

CODE

**CITY OF REDMOND
ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON, AMENDING RMC 13, WATER AND SEWERS,
TO CLARIFY PURPOSE AND MODERNIZE THE CODE'S
APPLICABILITY

WHEREAS, Redmond Municipal Code Title 13 establishes the authorities and rules that the City may apply to the regulation of water and sewers; and

WHEREAS, the City proposes changing the name of Title 13 to Water, Wastewater, and Stormwater; and

WHEREAS, the City proposes updates to Title 13 related to Public Works functions relating to water, wastewater, and stormwater; and

WHEREAS, this update is intended to clarify roles and responsibilities within the Public Works Department and to improve operational performance and consistency; and

WHEREAS, this code revision is being coordinated to align with the Department's effort to achieve APWA Accreditation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City Code.

Section 2. Amendment of Title. Title 13, Water, Wastewater, and Stormwater [~~AND SEWERS~~], is hereby amended to read as follows:

Chapters:

- 13.02 Water and Sewer Service Funds.
- 13.03 Definitions.
- 13.04 [~~SEWAGE~~] **Wastewater System Requirements.**
- 13.05 Side Sewer Contractor Roster.
- 13.06 [~~STORM WATER~~] **Stormwater** Management [~~CODE~~].
- 13.07 Wellhead Protection
- 13.08 Installing and Connecting Water Service
- 13.10 Cross-Connection and Backflow Prevention
- 13.11 Water and Sewer Connection Charges
- 13.12 Reimbursement Agreements for Utility Improvements
- 13.15 [~~LATECOMER CONNECTION CHARGE – 180TH AVENUE N.E. SANITARY SEWER IMPROVEMENTS~~] **Repealed**
- 13.16 Water and Sewer Service Rates
- 13.17 Utility Accounts
- 13.18 [~~STORM WATER~~] **Stormwater** Management Utility
- 13.20 [~~STORM WATER~~] **Stormwater** Drainage Capital Facilities Charges
- 13.21 [~~STORM WATER~~] **Stormwater** Engineering, Plan Review and Processing Fees
- 13.22 Repealed
- 13.24 [~~WATER CONSERVATION~~] **Repealed**
- 13.25 Temporary Construction Dewatering
- 13.28 Repealed
- 13.29 Water Use Restrictions
- 13.32 Fluoridation of Water Supply
- 13.34 [~~STREETLIGHTING CHARGES~~] **Repealed**
- 13.36 Utility Extensions Outside City Limits
- 13.38 Administrative and Processing Services - Cost Recoupment

Section 3. Amendment of Chapter. RMC 13.02, Water and Sewer Service Funds, is hereby amended to read as follows:

13.02.010 Fund created.

There is created and established in the office of the City [~~TREASURER A SPECIAL FUND~~] **Finance Director two special funds** to be known and designated as the "City of Redmond Water and Sewer Revenue Fund" **and the "City of Redmond Stormwater Revenue Fund."**

13.02.020 Separate accounts for funds.

The City [~~TREASURER~~] **Finance Director** shall maintain separate accounts [~~FOR THE "CITY OF REDMOND WATER AND SEWER REVENUE BOND FUND, 1957," AND "WATER REVENUE BOND FUND, 1951," AND THE "CITY OF REDMOND WATER AND SEWER REVENUE FUND" AND SHALL~~] **as needed to** account separately for all monies received from consumers according to the rate schedules herein provided.

Section 4. Amendment of Section. RMC 13.03.020, Redmond Service Area, is hereby amended to read as follows:

13.03.020 Redmond service area.

The Redmond service area is that area west of 196th Avenue N.E., south of Novelty Hill Road and west of 212th Avenue N.E, north of Novelty Hill Road. **This area extends west to the Kirkland and Bellevue city limits.**

Wastewater System Requirements, is hereby amended to read as follows:

Sections:

- 13.04.010 Purpose.
- 13.04.020 Definitions.
- 13.04.030 Owner to connect to sewer system.
- 13.04.040 Notice to connect - Connection by City.
- 13.04.041 Connection required - When - How made - Warrant to fund.
- 13.04.050 Repealed.
- 13.04.060 Repealed.
- 13.04.070 Repealed.
- 13.04.080 Repealed.
- 13.04.090 Repealed.
- 13.04.100 Repealed.
- 13.04.110 Permit required to install sewers.
- 13.04.120 Application **for permit**.
- 13.04.130 Unauthorized connections reported.
- 13.04.140 When permit required - Open excavations.
- 13.04.150 Limits of permit.
- 13.04.160 Temporary connections.
- 13.04.170 Term of permit.
- 13.04.180 Fees.
- 13.04.190 [~~CARD CARRIED~~] **Permit available for review**.
- 13.04.200 Inspection procedure.
- 13.04.210 Filling trenches.
- 13.04.220 Open excavations - Time limit.
- 13.04.230 Noncompliance with standards - Notice.
- 13.04.240 City repairs - Costs.
- 13.04.250 Costs of installation borne by owner.
- 13.04.260 Use of existing sewers.
- 13.04.270 Backup remedies.
- 13.04.280 Position of **side** sewers [~~SIZE OF PIPE~~].
- 13.04.290 Laying sewer on another's property.
- 13.04.300 Construction standards.
- 13.04.310 Damaging public property prohibited.
- 13.04.320 Protecting excavations.
- 13.04.330 Restoring property required.
- 13.04.340 Discharge into sanitary sewers restricted.
- 13.04.350 Repealed.
- 13.04.360 Substances prohibited in sewers.
- 13.04.370 Interceptors required - When.

- 13.04.380 Food processing establishments.
- 13.04.390 Special treatment.
- 13.04.400 Manholes.
- 13.04.410 Test standards.
- 13.04.420 Special agreements.
- 13.04.430 Repealed.
- 13.04.440 Planting near sewers.
- 13.04.450 Testing waste.
- 13.04.460 Engineer's rules.
- 13.04.470 Violator liable for expenses.
- 13.04.480 Penalty for violations.

13.04.010.

13.04.020 Definitions.

Words and phrases used in this chapter, unless the same shall be contrary to or inconsistent with the context, shall mean as follows:

"B.O.D." (denoting biochemical oxygen demand) means the quantity of oxygen [~~UTILIZED~~] **used** in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Centigrade, expressed in parts per million by weight.

"City Engineer" [~~INCLUDES AN AUTHORIZED REPRESENTATIVE~~] **means the City Engineer or their representatives pursuant to RMC 2.64.030.**

"Cover" means the depth of material lying between the top of the sewer [~~OR DRAIN~~] and the finished grade immediately above it.

~~["DOWNSPOUT" MEANS THE LEADER OR PIPE ABOVEGROUND WHICH IS INSTALLED TO CONDUCT WATER FROM THE ROOF GUTTER.~~

~~"DRAIN" MEANS ANY CONDUCTOR OF LIQUIDS.]~~

"Garbage" means solid waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

"Garbage, properly shredded" means garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than three-eighths inch in any dimension.

"Hazardous materials" Any hazardous waste, hazardous substance, dangerous waste, or extremely hazardous waste that is a physical or health hazard as defined and classified in RCW Chapter 70.105 and WAC Chapter 173-303, whether the materials are in usable or waste condition. Hazardous materials shall also include petroleum or petroleum products that are in a liquid phase at ambient temperatures, including any waste oils or sludges. ~~[SHALL INCLUDE SUCH MATERIALS AS FLAMMABLE SOLIDS, CORROSIVE LIQUIDS, RADIOACTIVE MATERIALS, HIGHLY TOXIC MATERIALS, POISONOUS GASES, REACTIVE MATERIALS, UNSTABLE MATERIALS, HYPERBOLIC MATERIALS AND PYROPHORIC~~

~~MATERIALS AND ANY SUBSTANCE OR MIXTURE OF SUBSTANCES WHICH IS AN IRRITANT, A STRONG SENSITIZER OR WHICH GENERATES PRESSURE THROUGH EXPOSURE TO HEAT, DECOMPOSITION OR OTHER MEANS.~~

~~"HEALTH OFFICER" MEANS THE OFFICER RESPONSIBLE FOR PUBLIC HEALTH OR HIS AUTHORIZED REPRESENTATIVE.~~

~~"HOUSE DRAIN" MEANS THE CAST IRON PIPE USED FOR CONVEYING SEWAGE FROM THE BUILDING TO A POINT TWO AND ONE-HALF FEET OUTSIDE THE FOUNDATION WALL, AND IF THERE IS 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.]~~

~~"Industrial wastes" [MEANS THE WASTES FROM INDUSTRIAL PROCESS AS DISTINGUISHED FROM SANITARY SEWAGE]~~ **means waste materials produced from manufacturing or industrial processes, distinct from household wastewater.**

~~["SIDE SEWER CONTRACTOR" MEANS A CONTRACTOR APPROVED BY THE CITY TO CONSTRUCT OR REPAIR SIDE SEWERS AND WHO IS ON THE ACTIVE SIDE SEWER CONTRACTOR ROSTER.]~~

"Natural outlet" means any outlet into a watercourse, pool, ditch, lake, sound, or other body of fresh, surface or ground water.

"Parking strip, inside" means that portion of the street area lying between a public sidewalk location and the property line.

"Parking strip, outside" means that portion of a street area lying between a public sidewalk location and the curb location.

"~~[PERMIT CARD]~~ **Sewer As-Built Card**" means [A] **an electronic and/or paper** card issued in conjunction with any permit. The card shall be ~~[POSTED]~~ on the premises and shall be readily ~~[AND SAFELY ACCESSIBLE]~~ **available** to the City Engineer **for inspection.**

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

"pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"Public area" or "public place" means any space dedicated to or acquired by the City for the use of the general public.

~~["SEWAGE" MEANS A COMBINATION OF THE WATER CARRIED WASTES FROM RESIDENCES, BUSINESS BUILDINGS, INSTITUTIONS~~

~~AND INDUSTRIAL ESTABLISHMENTS, TOGETHER WITH SUCH
GROUND, SURFACE AND STORM WATERS AS MAY BE PRESENT.~~

~~"SEWAGE TREATMENT PLANT" MEANS ANY ARRANGEMENT OF
DEVICES AND STRUCTURES USED FOR TREATING SEWAGE.~~

~~"SEWAGE WORKS" MEANS ALL THE FACILITIES FOR COLLECTING,
PUMPING, TREATING AND DISPOSING OF SEWAGE.]~~

"Sewer" **and "Sanitary Sewer"** means a pipe or conduit for
carrying [SEWAGE] **wastewater, and to which storm, surface
and ground waters are not intentionally admitted.**

"Sewer [PLAT] **plan**" means a [PLAT] **plan** issued by the
City Engineer in conjunction with any permit. The [PLAT]
plan shall serve as [HIS] **the** record of all matters
pertaining to the permit.

"Sewer, public" means a sewer [~~IN WHICH ALL OWNERS OF
ABUTTING PROPERTIES HAVE EQUAL RIGHTS, AND~~] which is
controlled by public authority.

~~["SEWER, SANITARY" MEANS A SEWER WHICH CARRIES SEWAGE,
AND TO WHICH STORM, SURFACE AND GROUND WATERS ARE NOT
INTENTIONALLY ADMITTED.~~

~~"SEWER, STORM" MEANS A SEWER WHICH CARRIES STORM AND
SURFACE WATERS AND DRAINAGE, BUT EXCLUDES SEWAGE AND
POLLUTED INDUSTRIAL WASTES.]~~

"Side Sewer" means the sewer pipe [~~FROM THE BUILDING OR RESIDENCE TO THE SEWER MAIN, INCLUDING THE CONNECTION TO THE SEWER MAIN~~] conveying wastewater from the building or residence to the wastewater sewer main, including the connection to the sewer main.

"Side-sewer contractor" means a contractor approved by the City to construct or repair side sewers and who is on the active side sewer contractor roster.

"Sidewalk" means the walkway in the public area lying parallel or generally parallel to the roadway. If the walk is not yet paved, all measurements shall be based on location and elevation established by the City Engineer.

"Suspended solids" means solids that either float on the surface of or are in suspension in water, [~~SEWAGE~~] wastewater or other liquids and which are removable by filtering.

"Wastewater" means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments

"Wastewater treatment plant" means any arrangement of devices and structures used for treating wastewater.

"Wastewater system" means all the facilities for collecting, conveying, pumping, treating and disposing of wastewater.

~~["WATERCOURSE" MEANS A CHANNEL IN WHICH A NATURAL FLOW OF WATER OCCURS OR HAS OCCURRED, EITHER CONTINUOUSLY OR INTERMITTENTLY.]~~

13.04.030 Owner to connect to ~~[SEWER]~~ wastewater system.

The owner of any lands or premises shall connect all buildings located thereon ~~[AND USED AS A RECEPTACLE OR DRAINAGE WITH]~~ **to** the nearest accessible public sewer whenever there is a public sewer within two hundred (200) feet ~~[THEREOF]~~ **of any property boundary**. The City Engineer shall prescribe the ~~[MANNER IN WHICH]~~ **way** such connections shall be made.

No ~~[DRAIN OR]~~ sewer **or wastewater outfall** shall be constructed ~~[SO AS]~~ to discharge upon the surface of any public area.

13.04.040 Notice to connect - Connection by City.

Whenever any land, buildings or premises is required to be connected with a public ~~[SEWER]~~ **wastewater system** or otherwise drained, as provided in RMC [13.04.030](#), the ~~[HEALTH OFFICER]~~ **City Engineer** shall serve upon the owner 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 (60) days from the date of delivery of the notice.

If the owner fails, ~~[AND]~~ neglects or refuses to connect ~~[HIS]~~ **their** lands, buildings or premises with the public ~~[SEWER]~~ **wastewater system** within the time specified, the ~~[HEALTH OFFICER SHALL NOTIFY THE CITY ENGINEER, WHEREUPON THE]~~ City Engineer may make such connection. The cost thereof shall be charged to the owner, and a bill showing the amount thereof mailed or delivered to ~~[HIS]~~ **them**, or posted upon the premises, whereupon the amount shall immediately be paid to the City ~~[TREASURER]~~ **Finance Director**.

**13.04.041 Connection required - When - How made -
Warrant to fund.**

The ~~[DIRECTOR OF]~~ Public Works **Director** is empowered to compel the owners of any lot or parcel of real property, ~~[THE PROPERTY LINE]~~ of which **any property boundary** is located within two hundred (200) feet of a public ~~[SANITARY SEWER]~~ **wastewater system**, to cause to be connected to such public ~~[SANITARY SEWER]~~ **wastewater system** a sufficient **side** sewer ~~[OR DRAIN PIPE]~~ from all

buildings and structures located thereon used for human occupancy or for use for any other purposes. It is intended to discontinue the use of septic tanks throughout the City in the interests of the public health and safety, and to carry out such purpose, all buildings on property [SITUATED] having any property boundary within two hundred (200) feet of a public sanitary sewer shall be required to connect to the same [~~WITHIN ONE YEAR FROM JANUARY 1, 1973~~] when directed by the Public Works Director.

Stormwater and drainage water shall not be connected to the wastewater system through side sewers, sump pumps, or other pipes used to convey stormwater, surface water or groundwater. [~~NO STORM OR DRAINAGE WATER SHALL BE CONNECTED TO THE SANITARY SEWER; PROVIDED, FURTHER, THAT THE DIRECTOR OF PUBLIC WORKS IS EMPOWERED TO COMPEL THE OWNERS OF ANY LOT OR PARCEL OF REAL PROPERTY, UPON WHICH POOLS, DITCHES, WATERCOURSES OR WASTE WATER PIPES ARE LOCATED, WHICH ARE USED AS A RECEPTACLE OR FOR DRAINAGE PURPOSES, THE PROPERTY LINE OF WHICH IS LOCATED WITHIN TWO HUNDRED (200) FEET OF A SEPARATE STORM SEWER, TO CAUSE TO BE CONNECTED A SUFFICIENT SEWER OR DRAIN PIPE~~

~~FROM SAID POOLS, DITCHES, WATERCOURSES OR WASTE WATER PIPES TO THE STORM SEWER.]~~

It is unlawful for any person or persons or corporation to make or attempt to make more than one connection to any "Y" or to make more than two such connections at any one standpipe, and no "Y" or standpipe which already has one or two such connections, as the case may be, shall be considered as an accessible point in such sewer as the term is herein used. It is unlawful for any person to connect any basement with a city sewer without installing a back water [~~SEWAGE~~] **wastewater** valve at the outlet.

Any person who fails to comply with the requirements of this section shall be guilty of a violation of this chapter and be subject to a civil infraction in an amount not to exceed [~~\$500.00~~] **\$1200** per violation.

If any connection [~~SHALL NOT BE~~] **is not** made within 30 days after written notice to the owner of such lot or parcel of property, building or structure by the City, the [~~DIRECTOR OF~~] Public Works **Director** is authorized to cause the connection to be made and to file a statement of the cost thereof with the City Clerk. Thereupon a warrant in the amount of such cost, payable to the [~~WATER~~

~~AND SEWER DEPARTMENT]~~ City, shall be issued by the City
[~~TREASURER]~~ Finance Director under the direction of the
City Council and against the "City of Redmond Water and
Sewer Revenue Fund." The amount of such warrant, plus
interest at the rate of [~~EIGHT~~] twelve percent per year
upon the total amount of such cost and penalty, shall be
assessed against the property upon which the building or
structure is situated, and shall become a lien thereon
as herein provided. The total amount when collected
shall be paid into the "City of Redmond Water and Sewer
Revenue Fund."

