

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO WATER AND SEWER SERVICE, INSTALLATION AND FEES, AND TO THE WATER AND SANITARY SEWER COMPREHENSIVE PLANS, AMENDING CHAPTERS 15.04, 15.08, 15.12, 15.16, 15.20, 15.24, 15.28, 15.40, 15.44 and 15.48 OF THE KIRKLAND MUNICIPAL CODE, ADDING A NEW CHAPTER 15.14 TO THE KIRKLAND MUNICIPAL CODE, AND REPEALING KMC SECTIONS 15.04.290, 15.08.030, 15.12.030, 15.12.051, 15.12.052, 15.12.053, 15.12.054, 15.12.055, 15.12.056, 15.12.057, 15.12.058, 15.12.059, 15.12.061, 15.12.062, 15.12.065, and 15.24.090.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Sections 15.04.060, 15.04.130, 15.04.140, 15.04.160, 15.04.170, 15.04.200, 15.04.210, 15.04.240, 15.04.260, 15.04.310, 15.04.315 and 15.04.340 of the Kirkland Municipal Code are hereby amended to read as follows:

15.04.060 City manager.

"City manager" means the City manager, the director of public works, ~~the superintendent-of-public-works~~ the operations and maintenance engineer, the director of administration and finance or any authorized agent, deputy or other person acting under the authority of the City manager.

15.04.130 Health officer.

"Health officer" means the officer responsible for public health or his authorized representative employed by the King County Health Department.

15.04.140 House drain.

"House drain" means the ~~cast-iron~~ pipe used for conveying sewerage from the building to a point two and one-half feet outside the foundation wall and if there be no foundation wall to a point two and one-half feet beyond the outer line of any footings,

pilings, building supports, or porch under which it may run, whether such drain consists of one line extending from the building or of two or more such lines.

15.04.160 Licensed contractor, side sewer.

"Licensed contractor, side sewer" means a person bonded and licensed as a contractor through the State of Washington. ~~person approved-by-the-City-Engineer-and~~ as qualified and competent to do work incidental to the construction and/or repair of side sewers under a permit issued under this title.

15.04.170 Natural outlet.

"Natural outlet" means any storm water outlet into a water course, pond, ditch, lake, sound, or other body of surface water.

15.04.200 Permit card.

"Permit card" means a Building, Grading, or Right-of-Way Permit card issued by the City of Kirkland in conjunction with any permit and such card shall be posted on the premises and shall be readily and safely accessible to the City engineer.

15.04.210 Person.

"Person" means any individual, firm, company, association, partnership, society, corporation or group.

15.04.240 Service line.

"Service line" means that portion of the a pipe line, either water or sanitary sewer connecting the City-owned and maintained main or trunk line and the premises to be served. Sewer service lines shall also be known as "side sewers."

15.04.260 Sewage treatment plant.

"Sewage treatment plant" means any arrangement of devices and structures devices affixed thereto used for treating sewage.

15.04.310 Sewer, sanitary.

"Sewer, sanitary" means any pipe, conduit, or other structure, outlet or drain designed to carry sanitary sewage and/or sanitary-sewage-and industrial wastes, and to which storm, surface and ground waters are not intentionally admitted.

15.04.315 Sewer Stub-in, sanitary

"Sewer Stub-in, sanitary" means a sanitary sewer stub provided to a property for future sewer connection.

15.04.340 Standard plans and specifications.

"Standard plans and specifications" means those rules, regulations, policies, and amendments thereto issued by the City engineer including water systems, sewer systems, storm drainage systems, road construction and street improvements, traffic control, and erosion control pursuant to Section 15.28.290.

Section 2. Sections 15.08.010, 15.08.025, 15.08.040, 15.08.041, and 15.08.050 of the Kirkland Municipal Code are hereby amended to read as follows:

15.08.010 Required--Contents.

The City will require prospective customers to sign an application for water service or sewer service. The application must be made in writing or on a standard form at the office of the public service works department. The application shall set forth:

- (1) Signature of applicant;
- (2) Owner of premises to be served;
- (3) Location of premises;
- (4) Address of party paying bills;
- (5) The size of service pipe required;
- (6) Purpose for which service is to be used;
- (7) Payment of all required fees.

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 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 15.08.010; 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 the petition to annex required by RCW 35A.14.120, signed by owners of not less than ~~seventy-five~~ sixty percent (60%) 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 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 department of elections and 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 standards 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) If an application for sewer service outside the city limits is not within the "city growth boundary" as defined by the City of Kirkland Land Use Comprehensive Plan, then service may be provided to the subject property provided an inter-local agreement between the City of Kirkland and the city or county or sewer district in which the property resides is drafted and recorded. The inter-local agreement shall allow the city to serve the subject property with sewer.

(e) Before ~~actual~~ connection is made, the property owner shall enter into a water/sewer connection and service contract with the City, which contract shall include the ~~actual~~ terms and conditions under which the City 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.

15.08.040 Installation dependent upon available facilities.

The installation of any water or sewer service line is dependent upon available adequate water or sewer facilities. The ~~water-sewer~~ Public Works Department is not required to ~~accept~~ approve an application and make installation where a modification to the system would be necessary to make facilities available. As used herein, the phrase "modification" or "modification to the system" means 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.

15.08.041 Owners of property benefited to pay for modification.

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

15.08.050 Acceptance of application deemed contract.

If a written application for service is accepted approved by the City, the application ~~given-in-writing~~, shall be considered as a contract in which the applicant agrees to abide by such rates, rules and regulations as are in effect at the time of signing the application or as may be adopted thereafter by the City and to pay all charges, rates and fees promptly.

Section 3. Sections 15.12.010, 15.12.020, 15.12.040, 15.12.060, and 15.12.070 of the Kirkland Municipal Code are hereby amended to read as follows:

15.12.010 Habitable building--Toilet facilities--Connection to sewer required.

A lot or parcel of property: °

(a) Any portion of which lies within three hundred thirty feet of a public sewer as calculated along the shortest route in public rights-of-way or easements to the nearest point of the land or parcel to be served; and (b) Upon which there is situated any building or structure for human habitation or use for any purpose involving human occupancy, shall have installed in the building or structure suitable toilet and sanitary drainage facilities, and the same shall be connected to the proper public sewer (except as permitted by Section 15.28.010) in accordance with the provisions and

specifications of Chapters 15.28 and 15.36. The owner of any lot or parcel required by the foregoing paragraph to be connected to the public sewer shall at his expense so connect, ~~either before January 1, 1974, or~~ within six months of the date of completion of any sewer line extension which brings the public sewer within three hundred thirty feet of the property line, ~~whichever shall later occur.~~

15.12.020 Required connections subject to service charge.

Each lot or parcel of real property required by this title or by any other ordinance of the City or any law of the state of Washington to be connected with the sewer system of the City shall be subject to a monthly sewer charge as herein established whether such lot or parcel of real property is actually connected to the sewer system or not.; Provided, however, the monthly sewer charge will be waived if the property owner can establish to the satisfaction of the City Engineer that the lot or parcel is connected to a septic system approved by King County.

