

ORDINANCE O-4690

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO STREET CUT FEES AND AMENDING SECTION 5.74.040 OF THE KIRKLAND MUNICIPAL CODE.

1 The City Council of the City of Kirkland do ordain as follows:

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3 Section 1. Section 5.74.040 of the Kirkland Municipal Code is
4 amended to read as follows:

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6 **5.74.040 Fees charged by the public works department.**

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8 (a) The schedule below establishes permit and administrative fees
9 charged by the public works department.

Fee Type	Fee Amount
Water—Meter installation (Each fee includes a \$50.00 administration charge) 3/4" meter 1" meter 1-1/2" meter 2" meter Greater than 2"	 \$156.00 \$184.00 \$199.00 \$383.00 Time and materials
Water—Billing Customer-requested service shutoff during business hours Customer-requested service shutoff during nonbusiness hours Water service shutoff or turn-on for unpaid user bill before 3:00 p.m. on business days Water service shutoff or turn-on for unpaid user bill after 3:00 p.m. on business days Service calls if broken water line was caused by owner/occupant Special water meter reading Alternate billing Cut lock fee Shutoff tag Water restrictions penalty	 \$30.00 \$80.00 \$40.00 \$90.00 \$20.00 \$40.00 \$10.00 \$60.00 \$20.00 Up to \$50.00/day

Fee Type	Fee Amount
Sewer—Permits New or replacement side sewer inspection Side sewer repair (< 10 feet) inspection Side sewer cap inspection Septic system abandonment inspection Side sewer stub fee (for city-installed stub)	\$436.00 \$60.00 \$60.00 \$60.00 \$1,091.00 min. or as documented
Sewer—Discharge regulation Penalty for late discharge report (late after 30 days) Penalty—Discharge compliance, incomplete actions Penalty—Nonmaintenance of FOG systems Penalty—Inaccurate or incomplete report	\$25.00/day for first 20 days, then \$100.00/day, for a maximum of \$1,000.00 total. \$100.00/day for 60 days max. \$500.00 + city maintenance costs. Second year: \$1,000.00 + city maintenance costs \$100.00 for first offense
Sewer—Billing Sewer service call (customer problem)	\$20.00
Right-of-Way Permit to work in ROW—Standard Permit to work in ROW—Basic Street cut fee 1—50 sq. ft. Street cut fee 51—100 sq. ft. Street cut fee 101 sq. ft. or larger Street cut administration fee	\$382.00 \$109.00 \$205412.00 \$444823.00 \$444823.00 + \$444823.00 for each additional 100 sq. ft. \$2835.00
Temporary parking permit	\$20.00 + \$12.00 for each additional day
Bike share permit and administrative fee and abatement costs	\$2,032.00 annual permit review fee + \$35.00 annually per each permitted bike share bicycle + reimbursement for any documented costs incurred by the city in connection with failure to meet permit requirements (e.g.,

Fee Type	Fee Amount
	repair or maintain public property or remove bikes from public rights-of-way)
<p>Storm Drainage (Surface Water) Surface water drainage plan check fees (see PW pre-approved plans and policies for description of review types):</p> <p>(a) Basic review</p> <p>(b) Simplified review</p> <p>(c) Targeted review</p> <p>(d) Full review</p> <p>(e) Roof/driveway drain connection inspection</p> <p>(f) Surface water adjustment process (see PW pre-approved plans and policies for full description)</p>	<p>\$385.00</p> <p>\$1,327.00</p> <p>\$1,623.00</p> <p>\$3,245.00</p> <p>\$654.00</p> <p>\$154.00 for up to 2 hours of process, and then \$120.00/hour thereafter</p>
<p>Miscellaneous Review and Inspection Fees When the public works department provides engineering review or inspections services, and a fee for such service is not published, the applicant shall pay the following rate for such services</p> <p>Impact fee—Independent fee review</p> <p>Right-of-way nonuser relinquishment review fee</p>	<p>\$120.00 per hour</p> <p>\$205.00, plus \$120.00 per hour of review</p> <p>\$600.00 for up to 5 hours' process, and \$120.00/hour thereafter</p>