13.04.050.

13.04.060.

13.04.070.

13.04.080.

13.04.090.

13.04.100.

13.04.110 Permit required to install sewers.

It is unlawful to make any connection with any public or private **sanitary** sewer, [~~DRAIN OR NATURAL OUTLET~~] without complying with all of the provisions of this chapter in relation thereto and having a permit to do so from the City [~~ENGINEER~~].

13.04.120 Application for permit.

A. Application for the permit required by Section 13.04.110 of this chapter shall be filed with the City [~~ENGINEER~~] stating the name of the owner, **the project name, the project address, the tax parcel number, the reason for the termination or modification, and information on the contractor installing the side sewer. Depending on the complexity of the installation, the City may require engineering plans that show the** [~~THE CORRECT ADDRESS AND LEGAL DESCRIPTION OF THE PROPERTY TO BE SERVED,~~] dimensions and location of any building on the property and the whole course of the [~~DRAIN~~] **side sewer** from the public sewer or other outlet to its connection with the building or property to be served. **For simpler installations, the City will require a sketch of the installation on the City-provided sewer as-built card.** The application shall be submitted to the

City Engineer for approval, who may change or modify the same and designate the manner and place in which the sewers shall be connected with the public sewer, may also specify the material, size and grade of such sewer, and shall endorse [~~HIS~~] approval upon the application if the same is acceptable to the City [~~HIM. THE CITY ENGINEER WILL REQUIRE THE PERMITTEE TO FURNISH HIM PLANS PERTAINING TO THE APPLICATION AND ISSUANCE OF THE PERMIT~~].

B. Upon approval of the application, the City Engineer shall issue [~~FOR HIS RECORDS~~] a sewer [~~PLAT~~] as-built card and permit showing the size and location of the public sewer, the point of connection, the location of any buildings on the lot, any improvements to the public utility required, and such other information as may be available and required.

C. Upon approval of the application and issuance of the permit, it is unlawful to alter or to do any other work than is provided for in the permit.

D. The City Engineer shall prepare and keep [~~ON FILE IN HIS OFFICE ALL CARDS AND~~] electronic records of sanitary sewer connections showing the information obtained [~~IN~~

~~THE COURSE OF]~~ **during** inspection of completed work done under the permit.

13.04.130 Unauthorized connections reported.

~~[IT SHALL BE THE DUTY OF ANY POLICE OFFICER AND THE HEALTH OFFICER FINDING ANY PERSON BREAKING GROUND FOR THE PURPOSE OF MAKING CONNECTION WITH A PUBLIC OR PRIVATE SEWER OR DRAIN, TO ASCERTAIN IF SUCH PERSON HAS A PERMIT THEREFOR AND, IF NOT, TO IMMEDIATELY REPORT THE FACT TO THE CITY ENGINEER.]~~ **It is unlawful to break ground for the purpose of making a connection with a public or private sewer without a permit. Any non-permitted connection to a public or private sewer shall be reported immediately to the City Engineer.**

13.04.140 When permit required - Open excavations.

It is unlawful to construct, extend, relay, repair or to make connection to any sewer [~~OR DRAIN~~] inside the property line without obtaining a permit from the City Engineer as provided in RMC 13.04.110. The City Engineer may issue the permit to the owner of any property to construct, extend, relay, repair or make connection to any private sewer [~~OR DRAIN~~] inside the property lines; provided, the owner shall comply with the applicable provisions of this chapter, except that [~~HE~~] **they** need

not employ a licensed side sewer contractor to do the work. Should the owner employ a licensed side sewer contractor to do the work, the contractor shall take the permit in [~~HIS~~] their own name and the owner, occupant or any other person shall lay no pipe on the contractor's permit.

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 (4) 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~~].

13.04.150 Limits of permit.

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. [~~HE MAY, IF HE DEEMS~~] The City Engineer may, if they deem the additional work of sufficient consequence, require a new permit to cover the same.

13.04.160 Temporary connections.

The City Engineer may, upon application containing such information as is required by [~~HIM~~] the City, issue a permit for a temporary connection to a public sewer or

side sewer [~~7, SIDE SEWER, DRAIN OR NATURAL OUTLET~~]. The permit may be revoked by the City Engineer at any time upon **thirty** [~~30~~] days' notice posted upon the premises and directed to the owner of the premises. In **the** event the side sewer [~~OR DRAINS~~] are not disconnected at the expiration of the **thirty** [~~30~~] days, the City Engineer may disconnect the same and charge the cost thereof to the owner. Such costs shall be immediately payable to the City [~~TREASURER~~] **Finance Director** following a written notice of the amount thereof given to such owner or posted on the premises. A temporary permit shall be issued only upon the applicant recording with the [~~COUNTY AUDITOR~~] **King County Recorder's Office** an acceptable instrument agreeing to save the City harmless from all damage resulting to the City by reason of such temporary connection or disconnection, and exhibiting to the City Engineer the recording number thereof.

13.04.170 Term of permit.

No permit issued under this chapter shall be valid for a longer period than ninety days unless extended or renewed by the [~~CITY ENGINEER~~] **Development Services division of the Planning Department upon** application therefor prior to the expiration. Failure to renew the

permit prior to expiration thereof shall require the payment of a new permit fee.

13.04.180.

13.04.190 [~~CARD CARRIED~~] Permit available for review.

~~[THE PERMIT CARD REQUIRED BY THIS CHAPTER 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.]~~ **The permit required by this chapter must, always during the performance of the work, and until the completion thereof and approval by the City Engineer, be available at or near the work and must be readily accessible to the City Engineer or other City designated inspector.**

13.04.200 Inspection procedure.

Any person performing work under a permit issued pursuant to the provisions of this chapter shall notify the City [~~ENGINEER~~] **via the electronic permitting system** 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.

In the case of an emergency repair, the contractor shall make the repair and then file for a permit immediately afterwards. The excavation and the repair area must be left open or re-opened for inspection.

On any call for inspection, [~~FORTY-EIGHT~~] twenty-four hours notice plus Saturday, Sunday and holidays may be required by the City [~~ENGINEER~~].

If the City Engineer finds the work or material used is not in accordance with this [~~CHAPTER~~] City Code, [~~HE SHALL NOTIFY~~] the person doing the work, and also the owner of the premises [~~, BY POSTING A WRITTEN NOTICE ON THE PERMIT CARD~~] shall be notified by adding a notice on the permit. The [~~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.

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.

13.04.210 Filling trenches.

No trench shall be filled nor any sewer covered until the work shall have been inspected and approved by the City Engineer, or City designated inspector.

13.04.220 Open excavations - Time limit.

All work within the limits of any public area shall be prosecuted to completion with due diligence. If any excavation is left open beyond a time reasonably necessary to fill the same, the City Engineer may cause the same to be backfilled and the public area restored forthwith. Any cost incurred in such work shall be charged to the side sewer contractor in charge of the work and shall be immediately payable to the [TREASURER] Finance Director by the contractor upon written notification of the amount thereof given to the contractor or posted at the location.

13.04.230 Noncompliance with standards - Notice.

If any work done under a permit granted is not done in accordance with the provisions of this chapter and the City Standard Plans and Specifications [~~PLANS—AND SPECIFICATIONS~~] as approved by the City Engineer, and if the contractor or person doing the work shall refuse to properly construct and complete such work, notice of such failure or refusal shall be given to the owner of the property for whom the work is being done. The City Engineer may cause the work to be completed and the sewer connected in the proper manner. 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 giving written notice of the amount thereof or posting a notice thereof on the premises.

13.04.240 City repairs - Costs.

When any side sewer is constructed, laid, connected or repaired, and does not comply with the provisions of this chapter, or where it is determined by the [~~HEALTH OFFICER OR THE~~] City Engineer that a side sewer [~~, DRAIN, DITCH, OR NATURAL WATERCOURSE~~] is obstructed, broken, or inadequate and is a [~~MENACE~~] **potential danger** to health, or is liable to cause damage to public or private property, the [~~HEALTH OFFICER~~] **City Engineer** shall give notice to the owner of the property in which such condition exists. If [~~HE SHALL REFUSE~~] **the owner refuses** to reconstruct, relay, reconnect, repair, or remove the obstruction of the side sewer [~~, DRAIN, DITCH, OR NATURAL WATERCOURSE~~] within the time specified in such notice, [~~THE 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. The cost of such work so done shall be charged to the property owner and

shall become immediately payable to the [~~TREASURER~~]
Finance Director upon written notice of the amount being
given to the property owner or posted upon the premises.
If the side sewer is shared by two or more properties,
then the cost will be split proportionally with all
properties sharing the side sewer.

13.04.250 Costs of installation borne by owner.

The [~~PUBLIC WORKS DIRECTOR OR DESIGNEE~~] **City Engineer**
shall require the owner of a broken side sewer to repair
the side sewer. The owner of the side sewer shall perform
repairs within the amount of time dictated by the City.
All costs and expense incidental to the installation,
connection and maintenance of a side sewer shall be borne
by the owner of the premises served by the side sewer.

13.04.260 Use of existing sewers.

The use of an existing side sewer may be permitted **for**
a single family infill lot or detached unit on a single
family infill lot only when approved by the City Engineer
as conforming to all requirements of this chapter **and**
the Design Requirements for Water and Wastewater
Extensions, where a new or converted building or new
installation replaces an old one. **A permit application**

as described in 13.04.120 is required for the re-use of an existing side sewer.

13.04.270 Backup remedies.

~~[IN ANY BUILDING, STRUCTURE OR PREMISES IN WHICH THE HOUSE DRAIN OR OTHER DRAINAGE IS TOO LOW TO PERMIT GRAVITY FLOW TO THE PUBLIC SEWER, THE SAME SHALL BE LIFTED BY ARTIFICIAL MEANS AND DISCHARGED INTO THE PUBLIC SEWER.]~~

~~WHENEVER A SITUATION EXISTS INVOLVING AN UNUSUAL DANGER OF BACKUPS, THE CITY ENGINEER MAY PRESCRIBE A MINIMUM ELEVATION AT WHICH THE HOUSE DRAIN MAY BE DISCHARGED TO THE PUBLIC SEWER. DRAINS OR SEWERS BELOW THE MINIMUM ELEVATION SHALL BE LIFTED BY ARTIFICIAL MEANS; OR, IF APPROVED BY THE CITY ENGINEER, A BACKWATER SEWAGE VALVE MAY BE INSTALLED. THE EFFECTIVE OPERATION OF THE BACKWATER SEWAGE VALVE SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE SEWER OR DRAIN. APPROVAL OF A BACKWATER SEWAGE VALVE SHALL BE MADE ONLY UPON THE APPLICANT RECORDING WITH THE COUNTY AUDITOR AN ACCEPTABLE INSTRUMENT AGREEING TO SAVE THE CITY HARMLESS FROM ALL DAMAGE RESULTING THEREFROM, AND EXHIBITING TO THE CITY ENGINEER THE RECORDING NUMBER THEREOF.]~~

Any building, structure, or premises which the side sewer is too low to permit gravity flow to the public sewer, the same shall be pumped by artificial means (grinder pump) and discharged into the public sewer. Grinder pump applications are restricted to single-family residences and single commercial buildings that are physically unable to connect to the sanitary sewer system by gravity.

Whenever a situation exists involving an unusual danger of backups, the City Engineer may prescribe a minimum elevation at which the house side sewer may be discharged to the public sewer. Side sewers below the minimum elevation shall be pumped by artificial means; or, if approved by the City Engineer, a backwater wastewater valve may be installed in accordance with the Redmond Plumbing Code. The effective operation of the backwater wastewater valve shall be the responsibility of the owner of the side sewer.

In the event a side sewer backup has caused or will cause impact to the environment, or has or will cause a public health issue, the Public Works Director has the authority to shut off water to the residence or building until the side sewer is repaired. If the side sewer is

shared by two or more properties, then the Public Works Director can shut off water to all residences or buildings sharing the side sewer.

13.04.280 Position of side sewers [~~—SIDE OF PIPE~~].

A. All side sewers shall be laid [~~on~~] at not less than two percent grade.

B. There shall be at least 30 inches of horizontal clearance from any foundation wall of any building, and, if there is no foundation wall, at least 30 inches of clearance from the outer lines of any footings, pilings or building supports.

C. There shall be a minimum of 60 inches of cover at the curb line, and, in a public alley, a minimum of 30 inches of cover at the property line, and a minimum of 18 inches of cover on the private property.

D. Any side sewer which is laid generally parallel to the curb or curb line shall have a minimum of 48 inches of cover between the curb or curb line and the back of sidewalk and not less than 30 inches of cover between the back of sidewalk and the property line.

E. All cover measurements shall be based on the established grade, or on existing improvements, or shall be approved by the City Engineer.

F. No side sewer shall be less than six inches in diameter in public area except as otherwise specified in the City's "standard plans and specifications."

G. Wherever a storm sewer is available, downspouts shall be connected therewith in a manner approved by the City Engineer; but such requirement shall not apply to the connection of any downspout with a sanitary sewer which is hereby prohibited and is unlawful.

H. One side sewer is required for each building, with the exceptions of single-family homes and middle housing units. Standards for these are included in the most recent version of the City of Redmond Water and Wastewater Design Requirements and are adopted by reference.

I. All vaults or privies shall be disinfected and filled with fresh earth. All septic tanks, cesspools and similar installations shall be disinfected and filled with fresh earth at the time of the discontinuance of the use thereof. **Abandonment of septic systems shall be in full compliance with the requirements contained in WAC 246-272A-0300.**

13.04.290 Laying sewer on another's property.

~~[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 THE BUILDING SITE A WRITTEN EASEMENT, DULY ACKNOWLEDGED COVERING AND GRANTING THE RIGHT TO OCCUPY SUCH PROPERTY FOR SUCH PURPOSE. THE WRITTEN EASEMENT SHALL, BY THE OWNER OF THE SEWER, BE RECORDED IN THE OFFICE OF THE COUNTY AUDITOR.~~

~~BEFORE THE CITY ENGINEER SHALL ISSUE 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 THE SEWER EASEMENT HEREIN REFERRED TO AND SHALL EXHIBIT TO THE CITY ENGINEER THE RECORDING NUMBER THEREOF.]~~

Before any sewer pipe or side sewer may be located on any building site other than that owned by the owner of the sewer pipe or side sewer, the owner of the sewer pipe or side sewer shall secure from the owner of the building site a written easement 10' minimum in width, duly acknowledged covering and granting the right to occupy such property for such purpose. The written easement shall, by the owner of the

sewer pipe or side sewer, be recorded in the King County Recorder's Office.

Before the City Engineer shall issue a permit authorizing the laying of a sewer pipe or side sewer on any building site other than the one served by it, the owner of the sewer pipe or side sewer shall secure from the building site owner and record with the King County Recorder's Office the sewer easement herein referred to and shall exhibit to the City the recording number thereof.

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 the 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.

For all shared side sewers, a side sewer joint use agreement for access, operation, and maintenance purposes, signed by the owners of all properties connected to the sewer shall be recorded with the King County Recorder's Office and a copy provided to the City
When the joint side sewer is shared by two or more residential units on the same parcel under common

ownership, the owner shall sign an acknowledgement of the construction and maintenance of this joint side sewer. The joint sewer agreement shall include language that all parties to the side sewer are jointly and severally responsible for the operation and maintenance of the entire sewer line, up and until their respective connection point, and that all parties have access to each parties property for the sole purpose of accessing the sewer line for maintenance and repair.

~~[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 SAID PROVISIONS INSOFAR AS IS REASONABLY POSSIBLE. 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.]~~

13.04.300 Construction standards.

All material and [WORKMANSHIP] work in connection with the installation of any side sewer and connection with a public sewer shall be as required by the City's

"standard plans and specifications" except as to modifications or changes approved by the City Engineer. Whenever it becomes necessary to disturb pavement in connection with any work authorized under this chapter, the opening shall be not less than two feet by seven feet nor more than two and one-half feet by eight feet; provided, that the City Engineer may specify a different size of said opening and additional cuts to be made when needed to insure a proper backfill.

No excavation shall be made in any public area except at the times and in the manner prescribed by the City Engineer.

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 supervision of the City Engineer.

13.04.310 Damaging public property prohibited.

It is unlawful to break, damage, destroy, deface, alter, or tamper with any structure, appurtenance, or equipment which is part of the City [~~SEWER~~] wastewater system, or, without authority from the City Engineer to break, damage, destroy or deface any public walk, curb, or pavement, or to make openings or excavations in a public

area for the purpose of connecting to any public or private sewer.

13.04.320 Protecting excavations.

Any excavation made by any licensed sewer contractor in any public place or immediately adjacent thereto shall be protected and guarded by fencing or covering and by proper lights. The protection of the public from the danger of such excavation shall be the responsibility of the side sewer contractor. The contractor shall be [~~LIABLE ON HIS BOND~~] **bonded** for any damage caused by his failure to properly protect and guard such excavation as herein required. If the contractor fails to properly protect and guard such excavation as herein required, the City Engineer may properly protect and guard such excavation and charge the cost thereof to the side sewer contractor, who shall, upon receiving written notice of the amount of such charge or by the posting of a notice of the amount of such charge at the location of the excavation, immediately pay the same to the City [~~TREASURER~~] **Finance Director**.

