

ORDINANCE NO. 2309

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO WATER SERVICE FOR DOMESTIC AND FIRE PROTECTION USE, DECLARING A POLICY FOR CONNECTING TO THE WATER SYSTEM, MAKING CERTAIN ADJUSTMENTS, INCLUDING INCREASES TO WATER CONNECTION CHARGES AND AMENDING TITLE 15 (Chapters 15.8 and 15.12) OF THE KIRKLAND MUNICIPAL CODE.

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

Section 1. Section 15.08.040 of the Kirkland Municipal Code is amended to read as follows:

"Section 15.08.040 Installation Dependent Upon Available Facilities:

"The installation of any water or sewer service line is dependent upon [the] available adequate water or sewer [trunk] facilities, [and] The Water Sewer Department is not required to accept an application and make installation where a modification to the system would be necessary to make facilities available. [install-a-water service-line-or-a-sewer-service-line-in-areas not-served-by-the-existing-water-or-sewer-trunk system,-or-where-the-system-is-inadequate-to handle-the-increased-demand-that-would-result from-the-applicant's-proposed-use.]

"As used herein, the phrase "modification" or "modification to the system" shall mean the construction or installation of any new trunk service line or collector line, or the extension of any such existing line or any replacement of such facilities to increase the capacity flow where the system is inadequate to handle the increased demand that would result from the applicant's proposed use. Modifications shall also include the installation of fire hydrants where required for adequate fire protection as determined by the Department of Fire Services."

Section 2. There is hereby added to Chapter 15.08 a new Section to read as follows:

(New Section) "Section 15.08.041 Owners of Property Benefited to Pay for Modification.

"The cost of any modification to the system shall be born by the property abutting upon or benefiting from such modification or by the owners of such property."

Section 3. There is hereby added to Chapter 15.12 Kirkland Municipal Code, a new Section to read as follows:

(New Section) "Section 15.12.051 Water Connection Charges - Connection Areas to be Mapped - Definitions:

"The amount of water connection charge to be paid shall be determined as to each requested connection by the application of the criteria set forth in Sections 15.12.051 through Section 15.12.058 inclusive:

"A. To assist in such determination, the Director of Public Services shall maintain in his department a map or series of maps of the City of Kirkland and its existing water system which delineate on a current basis the location and the boundaries of the various connection charge areas as those areas are herein established.

"The designation and precise location of the connection charge areas and their boundaries as entered on said maps shall be within the sound discretion of the Director of Public Services and when so entered, shall be deemed to be prima facia correct.

"Said maps shall be available in the Department of Public Services at all times for inspection by the general public.

"B. Single family shall mean: Detached dwellings or areas to be developed with detached dwellings in those areas within the City of Kirkland zoned for single family residence use under the Zoning Ordinance for the City of Kirkland.

"C. Adequate water main shall mean:

"(i) Within single family - any water main required to provide water flow to a fire hydrant shall have a diameter of six inches or more, all other water mains shall have a diameter of four inches or more.

"(ii) In all other areas any water main having a diameter of eight inches or more.

"D. Adequate Fire Hydrants: The identification and location of adequate fire hydrants, together with the location of fire hydrants to be installed shall be concurred in by the Director of Fire Services.

"E. Non-Single Family shall mean all structures and areas within the City other than single family as herein defined."

Section 4. There is hereby added to Chapter 15.12. of the Kirkland Municipal Code a new Section to read as follows:

(New Section) "Section 15.12.052 Single Family Area 1 Inadequate Mains or Fire Hydrants, Private Developer Installation only:

"In single family area 1 the connection charge shall be as to each individual connection the sum of the following: A system water main charge of \$150, plus a meter charge.

"The meter charge shall be based upon the size of the meter required and determined as follows:

3/4 inch meter	\$185
1 inch meter	\$240

Any meter in excess of 1 inch in diameter	The actual cost of the meter, plus installation cost.
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"Single Family Area 1 connection rates shall apply to those areas of land developed or to be developed as subdivisions pursuant to the Subdivision Ordinance (Ordinance No. 2178) where all interior water lines are required to be installed by or at the expense of the developer. In these areas, no public funds will be spent except upon prior authorization of the Kirkland City Council. Provided, however, in minor situations where a fitting or valve or some other similar installation appears advisable and advantageous to the City, the City may make such installation and the cost thereafter shall be thereafter charged to the developer or subdivider."

Section 5. There is hereby added to Chapter 15.12 of the Kirkland Municipal Code a new Section to read as follows:

(New Section)

Section 15.12.053 Single Family Area 2 Adequate Existing Mains and Existing Fire Hydrants Previously Installed at Public Expense:

"Single Family areas within the City where there have been installed adequate water mains and adequate fire hydrants at public expense shall be denominated single family area 2.

