

ORDINANCE NO. 2499

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE PROVISION OF WATER AND/OR SEWER SERVICES OUTSIDE OF THE KIRKLAND CITY LIMITS ESTABLISHING A POLICY THEREFOR, AND AMENDING CHAPTER 15.08 OF THE KIRKLAND MUNICIPAL CODE.

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

Section 1. There is hereby added to the Kirkland Municipal Code a new Section to read as follows:

Section 15.08.025 Application for Service Outside City Limits. The City may, by contract with a requesting property owner, agree to permit a connection to the water and/or sewer facilities of the City of Kirkland in order to serve property outside the city limits, subject to the following:

1. Property Contiguous to the City Limits. Property which is contiguous to the city limits must be annexed to the City prior to application for service. Connection shall then be requested in the manner provided for in Section 15.08.020, provided however, that the City may, only when deemed to be in the best interest of the City and property owner, permit application to be filed and connection to the system made prior to the effective date of the annexation, but in no event, shall a connection be made to the system prior to the filing with the City of Kirkland of the petition to annex required by RCW 35A.14.120, signed by owners of not less than 75 percent of the assessed valuation of the property sought to be annexed, including the property for which the connection to the system is requested.

2. Property which is not Contiguous to the City Limits. When property is not contiguous to the city limits, an application for service outside the city limits may only be considered by the City for acceptance subject to the following:

a. At the time of making application, the property owner shall enter into an agreement with the City to annex the property to the City of Kirkland at such time as it becomes contiguous to the then existing city limits. Such agreement shall be in a form sufficient to run with the land and shall be recorded with the King County Dept. of Elections & Records.

b. The use and structure to be served by the proposed connection shall be consistent with the Kirkland Land Use Policies Plan.

c. Any development or construction required prior to connection shall be accomplished in accordance with the required standard of King County and, insofar as practical, the development standards contained in the Kirkland Municipal Code, including those standards relating to land surface modification and storm and surface water control.

d. Before actual connection is made, the property owner shall enter into a Water/Sewer Connection and Service Contract with the City of Kirkland, which contract shall include the actual terms and conditions under which the City of Kirkland will be willing to permit connection (including extension of the System where required) to the water/sewer system and following connection to provide water and/or sewer service to said property.

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Council and publication as required by law.

PASSED by majority vote of the Kirkland City Council in regular meeting on the 3rd day of December, 1979.

SIGNED IN AUTHENTICATION THEREOF on the 3rd day of December, 1979.



MAYOR

ATTEST:



Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:



City Attorney