13.04.330 Restoring property required.

All streets, sidewalks, parking strips and other public areas except as mentioned in Section 13.04.300,

disturbed or altered in the course of any side sewer [~~OR DRAINAGE WORK~~], shall be restored by the licensed sewer contractor to the original surface [~~CONDITION~~] **type** as approved by the City Engineer. In the event of the failure of the contractor to so restore the area, the City Engineer may make such restoration and charge the cost thereof to the side sewer contractor who shall, upon receiving written notice of the amount thereof, upon posting of such notice on the area make immediate payment thereof to the City [~~TREASURER~~] **Finance Director**.

13.04.340 Discharge into sanitary sewers restricted.

No one shall discharge or cause to be discharged any [~~STORM WATER~~] **stormwater**, surface water, ground water, roof run-off, subsurface drainage, cooling water or unpolluted industrial process water to any sewer which is built solely for **wastewater** [~~SANITARY SEWAGE~~] **without written authorization from King County Metro Division of Industrial Waste and approval from the City Engineer.**

13.04.350.

13.04.360 Substances prohibited in sewers.

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 OUTLETS~~]:

A. Any liquid or vapor having temperature higher than 150 degrees Fahrenheit;

B. Any water or waste [WHICH] **that** contains visible accumulation of fats, oils, and grease in amounts that may cause obstruction or maintenance problems in the collection and conveyance system, or interference in public sewer facilities;

C. Any gasoline, benzene, naphtha, oil, or other flammable or explosive liquid, solid or gas;

D. Any garbage that has not been properly shredded;

E. Any ashes, cinders, sand, mud, straw, hair, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substances capable of causing an obstruction to the flow of sewers or other interference with the proper operation of the [SEWAGE] **wastewater** works;

F. Any waters or wastes having a pH lower than five and five-tenths, or higher than eight and five-tenths, or having any other corrosive property capable of causing

damage or hazard to structures, equipment or personnel of the [SEWAGE] wastewater works;

G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any [SEWAGE] wastewater treatment process, constitute a hazard to humans, animals, fish or fowl, or create any hazard in the receiving waters of the [SEWAGE] wastewater treatment plant;

H. 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] wastewater treatment plant;

I. Any obnoxious or malodorous gas or substance capable of creating a public nuisance;

J. Any hazardous material, unless prior approval is obtained from the City Engineer.

13.04.370 Interceptors required - When.

No grease, oil, sand, liquid, waste containing grease or flammable material or other harmful ingredients in excessive amounts shall be discharged into any public sewer without the installation of interceptors, which shall be of a type and capacity approved by the City

Engineer and shall be so located as to be readily accessible for cleaning and inspection.

When any interceptors are installed for private use, they shall be maintained by the owner at [~~HIS~~] **the owner's** expense and in continuously efficient operation at all times **and subject to inspection by the City.**

13.04.380.

13.04.390 Special treatment.

Whenever preliminary treatment is necessary to reduce the [~~B.O.D.~~] **Biochemical Oxygen Demand (B.O.D.)** to three hundred parts per million by weight or to reduce the objectionable characteristics of constituents to within the maximum limits prescribed in Section 13.04.360, such preliminary treatment shall be at the sole expense of the owner of the premises and shall be installed when the City Engineer determines that the same is necessary to comply with the standards prescribed.

All plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for approval of the City Engineer; and no construction of such facilities shall be commenced until such approval is noted on the plan.

Where such facilities are installed and used they shall be maintained continuously in satisfactory and efficient operation by the owner [~~AT HIS OWN~~] at the owner's sole expense.

13.04.400 Private sampling manholes.

In any property served by a side sewer carrying industrial wastes when required by the City Engineer, the owner shall install a control manhole in the side sewer to facilitate observation, sampling and measurement of the wastes. The manhole shall be accessibly and safely located and shall be constructed and installed in accordance with plans approved by the City Engineer. The manhole shall be installed and maintained by the owner at [~~HIS~~] the owner's sole expense.

13.04.410 Test standards.

All measurements, tests and analyses of the characteristics of waters and waste to which reference is made in these tests shall be determined in accordance with the standards prescribed in "standard methods for the examination of water and [~~SEWAGE~~] wastewater", published jointly by the American Health Association and the American Water Works Association.

~~[13.04.420 SPECIAL AGREEMENTS.]~~

~~THE CITY ENGINEER SHALL MAKE RECOMMENDATIONS TO THE CITY COUNCIL IN REGARD TO ENTERING INTO ANY AGREEMENT WHEREBY ANY WASTE OF UNUSUAL CHARACTER MAY BE ACCEPTED BY THE CITY FOR TREATMENT BEFORE ENTRY INTO THE PUBLIC SEWER. THE PAYMENT FOR SUCH TREATMENT SHALL BE SUCH AS IS FIXED BY THE CITY COUNCIL.]~~

13.04.430.

13.04.440 Planting near sewers.

It is unlawful to plant within 30 feet of any public or private sewer any willow, poplar, cottonwood, soft maple, gum tree, or any other tree or shrub whose roots are likely to enter and obstruct the flow of said sewers.

No trees (any species) shall be planted within any sewer or utility easement. All other trees shall be a minimum of 8 feet horizontal distance from water or sewer outside of easements or within city right of way.

The [~~CITY ENGINEER~~] **Public Works Director** is authorized to remove any trees or shrubs from any [~~PUBLIC STREET~~] **right-of-way or easements** or the roots of any trees or shrubs [~~WHICH~~] **that** extend into any [~~PUBLIC STREET~~] **right-of-way or easements** when such trees, shrubs or the

roots thereof are obstructing or are liable to obstruct any public or private sewer [~~OR DRAIN~~]. Before making any such removal, the City Engineer shall give ten (10) days' notice in writing to the owner of the abutting property or the property on which such trees or shrubs are growing, requiring the owner to remove the same. If the written notice cannot be given to the owner, the notice may be posted on the premises or in the street at the location of the trees or shrubs requiring such removal. If the owner 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 thereof shall be charged to the owner. Upon giving such written notice of the amount thereof to the owner or by posting such notice at the location of the trees or shrubs, the cost thereof shall be immediately payable to the City [~~TREASURER~~] **Finance Director** by such owner.

13.04.450 Testing waste.

The City Engineer or other city officials or employees, bearing proper credentials and identification, shall be permitted to enter upon any and all premises at all reasonable times for the purpose of inspection, observation, measurement, sampling and testing of sewers

and [~~SEWAGE~~] wastewater waste in accordance with the provisions of this chapter. It is unlawful for any person to prevent or attempt to prevent any such entrance or obstruct or interfere with any such officer or employee while so engaged.

13.04.460 Engineer's rules.

The City Engineer may make rules and regulations and amend the same from time to time, not inconsistent with the provisions of this ordinance, as [~~HE SHALL DEEM~~] deemed necessary and convenient to carry out the provisions of this chapter.

13.04.470.

13.04.480 Penalty for violations.

Persons Subject to Penalty. Any person who violates or fails to comply with the requirements of this chapter or who fails to conform with the terms of an approval or order issued by [~~THE MAYOR,~~] the Public Works Director[~~7~~ ~~OR HIS OR HER DESIGNEE~~], shall be subject to a civil penalty as provided in RMC Chapter 1.14. Each day of continued violation shall constitute a separate violation for purposes of this penalty.

Procedure for Imposing Penalty. The procedure for notice of violation and imposition of penalties under this chapter shall be the same as other code violations as described in RMC Chapter 1.14; provided, that such procedures may be initiated by [~~EITHER~~] the Public Works Director [~~OR HIS OR HER DESIGNEE~~].

Section 6. Amendment of Chapter. RMC 13.05, Side Sewer Contract Roster, is hereby amended to read as follows:

13.05.010 Purpose.

The purpose of this chapter is to regulate those [~~PERSONS~~] **individuals** authorized to perform work on side sewers within the public right-of-way and on private property in order to protect the sewer system from defective [~~WORKMANSHIP~~] **work** and materials, and to [~~INSURE~~] **ensure** that the construction standards and the regulations of the City are followed.

13.05.020 Side sewer contractor roster.

A side sewer contractor roster is hereby established which shall be maintained by the [~~UTILITY~~] **Development Engineering** Division of the [~~PUBLIC WORKS~~] **Planning** Department which shall contain the names of those contractors which are approved to perform work on side sewers.

13.05.030 Violation.

It is a violation of the Redmond Municipal Code for any [PERSON] **individual** to make any connection to any public sewer, or to construct, alter, or repair any private sewer unless the [PERSON] **individual** is an active contractor on the side sewer contractor roster; provided, that a homeowner, who is not a contractor by trade, may make repairs to [HIS/HER] **their** side sewer if the repair is totally within the property of the homeowner.

13.05.040 Application.

All persons desiring to be included on the side sewer contractor roster are required to make application, pay an application fee, and pay the first year's annual roster fee to the [UTILITY] **Development Engineering** Division of the [~~PUBLIC WORKS~~] **Planning** Department. The application shall be reviewed by the [UTILITY] **Development Engineering** Division **of the Planning Department** to determine if the contractor has sufficient knowledge and experience to carry on the business of a side sewer [~~CONTRACTOR, AND~~] **contractor and** is skilled in the laying and construction of side sewers. The

information required in Section 13.05.050 of this chapter shall also be submitted with the application.

13.05.050 Side sewer contractor roster eligibility requirements.

The following requirements must be met [~~IN-ORDER~~] to remain an active contractor on the side sewer contractor roster:

- A. A City of Redmond business license;
- B. A State of Washington contractor's registration;
- C. Proof of liability insurance;
- D. A side sewer contractor's bond;
- E. Annual roster fee.

Should any of the above requirements not be met, the contractor shall be designated an inactive contractor on the side sewer contractor roster. Should any contractor remain so designated for more than twelve (12) months, the contractor shall be removed from the [~~ROSTER~~] **roster**, and a new application and fee will be required to re-instate the contractor.

13.05.060 Side sewer contractor bond.

[~~EVERY~~] **Each** side sewer contractor shall file with the [~~UTILITY~~] **Development Engineering** Division **of the**

Planning Department a bond in a form approved by the
City in the amount of [~~\$5,000~~] \$10,000.

13.05.070.

13.05.080.

13.05.090.

Section 7. Amendment of Chapter. RMC 13.06, [~~STORM~~
~~WATER~~] Stormwater Management [~~CODE~~], is hereby amended to read as
follows:

Sections:

13.06.010 [~~FINDINGS.~~] Repealed.

13.06.020 [~~STATEMENT OF NEED.~~] Repealed.

13.06.030 Purpose.

13.06.040 Definitions.

13.06.041 Owner to connect to stormwater system.

13.06.045 Connection required.

13.06.046 Permit required to install stormwater connection.

13.06.047 Construction inspection procedure.

13.06.048 Noncompliance with standards - notice.

13.06.049 Stormwater system - construction standards.

13.06.050 Repealed.

13.06.054 Prohibited discharges.

13.06.058 Conditional discharges.

13.06.060 Repealed.

13.06.062 Allowable discharges.

13.06.064 Prohibition of illicit connections.

13.06.066 Requirement of source control best management
practices.

13.06.068 Maintenance requirements.

13.06.070 Disposal of waste from maintenance activities.

13.06.080 Compliance required.

13.06.090 Inspection requirements.

13.06.100 Inspection and abatement authority.

13.06.110 Inspection procedures - private stormwater facilities.

13.06.115 Stormwater system access procedures - public stormwater facilities.

13.06.120 Adjustment of utility fees.

13.06.130 Inspection and maintenance schedule.

13.06.140 Inspection and maintenance records.

13.06.150 Enforcement authority.

13.06.160 Enforcement policy.

13.06.170 Orders.

13.06.171 Engineer's rules.

13.06.172 Violator liable for expenses.

13.06.180 Penalty for violations.

13.06.190 Penalties due.

13.06.200 Repealed.

13.06.210 Abrogation and restrictions.

13.06.220 Interpretation.

13.06.230 Conflicts.

13.06.240 State statutes and regulations adopted by reference.

~~[13.06.010 FINDINGS.]~~

~~THE REDMOND CITY COUNCIL HEREBY FINDS THAT:~~

~~A. STORM WATER DRAINAGE SYSTEMS ARE A COMMON FEATURE OF URBAN DEVELOPMENT.~~

~~B. STORM WATER DRAINAGE SYSTEMS MUST BE REGULARLY INSPECTED, MAINTAINED, AND REPAIRED AS NECESSARY IN ORDER TO FUNCTION AND PERFORM AS DESIGNED AND TO REDUCE OR REMOVE POLLUTION AND/OR TO REDUCE FLOODING.~~

~~C. IF NOT ADEQUATELY MAINTAINED, STORM WATER DRAINAGE SYSTEMS CAN BECOME LESS EFFECTIVE IN PREVENTING POLLUTANTS FROM ENTERING SURFACE WATERS AND GROUNDWATER.~~

~~D. IF NOT ADEQUATELY MANAGED, STORM WATER DRAINAGE SYSTEMS CAN CAUSE CONSIDERABLE DAMAGE TO PUBLIC AND~~

~~PRIVATE PROPERTY AND NATURAL HABITAT, AS WELL AS CREATING A HEALTH AND SAFETY RISK FOR THE PUBLIC AND WILDLIFE.~~

~~E. STORM WATER CAN POTENTIALLY TRANSPORT A SIGNIFICANT AMOUNT OF POLLUTION TO SURFACE WATER BODIES. STORM WATER NEEDS TO BE ADEQUATELY MANAGED TO PROTECT REDMOND'S NATURAL HABITATS AND WILDLIFE AND REDUCE THE IMPACTS OF URBANIZATION ON NATURAL SYSTEMS.~~

~~13.06.020 STATEMENT OF NEED.~~

~~THE REDMOND CITY COUNCIL FINDS THAT THIS CHAPTER IS NECESSARY IN ORDER TO:~~

~~A. ENSURE PROPER MAINTENANCE OF ALL STORM WATER FACILITIES WITHIN REDMOND BY SETTING MINIMUM OPERATING STANDARDS FOR INSPECTION, MAINTENANCE, AND REPAIR OF STORM WATER FACILITIES.~~

~~B. COMPLY WITH WASHINGTON DEPARTMENT OF ECOLOGY (ECOLOGY) REGULATIONS AND REQUIREMENTS FOR LOCAL GOVERNMENTS, INCLUDING REQUIREMENTS OF THE WESTERN WASHINGTON NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PHASE II MUNICIPAL STORM WATER PERMIT (NPDES PHASE II PERMIT).~~

~~C. PREVENT CONTAMINATION AND/OR DEGRADATION OF SURFACE WATERS, GROUNDWATER, AND/OR WILDLIFE HABITATS WITHIN THE CONTIGUOUS CITY LIMITS.]~~

13.06.030 Purpose.

The provisions of this chapter are intended to:

A. Provide standards and procedures for inspection, maintenance and repair of [~~STORM WATER~~] **stormwater** facilities in Redmond to help contribute to an effective, functional [~~STORM WATER DRAINAGE~~] **stormwater** system.

B. Authorize the Redmond [~~STORM WATER UTILITY~~] **Public Works Department** to require that [~~STORM WATER DRAINAGE~~] **stormwater** systems be managed, inspected, maintained, and repaired in conformance with this chapter.

C. Establish the minimum level of compliance which must be met.

D. Guide and advise all who conduct inspection, maintenance, and repair of [~~STORM WATER~~] **stormwater** facilities.

E. Prevent pollutants from leaking, spilling, draining or being dumped into any public or private [~~STORM WATER DRAINAGE~~] **stormwater** system, into groundwater, or directly into surface water bodies.

F. Comply with Washington Department of Ecology regulations and requirements for local governments, including requirements under the National Pollutant Discharge Elimination System (NPDES) permits.

13.06.040 Definitions.

For the purpose of this chapter, the following definitions shall apply:

"AKART" means all known, available and reasonable methods of prevention, control, and treatment. Terminology from Washington State Pollution Control Act, RCW 90.48.010 and 90.48.520.

"City Engineer" means the City Engineer or their representatives pursuant to RMC 2.64.030.

"Director" means the [~~DIRECTOR OF~~] Public Works Director or their representatives pursuant to RMC 1.01.025 [~~AND/OR HIS OR HER DESICNEES~~].

"Downspout" means the leader or pipe aboveground which is installed to conduct water from the roof gutter.

"Drain" means any pipe or conduit carrying surface or stormwater flow.

"Groundwater" means water in a saturated zone or stratum beneath the surface of the land or below a surface water body.

~~["HAZARDOUS MATERIALS" MEANS ANY MATERIAL, INCLUDING ANY SUBSTANCE, WASTE, OR COMBINATION THEREOF, WHICH BECAUSE OF ITS QUANTITY, CONCENTRATION, OR PHYSICAL, CHEMICAL, OR INFECTIOUS CHARACTERISTICS MAY CAUSE, OR SIGNIFICANTLY CONTRIBUTE TO, A SUBSTANTIAL PRESENT OR POTENTIAL HAZARD TO HUMAN HEALTH, SAFETY, PROPERTY OR THE ENVIRONMENT WHEN IMPROPERLY TREATED, STORED, TRANSPORTED, DISPOSED OF, OR OTHERWISE MANAGED.]~~

"Hazardous materials" Any hazardous waste, hazardous substance, dangerous waste, or extremely hazardous waste that is a physical or health hazard as defined and classified in RCW Chapter 70.105 and WAC Chapter 173-303, whether the materials are in usable or waste condition. Hazardous materials shall also include petroleum or petroleum products that are in a liquid phase at ambient temperatures, including any waste oils or sludges.

"House drain" means the pipe(s) used to convey stormwater and footing drain effluent from the building to a point five feet outside the foundation wall, and if there is no foundation wall, to a point five feet beyond the outer line of any footings, pilings, building supports or porch under which the

pipe may run, regardless of the number of pipes extending from the building.