"The connection charge within single family area 2 shall be the sum of the following: System water main charge \$200, plus water meter charge based upon the size of the meter, as established in Section 15.12.05."

Section 6. There is hereby added to Chapter 15.12 of the Kirkland Municipal Code a new Section to read as follows:

(New Section)

"Section 15.12.054 Single Family Area 3 Adequate Mains and Inadequate Fire Hydrants:

"Single Family areas within the City where adequate mains have been installed at public expense, but fire hydrant installation is either inadequate or non-existent shall be denominated single family area 3.

"The connection charge within single family area 3 shall be the sum of a system water main charge of \$285 and a meter charge as established in Section 15.12.051."

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Section 7. There is hereby added to Chapter 15.12 of the Kirkland Municipal Code a new Section to read as follows:

(New Section) "Section 15.12.055 Single Family Area 4 Inadequate Water Mains and/or Fire Hydrants - Installation Required to be made at Public Expense:

"Single Family areas within the City where there have not been installed adequate water mains and/or fire hydrants, whether or not such areas have been previously platted or subdivided, and future installations must be accomplished by the City at public expense are denominated single family area 4.

"The connection charge for single family area 4 shall be the sum of a systems water main charge of \$500 and a meter charge as established in Section 15.12.051.

Section 8. There is hereby added to Chapter 15.12 of the Kirkland Municipal Code a new Section to read as follows:

(New Section) "Section 15.12.056 City Installation of Water Main Extensions and/or Fire Hydrants:

"The system water main charge portion of the connection charge as established for single family areas 3 and 4 includes not only a contribution towards the existing system, but also a contribution towards new construction or installation required to improve the system to adequate standards. Therefore, the Director of Public Services shall, upon receipt of any application to make a water connection within either single family area 3 or single family area 4 and payment of the required connection charge, establish a schedule for the installation or construction as may be necessary to provide such applicant with adequate water mains and adequate fire hydrants. Such work shall be completed prior to issuance of the applicant's occupancy permit. All such installations and construction shall be done in accordance with a design plan for improvement of the water system to be approved by the City Council."

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Section 9. There is hereby added to Chapter 15.12 of the Kirkland Municipal Code, a new Section to read as follows:

(New Section)

"Section 15.12.057 Non-Single Family Areas 2, 3 and 4 Connection Charges:

"(a) Non-Single Family Area 2: Non-single family areas within the City where adequate water mains and fire hydrants have been installed by public expenditure are denominated non-single family area 2. The connection charge for non-single family area 2 shall be the sum of a system main charge calculated at the rate of four cents per square foot of area to be served or benefited, together with a meter charge as established in Section 15.12.051. Provided, however, that no meter shall be less than one inch in diameter.

"(b) Non-Single Family Area 3: All non-single family areas within the City where adequate water mains have been installed by public expenditure, but there are either no fire hydrants installed or inadequate fire hydrant installation are denominated non-single family area 3. The connection charge for non-single family area 3 shall be the sum of a system main charge calculated at the rate of five cents per square foot, together with a meter charge as established in Section 15.12.051. Provided, however, that no meter shall be smaller than one inch in diameter.

"(c) Non-Single Family Area 4: All non-single family areas where there are neither adequate water mains installed nor adequate fire hydrants installed, are denominated non-single family area 4. The connection charge for non-single family area 4 shall be the sum of a system main charge calculated at seven cents per square foot of the area to be served or benefited, together with a meter charge as established in Section 15.12.051. Provided, however, that no meter shall be smaller than one inch in diameter."

Section 10. There is hereby added to Chapter 15.12 of the Kirkland Municipal Code a new Section to read as follows:

(New Section) "Section 15.12.058 Criteria for Determining Adequate Fire Hydrant Installation in Non-Single Family Zoned Areas:

"An installed fire hydrant shall not be considered adequate to serve any land or improvements thereon which are or extend beyond a line lying 165 feet from and parallel to an installed adequate water main. Any non-single family area lying beyond said 165 foot parallel line shall be within non-single family area 4. Any building lying closer than said 165 foot parallel line but inaccessible to a fire hydrant by reason of the existence of other buildings or barriers shall be within non-single family area 4.

Section 11. Section 15.12.050 of the Kirkland Municipal Code is hereby repealed, and all other Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby superseded.

Section 12. If any Section, Subsection, sentence, clause, phrase, part or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not effect the validity of the remaining portions of this Ordinance.

Section 13. This Ordinance shall be in force and take effect five days from and after its passage by the Kirkland City Council and publication as required by law.

PASSED by the Kirkland City Council in regular meeting on the 15th day of March, 1976.

SIGNED in authentication thereof on the 15th day of March, 1976.

*Robert A. Hein*  
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Mayor

ATTEST:

*Tom J. Johnson*  
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Director of Administration & Finance  
(ex officio City Clerk)

Approved as to form:

*Raymond J. [Signature]*  
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City Attorney