15.12.040 Placement of pipe side sewer service lines.

All sewer service lines shall ~~not~~ normally be placed ~~less than twelve~~ at least eighteen (18) inches below the surface of the ground ~~nor less than~~ and at least five feet horizontally from a water pipe line. Wherever because of prevailing conditions, a sewer service pipe line is placed less than ~~twelve~~ eighteen (18) inches below the surface of the ground, ~~cast-iron ductile iron pipe shall be used.~~ All side sewer service lines must be installed per the most current Department of Public Works Standards

15.12.060 Side Sewer installation fees.

Whenever any connection is made for the benefit of property lying within the City limits to the City sewer system, the following installation fees shall be paid:

(A) Inspection and stub-in fees:

~~(1) -- 1-Basic-Fee--INSIDE-CITY~~

Sewer inspection permit fee \$25.00 \$50.00
 Stub-in fee \$300.00 \$1,000.00 (where
 applicable a stub-in fee will be assessed)

~~Trunkage-fee:~~

~~(A) -Single-family-\$400.00-plus-\$.05-per
 square-foot-of-the-total-area-of-the
 property-to-be-served-or-benefited-by-the
 connection;~~

~~(B) -Multi-family-\$200.00-per-unit-plus-\$.05
 per-square-foot-of-the-total-area-of-the
 property-to-be-served-or-benefited-by-the
 connection;~~

~~(C) -All-other-uses-\$.10-per-square-foot-of
 the-total-area-of-the-property-to-be-served
 or-benefited-by-the-connection;~~

~~(2) -Adjustment-in-Basic-Fee--Upon-approval
 of-the-City-manager, when-a-developer-of-a
 multiple-user-installation-has-at-his-own
 expense-made-an-extension-to-the-sewer-main
 or-trunk-line-an-"in-lieu-connection-fee"
 of-two-hundred-dollars-for-connecting-into
 the-extension-constructed-by-the-developer
 may-be-charged-in-lieu-of-the-stub-in-and
 truckage-fees;~~

(B) Sewer System Inspection Fee

The twenty-five fifty dollar (\$50.00)
 permit shall be paid in all cases, and a
 permit shall be required for each new
 account or customer added to the sewer
 system.

(C) Side Sewer Capping Inspection Fee

All side sewers which are disconnected from
 the building must be capped and inspected
 by a Public Work Inspector. The fees for
 said inspection shall be thirty dollars
 (\$30.00). A side sewer permit shall be
 required whenever capping of the side sewer
 is necessary.

15.12.070 Fees for special services rendered.

In addition to all other user rates and service connection fees(7) required to be paid to the City, the following special service fees are established and shall be paid by the owner of the property served:

~~A--Customer-Requested-Service-Shutoff--A water-service-shutoff-or-disconnect-made-at the-request-of-the-owner-or-occupant-of-the premises-served--~~

~~1--When-shutoff-may-be-made-by-the-City during-regular-City-business-hours--twenty dollars--~~

~~2--When-shutoff-can-only-be-made-by-the City-during-non-business-hours--thirty dollars--~~

~~B--Water-Service-Shut-off-Unpaid-User-Bill-- A-water-service-shutoff-or-disconnect-for nonpayment-of-delinquent-water--sewer-- refuse-bill-as-authorized-by-Section 15-20-020--ten-dollars--~~

E-- Service Calls: When a service call is made at the request of the owner or occupant of the premises for assistance in locating and/or repairing a waterline-leak or plugged sanitary sewer drain, twenty dollars; no charge will be assessed if plugged sewer lines were not caused by the owner or occupant of the premises. provided; However, the a charge of twenty dollars (\$20) shall be made only when it is determined that the location or cause of such-waterline-leak-or the sanitary sewer drain plug is not within the City-owned main or trunk line and it was caused by the owner or occupant of the premises. The foregoing fees when incurred shall be added to the next customer billing as provided in Section 15.20.050.

Section 4. Chapter 15.12. of the Kirkland Municipal Code is hereby amended by adding the following sections 15.12.032, 15.12.050, 15.12.063 and 15.12.064:

15.12.032 Required Sewer Extension prior to Connection

Prior to the connection of any property to the City of Kirkland sewer system, the sewer system mains lines must be extended to the subject property's furthest property line by way of public right-of-way or easement. The sanitary sewer extension is subject to the following;

A. Using the Sanitary Sewer Comprehensive Plan and sound engineering judgment the City Engineer shall determine the length and number of sanitary sewer extensions for the subject property applying for connection.

B. The sanitary sewer must traverse along or through the subject property within a right-of-way or a recorded sanitary sewer easement to provide for future extension unless the City Engineer determines such an extension is not necessary because the subject property is the last property to be served or that an extension would serve no other property.

C. The City Engineer may determine that a property proposed for connection be required to extend more than one sanitary sewer line along or through the subject property.

D. If the property proposed for connection has a sanitary sewer main fronting the property and the sewer main extends to the furthest property line, and no other sanitary sewer extensions are required either along another right-of-way frontage or through an easement, then the applicant may connect with a side sewer under the conditions of this Title and under Public Works Standards and Specifications.

15.12.050 Sewer Service Stubs

Sewer service lines shall be stubbed from the main to the property line by the City where appropriate and a fee collected at the time of connection for the cost of the installation of the stub. The property owner shall be responsible for the installation and the maintenance of the

sewer service line from the City-owned and maintained public sewer main to the point of service, including any sewer stubs installed by the City for the benefit of the property owner.

15.12.063 Sewer Capital Facility Charges (SCFC)-Definitions

For all sewer connections a base capital facility charge will be assessed and shall consist of the following:

(1) Each sewer connection will be assigned a "Residential Customer Equivalent" (RCE) factor. The RCE has a base of one (1) for a 3/4" x 5/8" water meter, i.e. building served by a 5/8" x 3/4" meter will be given a sewer RCE factor of one (1).

(2) The current SCFC assessed for a RCE of one (1) is \$795.00.

(3) Based on an assessment of \$795 for a RCE factor of one (1), the base capital facility charge for each sewer connection is as follows:

Single/Multi Family Sewer Fees

Single Family	\$795 (1 RCE)
2 unit multi	\$1,272 (1.6 RCE, 0.8 RCE per unit)
3 unit multi	\$1,908 (2.4 RCE)
4 unit multi	\$2,544 (3.2 RCE)
5 of more units	Number of units x 0.64 x \$795 (0.64 RCE per unit)

(4) Other Use SCFC (commercial, office, light industrial, churches, school, etc.) shall be based on the water meter size serving the property:

Meter Size	Base Fee	RCE
5/8" X 3/4"	\$795	1
1"	\$1,988	2.5
1.5"	\$3,975	5
2"	\$6,360	8
3"	\$12,720	16
4"	\$19,875	25
6"	\$39,750	50
8"	\$63,600	80

(5) Each property will be assessed a SCFC for each domestic water meter service or as determined by the Department of Public Works.

15.12.064 Sewer Capital Facility Charge adjustment

(1) The SCFC fee within 15.12.062 will be adjusted periodically but, not less often than every odd number year. The adjustment shall use the method following:

(A) At the time of adjustment, the value of the sewer capital facility shall be determined based on the worth of all City sewer mains less any sewer mains funded by Local Improvement Districts, grants, or installation by private entities (developers); this shall be known as the plant in service;

(B) The total of all connections to the sewer capital facility shall be determined and a RCE factor assigned;

(C) The adjusted SCFC shall be calculated by dividing the current sewer capital facility value by the current number of RCE's.

(D) Upon determining the adjusted SCFC, the Director of Public Works shall file with the Director of Administration and Finance three copies of the adjusted fee schedule along with the values the fee schedule is based on. The Director of Finance and Administration shall file said schedules and values with the deputy City clerk to be available for use by the general public and the affected City officials and departments.