“Hyperchlorinated” means water that contains more than 10 mg/liter chlorine.

“Illicit connection” means any man-made conveyance that is connected to a [~~STORM WATER DRAINAGE~~] **stormwater** system that discharges [~~NON-STORM WATER~~] **non-stormwater**.

Examples include sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, hoses, above ground piping, or outlets that are connected directly to a [~~STORM WATER DRAINAGE~~] **stormwater** system.

“Illicit discharge” means any direct or indirect non-~~[STORM WATER]~~ **stormwater** discharge to any portion of any [~~STORM WATER DRAINAGE~~] **stormwater** system, groundwater, or surface water except as expressly allowed by this chapter.

“Minimum Maintenance Standards” means the maintenance, inspection and repair standards that are described in the **project’s Operation and Maintenance Manual as described in the** City of Redmond [~~STORM WATER~~] **Stormwater** Technical Notebook **and as described in the most recent Ecology Stormwater Management Manual of Western Washington.**

"National Pollutant Discharge Elimination System (NPDES) [~~STORM WATER~~] **Stormwater** Discharge Permit" means a permit issued by the Environmental Protection Agency (EPA) (or by the Washington Department of Ecology under authority delegated pursuant to 33 USC Section 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general areawide basis.

"Natural outlet" means any outlet into a watercourse, pool, ditch, lake, sound, or other body of fresh, surface or ground water.

"[~~NON-STORM WATER~~] **Non-stormwater** discharge" means any discharge to the [~~STORM WATER DRAINAGE~~] **stormwater** system that is not composed entirely of [~~STORM WATER~~] **stormwater**.

"Person" means any individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, agency of the State, local government unit, or other entity recognized by law and acting as either the owner of a premises or as the owner's agent.

"Pollutant" means anything which causes or contributes to pollution. Pollutants may include, but are not

limited to: paints, varnishes, and solvents; oil and other automotive fluids; nonhazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; [~~SEWAGE~~] **wastewater**, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; soaps and detergents labeled as non-toxic or environmentally friendly; and noxious or offensive matter of any kind.

"Premises" means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

"Source control best management practice" or "BMP" means activities, prohibitions or practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and structural or managerial practices to prevent or reduce the discharge of pollutants directly or indirectly to [~~STORM WATER~~] **stormwater**, surface water, or groundwater,

or ~~[STORM WATER DRAINAGE]~~ **stormwater** systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

"~~[STORM WATER]~~ **Stormwater**" means that portion of precipitation that does not naturally infiltrate, evaporate, or become transpired by vegetation, that becomes surface runoff, interflow, infiltrated by a constructed infiltration facility, or collected by the ~~[STORM WATER DRAINAGE]~~ **stormwater** system.

"Stormwater pipe" means a pipe that carries stormwater and surface waters and drainage, but excludes polluted industrial wastes.

"~~[STORM WATER DRAINAGE]~~ **Stormwater** system" means the system that collects, conveys, and stores surface water and ~~[STORM WATER]~~ **stormwater** runoff, both publicly or privately owned systems, including but not limited to any roads with drainage systems, gutters, curbs, inlets, ~~[STORM DRAINS,]~~ **stormwater** pipes, **catch basins**, ditches, pumping facilities, infiltration facilities, retention and detention facilities, water quality treatment facilities, **watercourses**, streams, swamps, closed

depressions, wetlands, Lake Sammamish, and other drainage structures and appurtenances, both natural and artificial.

~~["STORM WATER POLLUTION PREVENTION PLAN" MEANS A DOCUMENT WHICH DESCRIBES THE BEST MANAGEMENT PRACTICES AND ACTIVITIES TO BE IMPLEMENTED BY A PERSON TO IDENTIFY SOURCES OF POLLUTION OR CONTAMINATION AT A PREMISES AND THE ACTIONS TO ELIMINATE OR REDUCE POLLUTANT DISCHARGES TO STORM WATER, STORM WATER CONVEYANCE SYSTEMS, AND/OR RECEIVING WATERS TO THE MAXIMUM EXTENT PRACTICABLE.]~~

"Stormwater Pollution Prevention Plan, SWPPP)" means a written document (text and drawings) to implement best management practices to identify, prevent, and control the contamination of stormwater, stormwater conveyance system, and or receiving waters from construction sites to the maximum extent practicable.

"Stream" means those areas where surface waters produce a defined channel or bed. A defined channel or bed is an area which demonstrates clear evidence of the passage of water and includes, but is not limited to, bedrock channels, gravel beds, sand and silt beds, and defined-channel swales. The channel or bed need not contain water year-round. This includes watercourses where there is

some component of natural flow (groundwater, spring, etc.) or when an artificial stormwater system is incorporated within a natural stream. A watercourse also includes all surface water connected wetlands that provide or maintain habitat that supports fish. This definition is not meant to include artificially created irrigation ditches, canals, storm, or surface water runoff devices or other entirely artificial watercourses unless they are used by salmonid or created for the purposes of stream mitigation.

13.06.041 Owner to connect to stormwater system.

The owner of any lands or premises shall connect all buildings and/or stormwater system located thereon to the nearest accessible public stormwater system where a property boundary is within 200 feet of a public stormwater system. The City Engineer shall prescribe the manner in which such connections shall be made.

No drain or stormwater pipe shall be constructed to discharge upon the surface of any public area.

13.06.045 Connection required.

The Public Works Director is empowered to compel the owners of any lot or parcel of real property, upon which pools, ditches, watercourses, or pipes or drains used to

convey stormwater, surface water or groundwater which are used as a receptacle or for drainage purposes, the property boundary of which is located within two hundred (200) feet of a separate stormwater system, to cause to be connected a sufficient stormwater pipe to convey stormwater, surface water or groundwater to the stormwater system. Any person who fails to comply with the requirements of this section shall be guilty of a violation of this chapter and be subject to a civil infraction in an amount not to exceed \$1200.00 per violation.

If any connection is not made within 30 days after written notice to the owner of such lot or parcel of property, building or structure by the City, the Public Works Director is authorized to cause the connection to be made and to file a statement of the cost thereof with the City Clerk. Thereupon a warrant in the amount of such cost, payable to the City, shall be issued by the City Finance Director under the direction of the City Council and against the "City of Redmond Stormwater Revenue Fund." The amount of such warrant, plus interest at the rate of twelve percent per year upon the total amount of such cost and penalty, shall be assessed

against the property upon which the building or structure is situated, and shall become a lien thereon as herein provided. The total amount when collected shall be paid into the "City of Redmond Stormwater Revenue Fund." to cause to be connected to such stormwater system.

13.06.046 Permit required to install stormwater connection.

A. It is unlawful to make any connection with any public or private stormwater system, drain, or natural outlet without complying with all the provisions of this chapter in relation thereto and having a permit to do so from the City. (Ord.208 | 6,1957).

B. Application for the permit required by Section 13.06.041 of this chapter shall be filed with the City stating the name of the owner, the correct address and legal description of the property to be served, dimensions and location of any building on the property and the whole course of the stormwater pipe or drain from the public stormwater system or other outlet to its connection with the building or property to be served. The application shall be submitted to the City for approval, who may change or modify the same and designate

the manner and place in which the stormwater pipes or drains shall be connected with the public stormwater system, may also specify the material, size and grade of such stormwater pipe or drain, and shall approve the application if the same is acceptable to the City Engineer. The City Engineer will require the permittee to furnish plans pertaining to the application and issuance of the permit.

C. Upon approval of the application and issuance of the permit, it is unlawful to alter or to do any other work than is provided for in the permit.

D. The City Engineer shall prepare and keep electronic record drawings of stormwater connections showing the information obtained during inspection and survey of completed work done under the permit.

E. It is unlawful to break ground for the purpose of making a connection with a public or private stormwater system without a permit. Any non-permitted connection to a public or private stormwater system shall be reported immediately to the City Engineer.

F. It is unlawful to construct, extend, relay, repair or to make connection to any stormwater system inside the property line without obtaining a permit from the

City Engineer as provided in Section 13.06.041. The City Engineer may issue the permit to the owner of any property to construct, extend, relay, repair or make connection to any private stormwater system inside the property lines; provided, the owner shall comply with the applicable provisions of this chapter.

G. It is unlawful to leave unguarded any excavation made in connection with the construction or repair of any private stormwater pipe or 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 stormwater pipe or drain.

H. When a permit has been issued for a drain or stormwater system, no work other than that covered by the permit shall be done without the approval of the City Engineer. Work done without approval may require a new permit, as determined by the City Engineer.

I. No permit issued under this chapter shall be valid for a longer period than ninety days unless extended or renewed by the City Engineer upon application prior to the expiration. Failure to renew the permit prior to

expiration thereof shall require the payment of a new permit fee.

J. The City Engineer may, upon application containing such information as is required by the City, issue a permit for a temporary connection to a public stormwater system or natural outlet. The permit may be revoked by the City Engineer at any time upon thirty days' notice posted upon the premises and directed to the owner of the premises. In event the stormwater pipe or drains are not disconnected at the expiration of the thirty days, the City Engineer may disconnect the same and charge the cost thereof to the owner. Such costs shall be immediately payable to the Finance Director following a written notice of the amount thereof given to such owner or posted on the premises. A temporary permit shall be issued only upon the applicant recording with the King County Recorder's Office an acceptable instrument agreeing to save the City harmless from all damage resulting to the City by reason of such temporary connection or disconnection, and exhibiting to the City Engineer the recording number thereof.

13.06.047 Construction inspection procedure.

A. Any person performing work under a permit issued 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 call for inspection twenty-four hours' notice plus Saturday, Sunday, and holidays may be required by the City Engineer.

C. If the City Engineer finds the work or material used is not in accordance with City code, the person doing the work and the owner of the premises shall be notified by a written correction notice posted electronically on the permit and a copy emailed to the owner. The 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. No trench shall be filled nor any stormwater pipe or drain covered until the work shall have been inspected and approved by the City Engineer.

13.06.048 Noncompliance with standards - Notice.

A. If any work done under a permit granted is not done in accordance with the provisions of this chapter and

the City Standard Plans and Specifications as approved by the City Engineer, and if the contractor or person doing the work shall refuse to properly construct and complete such work, notice of such failure or refusal shall be given to the owner of the property for whom the work is being done. The City Engineer may cause the work to be completed and the stormwater system connected in the proper manner. The cost of such work and any materials necessary shall be charged to the owner or contractor and be payable by the owner or contractor immediately upon the City Engineer giving written notice of the amount thereof or posting a notice thereof on the premises.

B. When any stormwater pipe or drain is constructed, laid, connected or repaired, and does not comply with the provisions of this chapter, or where it is determined by the City Engineer that a stormwater pipe or drain is obstructed, broken, inadequate, is a danger to health, or is liable to cause damage to public or private property, the Public Works Director shall give notice to the owner of the property in which such condition exists. If the owner refuses to reconstruct, relay, reconnect, repair, or remove the obstruction of the stormwater pipe

or drain within the time specified in such notice, the Public Works Director may perform such work as may be necessary to comply with this chapter. The cost of such work so done shall be charged to the property owner and shall become immediately payable to the Finance Director upon written notice of the amount being given to the property owner or posted upon the premises.

C. The City Engineer shall require the owner of a broken stormwater pipe or drain to repair the stormwater pipe or drain. The owner of the stormwater pipe or drain shall perform repairs within the amount of time dictated by the City. All costs and expense incidental to the installation, connection and maintenance of a stormwater pipe or drain shall be borne by the owner of the premises served by the stormwater pipe or drain.

13.06.049 Stormwater system - Construction standards.

A. Downspouts and footing drains shall be connected to the stormwater system in a manner approved by the City Engineer; but connection of any downspout or footing drain to a sanitary sewer is hereby prohibited and is unlawful. Standards for connections are included in the currently adopted Stormwater Technical Notebook and are adopted by reference.

B. Before any stormwater pipe may be located on any building site other than that owned by the owner of the stormwater pipe, the owner of the stormwater pipe shall secure from the owner of the building site a written easement 10' minimum in width, duly acknowledged covering and granting the right to occupy such property for such purpose. The written easement shall, by the owner of the stormwater pipe, be recorded in the office of the King County Recorder's Office.

C. Before the City Engineer shall issue a permit authorizing the laying of a stormwater pipe on any building site other than the one served by it, the owner of the stormwater pipe shall secure from the building site owner and record with the King County Recorder's Office the stormwater easement herein referred to and shall exhibit to the City the recording number thereof.

D. It is unlawful to plant within thirty feet of any public or private stormwater pipe any willow, poplar, cottonwood, soft maple, gum tree, or any other tree or shrub whose roots are likely to enter and obstruct the flow of said stormwater pipe. No trees (any species) shall be planted within any stormwater easement. All other trees shall be a minimum of 8 feet horizontal

distance from water or sewer stormwater pipe outside of easements or within city right of way.

E. The City Engineer is authorized to remove any trees or shrubs from any right-of-way or easement or the roots of any trees or shrubs which extend into any right-of-way or easement when such trees, shrubs or the roots thereof are obstructing or are liable to obstruct any public or private stormwater pipe or drain. Before making any such removal, the City Engineer shall give ten days' notice in writing to the owner of the abutting property or the property on which such trees or shrubs are growing, requiring the owner to remove the same. If the written notice cannot be given to the owner, the notice may be posted on the premises or in the street at the location of the trees or shrubs requiring such removal. If the owner fails or refuses to remove such trees or shrubs and roots within the time specified, the Public Works Director is authorized to do so, and the cost thereof shall be charged to the owner. This work is done under the purview of maintenance to maintain operational functionality and does not require a City permit. Upon giving such written notice of the amount thereof to the owner or by posting such notice at the

location of the trees or shrubs, the cost thereof shall be immediately payable to the City Finance Director by such owner.

F. Any excavation made by any licensed contractor in any public place or immediately adjacent thereto shall be protected and guarded by fencing or covering and by proper lights. The protection of the public from the danger of such excavation shall be the responsibility of the contractor. The contractor shall be bonded for any damage caused by their failure to properly protect and guard such excavation as herein required. If the contractor fails to properly protect and guard such excavation as herein required, the City Engineer may properly protect and guard such excavation and charge the cost thereof to the contractor, who shall, upon receiving written notice of the amount of such charge or by the posting of a notice of the amount of such charge at the location of the excavation, immediately pay the same to the City.

G. All streets, sidewalks, parking strips and other public areas disturbed or altered in the course of any stormwater system work, shall be restored by the licensed stormwater contractor to the original surface

type as approved by the City Engineer. In the event of the failure of the contractor to so restore the area, the City Engineer may make such restoration and charge the cost thereof to the stormwater contractor who shall, upon receiving written notice of the amount thereof, upon posting of such notice on the area make immediate payment thereof to the City.

13.06.050.

13.06.051 Damaging public property prohibited.

It is unlawful to break, damage, destroy, deface, alter, or tamper with any structure, appurtenance, or equipment which is part of the City stormwater system, or, without authority from the City Engineer to break, damage, destroy or deface any public walk, retaining wall, curb, or pavement, or to make openings or excavations in a public area for the purpose of connecting to any public or private stormwater system.

13.06.054 Prohibited discharges.

A. [~~NONSTORM WATER~~] Non-stormwater runoff discharges to the [~~STORM WATER DRAINAGE~~] stormwater system, surface water bodies, or groundwater are prohibited, unless such discharges are authorized in accordance with

Chapter 173-216 WAC (State Waste Discharge Permit Program) or Chapter 173-220 WAC (National Pollutant Discharge Elimination System Permit Program).

B. No person shall throw, drain, or otherwise discharge, cause or allow others under its control to throw, drain, or otherwise discharge pollutants into a [~~STORM WATER DRAINAGE~~] **stormwater** system, surface water bodies or groundwater. If a pollutant discharge is identified it shall cease immediately and be reported to the [~~STORM WATER~~] **stormwater** utility immediately. Failure to report any discharge within 24 hours is a violation of this chapter.

Examples of prohibited pollutants include, but are not limited to:

1. Trash or debris, including leachate from dumpsters and trash compactors.
2. Construction materials, including soil.
3. Petroleum products including but not limited to oil, gasoline, grease, fuel oil, heating oil, electrical transformer fluid.
4. Antifreeze and other automotive products.
5. Metals in particulate or dissolved form.
6. Flammable or explosive materials.

7. Radioactive materials.
8. Batteries.
9. Acids, alkalis, or bases.
10. Paints, stains, resins, lacquers, or varnishes.
11. Degreasers and/or solvents.
12. Drain cleaners.
13. Pesticides, herbicides, or fertilizers.
14. Steam cleaning wastes.
15. Soaps, detergents, ammonia.
16. Swimming pool or spa filter water not properly dechlorinated or backwash.
17. Chlorine, bromine, and other disinfectants.
18. Heated water.
19. Domestic animal waste.
20. [SEWAGE] Wastewater.
21. Recreational vehicle waste.
22. Animal carcasses.
23. Food waste, including used cooking oil.
24. Bark, lawn clippings, leaves, and branches.
25. Silt, turbid runoff, concrete, concrete wash water, cement, or gravel.
26. Dyes, excluding municipal operations dye testing.

27. Chemicals and substances not normally found in uncontaminated water.

28. Saltwater pool and saltwater spa water.

[28.] **29.** Any other process-associated discharge except as otherwise allowed in this chapter, including car washing effluent.