10 (b) Whenever any construction work, public improvement or other
 11 activity is required or permitted to be performed upon any public right-
 12 of-way, or within or upon any property which, upon completion of said
 13 work or activity, is to be conveyed or dedicated as public right-of-way
 14 or public easement, the city shall not accept for maintenance or
 15 otherwise such work, improvement, facility or activity until there has
 16 been paid to the city by the person required or permitted to perform
 17 such work or activity an amount equal to ten percent of the estimated
 18 cost of construction of such work, improvement, facility or activity as
 19 and for reimbursement to the city for its cost of review and inspection
 20 of such work, improvement, facility or activity. In addition, prior to the
 21 release of any permit for construction of storm drainage collection and

22 conveyance on private property, the permit applicant shall pay a fee
23 equal to ten percent of the estimated cost of construction of such work,
24 improvement, facility or activity as and for reimbursement to the city for
25 its cost of review and inspection of such work, improvement, facility or
26 activity. Estimated cost of construction shall be determined by the
27 director of the department of public works. Whenever such a review and
28 inspection fee is required, the public works department is authorized to
29 collect up to one-half of the fee at permit application with the remainder
30 being due at permit issuance.

31 (c) This section shall not apply to:

32 (1) Work performed under public works construction contracts let by
33 the city pursuant to Chapter 3.85; or

34 (2) So much of such work performed under a developer's extension
35 agreement (Chapter 35.91 RCW facilities agreement) as is determined
36 by the director of public works to be for the benefit of the Kirkland water
37 or Kirkland sewer system rather than for the benefit of the property
38 being concurrently subdivided, developed or improved by the signors to
39 the developer extension agreement.

40 (d) The director is authorized to interpret the provisions of this
41 chapter and may issue rules for its administration. This includes, but is
42 not limited to, correcting errors and omissions and adjusting fees to
43 match the scope of the project. The fees established here will be
44 reviewed annually, and, effective January 1st of each year, may be
45 administratively increased or decreased by an adjustment, rounded to
46 the nearest dollar, based upon either to reflect the current published
47 annual change in the Seattle Consumer Price Index for Wage Earners
48 and Clerical Workers, the City's actual experience with materials and
49 labor costs during the preceding year, or the most recent Construction
50 Cost Index published by the *Engineering News-Record* as-needed in
51 order to maintain the cost recovery objectives established by the city
52 council.

53 (e) MyBuildingPermit.com Surcharge. In addition to the fees listed in
54 this section there shall be a three and five-tenths percent surcharge
55 collected to pay for the city's MyBuildingPermit.com membership fees
56 and to help offset the cost of the enhancements and maintenance of
57 the MyBuildingPermit.com and permit tracking software.

58 Exception: The MyBuildingPermit.com surcharge does not apply to the
59 following:

- 60 (1) Water meter installation.
- 61 (2) Water billing.
- 62 (3) Sewer discharge and penalties.
- 63 (4) Sewer billing.
- 64 (5) Street cut fees.
- 65 (6) City trees or civil penalties

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67 Section 2. If any provision of this ordinance or its application to
68 any person or circumstance is held invalid, the remainder of the
69 ordinance or the application of the provision to other persons or
70 circumstances is not affected.

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Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

Passed by majority vote of the Kirkland City Council in open meeting this 4th day of June, 2019.

Signed in authentication thereof this 4th day of June, 2019.



Penny Sweet, Mayor

Attest:

Publication Date: June 10, 2019



Kathi Anderson, City Clerk

Approved as to Form:



Kevin Raymond, City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. O-4690

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO STREET CUT FEES AND AMENDING SECTION 5.74.040 OF THE KIRKLAND MUNICIPAL CODE.

SECTION 1. Amends the fees charged by the Public Works department relating to street cut fees and allows for adjustments to the fees to reflect material and labor costs.

SECTION 2. Provides a severability clause for the ordinance.

SECTION 3. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 4th day of June, 2019.

I certify that the foregoing is a summary of Ordinance O-4690 approved by the Kirkland City Council for summary publication.



Kathi Anderson, City Clerk

Publication Date: June 10, 2019