(E) Whenever any connection is made to the City sewer system to serve property outside of the City limits, the property will be assessed the fees set forth in subsections 15.12.063(3) and (4) above.

Section 5. There is hereby added to Title 15 of the Kirkland Municipal Code a new Chapter 15.14, entitled "Water Service Installation and Fees", which reads as follows:

CHAPTER 15.14 WATER SERVICE INSTALLATION
AND FEES

**15.14.010 Required Water Extensions prior
to Connection**

Prior to the connection of any property to the City of Kirkland water system, the water system must be extended to the subject property's furthest property line by way of right-of-way or easement. The domestic water extensions are subject to the following:

A. Using the Water Comprehensive Plan and sound engineering judgment the City Engineer shall determine the length and number of water main extensions for the particular property applying for connection.

B. The water main must traverse along or through the subject property within a right-of-way or a recorded water easement to provide for future extension unless the City Engineer determines such an extension is not necessary because the subject property is the last property to be served or an extension would serve no other property.

C. The City Engineer may determine that a property be required to extend more than one water line along or through the subject property.

D. If the property proposed for connection has a water main fronting the property and the water main extends to the furthest property line, and no other water main extensions are required either along another right-of-way frontage or through an easement, then applicant may connect with a water service under the conditions of this Title and under Public Works Standards and Specifications.

**15.14.020 Water Capital Facility Charges
(WCFC)**

The water connection charge to be paid shall be determined as to each requested

connection by the application of the criteria set forth below.

For all water connections a base capital facility charge will be assessed and will consist of the following:

(1) Each water connection will be assigned a "Residential Customer Equivalent" (RCE) factor.

(2) The water connection RCE shall be determined based on the proposed water meter size.

(3) The water meter shall be sized in accordance with the Uniform Plumbing Code as amended and adopted by the City of Kirkland Building Department.

(4) A water connection's RCE is based on the flow potential through its meter. A 5/8" x 3/4" meter is assigned a base factor of (1).

(5) The WCFC assessed for a meter with a RCE factor of (1) is \$970.00.

(6) Based on an assessment of \$970.00 for a RCE factor of one (1), the base capital facility charges for each water meter size are as follows:

SIZE	BASE CHR.G.	RCE
5/8"x3/4"	\$970.00	(1)
1"	\$2,425.00	(2.5)
1.5"	\$4,850.00	(5)
2"	\$7,760.00	(8)
3"	\$15,520.00	(16)
4"	\$24,250.00	(25)
6"	\$48,500.00	(50)
8"	\$77,600.00	(80)

(7) The above fee schedule will be assessed against both domestic and irrigation water meter connections.

(8) The above fee schedule will be adjusted periodically but, not less often than every odd number year, to reflect a change in the WCFC. The adjustment shall use the method following:

(A) At the time of adjustment, the value of the water capital facility shall be determined based on the worth of all City water mains less any water mains funded by Local Improvement Districts, grants, or installation by private entities (developers); this shall be known as the plant in service.

(B) The total of connections to the water capital facility shall be determine and a RCE factor assigned;

(C) The adjusted WCFC shall be calculated by dividing the current water capital facility value by the current number of REC's.

(D) Upon determining the adjusted WCFC, the Director of Public Works shall file with the Director of Administration and Finance three copies of the adjusted fee schedule along with the values the fee schedule is based on. The Director of Finance and Administration shall file said schedules and values with the deputy City clerk to be available for use by the general public and the affected City officials and departments.

15.14.030 Water Meter Installation Charge

(A) The meter installation charge shall be based upon the size of the meter required. Each meter fee shall include a service line inspection fee of fifty dollars (\$50.00) and is included in the following schedule:

3/4-inch meter	\$ 97.00
1-inch meter	\$132.00
1-1/2-inch meter	\$199.00
2-inch meter	\$255.00

Any meter in excess of 2 inches in diameter: the actual cost of the meter plus installation cost plus a fifty dollar (\$50.00) service line inspection fee.

The fee for installing the meter and the service line including a fifty dollar (\$50.00) administrative fee is as follows:

3/4-inch meter	\$ 444.00
1-inch meter	\$ 592.00
1-1/2-inch meter	\$ 863.00
2-inch meter	\$1,034.00

Any meter in excess of 2 inches in diameter: the actual cost of the meter and service line, plus installation costs, plus street patching costs, plus a fifty dollar (\$50.00) administrative fee.

(B) Annual adjustment in meter charge: Annually the Director of Public Works shall adjust the meter charges in accordance with the following adjustment formula: the director shall determine for each meter size the average cost to the City for meter plus installation, using the actual cost of meter and installation for the immediate past thirty meter installations; provided, that he shall exclude from the calculation, any meter installation occurring more than three years prior to the date of calculation, and any meter installation where the cost thereof was either fifty percent more than or fifty percent less than the calculated average cost. To the average cost shall be added an administration fee and the sum thereof shall be the adjusted water meter charge to be paid.

15.14.040 Placement of water service lines.

All water service lines shall be placed at least twenty-four (24) inches below the surface of the ground.

15.14.050 Fees for special services rendered.

In addition to all other user rates and service connection fees required to be paid to the City, the following special service fees are established and shall be paid by the owner of the property served:

A. Customer Requested Service Shutoff: A water service shutoff or disconnect made at the request of the owner or occupant of the premises served:

1. When shutoff may be made by the City during regular City business hours, thirty dollars (\$30.00);

2. When shutoff can only be made by the City during non-business hours, seventy-five dollars (\$75.00);

B. Water Service Shut-off or Turn-on for Unpaid User Bill: A water service shutoff or disconnect for nonpayment of delinquent water, sewer, refuse bill as authorized by Section 15.20.020, forty dollars (\$40.00) within normal business hours; seventy-five dollars (\$75.00) if during non-business hours.

C. Service Calls: When a service call is made at the request of the owner or occupant of the premises for assistance in shutting off the water line to help locate and/or repair a water line leak, no charge will be assessed if the broken water line was not caused by the owner or occupant of the premises. However, a charge of twenty dollars (\$20.00) shall be made only when it is determined that the location or cause of such waterline leak is not within the City-owned water main and it was caused by the owner or occupant of the premises. The foregoing fees when incurred shall be added to the next customer billing as provided in Section 15.20.050.

Section 6. Sections 15.16.010, 15.16.020, 15.16.070, and 15.16.090 of the Kirkland Municipal Code are hereby amended to read as follows:

15.16.010 Interruption of service--City not liable.

The ~~water-sewer-department~~ Department of Public Works will use all reasonable means to provide an adequate and continuous water service for all customers, but in case the water service is interrupted or reduced for any cause, the City shall not be liable for any injury or damages resulting therefrom and any such interruptions or reductions in service shall not give rise to any cause of action for a breach of agreement for service.

15.16.020 Volume and pressure--City not liable.

The City makes no commitments as to the volume of water available, pressure per square inch, ~~of~~ or continuity of service, and will not be liable for injuries or damages due to insufficient volume, inadequate pressure or interruption of service.