C. Hazardous materials, as defined in this chapter, shall not be allowed to enter any [~~STORM WATER DRAINAGE~~] **stormwater** system, infiltrate into the ground, or enter any surface water body within the [~~CONTIGUOUS~~] city limits **or city-owned property**. All such substances shall be stored, handled and disposed in a manner that will prevent them from entering the [~~STORM WATER DRAINAGE~~] **stormwater** system, groundwater, or surface water bodies. Storage, handling and disposal shall be conducted in accordance with Chapters 173-304 and 173-303 WAC. Appropriate quantities of spill equipment shall be kept on site, and spill response training documented, for any site within the City that uses, stores, or otherwise handles hazardous materials on a commercial basis.

13.06.058 Conditional discharges.

A. The following types of discharges shall not be considered illicit discharges for the purpose of this

chapter if they meet the stated conditions, or unless the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] determines that the type of discharge, whether singly or in combination with others, is causing or is likely to cause pollution of surface water or groundwater:

1. Potable water, including water from water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be de-chlorinated to a concentration of 0.1 mg/L (ppm) or less, pH adjusted, if necessary and in volumes and velocities controlled to prevent re-suspension of sediments in the [~~STORM WATER~~] **stormwater** system. Lawn watering and other irrigation runoff are permitted but shall be minimized.

2. *De-chlorinated Swimming Pool, Spa and Hot Tub Discharges.* These discharges are allowed only if no other option, such as discharging to a sanitary sewer, is available. These discharges shall be de-chlorinated **and debrominated** to a total residual [~~CHLORINE~~] concentration of 0.1 mg/L (ppm) or less, **free from sodium chloride**, pH adjusted, and [~~REOXYGENIZED~~] **reoxygenated** if necessary and in volumes and velocities controlled to prevent re-suspension of sediments in the [~~STORM WATER~~]

stormwater system. Discharges shall be thermally controlled to prevent an increase in temperature of the receiving water. [~~SWIMMING POOL CLEANING WASTEWATER AND FILTER BACKWASH SHALL NOT BE DISCHARGED TO THE STORM WATER SYSTEM.~~]

3. Street and sidewalk wash [~~WATER,~~] water and water used to control dust [~~, AND ROUTINE EXTERNAL BUILDING WASH DOWN THAT DOES NOT USE DETERGENTS OR CHEMICALS OF ANY KIND~~]. Wash water is required to be kept at a minimum. Wash water containing any materials identified

13.06.0540 Prohibited Discharges shall not be allowed to enter the stormwater system. [~~PRESSURE WASHING THAT RESULTS IN PAINT OR OTHER BUILDING MATERIALS IN WASH WATER IS PROHIBITED FROM ENTERING THE STORM WATER DRAINAGE SYSTEM. STREET FLUSHING AT CONSTRUCTION SITES IS PROHIBITED IN REDMOND.~~]

4. Routine external building washdown for structures built or renovated before 1950 and after 1980. Wash water is required to be kept to a minimum. Commercial, industrial, and multi-story residential structures constructed or renovated between 1950 and 1980 shall be assessed for PCB-containing building materials using Department of Ecology Publication No. 22-04-024 (or as

updated) prior to building washdown and discharge to the storm system or surface waters or groundwater. Structures confirmed or suspected to have PCB-containing materials shall not discharge wash water to the stormwater system or surface waters or groundwater.

[4-] 5. *Fire Sprinkler System Flushing.* These discharges are allowed only if no other option, such as discharging to a sanitary sewer, is available. Sprinkler system flushing water with any chemicals added is prohibited in the [~~STORM WATER DRAINAGE~~] stormwater drainage system. Sprinkler system flushing water discharges shall be dechlorinated to a concentration of 0.1 mg/L (ppm) or less, pH adjusted, if necessary and discharged at a rate not to exceed 500 gallons per minute (gpm), or less, as needed [~~IN VOLUMES AND VELOCITIES CONTROLLED~~] to prevent re-suspension of sediments in the [~~STORM WATER~~] stormwater system.

[5-] 6. [~~NON-STORM WATER~~] Non-stormwater discharges [~~COVERED~~] authorized by an individual or general NPDES permit or State Waste Discharge permit; provided, that the discharge is in full compliance with all

requirements of the permit, waiver, or order and other applicable laws and regulations.

[6.] 7. *Other* [~~NON-STORM-WATER~~] Non-stormwater *Discharges*. The discharges shall be in compliance with requirements of a [~~STORM-WATER~~] stormwater pollution prevention plan (SWPPP) reviewed and approved by the City of Redmond, which addresses control of such discharges by applying all known and reasonable technologies (AKART) to prevent contaminants from entering surface water and groundwater.

13.06.060.

13.06.062 Allowable discharges.

A. The following types of discharges shall not be considered illicit discharges for the purposes of this chapter unless the Public Works Director [~~DIRECTOR AND/OR HIS OR HER DESIGNEE~~] determines that the type of discharge, whether singly or in combination with others, is causing or is likely to cause pollution of surface water or groundwater:

1. Diverted stream flows.
2. Rising groundwater.

3. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20).
4. Uncontaminated pumped groundwater.
5. Foundation drains.
6. Air conditioning condensation.
7. Irrigation water from agricultural sources that is commingled with urban [~~STORM WATER~~] **stormwater**.
8. Springs.
9. [~~WATER~~] **Clear uncontaminated water** from crawl space pumps.
10. Footing drains.
11. Flows from riparian habitats and wetlands.
12. [~~DISCHARGES~~] **Non-stormwater discharges** from emergency firefighting activities.

13.06.064 Prohibition of illicit connections.

A. The construction, use, maintenance, or continued existence of illicit connections to the [~~STORM WATER DRAINAGE~~] **stormwater** drainage system is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection. Illicit connections shall be corrected

immediately upon discovery. Once an illicit connection is identified, the person responsible for the connection shall immediately cease to discharge waste through the connection.

B. A person is considered to be in violation of this chapter if the person connects a line, inclusive of temporary connections, conveying [~~WASTE—WATER~~] **wastewater** to the [~~STORM—WATER—DRAINAGE~~] **stormwater** system, or allows such connection to continue with knowledge of such connection.

13.06.066 Requirement of source control best management practices.

A. Any person causing or allowing discharge to a [~~STORM WATER—DRAINAGE~~] **stormwater** system, surface waters or groundwater shall limit pollutants in the discharge by implementing source control best management practices (BMPs). "Applicable" source control BMPs in Volume IV of the current [~~STORM—WATER~~] **Stormwater** Management Manual for Western Washington shall be used to reduce or eliminate the release of pollution citywide.

B. "Recommended" source control BMPs in Volume IV of the current [~~STORM—WATER~~] **Stormwater** Management Manual for Western Washington shall be used to reduce or eliminate

the release of pollution citywide if “applicable” source control BMPs do not prevent pollution. “Recommended” source control BMPs are identified by land use and specific business types. The City may require additional “recommended” source control BMPs and/or treatment BMPs or facilities if such BMPs or facilities are deemed necessary by the Public Works Director [~~AND/OR HIS OR HER DESIGNEE~~] to eliminate an ongoing release of pollution.

13.06.068 Maintenance requirements.

A. All [~~STORM WATER DRAINAGE~~] stormwater systems in the City of Redmond shall be maintained according to this chapter and the stormwater system’s Operation and Maintenance Manual, as defined by [~~MINIMUM MAINTENANCE STANDARDS DETAILED IN~~] the City of Redmond [~~STORM WATER~~] Stormwater Technical Notebook or another maintenance standard approved by the City.

B. *Repealed by Ord. 2859.*

C. All [~~STORM WATER DRAINAGE~~] private stormwater systems installed after 2020 that provide either water quality or flow control and all public stormwater systems shall be inspected by the City on a periodic basis, as described in RMC 13.06.130 (Inspection and Maintenance

Schedule). If, during an inspection, a facility is found not to be in compliance with the minimum maintenance standards, inspection may be scheduled more frequently in order to assure the [~~STORM WATER DRAINAGE~~] **stormwater** system functions as designed.

D. Where abatement and/or repair is found necessary to correct health or safety problems, to control pollutants from entering the [~~STORM WATER DRAINAGE~~] **stormwater** system, **to correct and/or repair any private stormwater systems** to prevent surface water or groundwater quality degradation, or to remove pollutants that have entered the [~~STORM WATER DRAINAGE~~] **stormwater** system, such work shall be completed immediately by the owner or operator of the [~~STORM WATER DRAINAGE~~] **stormwater** system.

E. Where maintenance and/or repair is found necessary during inspection, and the maintenance is not of emergency nature as detailed in subsection D of this section, maintenance shall be performed in accordance with the maintenance schedule established by the NPDES Western Washington Phase II Municipal [~~STORM WATER~~] **Stormwater** Permit.

13.06.070 Disposal of waste from maintenance activities.

A. Disposal of waste from maintenance activities shall be conducted in accordance with the current National Pollution Discharge Elimination System (NPDES) Western Washington Phase II Municipal [~~STORM WATER~~] **Stormwater** Permit.

B. *Repealed by Ord. 2859.*

C. [~~DISPOSAL OF SOLIDS~~] **Solids** collected or generated from maintenance activities required by the City of Redmond shall be **disposed in compliance with WAC 173-303, at a qualified solid waste disposal facility. Receipt of disposal documentation shall be** [~~DOCUMENTED AND~~] provided to the [~~STORM WATER~~] **Stormwater** Utility after maintenance occurs.

D. [~~WATER~~] **Maintenance process water** collected and used in catch basin, runoff treatment facility and pipe maintenance activities shall be **disposed at a qualified decant facility. Receipt of disposal documentation shall be provided to the Stormwater Utility after disposal occurs.** [~~DISPOSED OF PROPERLY. IN ORDER OF PREFERENCE, THE FOLLOWING DISPOSAL METHODS SHALL BE USED:~~

~~1. DISCHARGE LIQUID TO A WASTEWATER SEWER IN A LOCATION PERMITTED BY THE CITY OF REDMOND OR PERMITTED BY ANOTHER~~

~~LOCAL GOVERNMENT WITH WASTEWATER SEWER JURISDICTION
OUTSIDE THE CITY.~~

~~2. DISCHARGE OF CATCH BASIN AND PIPE MAINTENANCE LIQUIDS
MAY BE ALLOWED INTO A BASIC OR ENHANCED RUNOFF TREATMENT
FACILITY WITH APPROVAL FROM THE CITY OF REDMOND.]~~

D. [~~3. CLEAR LIQUID~~] **Uncontaminated stormwater** removed from [~~STORM WATER~~] **stormwater** ponds, vaults or [~~OVERSIZED~~] catch basins **prior to sediment removal or repair** can be returned to the [~~STORM WATER~~] **stormwater** system with approval [~~FROM~~] **of** the City. [~~LIQUID~~] **Uncontaminated stormwater** allowed to be [~~DISPOSED~~] **discharge** back into the [~~STORM WATER~~] **stormwater** system shall not exceed a turbidity of [~~50~~] **25** NTU.

13.06.080 Compliance required.

Property owners are responsible for the maintenance, operation and repair of [~~STORM WATER DRAINAGE~~] **stormwater** systems and source control BMPs within their property. Property owners shall maintain, operate and repair [~~STORM WATER DRAINAGE~~] **stormwater** systems and source controls in compliance with the requirements of this chapter and the City of Redmond [~~STORM WATER~~] **Stormwater** Technical Notebook.

13.06.090 Inspection requirements.

The **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] is authorized to develop inspection procedures and maintenance requirements for all [~~STORM WATER DRAINAGE~~] **stormwater** systems in the City of Redmond [~~WHICH~~] **that** do not have [A] **an operation and** maintenance manual developed by the [~~STORM WATER DRAINAGE~~] **stormwater** system design engineer.

13.06.100 Inspection and abatement authority.

Whenever implementing the provisions of this chapter or whenever there is cause to believe that a violation of this chapter has been or is being committed, the **Public Works** director [~~AND/OR HIS OR HER DESIGNEE~~] is authorized to **enter, inspect, and abate** during regular working hours and at other reasonable times all [~~STORM WATER DRAINAGE~~] **stormwater** systems within Redmond to determine **and assure** compliance with the provisions of this chapter.

13.06.110 Inspection procedures - Private stormwater facilities.

A. Prior to making any inspections on private property, the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] shall present identification credentials, state the reason for the inspection and request entry.

B. If the property or any building or structure on the property is unoccupied, the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] shall first make a reasonable effort to locate the owner or other person(s) having charge or control of the property or portions of the property and request entry.

C. If after reasonable effort the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] is unable to locate the owner or other person(s) having charge or control of the property, and has reason to believe the condition of the [~~STORM WATER DRAINAGE~~] **stormwater** system creates an imminent hazard to persons, **environment**, or property, the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] may enter.

D. Unless entry is consented to by the owner or person(s) in control of the property or portion of the property or unless **emergency** conditions are reasonably believed to exist which create imminent hazard, the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] shall obtain [~~A SEARCH~~] **an administrative** warrant, prior to entry, as authorized by the laws of the State of Washington **and RMC 1.14.190, directing the Public Works Director as defined in this code, or a person authorized by the**

Public Works Director, to execute it. An emergency condition shall be considered those that include impacts to public health, welfare, and safety which would become worse if not addressed immediately.

E. The Public Works Director [~~AND/OR HIS OR HER DESIGNEE~~] may inspect the [~~STORM WATER~~] stormwater system without obtaining [~~A SEARCH~~] an administrative warrant provided for in subsection D of this section, provided the inspection can be conducted while remaining on public property or other property on which permission to enter is obtained.

F. The City of Redmond shall investigate illicit discharges in an effort to identify the source. If such discharges are tracked to a specific connection to the public [~~STORM WATER DRAINAGE~~] stormwater system, or directly to surface water or groundwater, inspection and investigation of that site will be initiated in compliance with the inspection procedures defined in this section. If the discharge is an imminent threat to public safety or the environment, emergency action shall be taken in accordance with this section.

G. The Washington State Department of Ecology and "its duly appointed agent" shall have the right to enter at

all reasonable times in or upon any property, public or private, for the purpose of inspecting and investigating conditions relating to the pollution of or the possible pollution of any of the waters of this state pursuant to RCW 90.48.090.

13.06.115 Stormwater system access procedures - Public stormwater facilities.

The Public Works Director, City Engineer or other city officials or employees, bearing proper credentials and identification, shall be permitted to enter upon any and all premises at all reasonable times for the purpose of inspection, observation, maintenance, measurement, sampling and testing of public stormwater systems in accordance with the provisions of this chapter. It is unlawful for any person to prevent or attempt to prevent any such entrance or obstruct or interfere with any such officer or employee while so engaged.

13.06.120 Adjustment of utility fees.

In the event any person, whose property has previously been provided utility fee credits for on-site water quantity/quality control, refuses to allow the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEES~~] to inspect said facility or commits a violation of this code, the

Public Works Director [~~AND/OR HIS OR HER DESIGNEE~~] shall cancel the water quality/quantity credits for the said property and adjust the billing rate for the said property accordingly. Whenever the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] shall make such an adjustment, a notice of adjustment shall be mailed to the owner of said property by certified mail or in person. The notice shall be deemed received when signed for by the owner or, if the owner fails or refuses to sign for the notice within the time provided by the postal service, within three days of mailing or delivery in person. The owner may request the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] to reconsider the notice and order by filing a request for such reconsideration within 10 days of receipt of the notice. The **Public Works** Director's [~~AND/OR HIS OR HER DESIGNEE'S~~] decision on any such reconsideration shall be final.

13.06.130 Inspection and maintenance schedule.

The **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] shall establish inspection and maintenance scheduling and standards for all publicly and privately owned [~~STORM WATER~~] **stormwater** facilities. At a minimum, the

base frequency for inspection and maintenance shall be in accordance with the National Pollution Discharge Elimination System (NPDES) Western Washington Phase II Municipal [~~STORM WATER~~] **Stormwater** Permit currently in effect. Adjustment to the maintenance and inspection frequency may be authorized when found appropriate by the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~].

13.06.140 Inspection and maintenance records.

Private [~~STORM WATER DRAINAGE~~] **stormwater** system owners shall keep a maintenance log and **operation and maintenance manual** on-site or within reasonable access to the site. [~~MAINTENANCE MANUALS~~] **Operation and maintenance manuals**, as defined by the City of Redmond [~~STORM WATER~~] **Stormwater** Technical Notebook, shall be transferred with ownership of the property, clearly indicating the party responsible for maintenance, and include a log of maintenance activities. Maintenance logs, and any record drawing or drainage system plan, shall be provided to the [~~DIRECTOR~~] **Public Works Director** [~~AND/OR HIS OR HER DESIGNEE~~] upon request.

13.06.150 Enforcement authority.

The **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] shall administer and enforce this chapter and shall have

the authority to adopt and implement administrative procedures for such enforcement.

13.06.160.

13.06.170 Orders.

The Public Works Director [~~AND/OR HIS OR HER DESICNEE~~] shall have the authority to issue to an owner or person(s) representing an owner an order to maintain or repair a component of a [~~STORM WATER DRAINAGE~~] stormwater system, operational source control BMP, or structural source control BMP, to bring the [~~STORM WATER DRAINAGE~~] stormwater system in compliance with this chapter. The order shall include all requirements detailed in RMC 1.14.100.

13.06.171 Engineer's rules.

The City Engineer may make rules and regulations and amend the same from time to time, not inconsistent with the provisions of this ordinance, as deemed necessary and convenient to carry out the provisions of this chapter.

