all of the requirements of this ordinance.

Section 2. Applications for side sewer contractor's license shall be made to the City Clerk on such forms as will be provided by the City. Such application shall be referred to the City Manager or the Director of Public Services as his delegate for approval or disapproval. The applicant shall be required to present satisfactory evidence that he has sufficient knowledge and experience to carry on the business of a side sewer contractor and that he is a reliable person, skilled in the laying and construction of side sewers. The application shall be either approved or disapproved. If disapproved, such disapproval shall be filed with the City Clerk within thirty (30) days after application is first made. At anytime within 15 days after notice of disapproval has been filed with the City Clerk and mailed to the applicant the applicant may appeal to the City Council by filing notice of appeal and request for a hearing with the City Clerk.

Section 3. Upon filing his application the applicant shall pay to the City Clerk the sum of \$50.00 as a contractor's license fee. Said fee shall be non-refundable. Following the approval of his application the applicant shall furnish evidence to the City by way of certificate from his insurance carrier that the applicant has in force public liability and property damage insurance with limits of not less than \$100,000 personal injury and \$50,000 property damage including the perils of explosion,

collapse and underground. Such certificate shall further provide that the City shall be given 10 days notice of cancellation by the carrier. Failure of the licensee to maintain such insurance shall result in immediate cancellation of his license. The applicant shall further file with the City a bond in the sum of \$2,500 with one or more corporate sureties condition that he or they will indemnify and save harmless the City of Kirkland from all suits and accidents and claims of whatever nature by reason of any opening in any street, alley, avenue, highway, or sewer, easement or other public place made by him or those in his employ or by reason of carelessness or by want of due care by licensee or those in his employ in making any connection with any public sewer or in damaging any Utility Lines or pipes and further that he will also promptly replace and restore such street, alley, avenue, easement or other public place to as good a state or condition as at the time of commencement of said work and maintain the same in good order for a period of one year after completion of said work. And that he will comply with all of the provisions of this ordinance and any other ordinance of the City of Kirkland relating to the business of side sewer contractors the installation or the construction thereof or work in public streets, alleys, avenues or other public places.

Section 4. A side sewer contractor's license may be suspended or revoked for the following causes:

1. Failure to observe the rules and regulations issued by the City Manager or his delegate governing construction and laying of side sewers.
2. Fraud or misrepresentation in obtaining a side sewer contractor's license.
3. Failure to pay for labor and material used in the construction of this side sewer.
4. Fraud or misrepresentation to the owner, agent, or occupant of the building for the purpose of obtaining a contract for the construction of a side sewer.
5. Non payment for the work performed by the City of Kirkland for the payment of which a side sewer contractor may be liable.
6. Failure to maintain during the entire life of his license the insurance and bond requirements of this ordinance or

any contractor's bonds required by the State of Washington.

Section 5. The sewer contractors license shall be an annual license extending from January 1st through December 31, inclusive. Should a license not be renewed within 30 days of its expiration a new application fee shall be paid prior to the issuance of a new license.

Section 6. Any property owner desiring to install, construct, or repair a side sewer on his own property shall be required to pass an examination for pipe laying or demonstrate to the satisfaction of the City Manager or his delegate the skill and qualifications required for work of side sewer construction. No charge will be made for this examination but, such examination shall be taken before the issuance of a side sewer permit.

Section 7. No employee of a side sewer contractor licensee shall engage in the actual construction, installation or repair of a side sewer without first having been licensed as a pipe layer by the City of Kirkland. Any person desiring such a pipe layer's license shall pay to the City Clerk the sum of \$50.00 and shall be required to pass an examination or demonstrate to the satisfaction of the City Manager or his delegate the skill and qualifications required for the work of sewer construction. To the extent that any other ordinance now in effect within the City of Kirkland may be inconsistent with the provisions of this ordinance, such ordinance or part thereof as inconsistent is hereby declared to be superseded and supplemented provided however, that all side sewer contractor licenses now in effect shall continue in effect until their normal expiration date. Holders of such licenses shall however, be subject to the requirements of this ordinance.

Section 8. This ordinance shall be in effect five days from and after its passage by the Council and publication as required by law.

PASSED by the City Council at a regular meeting on the 16th day of Dec, 1968.

SIGNED in authentication thereof on the 16th day of Dec 1968.

ATTEST:

Tom J. Duvion

Director of Administration and Finance
(ex officio City Clerk)

Approved as to Form:

William C. Woods
MAYOR

Ordinance No. 2027