15.16.070 Installations by-City-only--Maintenance of water service pipe.

Water service pipes running from the water main to and-including the meter shall be installed by a licensed contractor with a right-of way use permit. Upon installation of the service line, the City will install the appropriate water meter and meter box. The Department of Public Works reserves the right to install both the service line and the meter. installations,-shall-be installed-by-the-City,-unless-otherwise specifically-provided-for-by-the-director of-public-services,-and-shall-be-maintained by-the-City. A water service pipe from the meter to the premises being served will be maintained by the property owner. In cases where a meter may be located a considerable distance from the main, the customer shall maintain the service pipe for the entire distance from the normally designated location of the water meter to the point of ultimate usage or consumption. Sewer service-lines-shall-be-stubbed-from-the main-to-the-property-line-by-the-City-where appropriate-and-a-fee-collected-at-the-time of-connection-for-the-cost-of-the installation-of-the-stub.-The-property owner-shall-be-responsible-for-the installation-and-the-maintenance-of-the sewer-service-line-from-the-City-owned-and maintained-public-sewer-main-to-the-point of-service,-including-any-sewer-stubs installed-by-the-City-for-the-benefit-of the-property-owner.

15.16.090 Water consumption meters--Size requirements--Penalty for failure to install.

A. Every customer connecting to the City water system shall provide for installation

of a water connection meter sized in accordance with the provisions of the Uniform Plumbing Code (Section 1009); provided, that no consumption meter shall be smaller than 3/4-inch by 5/8-inch.

B. Every customer shall, upon request of the ~~City-water-sewer-department~~ Department of Public Works, provide for replacement of the water consumption meter with a larger water consumption meter, in accordance with subsection A above, whenever additional plumbing fixtures are added to the premises served, or water is withdrawn from the system through the meter in excess of the rated capacity of the existing water consumption meter. Failure to so install when required by the City pursuant to this section shall result in a discontinuance of water service.

Section 7. Sections 15.20.010, 15.20.020, 15.20.030, 15.20.040 and 15.20.050 of the Kirkland Municipal Code are hereby amended to read as follows:

15.20.010 Person billed.

Charges for refuse, water and sewer services furnished by the City shall be billed to the owner of the property to which the services are rendered; ~~;~~
 Pprovided, that when the owner and tenant in possession, in writing, file with the City, a request that the billing be sent to the tenant, the City manager acting through the director of administration and finance, may at his discretion, grant such a request, subject to such reasonable conditions as he finds are appropriate;. ~~;~~
 nNotwithstanding to whom the billing is sent, the obligation for payment shall be the joint and several responsibility of the property owner and the tenant.

15.20.020 Due date--Delinquency--Penalty.

All charges for utility services furnished by the City shall be due and payable to the City on the date shown on the face of the bill. Charges for services remaining unpaid at the close of business on the thirtieth day following the billing date shall be considered delinquent and automatically

subject to an additional charge, as a penalty, of ten percent of the delinquent amount. Payments will first be applied to the oldest delinquent charges. Remaining funds will be credited first against current charges from the garbage utility, then against current charges related to the sewer system, and then applied to current charges from the water utility. If the delinquent charges and penalties are still unpaid at the close of business on the fortieth day following the billing date, the services shall be discontinued and the water supply shall be turned off at the meter. The water service shall not be ~~turned-back-on~~ restored until all charges, penalties and fees shall have been paid.

15.20.030 Delinquency constitutes a lien.

All charges for water service installations and sewer installations and all monthly service rates provided for in this title, together with penalties and interest thereon, when unpaid and delinquent, shall be a lien upon the property to which the water or sewer service is rendered superior to all other liens and encumbrances whatsoever except for general taxes and local special assessments. Enforcement of such lien or liens shall be in the manner provided by law.

15.20.040 Discontinuance of service not relief from payment.

Discontinuance of service for any cause stated in this chapter shall not release the customer from his obligation to the City for payment of bills or charges. In addition, ~~the-city-may-require-the-customer-to-make-deposit-of-fifteen-dollars-before~~ water service is restored to such property-, the customer will be subject to the water turn-on fees as described in 15.14.050.

15.20.050 Bi-monthly billing.

All charges for water services and for sewer services shall be billed to the customer by the City on a bi-monthly billing cycle. Actual water consumption will be charged to the date of the meter

reading. All service charges for service will be from the beginning of one month to the end of the following month. All bills shall be paid to the department of administration and finance.

Section 8. Sections 15.24.010, 15.24.050, and 15.24.080 of the Kirkland Municipal Code are hereby amended as follows:

15.24.010 Service Rates Established.

The monthly service rates to be paid to the City by customers of the water-sewer system are established as set ~~out~~ forth in this chapter. The basic or minimum rates for both water and sewer shall be charged whether the premises are occupied or vacant.

15.24.050 Reduction for lost water.

All water lost from any size meter unknown to the owner and proved to be a failure in the plumbing pumping, may be charged out at current wholesale plus ten percent and the owner's bill credited for the balance.

15.24.080 Exempt meters--Nonresidential customers only.

Where the use of water by a nonresidential customer is such that a portion of all of the water used does not flow into the sewer system, but is lost by evaporation, irrigation, sprinkling or other causes, or is used in manufacturing or in a manufacturer's product, and the person in control provides proof of this fact to the satisfaction of the Director of Public Works and installs other measuring devices approved by the City manager acting through the public works director to measure the amount of water so used and so lost, no charge shall be made for sewer service because of water so used or lost.

In addition to the above, the measuring devices (exempt or deduct meters) are subject to the following:

1. Deduct meter readings are to be turned in bimonthly, in writing, to the City of Kirkland Utility Billing Department on the

15th of each month. Written deduct meter readings shall be sent to:

The City of Kirkland
123 5th Ave
Kirkland, WA 98033
Att: Utility Billing

2. Deduct meters will be inspected twice annually on or about the first day of January and on or about the first day of July by the Department of Public Works. The fee for each inspection shall be \$25.00 paid by the customer.

3. The customer is responsible for reporting when a deduct meter has been damaged (the date) and when the meter is to be replaced or repaired. All repairs or replacement of the deduct meters shall be performed by a licensed contractor and the customer shall be responsible for all associated costs.

4. Deduct meters shall be tested at least every 5 years or more frequently as determined by the Director of Public Works. The customer is responsible for the testing cost. If the meter is not tested within one (1) month of notice by the Department of Public Works, the deduct meter will no longer be recognized by the utility billing department.

5. Only meters certified by the Department of Public Works shall be used as deduct meters. The Water Department shall keep a current list of acceptable meters.

6. When it is necessary for City staff to read or inspect a deduct meter, the customer or a building representative shall be available to accompany City staff when entering the building.

Section 9. Chapter 15.24 of the Kirkland Municipal Code is hereby amended by adding the following section 15.24.040:

15.24.040 Hydrant Meter Water Usage Rates

The use of any fire hydrant for domestic use without a City of Kirkland issued hydrant water meter is prohibited. A

hydrant water meter may be obtained through the Water Department and is subject to the following fees:

Hydrant Meters

Deposits:

3/4 inch	\$450.00
2 inch	\$850.00

Water Consumption Rates:

\$1.40 per hundred cubic feet or;

A monthly fee of:

3/4 inch	\$5.00
2 inch	\$20.00

Water by Tank Lot Permit:

\$1.40 per hundred cubic feet or \$5.00 per month

Section 10. Sections 15.28.010, 15.28.020, 15.28.040, 14.28.070, 15.28.080, 15.28.110, 15.28.120, 15.28.130, 15.28.160, 15.28.170, 15.28.210, 15.28.230, 15.28.240, and 15.28.242 of the Kirkland Municipal Code are hereby amended to read as follows:

15.28.010 Connection required.

(a) The owner or occupant of any lands or premises shall connect all buildings located thereon to the nearest accessible public sewer whenever there is a public sewer within three hundred thirty feet as measured along public right-of-way or easements thereof, as follows:

1. Existing buildings must connect if:

A. Single-family dwellings:

(1) Replacement of existing septic tank or drainfield is necessary; or

(2) Additional construction is proposed that adds sewage load or in any way affects on-site sewage disposal; and in either case

(3) Any portion of the property is within three hundred thirty feet of a public sewer. Concomitant agreements providing for future connection to the sanitary sewer system will be required for any permits issued for property meeting either (1) or

(2) above, but lying outside the distance limits specified in paragraph (3) above.