13.06.172 Violator liable for expenses.

Whoever violates any of the provisions of this chapter shall, in addition to any penalties provided for such

violation, be liable for any expense, loss or damage occasioned thereby to the City.

13.06.180 Penalty for violations.

A. *Persons Subject to Penalty.* Any person who violates or fails to comply with the requirements of this chapter or who fails to conform with the terms of an approval or order issued by [~~THE MAYOR,~~] the **Public Works** Director[~~AND/OR HIS OR HER DESIGNEE,~~] shall be subject to a civil penalty as provided in RMC Chapter 1.14. Each day of continued violation shall constitute a separate violation for purposes of this penalty.

B. *Aiding or Abetting.* Any person who, through an act of commission or omission, aids or abets in the violation shall be considered to have committed a violation for the purposes of civil penalty.

C. *Procedure for Imposing Penalty.* **The Public Works Director may, at their discretion, impose a penalty.** The procedure for notice of violation and imposition of penalties under this chapter shall be the same as for other code violations as described in RMC Chapter 1.14[~~PROVIDED, THAT SUCH PROCEDURES MAY BE INITIATED BY EITHER THE DIRECTOR AND/OR HIS OR HER DESIGNEE~~].

~~[D. COMMUNITY SERVICE ALTERNATIVE. THE DIRECTOR AND/OR HIS OR HER DESIGNEE MAY, AT HIS/HER DISCRETION, PROVIDE THE OPTION FOR PAYMENT OF ALL OR PART OF ANY PENALTIES INCURRED BY ANY PERSON(S) TO BE MADE IN THE FORM OF COMMUNITY SERVICE THAT WILL BE OF BENEFIT TO THE ENVIRONMENT AND THE CITY. IF A PERSON DECIDES TO AVAIL THEMSELVES OF THIS OPTION WHEN OFFERED BY THE DIRECTOR AND/OR HIS OR HER DESIGNEE, THE DIRECTOR AND/OR HIS OR HER DESIGNEE AND THE PERSON SHALL ENTER INTO A FORMAL, WRITTEN AGREEMENT PROVIDING FOR THE COMMUNITY SERVICE. THIS AGREEMENT SHALL INCLUDE IN DETAIL THE DESCRIPTION OF THE SERVICE(S) TO BE RENDERED BY THE PERSON(S) IN PENALTY FOR NONCOMPLIANCE OF THIS CHAPTER. THE DESCRIPTION SHALL INCLUDE THE HOURS OF SERVICE NEEDED TO OFFSET THE ABOVE-MENTIONED PENALTIES BASED ON A MUTUALLY AGREED UPON HOURLY RATE FOR SERVICE.]~~

D. ~~[E.]~~ *Re-Inspection Fees.* In addition to the penalties to be imposed by the Code Compliance Hearing Examiner, the **Public Works** Director ~~[AND/OR HIS OR HER DESIGNEE]~~ may impose a re-inspection fee for any account or storm drainage facility found not to be within compliance of this chapter. This inspection fee shall be independent of any current or future penalties that may be incurred

by the property owner for noncompliance of this chapter. Re-inspection fees shall be applied if re-inspection occurs beyond the normal routine of inspection and verification of maintenance or correction of [~~NON-STORM WATER~~] **non-stormwater** discharges to the [~~STORM WATER DRAINAGE~~] **stormwater** system, surface water bodies, or groundwater.

E. [~~F.~~] *Business License Revocation.* In addition to any other penalty imposed, the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] may seek revocation of any business license held by the person violating this chapter. The **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] may request that the City Clerk revoke a person's business license for any of the following reasons: (1) noncompliance with this chapter; (2) not allowing for inspection of their [~~STORM WATER~~] **stormwater** facility; and (3) nonpayment of any fines or inspection fees incurred by the owner of the utility account. The procedures for revocation shall be those described in RMC Chapter 5.04.

F. [~~G.~~] *Require Source Control Best Management Practices (BMPs) or Treatment BMPs.* The [~~CITY OF REDMOND~~] **city** may require implementation of additional source control or

treatment BMPs/facilities to reduce or eliminate pollutants and [~~NON-STORM WATER~~] non-stormwater discharges.

G. [~~H.~~] *Reimbursement for Abatement.* If the [~~CITY OF REDMOND UTILIZES STORM WATER~~] city uses Stormwater Utility funds, equipment, or staff to correct a [~~NON-STORM WATER~~] non-stormwater discharge, abate pollution from the [~~STORM WATER DRAINAGE~~] stormwater system, or remove/disconnect an illicit connection, or correct/repair any private stormwater system the [~~STORM WATER~~] Stormwater Utility will charge the responsible person for those expenses, and overhead costs, incurred. These costs shall be charged to the property owner and shall become immediately payable to the Finance Director upon written notice of the total amount due to the property owner or posted upon the premises.

13.06.190.

13.06.200.

13.06.210.

13.06.220 Interpretation.

The **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~] shall be responsible for interpreting the provisions of this chapter. The provisions of this chapter shall be held to be minimum requirements in their interpretation and application.

13.06.230 Conflicts.

When any provision of any other chapter of the Redmond Municipal Code or the Redmond Zoning Code conflicts with this chapter, that which provides greater public health and environmental protection, as determined by the **Public Works** Director [~~AND/OR HIS OR HER DESIGNEE~~], shall apply unless specifically provided otherwise in this chapter.

13.06.240 State statutes and regulations adopted by reference.

Requirements, approvals and permits pursuant to, and granted under, this subtitle are not waivers of the requirements of any other laws, nor do they indicate compliance with any other laws. Compliance is still required with all applicable federal, state and local laws and regulations, including rules promulgated under authority of this subtitle. The following state statutes and administrative regulations are hereby adopted by

this reference, including any future amendments, additions thereto and repeals thereof, are adopted by reference and incorporated herein by this reference as if set forth in full, to the extent necessary to interpret and implement this chapter:

A.	RCWs	Title
	<u>43.20</u>	[DRINKING WATER] <u>State Board of Health</u>
	<u>70.95</u>	[DANGEROUS AND SOLID WASTE] <u>Solid Waste Management - Reduction and Recycling</u>
	<u>70.105</u>	[DANGEROUS WASTE, MTCA, SEDIMENT STANDARDS] <u>Hazardous Waste Management</u>
	<u>77.55</u>	<u>Construction Projects in State Waters</u>
	<u>90.48</u>	[GROUND WATER, SURFACE WATER, SEDIMENT] <u>Water Pollution Control</u>
	<u>90.54</u>	[GROUND WATER] <u>Water Resources Act of 1971</u>

90.70

[~~SEDIMENT~~] **Puget Sound**

Water Quality Authority

B.

WACs

Title

173-200

Water Quality Standards
for Ground Waters of the
State of Washington

[~~173-~~
~~201~~]

Water Quality Standards
for Surface Waters of
the State of Washington

173-
201A

173-216

State Waste Discharge
Permit Program

173-220

National Pollutant
Discharge Elimination
System Permit Program

173-204

Sediment Management
Standards

173-303

Dangerous Waste
Regulations

173-304

Minimum Functional
Standards for Solid
Waste Handling

173-340

The Model Toxics Control
Act Cleanup Regulation

220-660

Hydraulic Code Rules

246-290

Group A Public Water
Supplies

Section 8. Amendment of Chapter. RMC 13.07, Wellhead
Protection, is hereby amended to read as follows:

13.07.010.

13.07.020 Authority.

~~[THIS CHAPTER IS ESTABLISHED UNDER AUTHORITY OF THE
OPTIONAL MUNICIPAL CODE (CHAPTER 35A.70 RCW), GROWTH
MANAGEMENT ACT (CHAPTER 36.70A RCW), PUBLIC WATER
SYSTEMS - PENALTIES AND COMPLIANCE
(CHAPTER 70.119A RCW), AND PUBLIC WATER SUPPLIES
(CHAPTER 246-290 WAC).]~~ **This chapter is established
under authority of the Revised Code of Washington (RCW)
Health and Safety (Chapter 35A.70 RCW), Growth
Management-Planning by Selected Counties and Cities
(Chapter 36.70A RCW), Public Water Systems - Penalties
and Compliance (Chapter 70A.125 RCW), and Group A Public
Water Supplies (Chapter 246-290 WAC).**

13.07.030 Definitions.

For the purpose of this chapter, the following definitions shall apply. [~~ADDITIONAL DEFINITIONS RELATED TO WELLHEAD PROTECTION ARE LOCATED IN REDMOND ZONING CODE CHAPTER 21.78, DEFINITIONS.~~]

"Business license" means that document issued by the City under authority of Chapter 5.04 of the Redmond Municipal Code licensing the transaction of the indicated business by the person whose name appears thereon for the stated year.

"Critical Aquifer Recharge Area" means areas with a critical recharging effect on aquifers used for potable water.

"Director" means the [~~DIRECTOR OF THE PUBLIC WORKS DEPARTMENT OR HIS/HER DESIGNEE~~] **Public Works Director or their representatives pursuant to RMC 1.01.025.**

"Deleterious Substance" means a substance that in contact with groundwater would degrade, alter or form part of a process of degradation or alteration of the groundwater quality so that it becomes or is likely to become harmful for human consumption.

"Hazardous Materials" means any material, including any substance, waste, or combination thereof, which because

of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

“Hazardous Materials Inventory Statement” means a form provided by the City of Redmond and completed by a facility owner or operator that discloses the types, quantities, and locations of hazardous materials and other deleterious substances that are or will be stored, handled, treated, used, produced, recycled, or disposed of at the facility. The Hazardous Materials Inventory Statement shall be prepared pursuant to requirements of the Redmond Fire Code, Chapter 15.06 RMC.

“Hazardous Materials Management Plan” means a form provided by the City of Redmond and completed by a facility owner or operator that includes the facility description; the Hazardous Materials Inventory Statement; descriptions of separation, secondary containment, and monitoring for aboveground and underground storage areas and waste disposal; record keeping; an emergency response plan; and an emergency

response training plan. The Hazardous Materials Management Plan shall be prepared pursuant to requirements of the Redmond Fire Code, Chapter 15.06 RMC.

"Hazardous Materials Questionnaire" is a portion of the business license application completed by a facility owner or operator that discloses the types and estimated amounts of hazardous materials used by the facility, and the operational activities of the facility.

"Monitoring well" means a well designed to obtain a representative groundwater sample or designed to measure the water level elevations in either clean or contaminated water or soil.

"Operator" means any person or persons in control of, or having responsibility for, the operation of a facility.

"Owner" means, for purposes of this chapter, a person or persons with a vested ownership interest in a facility, including a leasehold interest, but does not include persons holding only contingent interests or security interests in all or a portion of the facility.

"Person" means an individual, firm, association, joint venture, partnership, municipality, government agency, political subdivision, industry, public or private

corporation, owner, lessee, tenant, or any other entity whatsoever.

"RZC" means the Redmond Zoning Code.

"Redmond Fire Code" means the fire code adopted by the City of Redmond.

"Retail facility" means a building, structure, or portion thereof, used for the display and sale of merchandise, and involving stocks of goods, wares, or merchandise incidental to such purposes and accessible to the public. Retail facilities include, but are not limited to, the following: department stores, drug stores, markets, paint stores without bulk handling, shopping centers, and wholesale and retail stores.

"Significant Groundwater Hazard" means a condition in which there is a reasonable probability of release of a hazardous material or deleterious substance, that, if reached, groundwater would degrade, alter or form part of a process of degradation or alteration of the groundwater quality so that it becomes or is likely to become harmful for consumption.

13.07.040 Scope and applicability.

A. The provisions of this chapter shall apply to all facilities, activities, and residences in the City of

Redmond that store, handle, treat, use, produce, recycle, or dispose of hazardous materials or deleterious substances.

B. Boundaries for Critical Aquifer Recharge Areas are delineated in the map "City of Redmond Critical Aquifer Recharge Areas" adopted as part of Redmond Zoning Code Section ~~[21.64.010(E)-(1)-(F)]~~ **21.64.010**. Critical Aquifer Recharge Areas are classified into two areas: Critical Aquifer Recharge Areas I and II ~~[AS]~~ **are** defined ~~[IN RZC 21.64.050 AND]~~ as follows.

1. Critical Aquifer Recharge Area I is the land area overlying the aquifer in which it will take a maximum of five years for the groundwater to reach any public water source well owned by the City.

2. Critical Aquifer Recharge Area II is the land area overlying the aquifer ~~[WITH A CRITICAL RECHARGING EFFECT ON THE AQUIFER]~~ in which it will take more than five years **but less than ten years** for groundwater to reach any public water source well owned by the City **or lands that have a critical recharging effect on the aquifer.**

3. *Repealed by Ord. 2957.*

4. *Repealed by Ord. 2957.*

The applicability of various requirements in this chapter shall depend upon the critical aquifer recharge area in which the facility or activity is located.

13.07.050 Operational requirements.

A. Any facility, activity, or residence in the City in which hazardous materials or other deleterious substances are present [~~SHALL~~] **must** be operated in a manner that ensures safe storage, handling, treatment, use, production, and recycling or disposal of such materials and substances and prevents their unauthorized release to the environment.

B. In no case shall hazardous materials or other deleterious substances be stored, handled, treated, used, produced, recycled, or disposed of in a way that would pose a groundwater hazard within the City of Redmond.

13.07.055 Hazardous Materials Questionnaire required.

A. As part of applying for a business license in the City of Redmond, businesses [~~SHALL~~] **must** fill out a hazardous materials questionnaire. The hazardous materials questionnaire is incorporated into the business license application.

13.07.060.

13.07.065.

13.07.070.

13.07.075 Hazardous Materials Management Plan required.

A. The International Fire Code as adopted by Section 15.06.011 establishes when Hazardous Materials Management Plans are required citywide. In addition to the Fire Code Official, the Public Works Director has the authority to require a Hazardous Materials Management Plan from the owner or operator of a facility or activity that poses a threat to groundwater quality within the Critical Aquifer Recharge Areas.

B. *Availability of the Hazardous Materials Management Plan.* The facility owner or operator shall make certain that a copy of the Hazardous Materials Management Plan is available and current at the facility and is conspicuously located such that a copy or copies of the plan are immediately available to all employees involved with transferring, storing, handling, treating, using, producing, and recycling or disposing of hazardous materials or other deleterious substances.

C. *Training Requirements.* The facility owner or operator [SHALL] **must** ensure that all employees involved with transferring, storing, handling, treating, using, producing, and recycling or disposing of hazardous materials or other deleterious substances are familiar with the Hazardous Materials Management Plan through regular training.

13.07.080.

13.07.085.

13.07.090.

13.07.100 Performance standards.

A. *General Standards.* Any facility or activity within the Critical Aquifer Recharge Areas in which hazardous materials or other deleterious substances are present shall comply with the following general standards:

1. *Secondary Containment.*

a. The owner or operator of any facility or activity shall provide secondary containment for hazardous materials or other deleterious substances in aggregate quantities equal to or greater than 20 gallons liquid or

200 pounds solid or in quantities specified in RMC Chapter 15.06, whichever is smaller.

b. All seams and cracks on Portland cement concrete pad containment or fueling/maintenance areas must be sealed with chemical resistant sealers. Inspect and repair the Portland cement concrete pad annually to ensure the functional integrity of the pad is maintained to prevent fuel and/or chemicals from reaching the ground.

c. Facilities or activities located in Critical Aquifer Recharge Area II are exempt from secondary containment requirements in subsection A.1.a of this section for indoor storage of hazardous materials and deleterious substances. Requirements in RMC Chapter 15.06 still apply.

2. Property owners [~~SHALL~~] **must** properly decommission all wells that are **no longer in use. Decommissioning will be done in accordance with the** [~~ABANDONED. THIS MAY INCLUDE PLUGGING THE ABANDONED WELL WITH AN APPROVED INERT AND IMPERVIOUS SUBSTANCE SO THAT GROUNDWATER CONTAMINATION IS NOT POSSIBLE IN THE FUTURE.~~] State Department of Ecology regulations **that** describe the requirements for decommissioning in WAC 173-160-381[~~7~~ WHICH IS ALREADY REQUIRED BY LAW].

3. *Loading and Unloading Areas.* Secondary containment or equivalent best management practices, as approved by the City, shall be required at loading and unloading areas that store, handle, treat, use, produce, recycle, or dispose of hazardous materials or other deleterious substances in aggregate quantities equal to or greater than 20 gallons liquid or 200 pounds solid.

4. All businesses that use, store, transport or dispose of hazardous materials shall be required to have a spill kit on site with spill control materials in quantities needed to counter measure a spill.

B. *Specific Performance Standards.* In addition to the general standards the following specific performance standards apply to the following listed facilities within Critical Aquifer Recharge Areas I and II:

1. *Sewer Pipelines.* Should the **Public Works** Director have reason to believe a sewer pipeline is degrading groundwater quality, the **Public Works** Director may require that leak testing be conducted. Should leakage be detected, the **Public Works** Director shall require correction.

