

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO KMC TITLE 15 ENTITLED WATER AND SEWAGE.

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

Section 1. KMC Section 15.04.163 is hereby repealed.

Section 2. KMC Section 15.04.164 is hereby repealed.

Section 3. KMC Section 15.12.063 is hereby amended to read as follows:

15.12.063 Sewer capital facility charges (SCFC)–Definitions.

The sewer connection charge(s) must be paid prior to issuance of the permit and shall be determined as to each requested connection by the application of the criteria set forth below.

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

(1a) Each sewer connection will be assigned a "residential customer equivalent" (RCE) factor. The RCE has a base of one for a three-fourths-inch by five-eighths-inch water meter, i.e., building served by a five-eighths-inch by three-fourths-inch meter will be given a sewer RCE factor of one.

~~(2) The current SCFC assessed for an RCE of one is one thousand two hundred sixty-six dollars.~~

~~(3b) Based on an assessment of one thousand two hundred sixty-six dollars for an RCE factor of one, the base capital facility charge~~ RCE for each sewer connection is as follows:

Single-Family/Multifamily Sewer Fees

Single-family	\$1,266.00 (1 RCE)
2 unit multi	\$2,026.00 (1.6 RCE, 0.8 RCE per unit)
3 unit multi	\$3,038.00 (2.4 RCE)
4 unit multi	\$4,052.00 (3.2 RCE)
5 or more units	Number of units x 0.64 x \$1,266.00 <u>RCE</u> (0.64 RCE per unit)

(4c) 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"	\$1,266.00	1
1"	3,165.00	2.5
1.5"	6,330.00	5
2"	10,128.00	8
3"	20,256.00	16
4"	31,650.00	25
6"	63,300.00	50
8"	101,280.00	80

(5d) Each property will be assessed an SCFC for each domestic water meter service or as determined by the department of public works.

Section 4. KMC Section 15.12.064 is hereby amended to read as follows:

15.12.064 Sewer capital facility charge adjustment.

The SCFC fee with Section 15.12.063 will be adjusted periodically, but not less often than every odd number year. The adjustment shall use the method following:

(1) 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;

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

(3) The adjusted SCFC shall be calculated by dividing the current sewer capital facility value by the current number of RCEs;

(4) Upon determining the adjusted SCFC, the director of public works shall file with the director of finance three copies of the adjusted fee schedule along with the values the fee schedule is based on. The director of finance shall file said schedules and values with the city clerk to be available for use by the general public and the affected city officials and departments;

(5) Whenever any connection is made to the city sewer system to serve property outside of the city limits, the property will be assessed the same fees set forth in this Section ~~15.12.063(3) and (4)~~.

Section 5. KMC Section 15.14.020 is hereby amended to read as follows:

15.14.020 Water capital facility charges (WCFC).

~~(a)~~ The water connection charge(s) ~~to~~ must be paid prior to issuance of the permit and shall be determined as to each requested connection by the application of the criteria set forth below.

(b) For all water connections a base Local water capital facility charge (WCFC) will be assessed and will consist of the following:

~~(1)~~ (a) Each water connection will be assigned a "residential customer equivalent" (RCE) factor;

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

~~(3)~~ (c) The water meter shall be sized in accordance with the Uniform Plumbing Code as amended and adopted by Chapter 21.20 of this code;

~~(4)~~ (d) A water connection's RCE is based on the flow potential through its meter. A five-eighths-inch by three-fourths-inch meter is assigned a base factor of one.;

~~(5)~~ The WCFC assessed for a meter with an RCE factor of one is one thousand seven hundred fifty-eight dollars;

~~(6)~~ (e) ~~Based on an assessment of one thousand seven hundred fifty-eight dollars for an~~ The base WCFC is multiplied by RCE factors based upon of one, ~~the base capital facility charges for each water meter sizes are~~ as follows:

Meter Size	Base Fee	RCE
5/8" x 3/4"	\$1,758.00	(1)
1"	4,395.00	(2.5)
1.5"	8,790.00	(5)
2"	14,064.00	(8)
3"	28,128.00	(16)
4"	43,950.00	(25)
6"	87,900.00	(50)
8"	140,640.00	(80)

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

~~(8)~~ When water meter size is increased solely to provide fire sprinkler protection, the WCFC shall be based on the size required by the Uniform Plumbing Code, as amended and adopted by Chapter 21.20 of this code.