B. Multifamily dwellings and nonresidential buildings must connect if:

(1) Replacement of septic tank or drainfield is necessary; or

(2) Additional construction is proposed that adds sewage load or in any way affects on-site sewage disposal; and

(3) Any portion of the property is within six hundred sixty feet of a public sewer line.

Concomitant agreements providing for future connection to the sanitary sewer system will be required for any permits issued for property meeting either (1) or (2) above, but lying outside the distance limits specified in paragraph (3) above.

C. Notwithstanding any of the above, existing developments shall connect when a health hazard is found to exist within the neighborhood, as determined by the county health department, City of Kirkland, or other agency with jurisdiction.

2. New developments, buildings or structures:

A. Single-family dwellings on an existing lot or a new lot created by a short subdivision, ~~except-a-short-subdivision-of less-than-three-lots~~, must connect if the lot size is less than thirty-five thousand (35,000) square feet and the lot is located within three hundred thirty (330) feet of a sanitary sewer.

B. Notwithstanding any of the above, on-site disposal in lieu of connection shall be granted only upon written approval of the King County Health Department, the City of Kirkland, or other agency having jurisdiction, and a concomitant agreement providing for future connection to the sanitary sewer has been signed and delivered to the City.

C. The following land development actions

shall require connection to the public sewer system regardless of the distance of the land from the public sewer: short subdivision, subdivision, multifamily construction, or nonresidential construction, unless sewer connection is exempted by subsection 2.A above.

3. The City engineer shall prescribe the manner in which such connection shall be made.

(b) No drain or sewer shall be constructed so as to discharge upon the surface of any public area.

15.28.020 Connection notice--Noncompliance--Costs charged to owner.

(a) Whenever any land, buildings or premises is required to be connected with a public sewer or otherwise drained, as provided in Section 15.28.010, the King County health officer shall serve upon the owner, agent, or occupant of the lands, buildings or premises, a notice in writing specifying the time within which such connection must be made, which time shall not be more than sixty days from the date of delivery of such notice.

(b) If such owner, agent or occupant fails and neglects or refuses to connect the lands, buildings or premises with the public sewer within the specified time, the health officer shall notify the City engineer, whereupon the City engineer may make such connection and the cost thereof shall be charged to the owner, agent or occupant and a bill showing the amount thereof mailed or delivered to him or posted upon the premises, whereupon the amount shall immediately be paid to the City treasurer.

15.28.040 Connection--Compliance and permit required.

(a) It is unlawful to make any connection with any public or private sewer, drain or natural outlet without complying with all of the provisions of this chapter and Chapter 15.36 in relation thereto and having a permit to do so from the City.

(b) If side sewer work is required in a public right-of-way or easement but outside of the property it serves, the City shall not issue ~~such-a-permit-(commonly-referred-to-as~~ a side sewer permit) to any person unless such person holds a valid Washington State plumber's certificate or permit, issued pursuant to Chapter 18.106, Revised Code of Washington, or a general contractor licensed under the state of Washington.

(c) No licensed contractor shall break, alter, or tamper with any public sewer ~~except-that;~~ provided however he may connect to a "Y" or "T" ~~which-exists-for that-purpose~~ under the supervision and approval of the City engineer.

15.28.070 Construction inside property line--Permit required--Leaving excavation unguarded.

(a) It is unlawful to construct, extend, relay, repair or to make connection to any sanitary sewer or-drain inside the any real property line without obtaining a permit from the City engineer as provided in Section 15.28.040. The City engineer may issue such permit to the owner or occupant of any property to construct, extend, relay, repair or make connection to any private sanitary sewer or-drain inside the property lines; provided, such owner or occupant shall comply with the applicable provisions of this chapter and Chapter 15.36, except that he need not employ a licensed side sewer contractor to do the work. Should the owner or occupant employ a licensed side sewer contractor to do the work, such contractor shall take the permit in his own name and the owner, occupant or other person shall lay no pipe on the contractor's permit.

(b) It is unlawful to leave unguarded any excavation made in connection with the construction or repair of any side sewer or ~~private-drain~~ within four feet of any public place or to fail to maintain the lateral support of any public place in connection with the construction, alteration or repair of any side sewer or drain. In any case, no excavation on

private property or within public right-of-way or easements shall be left open (not backfilled) over night.

15.28.080 Permit--Only specified work to be done.

When a permit has been issued for a side sewer ~~or drain~~ as herein provided, no work other than that covered by the permit, shall be done without the approval of the City engineer; and he may, if he ~~deems~~ determines the additional work of sufficient consequence requires a new permit to cover the same.

15.28.110 Permit fees--Uses.

The fee for side sewer permits as required under Section 15.28.040 to install and connect a newly-constructed side sewer is established at ~~fifty-dollars~~ one hundred dollars (\$100.00). Such fee shall cover all cost and expenses of inspection by the City as may be required by this chapter and Chapter 15.367-~~including an infiltration test for the purpose of determining compliance with Section 15.36.010~~. The fee for a permit to repair an existing side sewer, or to witness the capping of an existing side sewer, or witness the abandonment of an existing septic tank is established at ~~ten-dollars~~ twenty-five dollars (\$25.00).

15.28.120 Permit card--Posting required.

The permit card required by this chapter and obtained with the side sewer permit must at all times during the performance of the work, and until the completion thereof and approval by the City engineer, be posted in some conspicuous place at or near the work and must be readily and safely accessible to the City engineer.

15.28.130 Inspections.

(a) Any person performing work under permit pursuant to the provisions of this chapter shall notify the City engineer when the work will be ready for inspection, and shall specify in such notification the location of the premises by address and the

file number of the permit.

(b) ~~On-any-calls-request-for-inspection~~
Forty-eight hours notice plus Saturday,
 Sunday and holidays may be required by the
 City Engineer on any request for
inspection.

(c) If the City engineer finds the work or
 material used is not in accordance with
 this chapter, the Public Works Standards,
 and Chapter 15.36, he shall notify the
 person doing the work, and also the owner
 of the premises, by posting a written
 notice on the permit card, and such posted
 notice shall be all the notice that is
 required to be given of the defects in the
 work or material found in such inspection.

(d) In the case of a licensed side sewer
 contractor, either the contractor or a
 competent representative shall be on the
 premises, whenever so directed to meet the
 inspector.

**15.28.160 Contractor noncompliance--Notice--
 -Costs charged to contractor.**

If any work done under a permit granted is
 not done in accordance with the provisions
 of this chapter and Chapter 15.36 and the
 plans and specifications as approved by the
 City engineer, and if the contractor or
 person doing the work refuses to properly
 construct and complete such work, notice of
 such failure or refusal shall be given to
 the owner or occupant of the property for
 whom said work is being done, and the City
 engineer may cause the work to be completed
 and the sewer connected in the proper
 manner, and the cost of such work and any
 materials necessary therefor shall be
 charged to the owner or contractor and be
 payable by the owner or contractor
 immediately upon the City engineer's giving
 written notice of the amount thereof or
 posting a notice thereof on the premises.

