

*Repealed by 3368*

ORDINANCE NO. 2637

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO SANITARY SEWERS, PROVIDING FOR CONSTRUCTION OF A TRUNK SEWER LINE UNDERCROSSING I-405 TO SERVE PROPERTIES WITHIN AND POTENTIALLY WITHOUT THE KIRKLAND CITY LIMITS LYING WITHIN SECTION 4, TOWNSHIP 25 NORTH, RANGE 5 EAST, W.M., ESTABLISHING A SPECIAL AREA CONNECTION CHARGE TO BE PAID IN ADDITION TO ALL OTHER CONNECTION FEES BY OWNERS OF PROPERTY CONNECTION TO SAID SEWER FACILITY, AND ADDING A NEW SECTION TO CHAPTER 15.12 KIRKLAND MUNICIPAL CODE.

WHEREAS, the area lying east of I-405 within Section 4, Township 25 North, Range 5 East, W.M., both within and without the city limits of Kirkland, is not now served with adequate sanitary sewer facilities, and

WHEREAS, said area contains commercial, multi-family and single family structures and developments, with more anticipated, and

WHEREAS, the City Council for the City of Kirkland has determined that the most feasible method for providing adequate sanitary sewer facilities to serve both existing and future structures within said area is through construction and installation of a trunk sewer line undercrossing I-405 to connect said area with the existing Kirkland sewer system at approximately 114th Avenue N.E., and

WHEREAS, the estimated cost of such construction and installation, as near may be, is \$164,000.00, and

WHEREAS, the City Council does further find that the construction and installation of such facility is within the interest of the public health, safety and welfare, but will, nevertheless, be of primary benefit to the area served, and that the cost and expense for such construction should therefore be ultimately borne by the premises within said area served by the facility; now, therefore, be it

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

Section 1. The construction and installation of an eight inch trunk sewer line is authorized and ordered as follows:

A trunk sewer line commencing at a point of connection with the existing Kirkland sanitary sewer system at 114th Avenue N.E., thence east under I-405 through a bored casing to N.E. 90th Street; thence easterly on N.E. 90th Street to a point midway between 120th Avenue N.E. and 122nd Avenue N.E., provided, however, that one-half of the cost of construction and installation of that portion of said trunk line lying east of the right-of-way of I-405 within N.E. 90th Street shall be included as a cost of construction of the improvements ordered or to be ordered as a part of Local Improvement District No. 120 now in the process of formation.

The estimated cost and expense of the work herein ordered, less the cost allocated to be included within the cost and expense of Local Improvement District No. 120 is estimated, as near as may be, to be \$164,000.00.

Section 2. The area to be served and benefited by the sewer trunk facility hereinabove ordered is described as all of Section 4, Township 25 North, Range 5 East, W.M., both within and without the city limits of the City of Kirkland. Every property, premises or structure within said described service area connecting directly, or indirectly, into said facility shall upon connection pay to the City of Kirkland, in addition to all other connection fees and charges which may by the provisions of Chapter 15.12 Kirkland Municipal Code be required, an additional sum equal to .035 dollars per square foot of area served.

In the event the cost or any party thereof of a sewer improvement, whether local or general, within said Section 4 is or will be assessed against the owners of real property, and such sewer improvement will be connected into or will make use of the facility ordered to be constructed by this Ordinance, there shall be included in the engineer's estimate for the hearing on any such improvement, separately itemized and in such assessments, a sum equal to the "additional sum" provided for in this section.

No person, firm or corporation, as to the real property hereinabove described, shall be granted a permit or authorized to tap into or use said facility or extensions thereof without first paying the "additional sum" as herein provided.

This section is an amendment to Chapter 15.12, Kirkland Municipal Code, and shall be codified therein as Section 15.12.062.

Section 3. The Director of Administration and Finance, ex officio City Clerk, for the City of Kirkland is hereby authorized and directed to record in its entirety this Ordinance once adopted with the King County Department of Elections and Records.

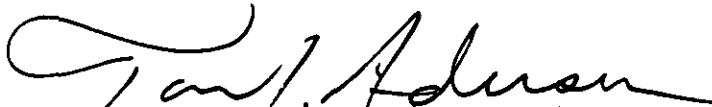
Section 4. This Ordinance shall be in force and take effect five days from and after its passage by the Kirkland City Council and posting or publishing as required by law.

PASSED BY THE KIRKLAND CITY COUNCIL in open regular meeting on the 16th day of November, 1981.

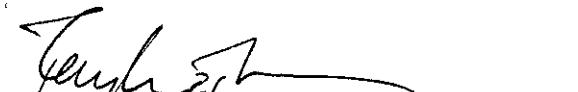
SIGNED IN AUTHENTICATION THEREOF on the 16th day of November, 1981.

  
MAYOR

ATTEST:

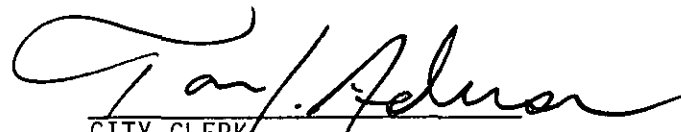
  
Director of Administration & Finance  
(ex officio City Clerk)

APPROVED AS TO FORM:

  
City Attorney

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing Ordinance was posted on the 18th day of November, 1981, in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.

  
CITY CLERK