~~(e)~~ (f) 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.

~~(1)~~ (i) 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~~ in-plant service;

(2) (ii) The total of connections to the water capital facility shall be determined and a RCE factor assigned;

(3) (iii) The adjusted WCFC shall be calculated by dividing the current water capital facility value by the current number of RCEs;

(4) (iv) Upon determining the adjusted WCFC, the director of public works shall file with the director of finance three copies of the adjusted fee schedule along with the values the fee schedule is based on. The director of finance shall file the schedules and values with the city clerk to be available for use by the general public and the affected city officials and departments.

(2) For all water connections a base Regional capital facility charge (RCFC) will be assessed and will consist of the following:

(a) Each water connection will be assigned a "Cascade Equivalent Residential Unit" (CERU) factor based on the proposed water meter size;

(b) The water meter shall be sized in accordance with the Uniform Plumbing Code as amended and adopted by Chapter 21.20 of this code;

(c) A water connection's CERU is based on the flow potential through its meter. A five-eighths-inch by three-fourths-inch meter is assigned a base factor of one. The base RCFC is multiplied by CERU factors based upon water meter sizes as follows:

<u>Meter Size</u>	<u>CERU</u>
<u>5/8"x3/4"</u>	<u>1</u>
<u>1"</u>	<u>2.5</u>
<u>1.5"</u>	<u>5</u>
<u>2"</u>	<u>8</u>
<u>3"</u>	<u>16</u>
<u>4"</u>	<u>25</u>
<u>6"</u>	<u>50</u>
<u>8"</u>	<u>80</u>
<u>10"</u>	<u>115</u>
<u>12"</u>	<u>160</u>

(d) The RCFC may be adjusted periodically pursuant to the terms of the interlocal agreement between the city and the Cascade Water Alliance.

(e) Upon receiving the adjusted RCFC, the director of public works shall file with the director of finance three copies of the adjusted fee schedule. The director of finance shall file the schedules with the city clerk to be available for use by the general public and the affected city officials and departments.

(3) The water connection charge required by subsections (1) and (2) will be assessed against both domestic and irrigation water meter connections.

(4) When water meter size is increased solely to provide fire sprinkler protection, the water connection charge required by subsections (1) and (2) shall be based on the size required by the Uniform Plumbing Code, as amended and adopted by Chapter 21.20 of this code.

Section 6. KMC Section 15.36.025 is hereby amended to read as follows:

15.36.025 Discharge permit required.

(a) It is unlawful for any person to discharge or cause to be discharged any waters or wastes into any public sewer, drain, ditch or natural outlet without a permit where required by METRO King County Wastewater Treatment Division, state law or federal regulations or in violation of conditions of such permit.

(b) In addition to other lawful remedies, a violator hereunder shall be liable for the costs of any damages caused by the violation. Failure to pay such costs upon demand shall be cause for revocation of service.

Section 7. KMC Section 15.36.020 is hereby amended to read as follows:

15.36.030 Discharges prohibited.

It is unlawful to discharge or cause to be discharged any of the following described waters or wastes in any public sewer, drain, ditch or natural outlet:

(1) Any liquid or vapor having the temperature higher than one hundred fifty degrees Fahrenheit;

(2) Any water or waste which contains more than one hundred parts per million by weight of fat, oil or grease;

(3) Any gasoline, benzene, naphtha, oil, volatile organic or inorganic substance, or other flammable or explosive liquid, solid or gas;

(4) Any garbage that has not been properly shredded so that one hundred percent will pass a three-eighths-inch sieve and seventy-five percent will pass a one-quarter-inch sieve;

(5) Any solid or viscous substances in quantities, either by itself or in combination with other wastes, which are capable of obstructing the flow of sewer works or treatment facilities, including, but not limited to, the following: ashes, cinders, sand, mud, straw, hair, shavings, metal, glass, rags, feathers, tar, grass clippings, asphalt, seafood shells, cloth, plastic, wood, chemical residues, brewing or distilling slops, spent grain or hops, whole blood, meat trimmings and wastes, animal paunch contents, hide, hair, offal, fish or fowl heads or parts, entrails, lard, tallow, baking dough, cannery waste bulk solids, or paper or metal utensils, plastic or paper containers either whole or ground;