**15.28.170 Side sewer--Nonconforming or
 dangerous--Failure to construct or repair--
 Notice.**

When any side sewer is constructed, laid,
 connected or repaired, and does not comply

with the provisions of this chapter and Chapter 15.36, or where it is determined by the health officer or the City engineer that a side sewer, storm drain, septic drain field, ditch, or natural watercourse is obstructed, broken, or inadequate or is a menace to health or threatens to cause damage to public or private property, the King County health officer and/or the City Engineer shall give notice to the owner, agent or occupant of the property in which such condition exists and if he refuses to reconstruct, relay, reconnect, repair or remove the obstruction of the side sewer, storm drain, septic drain field, ditch or natural watercourse within the time specified in such notice, the King County health officer shall so notify the City engineer and the City engineer may perform such work as may be necessary to comply with this chapter and Chapter 15.36, and the cost of such work so done shall be charged to the property owner or occupant and shall become immediately payable to the City Treasurer upon written notice of such amount being given to the property owner or occupant or posted upon the premises.

15.28.210 Grades--Cover--Diameter--Vaults and privies.

(a) All side sewers shall be laid on a not less than two percent grade; shall be ~~not less than~~ at least thirty inches from any foundation wall of any building, and, if there be no foundation wall, ~~not less than~~ at least thirty inches from the outer line of any footings, pilings, or building supports; shall have ~~not less than~~ at least sixty inches of cover at the curb line or any public alley, thirty inches of cover at the property line and eighteen inches of cover on the private property. ~~No~~A side sewer which is laid generally parallel to the curb or curb line shall have ~~less than~~ at least forty-eight inches of cover unless approved by the City engineer. ~~No~~All side sewer shall be ~~less than~~ at least six inches in diameter in public areas except as otherwise specified in the "Standard Plans and Specifications of the City of Kirkland." Not more than one building shall be connected to a side sewer except by permission of the City engineer and the

written agreement of all owners using the same side sewer. Any one single-family residence shall be connected with ~~not-less than~~ at least a four-inch diameter pipe and any multiple dwelling, industrial or commercial building or group of two single-family residences shall be connected with ~~not-less-than~~ at least a six-inch diameter pipe. All cover measurements shall be based on the established curb or curb line elevation or the sidewalk or sidewalk line elevation.

(b) All vaults or privies shall be disinfected and filled with fresh pea gravel earth; and all septic tanks, cesspools and similar installations shall be disinfected and filled with fresh pea gravel earth at the time of the discontinuance of the use thereof.

15.28.230 Easements.

(a) Before any side sewer may be located on any building site other than that owned by the owner of the side sewer, the owner of the side sewer shall secure from the owner of such building site a written easement duly acknowledged covering and granting the right to occupy such property for such purpose, and such written easement shall be recorded by the owner of the sewer in the office of the county records.

(b) Before the City engineer issues a permit authorizing the laying of a side sewer on any building site other than the one served by it, the owner of the sewer shall secure from the building site owner and record with the ~~auditor~~ King County records office, the sewer easement herein referred to and shall exhibit to the City engineer the recording number thereof.

(c) Where a side sewer is to be connected in a public area to a side sewer which is owned by another and does not involve an easement, written permission for such connection shall be obtained from the owner of such side sewer and shall be filed with the City engineer before any permit authorizing such connection is issued.

(d) Where physical conditions render

compliance with the foregoing provisions impracticable, the City engineer may issue a special permit for installation of a side sewer requiring compliance with the provisions insofar as is reasonably possible, and such permit shall be issued only upon the condition that the permittee shall record with the county auditor an instrument acceptable to the City engineer agreeing to save harmless and indemnify the City from any damage or injury resulting from such installation.

**15.28.240 Materials and workmanship--
Excavations.**

(a) All material and workmanship in connection with the installation of any side sewer and connection with a public sewer shall be as required by the "Standard Plans and Specifications" of the City except as to modifications or changes approved by the City engineer.

(b) Whenever it becomes necessary to disturb pavement in connection with any work authorized under this chapter and Chapter 15.36, the opening shall not be more than two and one-half feet by eight feet; provided the City engineer may specify a different size of said opening and additional cuts to be made when needed to insure a proper backfill.

(c) No excavation shall be made in any public area except at times and in the manner prescribed by the City engineer.

(d) All backfill of excavation and tunnels under concrete or asphalt surfacing and the restoration of these surfaces in public areas shall be done by the contractor under the supervision of the City engineer.

(e) A leakage test shall be made of every section of City sewer after completion of backfill by an internal hydrostatic pressure or air test method; provided, that if the groundwater table is so high as to preclude a proper exfiltration test by adding the external pressure to the test pressure, an infiltration test may be used.

(f) Side sewers shall be tested for their

maximum length possible from the public sewer in the street to the connection with the building plumbing. The method of testing side sewers shall be determined by the City, but in no case shall it be less thorough than filling the pipe with water before backfill and visually inspecting for leakage. When filling the pipe with water, a minimum of a five (5) foot standpipe shall be placed at the filling point. The standpipe shall be filled to the top with water unless the Public Works Inspector determines it unnecessary.

(g) Groundwater or other water related to sewer construction, other than water used for leakage test, shall not be admitted into a public sewer.

15.28.242 Materials.

All pipe and pipe materials will be approved by the City engineer. The City engineer ~~is directed to~~ shall maintain an adequate supply of copies of standards or lists of approved materials and to furnish same to all interested parties, free of charge when obtaining a sewer permit, or at cost.

Section 11. There is hereby added to Chapter 15.28 of the Kirkland Municipal Code a new section 15.28.135, entitled "Side Sewer Ownership", which reads as follows:

15.28.135 Side Sewer Ownership.

It shall be the responsibility of the property owner to own and maintain the side sewer from the connection at the main to the building. In the event that more than one property is served by a single side sewer, it shall be the responsibility of all property owners using the side sewer to jointly maintain that portion of the side sewer serving more than one property. In any case where a jointly maintained side sewer line is approved by the City Engineer, a "Joint Maintenance Agreement" supplied by the Department of Public Works shall be recorded with the King County Assessors office prior to issuance of any side sewer permits for the subject properties.

Section 12. Sections 15.40.010, 15.40.020, and 15.40.080 of the Kirkland Municipal Code are hereby amended to read as follows:

15.40.010 Tampering with fire hydrant.

It is unlawful for any person except when duly authorized by the ~~administrative-head of-the-department~~ Public Works Director or by a member of the fire department, to open, operate, close, turn on, turn off, interfere, attach any pipe or hose to, or to connect anything with any fire hydrant, stop valve, or stop cock, belonging to the City.

15.40.020 Excavation--Permission required.

It is unlawful for any person to dig into any street or sidewalk for the purpose of laying, moving or repairing any water service line, water main, valve, hydrant, or cock, without having first secured permission to do so from the ~~city-manager acting-through-the-director-of-public services-or-the-administrative-head-of-the water-sewer-department.~~ Public Works Director and obtaining the necessary permits.