2. [~~STORM~~—~~WATER~~] **Stormwater** *Infiltration Systems.* Owners or operators of [~~STORM-WATER~~] **stormwater**

infiltration systems must address specific risks posed by hazardous material storage or processing. These risks may be mitigated by physical means and/or equivalent best management practices in accordance with an approved, site-specific Hazardous Materials Management Plan, [~~STORM WATER~~] **Stormwater** Pollution Prevention Plan, or equivalent plan accepted by the Director.

a. All [~~STORM WATER~~] **stormwater** infiltration systems [~~SHALL~~] **must** be registered with the **Public Works** Director using the registration form developed by the Director. Certain [~~STORM WATER~~] **stormwater** infiltration systems are regulated by the state as Underground Injection Control (UIC) wells under Chapter 173-218 WAC. The owner or operator of a [~~STORM WATER~~] **stormwater** infiltration system can meet the City's registration requirement by registering their system with Washington Department of Ecology and providing a copy of the Ecology registration to the **Public Works** Director.

b. *Repealed by Ord. 2422.*

c. *Repealed by Ord. 2422.*

d. An assessment of the potential risks to groundwater from any registered [~~STORM WATER~~] **stormwater** infiltration system [~~SHALL~~] **must** be completed by the

owner or operator and submitted to the Director by February 3, 2011. Assessment criteria have been developed by the Director in consultation with affected facility owners or operators. The assessment [~~SHALL~~] **must** be completed for each [~~STORM-WATER~~] **stormwater** infiltration system.

e. If through the assessment process, a [~~STORM-WATER~~] **stormwater** infiltration system is determined to pose a potential significant groundwater hazard based on the assessment score, the **Public Works** Director shall issue an Authorized Work Letter detailing the work required to mitigate risks at the facility. Authorized work may include, but not be limited to, best management practices, system modifications, or infiltration system replacement to protect groundwater quality, pursuant to the guidance and schedule in the assessment criteria. If replacement of an infiltration system is required and there are no alternative [~~STORM-WATER~~] **stormwater** discharge options available, then in addition to the authorized work, groundwater monitoring will be required, in accordance with the groundwater monitoring requirements in the assessment criteria, until an alternative discharge becomes available. If monitoring

results for such a facility indicate contamination of the groundwater at any time, all activities contributing to the contamination shall be required to cease immediately.

f. Provisions to prevent releases of hazardous materials into [~~STORM WATER~~] **stormwater** systems shall be updated in the Hazardous Materials Management Plan, [~~STORM WATER~~] **Stormwater** Pollution Prevention Plan, or equivalent plan accepted by the **Public Works** Director and supported by upgraded or new [~~STORM WATER~~] **stormwater** system designs, as necessary, to reflect significant changes in types, quantities, and handling of hazardous materials.

g. The owner or operator of a [~~STORM WATER~~] **stormwater** infiltration system [~~SHALL~~] **must** notify the **Public Works** Director of the intent to modify or replace a [~~STORM WATER~~] **stormwater** infiltration system and [~~SHALL~~] **must** obtain all appropriate approvals and permits prior to any modification or replacement.

3. *Hydraulic Elevator Cylinders and Associated Piping.* The owner or operator of any facility with a hydraulic elevator [~~SHALL~~] **must** inspect the hydraulic system based on the schedule required by Washington

State Department of Labor and Industries for evidence of hydraulic fluid leakage. An inspection and maintenance log is required and available upon request by the Public Works Director. If leakage is detected, the facility owner or operator shall complete repairs within 30 days of discovery of leakage, and document such repairs in the inspection and maintenance log.

4. Vehicle fuel dispensing facilities shall have the following to control the release of hazardous materials to the soil/groundwater during operation:

a. All underground storage tanks (USTs) and associated piping more than 30 years old must conduct annual inspections including tank and line tightness testing.

b. Fuel dispensing equipment and above ground storage tanks shall be secondarily contained and protected by bollards. Fuel dispensing equipment hoses shall not extend outside of the containment area.

c. A containment system consisting of the following:

i. Impervious pad, poured of Portland cement, or equivalent.

ii. The containment system pad and associated conveyance structures shall be inspected and repaired annually to ensure the functional integrity is maintained to prevent

fuel and/or chemicals from reaching the ground. All seams and cracks on the pad and associated conveyance structures shall be sealed with chemical resistant sealers.

5. Vehicle Maintenance areas [~~SHALL~~] **must** have the following to control the release of hazardous materials to the soil/groundwater during operation:

a. The facility shall conduct vehicle maintenance under a covered or indoor area with drainage to the sanitary sewer, a dead-end sump, or alternative Best Management Practices as approved by the Public Works Director.

b. An impervious concrete pad with petroleum resistant sealant. The pad must be sloped/bermed to contain spills within the maintenance area and not allow [~~STORM WATER~~] **stormwater** run-on enter the vehicle maintenance area.

c. The maintenance pad and associated conveyance structures shall be inspected and repaired annually to ensure the functional integrity is maintained to prevent fuel and/or chemicals from reaching the ground. All seams and cracks on the pad and associated conveyance structures shall be sealed with chemical resistant sealers. **Records must be kept of the annual inspection**

and or repair, and be available on site for inspection and verification.

6. Legal [~~PRE-EXISTING~~] vehicle wrecking yards that existed prior to 2003 and that store wrecked vehicles on pervious surfaces [~~SHALL~~] must implement best management practices to reduce or eliminate the potential for environmental releases to protect groundwater resource.

C. *Residential Users.* Residential users of hazardous materials living in the City of Redmond shall reduce contamination risks to groundwater by:

1. Following storage, use, and disposal instructions on all household hazardous chemical containers; pesticides, herbicides, and fertilizers; automotive fuels, lubricants, and cleaning products; and

~~[2. FOLLOWING STORAGE, USE, APPLICATION, AND DISPOSAL INSTRUCTIONS FOR PESTICIDES, HERBICIDES, AND FERTILIZERS;~~

~~3. FOLLOWING STORAGE, USE, AND DISPOSAL INSTRUCTIONS FOR AUTOMOTIVE FUELS, LUBRICANTS, AND CLEANING PRODUCTS; AND]~~

2. [4.] Reporting unauthorized releases of hazardous materials into the environment.

13.07.110 Wellhead monitoring program.

A. The City [~~MAY~~] **shall** develop and maintain a Citywide Wellhead Monitoring Program in order to monitor water quality and detect potential contamination before it reaches the City's water supply wells.

B. If the City has probable cause to suspect groundwater contamination at a facility, the City [~~SHALL~~] **must** request permission of the owner or operator to install groundwater monitoring wells and sample at a frequency to be determined. If the request is denied, the City may apply for an administrative search warrant pursuant to RMC 1.14.190.

13.07.112 Source Control Program.

The Public Works Director shall oversee a program that limits the amount of pollution entering the environment by requiring businesses to construct or implement source control best management practices. Redmond [~~STORM WATER~~] **Stormwater** Technical Notebook defines the required and recommended best management practices citywide and additionally are important to protect the water supply within the Critical Aquifer Recharge Areas. Through business assistance visits, and review of tenant improvement and new development applications, the Public Works Director will [~~INSURE~~] **ensure** that operational and

structural best management practices are in place to reduce the release of pollution. If environmental releases are identified during business assistance visits, the City may require subsurface investigation, including soil and groundwater sampling and testing, as a condition of continued operation, and may require remediation as provided in RMC 1.14.080 to mitigate natural resource damages.

~~[13.07.115 GROUNDWATER PROTECTION INCENTIVE PROGRAM FOR EXISTING INFILTRATION SYSTEM MODIFICATIONS.]~~

~~A. GOAL OF GROUNDWATER PROTECTION INCENTIVE PROGRAM.~~

~~1. THE GOAL OF THE GROUNDWATER PROTECTION INCENTIVE PROGRAM IS TO ENCOURAGE THE EARLY AND TIMELY MODIFICATION OF EXISTING STORM WATER INFILTRATION SYSTEMS IN ORDER TO BENEFIT THE PUBLIC THROUGH EARLY IMPLEMENTATION OF GROUNDWATER POLLUTION PREVENTION MEASURES, FACILITATION OF PROPER PERMITTING AND CONSTRUCTION, AND MINIMIZATION OF ENFORCEMENT ACTIONS. THROUGH THE PROGRAM THE CITY WILL REIMBURSE OWNERS FOR A PORTION OF THE COST OF DESIGN, ENGINEERING, PERMITTING AND CONSTRUCTION OF CITY-REQUIRED IMPROVEMENTS TO PROTECT THE GROUNDWATER AND THE CITY'S DRINKING WATER RESOURCE. THE CITY WILL REIMBURSE ALL PROPERTY OWNERS~~

~~WHO HAVE COMPLETED OR WHO HEREAFTER COMPLETE IMPROVEMENTS UNDER THE GROUNDWATER INCENTIVE PROTECTION PROGRAM CODIFIED IN THIS SECTION OR AS PROVIDED IN RESOLUTION NO. 1321 OF THE CITY TO THE FULL EXTENT AUTHORIZED BY THIS SECTION.~~

~~2. AS CITY RATEPAYER FUNDS ARE PROPOSED TO BE EXPENDED ON PRIVATE PROPERTY THE CITY HAS AN OBLIGATION TO STRIVE FOR THE MOST COST EFFECTIVE, PROTECTIVE UPGRADES THAT ADDRESS THE RISKS TO THE PUBLIC, IDENTIFIED BY THE CITY, AND ALSO BALANCE THE PROPERTY OWNER'S OPERATIONAL NEEDS AND ONGOING MAINTENANCE COSTS.~~

~~B. GROUNDWATER PROTECTION INCENTIVE PROGRAM PROCESS.~~

~~1. PARCELS WITH INFILTRATION SYSTEMS INSTALLED BEFORE NOVEMBER 1, 2003, WHICH HAVE NOT ALREADY REGISTERED WITH THE CITY, ARE REQUIRED TO SUBMIT A COMPLETE REGISTRATION FORM. UPON NOTIFICATION FROM THE CITY, THE OWNER WILL HAVE THREE MONTHS TO SUBMIT THE COMPLETE REGISTRATION AND TO BE ELIGIBLE FOR REIMBURSEMENT.~~

~~2. AFTER REGISTRATION FORMS ARE REVIEWED, THE CITY WILL PROVIDE NOTIFICATION THAT THE OWNER MUST COMPLETE AN ASSESSMENT OF THEIR STORM WATER INFILTRATION SYSTEM.~~

~~3. THE OWNER WILL HAVE SIX MONTHS FROM THAT NOTIFICATION DATE TO SUBMIT A COMPLETE EXISTING STORM WATER~~

~~INFILTRATION SYSTEM ASSESSMENT FORM (ASSESSMENT) TO THE CITY TO BE ELIGIBLE FOR REIMBURSEMENT.~~

~~4. THE CITY WILL EVALUATE THE ASSESSMENT AND MEET WITH THE OWNER TO DISCUSS SITE RISKS, APPROPRIATE BEST MANAGEMENT PRACTICES, AND POTENTIAL MITIGATION OR MODIFICATIONS SPECIFIC TO EACH FACILITY TO REDUCE EACH SYSTEM'S RISK LEVEL.~~

~~5. AFTER JOINT REVIEW OF THE ASSESSMENT, THE CITY WILL ISSUE A DRAFT AUTHORIZED WORK LETTER IDENTIFYING THE RISK SCORE. OWNERS WILL HAVE TEN (10) CALENDAR DAYS TO FILE A WRITTEN REQUEST FOR A MEETING WITH CITY STAFF TO RECONSIDER THE RISK SCORE. IF DISCUSSION WITH CITY STAFF DOES NOT RESULT IN A CONSENSUS, EITHER PARTY MAY REQUEST MEDIATION AND A MEETING WITH THE MAYOR AS PROVIDED IN RMC [13.07.140](#) BY FILING WRITTEN REQUESTS AS PROVIDED THEREIN. AFTER TEN (10) CALENDAR DAYS, IF THE OWNERS HAVE NOT FILED A WRITTEN REQUEST WITH CITY STAFF AS PROVIDED IN THIS SUBSECTION, OR IF A REQUEST DOES NOT RESULT IN CONSENSUS AND NO REQUEST FOR MEDIATION OR A MEETING WITH THE MAYOR IS FILED, THE CITY WILL ISSUE THE FINAL AUTHORIZED WORK LETTER.~~

~~6. THE AUTHORIZED WORK LETTER WILL IDENTIFY THE FINAL ASSESSMENT RISK SCORE, REQUIRED OPERATIONAL BEST~~

~~MANAGEMENT PRACTICES, AND THE SCHEDULE FOR COMPLETION,
AS WELL AS PROVIDE OPTIONS FOR MEETING STRUCTURAL BEST
MANAGEMENT PRACTICES AND/OR SYSTEM MODIFICATION
REQUIREMENTS TO REDUCE THE RISK SCORE.~~

~~7. OWNERS AND THEIR ENGINEER(S) WILL WORK WITH THE CITY
TO DEVELOP AND REVIEW DESIGN CONCEPTS FOR MODIFICATIONS,
EVALUATE ALTERNATIVES APPROPRIATE FOR THE SITE, AND
SELECT A COST EFFECTIVE ALTERNATIVE. THE CITY WILL ISSUE
A DRAFT AUTHORIZED ALTERNATIVE LETTER IDENTIFYING THE
SELECTED ALTERNATIVE AND APPROVING THE OWNER TO PREPARE
A COMPLETE COST ESTIMATE DETAILING THE COST OF ALL DESIGN
WORK, PERMITTING AND CONSTRUCTION. OWNERS WILL HAVE TEN
(10) CALENDAR DAYS TO FILE A WRITTEN REQUEST FOR A
MEETING WITH CITY STAFF TO RECONSIDER THE SELECTED
ALTERNATIVE. IF DISCUSSION WITH CITY STAFF DOES NOT
RESULT IN A CONSENSUS, EITHER PARTY MAY REQUEST
MEDIATION AND A MEETING WITH THE MAYOR AS PROVIDED IN
RMC [13.07.140](#) BY FILING WRITTEN REQUESTS AS PROVIDED
THEREIN. AFTER TEN (10) CALENDAR DAYS, IF THE OWNERS
HAVE NOT FILED A WRITTEN REQUEST WITH CITY STAFF AS
PROVIDED IN THIS SUBSECTION, OR IF A REQUEST DOES NOT
RESULT IN CONSENSUS AND NO REQUEST FOR MEDIATION OR A~~

~~MEETING WITH THE MAYOR IS FILED, THE CITY WILL ISSUE THE AUTHORIZED ALTERNATIVE LETTER.~~

~~8. OWNERS WILL SUBMIT DESIGN PLANS, BID SPECIFICATIONS, AND AN ESTIMATE DETAILING THE COSTS OF ALL DESIGN WORK (INCURRED AND FUTURE), PERMITTING, AND CONSTRUCTION OF THE SELECTED IMPROVEMENTS. AFTER THIS SUBMITTAL, THE CITY WILL ISSUE A DRAFT AUTHORIZED NOTICE TO PROCEED LETTER IDENTIFYING PROPOSED IMPROVEMENTS AND AUTHORIZED COSTS AND DIRECTING THE OWNER TO SUBMIT FOR ALL REQUIRED PERMITS. OWNERS WILL HAVE TEN (10) CALENDAR DAYS TO FILE A WRITTEN REQUEST FOR A MEETING WITH CITY STAFF TO RECONSIDER THE SELECTED ALTERNATIVE. IF DISCUSSION WITH CITY STAFF DOES NOT RESULT IN A CONSENSUS, EITHER PARTY MAY REQUEST MEDIATION AND A MEETING WITH THE MAYOR AS PROVIDED IN RMC [13.07.140](#) BY FILING WRITTEN REQUESTS AS PROVIDED THEREIN. AFTER TEN (10) CALENDAR DAYS, IF THE OWNERS HAVE NOT FILED A WRITTEN REQUEST WITH CITY STAFF, AS PROVIDED IN THIS SUBSECTION, OR IF A REQUEST DOES NOT RESULT IN CONSENSUS AND NO REQUEST FOR MEDIATION OR A MEETING WITH THE MAYOR IS FILED, THE CITY WILL ISSUE THE FINAL AUTHORIZED NOTICE TO PROCEED.~~

~~9. ALL IMPROVEMENTS MUST RECEIVE ALL APPROPRIATE CITY, COUNTY, REGIONAL, STATE, AND FEDERAL PERMITS PRIOR TO BEGINNING CONSTRUCTION.~~

~~10. DURING CONSTRUCTION CHANGES TO THE SCOPE OF WORK AUTHORIZED IN THE NOTICE TO PROCEED MUST BE DOCUMENTED IN A CHANGE ORDER REQUEST AND SUBMITTED TO THE CITY BEFORE OUT OF SCOPE WORK IS COMPLETED. THE CITY WILL ISSUE AN AUTHORIZED CHANGE ORDER FOR APPROVED OUT OF SCOPE WORK. EVERY EFFORT WILL BE MADE TO AUTHORIZE CHANGE ORDERS IN THE FIELD. IF ADDITIONAL REVIEW TIME IS NECESSARY, IT WILL NOT EXTEND MORE THAN SEVEN DAYS.~~

~~11. WHEN ALL AUTHORIZED IMPROVEMENTS ARE COMPLETE, AND ACCURATE RECORD DRAWINGS, STORM WATER POLLUTION PREVENTION PLANS AND OPERATION AND MAINTENANCE MANUALS, IF APPLICABLE, ARE RECEIVED AND ACCEPTED AS COMPLETE, THE CITY WILL ISSUE AN ACCEPTANCE LETTER WITHIN 30 DAYS.~~

~~12. THE ACCEPTANCE LETTER WILL IDENTIFY THE DATE OF COMPLETION FOR THE PURPOSES OF REIMBURSEMENT. THAT DATE OF COMPLETION SHALL BE THE DATE OF FINAL INSPECTION.~~