(6) Any water, gas, substance or wastes having a pH lower than five and five-tenths or higher than eight and five-tenths or having any other corrosive property either by itself or by interaction with other wastes capable of causing damage or hazard to structures, equipment or personnel of the sewage works;

(7) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans, animals, fish or fowl, or create any hazard in the receiving waters of the sewage treatment plant either by itself or by producing a toxic vapor after interaction with other wastes. These substances

include, but are not limited to, chlorinated hydrocarbons, hydrogen sulfide, sulfur dioxide, phenols, and cyanide compounds;

(8) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant or wastes at a flow rate and/or pollutant discharge rate which is excessive over relatively short time periods so that there is a treatment process upset and subsequent loss of treatment efficiency;

(9) Any noxious or malodorous gas or substance which either by itself or by interaction with other wastes, is capable of creating a hazard to life or preventing authorized personnel from entering sewage facilities;

(10) Materials from cesspools, septic tanks, and privies. Chemical toilet waste may be discharged into the city sewer or private sewer system through a side sewer connection at the place of business. Such means of disposal shall be approved by METRO King County Wastewater Treatment Division, the city and the Seattle-King County health department;

(11) Every building, structure or premises used or occupied by any sewer user where any commercial or industrial operations are conducted or permitted which result in the discharge into the sewer system of any products, waste products, or other substances, matter, or liquid in the manner and to the extent prohibited in this section shall be equipped with an adequate and suitable grease trap, filter or other interception device installed in such a manner that the product, waste products, or other substances, materials or liquid herein set forth will not flow into or be discharged into the sanitary sewer system. The grease trap, filter, or other interceptor shall be adequately maintained, readily accessible for inspection by the city at any time to ensure its proper operation, and is subject to terms in Section 15.36.040 of this chapter;

(12) The owner of any vehicle-washing facility shall install and maintain in a proper manner, and at his own expense, an approved grit and oil trap located in the side sewer line subject to terms in Section 15.36.040 of this chapter.

Section 8. KMC Section 15.36.080 is hereby amended to read as follows:

15.36.080 Industrial waste surcharge.

The city shall charge each of its customers who are industrial recipients of waste treatment services as required by METRO King County Wastewater Treatment Division, in addition to the user charge, a surcharge in an amount to be determined by METRO King County Wastewater Treatment Division based on the average annual strength and volume of discharge by the industry. The industrial waste surcharge attributable to a customer plus ten percent will be included in the city sewer billing for that customer as set forth in this title in addition to any service rate amounts under Section 15.24.010.

Section 9. KMC Section 15.36.085 is hereby amended to read as follows:

15.36.085 Excess flow surcharge.

The city shall charge each of its customers who are recipients of waste treatment services as required by METRO King County Wastewater Treatment Division, in addition to the user charge, a surcharge in an amount to be determined by METRO King County Wastewater Treatment Division for excess flow from the customer, including inflow/infiltration. The excess flow surcharge attributable to a customer plus ten percent will be included in the city sewer billing for that customer as set forth in this title in addition to any service rate amounts under Section 15.24.010.

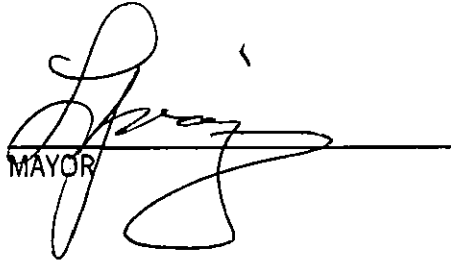
Section 10. The Regional Capital Facility Charge (RCFC) set forth in KMC 15.14.020 shall go into effect February 1, 2003.

Section 11. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.


Section 12. 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 1.08.107, 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 19th day of November, 2002.

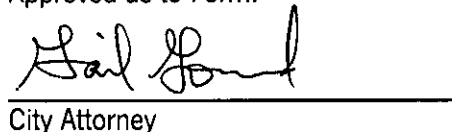
Signed in authentication thereof this 19th day of November, 2002.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

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