15.40.080 Planting trees and shrubs near sewer--Removal.

(a) It is unlawful to plant, within thirty feet of any public ~~or-private~~ sewer, any willow, poplar, cottonwood, soft maple, gum trees, or any other tree or shrub whose roots are likely to enter and obstruct the flow of said sewers.

(b) The City engineer is authorized to remove any trees or shrubs from any public street or the roots of any trees or shrubs which extend into any public street when such trees or shrubs or the roots thereof are obstructing or are liable to obstruct any public or private sewer or drainage. Before making any such removal the City engineer shall give ten days' notice, in writing, to the owner or occupant of the abutting property or the property on which such trees or shrubs are growing, requiring such owner or occupant to remove the same.

such trees or shrubs are growing, requiring such owner or occupant to remove the same. If the written notice cannot be given such owner or occupant the notice may be posted on the premises or in the street at the location of the trees or shrubs requiring such removal. If such owner or occupant fails or refuses to remove such trees or shrubs and roots within the time specified, the City engineer is authorized to do so and the cost of removal thereof shall be charged to the owner or occupant and upon giving such written notice of the amount thereof to the owner or occupant or by posting such notice at the location of the trees or shrubs, the cost thereof shall be immediately payable to the City treasurer by such owner or occupant.

Section 13. Chapter 15.40 of the Kirkland Municipal Code is hereby amended by adding the following section 15.40.090:

**15.40.090 Issuance of Public Works
Stop Work Order**

The Director of the Public Works Department and any employee of said Department to whom the authority herein established has been delegated in writing by said Director, shall have the authority to order immediate cessation of any work or other activity then being performed within or upon any public right-of-way or public easement, or within or upon any property which upon completion of said work or activity is to be conveyed or dedicated as public right-of-way or public easement. Such authority may be exercised only when it appears that such work is being performed either without a contract so to do with the City of Kirkland or prior to the issuance of any City permit required to be issued for such work or activity, or when it appears that such work or activity is being performed in a manner which is in violation of the special conditions or the regulatory performance standards under which such permit was issued.

The order for immediate cessation of work shall be given by posting in a conspicuous location upon the subject property a stop work order substantially in the following form:

CITY OF KIRKLAND
DEPARTMENT OF PUBLIC WORKS
123 5TH AVENUE
KIRKLAND, WASHINGTON 98033

ALL PERSONS ARE HEREBY
ORDERED AT ONCE TO
STOP WORK
PERTAINING TO CONSTRUCTION,
ALTERATION, REPAIR, GRADING,
PAVING OR OTHERWISE
DISTURBING OR OBSTRUCTING
THE PREMISES

ON THESE PREMISES AT

THIS ORDER IS ISSUED BECAUSE

KIRKLAND MUNICIPAL CODE CHAPTER
15.40.090 POSTED A.M./P.M.

, 19

BY:

WARNING: THE FAILURE TO STOP WORK, RESUMPTION OF WORK WITHOUT PERMISSION OF THE PUBLIC WORKS OFFICIAL, OR REMOVAL, MUTILATION, DESTRUCTION OR CONCEALMENT OF THIS NOTICE IS PUNISHABLE BY FINE AND IMPRISONMENT. EACH DAY OF CONTINUED VIOLATION MAY BE CONSIDERED A SEPARATE OFFENSE.

It shall be unlawful for any person to continue the work or activity, to resume the work or activity, or to commence any new work or activity on any site posted with a stop work order until such time as the Director of Public Works or his delegate has removed or authorized the removal of said stop work order. It shall be unlawful for any person other than the Director of Public Works or his delegate to remove from the site a stop work order once posted pursuant to this ordinance. Violation of any

provision of this section shall be a misdemeanor.

Section 14. Sections 15.44.010, 15.44.020, and 15.44.030 of the Kirkland Municipal Code are hereby amended to read as follows:

15.44.010 Purpose--Area affected.

The purpose of this chapter is to adopt, ~~consistent with King County Ordinance 2638,~~ a sanitary sewer collection, disposal and facilities comprehensive plan for ~~a portion of~~ the City sanitary sewer service area, ~~lying in part within the City limits and in part within unincorporated King County,~~ commonly referred to as the Kirkland east planning area and bounded on the north by Northeast 94th Street, on the east by 132nd Avenue Northeast, on the south by Northeast 40th Street and on the west by I-405.

15.44.020 Adoption by reference.

(a) The sanitary sewer comprehensive plan prepared, published and recommended by the Kirkland department of public works under the title "City of Kirkland East Planning Area, Comprehensive Sewer System Plan" dated ~~February, 1984,~~ April, 1993 including worded text, and maps, attachments and appendices thereto, are by this reference, adopted as the sanitary sewer comprehensive plan for ~~that portion of~~ the Kirkland sanitary sewer service area described in ~~Section 15.44.010.~~

(b) Said publication has been endorsed with the title and number of the ordinance codified in this chapter, dated and signed by the mayor, attested to by the director of administration and finance (ex officio City clerk) and is incorporated herein as a part of this chapter.

(c) The comprehensive sanitary sewer plan heretofore adopted for the Kirkland sanitary sewer service area by this section of the Kirkland Municipal Code is amended and supplemented as set forth in Exhibit A attached to the ordinance codified in this subsection, and by this reference incorporated herein. Exhibit A dated ~~July,~~ April, 1993 was prepared, published

and recommended by the Kirkland Department of Public Works.

(d) A copy of the ordinance codified in subsection (c) and this subsection (d), including Exhibit A shall be recorded in the office of the director of administration and finance and copies shall be filed in the following City departments for the use of the general public and the affected departments of the City: department of public works, building department, department of planning and community development. ~~Copies shall also be filed with these departments or agencies of King County as may be required by either Chapter 13.24 of the King County Code or King County Ordinance 2638.~~ Copies shall also be filed with such other local, county, and state agencies as may be required by law.

15.44.030 Copies on File

A copy of said publication shall be recorded in the office of the director of administration and finance as a part of this chapter, and copies shall be filed in the following City departments for the use of the general public and the affected departments of the City: department of public works, building department, department of planning and community development. ~~Copies shall also be filed with these departments or agencies of King County as may be required by either Chapter 13.24 of the King County Code or King County Ordinance 2638.~~ Copies shall also be filed with such other local, county and state agencies as may be required by law.

Section 15. Sections 15.48.010 and 15.48.020 of the Kirkland Municipal Code are hereby amended to read as follows:

15.48.010 Purpose.

The purpose of this chapter is to adopt, consistent with the Kirkland Comprehensive Plan, ~~and these appropriate provisions of Sections 13.24.010 and 14.44.050 of the King County Code,~~ and Section 248-54-580, Washington Administrative Code, a comprehensive water plan for the City water

service area lying ~~in-part~~ within the City of Kirkland and ~~in-part-in-adjacent-unincorporated-King-County,~~ and including all water distribution facilities of the Kirkland water system within the service area.

15.48.020 Adoption by reference.

The comprehensive water plan prepared, published and recommended by the Kirkland Department of Public Works under the title, City of Kirkland Comprehensive Water Plan dated November 16, 1984, including worded text and maps are by this reference adopted as the City of Kirkland comprehensive water plan for the Kirkland water system service area as described in Section 15.48.010 of this chapter. The publication has been endorsed with the title and number of this ordinance dated and signed by the mayor, attested to by the director of administration and finance (ex officio City clerk) and is incorporated in this chapter as a part of the ordinance codified in this chapter. A copy of the publication shall be recorded in the office of the director of administration and finance as a part of this chapter, and copies shall be filed in the following City departments for the use of the general public and the affected departments of the City: department of public works, building department, department of planning and community development and the department of fire services. Copies shall also be filed with those departments or agencies of ~~King-County-and~~ the state of Washington as may be required ~~either by Chapter-13-24-or-Chapter-14-44-of-the-King-County-Code,-or~~ Section 248-54-580, Washington Administrative Code.

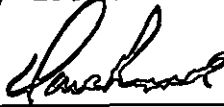
Section 16. Kirkland Municipal Code Sections 15.04.290, 15.08.030, 15.12.030, 15.12.051, 15.12.052, 15.12.053, 15.12.054, 15.12.055, 15.12.056, 15.12.057, 15.12.058, 15.12.059, 15.12.061, 15.12.062, 15.12.065, and 15.24.090 are hereby repealed.

Section 17. 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

affect the validity of the remaining portions of this ordinance.

Section 18. 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 regular, open meeting this 20th day of April, 1993.




MAYOR

Attest:



Deputy City Clerk

Approved as to Form:



City Attorney
3city93\sewerord\rjp:nmw

PUBLICATION SUMMARY
OF ORDINANCE NO. 3368

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO WATER AND SEWER SERVICE, INSTALLATION AND FEES, AND TO THE WATER AND SANITARY SEWER COMPREHENSIVE PLANS, AMENDING CHAPTERS 15.04, 15.08, 15.12, 15.16, 15.20, 15.24, 15.28, 15.40, 15.44 and 15.48 OF THE KIRKLAND MUNICIPAL CODE, ADDING A NEW CHAPTER 15.14 TO THE KIRKLAND MUNICIPAL CODE, AND REPEALING KMC SECTIONS 15.04.290, 15.08.030, 15.12.030, 15.12.051, 15.12.052, 15.12.053, 15.12.054, 15.12.055, 15.12.056, 15.12.057, 15.12.058, 15.12.059, 15.12.061, 15.12.062, 15.12.065, and 15.24.090.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Amends the following sections of Chapter 15.04 Kirkland Municipal Code relating to definitions pertaining to water and sewer services:

15.04.060	City Manager
15.04.130	Health Officer
15.04.140	House drain
15.04.160	Licensed contractor, side sewer
15.04.170	Natural outlet
15.04.200	Permit card
15.04.210	Person
15.04.240	Service line
15.04.260	Sewage treatment plant
15.04.310	Sewer, sanitary
15.04.315	Sewer stub in, sanitary
15.04.340	Standard plans and specifications

Section 2. Amends the following sections of Chapter 15.08 Kirkland Municipal Code relating to applications for water and sewer service:

15.08.010	Required contents of application
15.08.025	Application for service outside city limits
15.08.040	Installation dependent on available facilities
15.08.041	Owners of property benefited to pay for modification

15.08.050 Acceptance of application
deemed contract

Section 3. Amends the following sections
of Chapter 15.12 Kirkland Municipal Code
relating to water and sewer service instal-
lation:

15.12.010 Habitable building - toilet
facilities - connection to
sewer required
15.12.020 Required connections subject
to service charge
15.12.040 Placement of side sewer
service lines
15.12.060 Side sewer fees
15.12.070 Fees for special services
rendered

Section 4. Adds the following sections to
Chapter 15.12 Kirkland Municipal Code relating
to sewer installations:

15.12.032 Required sewer extension
prior to connection
15.12.050 Sewer service stubs
15.12.063 Sewer capital facility
charges
15.12.064 Sewer capital facility
charge adjustment

Section 5. Creates a new Chapter 15.14 to
the Kirkland Municipal Code relating to water
service installation and fees:

15.14.010 Required water extensions
prior to connection
15.14.020 Water capital facility
charges
15.14.030 Water meter installation
charges
15.14.040 Placement of water service
lines
15.14.050 Fees for special services
rendered

Section 6. Amends the following sections
of Chapter 15.16 Kirkland Municipal Code
relating to general rules and conditions of
service:

15.16.010 Interruption of service -
City not liable

- 15.16.020 Volume and pressure - City not liable
- 15.16.070 Installations of water service pipe
- 15.16.090 Water consumption meters - size requirements - penalty for failure to install

Section 7. Amends the following sections of Chapter 15.20 Kirkland Municipal Code relating to water and sewer billing procedures:

- 15.20.010 Person billed
- 15.20.020 Due date - delinquency - penalty
- 15.20.030 Delinquency constitutes a lien
- 15.20.040 Discontinuance of service not relief from payment
- 15.20.050 Bi-monthly billing

Section 8. Amends the following sections of Chapter 15.24 Kirkland Municipal Code relating to monthly service and consumption rates:

- 15.24.010 Service rates established
- 15.24.050 Reduction for lost water
- 15.24.080 Exempt meters - non-residential customers only

Section 9. Adds a new section 15.24.040 to the Kirkland Municipal Code, relating to hydrant meter water usage rates.

Section 10. Amends the following sections of Chapter 15.28 Kirkland Municipal Code relating to the construction, repair and connection of side sewers:

- 15.28.010 Connection required
- 15.28.020 Connection notice - noncompliance - costs charged to owner
- 15.28.040 Connection - compliance and permit required
- 15.28.070 Construction inside property line - permit required - leaving excavation unguarded
- 15.28.080 Permit - only specified work to be done
- 15.28.110 Permit fees - uses
- 15.28.120 Permit card - posting required

15.28.130	Inspections
15.28.160	Contractor non-compliance - notice - costs charged to contractor
15.28.170	Side sewer - non-conforming or dangerous - failure to construct or repair - notice
15.28.210	Grades - cover - diameter - vaults and privies
15.28.230	Easements
15.28.240	Materials and workmanship - excavations
15.28.242	Materials

Section 11. Adds a new section 15.28.135 to the Kirkland Municipal Code, relating to side sewer ownership.

Section 12. Amends the following sections of Chapter 15.40 Kirkland Municipal Code relating to offenses:

15.40.010	Tampering with fire hydrant
15.40.020	Excavation - permission required
15.40.080	Planting trees and shrubs near sewer - removal

Section 13. Adds a new section 15.40.090 to the Kirkland Municipal Code, relating to issuance of Public Works stop work orders.

Section 14. Amends the following sections of Chapter 15.44 Kirkland Municipal Code relating to the comprehensive sanitary sewer plan:

15.44.010	Purpose--Area affected
15.44.020	Adoption by reference
15.44.030	Copies on File

Section 15. Amends the following sections of Chapter 15.48 Kirkland Municipal Code relating to the comprehensive water plan:

15.48.010	Purpose
15.48.020	Adoption by reference

Section 16. Repeals Sections 15.04.290, 15.08.030, 15.12.030, 15.12.051, 15.12.052, 15.12.053, 15.12.054, 15.12.055, 15.12.056, 15.12.057, 15.12.058, 15.12.059, 15.12.061, 15.12.062, 15.12.065 and 15.24.090 of the Kirkland Municipal Code.

Section 17. Provides a severability clause for the ordinance.

Section 18. Authorizes publication of the Ordinance by the 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 Kirkland City Council at its regular meeting on the 20th day of April, 1993.

I certify that the foregoing is a summary of Ordinance 3368 approved by the Kirkland City Council for summary publication.


Deputy City Clerk

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