~~13. AFTER RECEIPT OF THE ACCEPTANCE LETTER, THE OWNER CAN SUBMIT TO THE CITY VERIFIABLE, ITEMIZED AND DETAILED RECEIPTS FOR ALL AUTHORIZED IMPROVEMENTS AND PROOF OF~~

~~PAYMENT FOR ALL INVOICES AND LIEN RELEASES IN ACCORDANCE WITH THE REIMBURSEMENT SUBMITTAL CHECKLIST.~~

~~14. UPON REVIEW OF RECEIPTS AND PROOF OF PAYMENT FOR ALL AUTHORIZED IMPROVEMENTS, A DRAFT AUTHORIZED REIMBURSEMENT OF COST LETTER WILL BE ISSUED TO THE OWNER WITHIN 30 DAYS.~~

~~15. OWNERS WILL HAVE TEN (10) CALENDAR DAYS TO FILE A WRITTEN REQUEST FOR A MEETING WITH CITY STAFF TO RECONSIDER THE REIMBURSEMENT AMOUNT. IF DISCUSSION WITH CITY STAFF DOES NOT RESULT IN A CONSENSUS, EITHER PARTY MAY REQUEST MEDIATION AND A MEETING WITH THE MAYOR, AS PROVIDED IN RMC [13.07.140](#) BY FILING WRITTEN REQUESTS AS PROVIDED THEREIN. AFTER TEN (10) CALENDAR DAYS, IF THE OWNERS HAVE NOT FILED A WRITTEN REQUEST WITH CITY STAFF AS PROVIDED IN THIS SUBSECTION, OR IF A REQUEST DOES NOT RESULT IN CONSENSUS AND NO REQUEST FOR MEDIATION OR A MEETING WITH THE MAYOR IS FILED, THE CITY WILL ISSUE THE FINAL AUTHORIZED REIMBURSEMENT OF COST LETTER.~~

~~16. UPON OWNERS' ACCEPTANCE OF THE AUTHORIZED REIMBURSEMENT OF COST LETTER, THE CITY WILL PROCESS THE REIMBURSEMENT.~~

~~C. AUTHORIZED WORK LETTER AND REIMBURSEMENT SCHEDULE.~~

~~1. THIS SCHEDULE REPLACES THE SCHEDULE IN THE ASSESSMENT CRITERIA REFERENCED IN CITY OF REDMOND RESOLUTION NO. 1321. PARCELS WILL BE DIVIDED INTO THREE GROUPS BASED ON THE ASSESSMENT SCORES:~~

~~A. GROUP ONE PARCELS WILL BE IDENTIFIED BY SCORES OF 19 OR HIGHER;~~

~~B. GROUP TWO PARCELS WILL BE IDENTIFIED BY SCORES OF EIGHT TO 18; AND~~

~~C. GROUP THREE PARCELS WITH SCORES OF SEVEN AND BELOW WILL NOT BE REQUIRED TO MODIFY THEIR SYSTEMS BUT WILL BE REQUIRED TO MEET APPROPRIATE STORM WATER BEST MANAGEMENT PRACTICES. OPERATIONAL AND STRUCTURAL BEST MANAGEMENT PRACTICES ARE DEFINED IN RMC [15.24](#).~~

~~D. GROUP ONE AUTHORIZED WORK LETTERS.~~

~~1. GROUP ONE PARCELS WILL BE DIVIDED INTO THREE SUBGROUPS: 1A, 1B, AND 1C, TO FACILITATE SCHEDULING:~~

~~A. 1A PARCELS WILL BE ISSUED AUTHORIZED WORK LETTERS EFFECTIVE ON OR AFTER OCTOBER 1, 2013;~~

~~B. 1B PARCELS WILL BE ISSUED AUTHORIZED WORK LETTERS EFFECTIVE ON OR AFTER APRIL 1, 2014;~~

~~C. 1C PARCELS WILL BE ISSUED AUTHORIZED WORK LETTERS EFFECTIVE ON OR AFTER OCTOBER 1, 2015.~~

~~E. GROUP ONE REIMBURSEMENT.~~

~~1. FOR AUTHORIZED IMPROVEMENTS COMPLETED BY THE OWNER AND ACCEPTED BY THE CITY WITHIN THREE AND ONE-HALF YEARS FROM THE EFFECTIVE DATE OF THE AUTHORIZED WORK LETTER, OWNERS WILL BE REIMBURSED FOR 75 PERCENT OF THE COSTS APPROVED IN THE NOTICE TO PROCEED AND AUTHORIZED CHANGE ORDER(S).~~

~~2. REPEALED BY ORD. 2791.~~

~~3. THERE WILL BE NO REIMBURSEMENT IF ALL AUTHORIZED IMPROVEMENTS ARE NOT COMPLETED AND ACCEPTED BY THE CITY WITHIN THREE AND ONE-HALF YEARS FROM THE EFFECTIVE DATE OF THE AUTHORIZED WORK LETTER.~~

~~4. THE OWNER WILL BE IN VIOLATION OF THIS CODE IF AUTHORIZED IMPROVEMENTS ARE NOT COMPLETED AND ACCEPTED BY THE CITY WITHIN FOUR AND ONE-HALF YEARS FROM THE EFFECTIVE DATE OF THE AUTHORIZED WORK LETTER.~~

~~F. GROUP TWO AUTHORIZED WORK LETTERS.~~

~~1. GROUP TWO PARCELS WILL BE ISSUED AUTHORIZED WORK LETTERS EFFECTIVE ON OR AFTER JANUARY 1, 2018. ONE CONSIDERATION FOR EXTENDING THE EFFECTIVE DATE MAY BE COMPLETION OF GROUNDWATER MODELING AND AQUIFER DELINEATION BY THE CITY.~~

~~G. GROUP TWO REIMBURSEMENT.~~

~~1. FOR AUTHORIZED IMPROVEMENTS COMPLETED BY THE OWNER AND ACCEPTED BY THE CITY WITHIN FOUR YEARS FROM THE EFFECTIVE DATE OF THE AUTHORIZED WORK LETTER OWNERS WILL BE REIMBURSED FOR 60 PERCENT OF THE COSTS APPROVED IN THE NOTICE TO PROCEED AND AUTHORIZED CHANGE ORDER(S).~~

~~2. THERE WILL BE NO REIMBURSEMENT IF AUTHORIZED IMPROVEMENTS ARE NOT COMPLETED AND ACCEPTED BY THE CITY WITHIN FOUR YEARS FROM THE EFFECTIVE DATE OF THE AUTHORIZED WORK LETTER.~~

~~3. THE OWNER WILL BE IN VIOLATION OF THIS CODE IF AUTHORIZED IMPROVEMENTS ARE NOT COMPLETED AND ACCEPTED BY THE CITY WITHIN FIVE YEARS FROM THE EFFECTIVE DATE OF THE AUTHORIZED WORK LETTER.~~

~~H. GENERAL NOTES.~~

~~1. PARCELS THAT ARE IDENTIFIED TO BE IN A DIFFERENT WELLHEAD PROTECTION ZONE AS A RESULT OF AQUIFER DELINEATION WILL BE RE-ASSESSED BASED ON THEIR NEW RISK SCORE.~~

~~2. PARCELS THAT HAVE CHANGES TO OPERATIONS OR PROCESSES THAT INCREASE OR DECREASE RISK WILL BE RE-ASSESSED (I.E., IF THE SCORE IS LOWER THAN 8, NO MODIFICATION WILL BE REQUIRED, IF THE RISK SCORE IS INCREASED TO 19 OR ABOVE THE PARCEL WILL BE REQUIRED TO MEET THE GROUP~~

~~ONE SCHEDULE AND WILL BE REIMBURSED AT THE GROUP ONE RATE, ETC.)~~.

~~I. SCHEDULE EXTENSIONS.~~

~~1. CITY REVIEW OF SUBMITTALS EXCEEDING 30 CALENDAR DAYS WILL CAUSE THE EXTENSION OF THE AUTHORIZED WORK LETTER EFFECTIVE DATE BY ONE DAY FOR EACH DAY EXCEEDING 30 DAYS OF REVIEW TIME.~~

~~2. PERMIT REVIEW BY OTHER AGENCIES EXCEEDING 30 CALENDAR DAYS WILL CAUSE THE EXTENSION OF THE AUTHORIZED WORK LETTER EFFECTIVE DATE BY ONE DAY FOR EACH DAY EXCEEDING 30 DAYS OF REVIEW TIME. TO RECEIVE A TIME EXTENSION, THE OWNER MUST SUBMIT MATERIALS FOR REVIEW IN A TIMEFRAME THAT WOULD ALLOW FOR ISSUANCE OF PERMITS ASSUMING A TYPICAL PERMIT REVIEW CYCLE AND COMPLETION OF CONSTRUCTION WITHIN THE REQUIRED TIMEFRAME.~~

~~3. UNLESS THE APPELLANT PREVAILS, APPEALS WILL NOT EXTEND THE DEADLINE FOR COMPLETION OF IMPROVEMENTS OR ELIGIBILITY FOR REIMBURSEMENT.~~

~~4. THE TECHNICAL COMMITTEE MAY GRANT AN EXTENSION FOR EXTENUATING CIRCUMSTANCES THAT RESULT IN SIGNIFICANT UNANTICIPATED DELAYS DURING CONSTRUCTION.~~

~~5. EXCEPT AS NOTED ABOVE, REIMBURSEMENT DATES WILL NOT BE EXTENDED; HOWEVER, THE TECHNICAL COMMITTEE MAY GRANT~~

~~AN ADDITIONAL ONE-YEAR EXTENSION FOR OWNERS THAT HAVE SHOWN PROPER JUSTIFICATION TOWARDS COMPLIANCE BUT ARE UNABLE TO REACH FULL COMPLETION BY THE VIOLATION DATE. DEMONSTRATION OF PROPER JUSTIFICATION EFFORT MAY INCLUDE BUT IS NOT LIMITED TO:~~

~~A. DEMONSTRATED ECONOMIC HARDSHIP;~~

~~B. CHANGE OF OWNERSHIP;~~

~~C. UNANTICIPATED CONSTRUCTION AND/OR SITE DESIGN PROBLEMS; OR~~

~~D. OTHER CIRCUMSTANCES BEYOND THE CONTROL OF THE APPLICANT DETERMINED ACCEPTABLE BY THE TECHNICAL COMMITTEE.~~

~~J. REIMBURSEMENT REQUIREMENTS.~~

~~1. TO BE ELIGIBLE FOR REIMBURSEMENT OF AUTHORIZED COSTS, THE OWNER MUST:~~

~~A. COMPLETE REGISTRATION AND ASSESSMENT SUBMITTALS WITHIN THE SPECIFIED SCHEDULE.~~

~~B. COMPLY WITH THE TERMS AND SCHEDULE IN THE AUTHORIZED WORK LETTER AND AUTHORIZED NOTICE TO PROCEED.~~

~~C. COMPLETE AND MAINTAIN THE REQUIRED OPERATIONAL BEST MANAGEMENT PRACTICES (BMPS) FOR STORM WATER AND GROUNDWATER PROTECTION AS REQUIRED IN THE AUTHORIZED WORK LETTER AND AUTHORIZED NOTICE TO PROCEED.~~

~~D. COMPLETE THE REQUIREMENTS IN THE AUTHORIZED WORK LETTER, AUTHORIZED NOTICE TO PROCEED AND APPROVED PERMITS.~~

~~E. AUTHORIZED IMPROVEMENTS AND AUTHORIZED CHANGE ORDERS ELIGIBLE FOR REIMBURSEMENT MAY INCLUDE:~~

~~I. CONDUCT ENGINEERING FEASIBILITY STUDIES, DESIGNS AND DRAWINGS OF STORM WATER IMPROVEMENTS.~~

~~II. CONSTRUCT AND INSTALL STRUCTURAL STORM WATER BEST MANAGEMENT PRACTICES.~~

~~III. REPLACE STORM WATER SYSTEM COMPONENTS AND ASSOCIATED PERMITTING REQUIREMENTS.~~

~~IV. PURCHASE EQUIPMENT OR MATERIALS TO TREAT STORM WATER.~~

~~V. CONSTRUCT, REPLACE, OR DECOMMISSION STORM WATER INFILTRATION SYSTEMS.~~

~~VI. INSTALL GROUNDWATER MONITORING WELLS.~~

~~VII. WORK AGREED UPON, DOCUMENTED AND CONDUCTED BY QUALIFIED EMPLOYEES TO DESIGN AND/OR INSTALL AUTHORIZED IMPROVEMENTS AT RATES APPROPRIATE FOR THE TASKS PERFORMED.~~

~~VIII. PREPARE STORM WATER REPORTS, POLLUTION PREVENTION REPORTS, OPERATIONS MANUALS, AND RECORD DRAWINGS OF MODIFICATIONS.~~

~~IX. PERMIT FEES THAT WERE NOT WAIVED (FIRE, STATE, COUNTY, ETC.).~~

~~F. SUBMIT RECORD DRAWINGS, STORM WATER POLLUTION PREVENTION PLANS, AND OPERATION AND MAINTENANCE MANUALS.~~

~~G. SUBMIT RECEIPTS AND PROOF OF PAYMENT FOR ALL AUTHORIZED IMPROVEMENTS IN ACCORDANCE WITH THE REIMBURSEMENT SUBMITTAL CHECKLIST.~~

~~2. THE FOLLOWING ARE NOT ELIGIBLE FOR REIMBURSEMENT:~~

~~A. ROUTINE AND/OR ANNUAL MAINTENANCE OF STORM WATER BEST MANAGEMENT PRACTICES OR STORM WATER TREATMENT SYSTEMS.~~

~~B. COST OF IRRIGATION METERS OR WATER METERS, INSTALLATION COSTS AND CONNECTION FEES FOR: SANITARY SEWER, STORM WATER, ELECTRICITY, WATER, GAS, PHONE OR OTHER UTILITIES.~~

~~C. DESIGN, INSTALLATION, CONSTRUCTION, ENGINEERING, OR OTHER COSTS ASSOCIATED WITH UNAUTHORIZED WORK, UNAUTHORIZED MODIFICATIONS, WORK TO RECTIFY UNAUTHORIZED MODIFICATIONS, OR WORK NOT REQUIRED BY THE CITY.~~

~~D. COSTS ASSOCIATED WITH INVESTIGATION, CHARACTERIZATION, ANALYSIS, REMEDIATION, REMOVAL, DISPOSAL OR ANY OTHER ACTIVITIES ASSOCIATED WITH CONTAMINATED SOIL, SEDIMENTS, SURFACE WATER, OR GROUNDWATER.~~

~~E. MODIFICATIONS MADE TO ANY STORM WATER SYSTEM AFTER FEBRUARY 1, 2008, NOT AUTHORIZED BY THE CITY.~~

~~F. ANY MODIFICATIONS MADE IN VIOLATION OF CITY, COUNTY, STATE, OR FEDERAL CODES, RULES, LAWS.~~

~~G. STAFF TIME, UNLESS IDENTIFIED IN THE AUTHORIZED NOTICE TO PROCEED, LOST PRODUCTIVITY, IMPACTS TO BUSINESS, LOST RENTS, VACANCIES, ETC.~~

~~H. ANY OTHER SITE IMPROVEMENTS NOT REQUIRED AS PART OF THIS PROGRAM.~~

~~I. COSTS NOT IDENTIFIED IN THE AUTHORIZED NOTICE TO PROCEED OR AUTHORIZED CHANGE ORDERS.]~~

13.07.120 Reporting of hazardous substances releases and completion of cleanup.

A. The owner or operator of a facility [~~SHALL~~] **must** provide a written notice to the **Public Works** Director at the same time as reporting a release under either of the following programs:

1. The Department of Ecology's Model Toxics Control Act (MTCA) (Chapter 173-340 WAC) Cleanup Regulations, or
2. The U.S. Environmental Protection Agency's Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. [~~SECTION 9503(C)~~] **Chapter 103**).

B. The owner or operator of a facility [~~SHALL~~] **must** provide written notice to the **Public Works** Director within five (5) business days of receipt of a No Further Action letter from the Department of Ecology, or a final Record of Decision from U.S. Environmental Protection Agency, regarding confirmation of cleanup of a release at the facility.

13.07.130 Inspections.

A. The City shall have the right to inspect a facility at reasonable times for the purposes of determining compliance with this chapter. Inspections may include, but are not limited to, visual inspections of hazardous materials storage and secondary containment areas; and inspections of Hazardous Materials Management Plans. If environmental releases are identified during inspections, the City may require subsurface investigation, including soil and groundwater sampling and testing, as a condition of continued operation, and may require remediation as provided in Section 1.14.080 to mitigate natural resource damages.

B. Prior to making inspections on private property for compliance with this chapter, the City's inspector

~~[SHALL]~~ **must** present identification credentials, state the purpose of the inspection, and request entry.

C. If the property or any building or structure on the property is unoccupied, the inspector ~~[SHALL]~~ **must** first make a reasonable effort to locate the owner or other person(s) having charge or control of the property or portions of the property and request entry.

D. If after reasonable effort the inspector is unable to locate the owner or other person(s) having charge or control of the property, and has reason to believe the condition of the property creates an imminent hazard to human health or the environment, the inspector may enter.

E. In the event that access by a City inspector is denied, the City may apply to a court of competent jurisdiction for issuance of a search warrant authorizing entry for purposes of carrying out the inspections provided for under this section.

F. *Coordination with Other City Inspection Programs.* City inspectors ~~[SHALL]~~ **must** endeavor to coordinate inspections for wellhead protection with ~~[STORM WATER]~~ **stormwater**, fire, and/or other applicable inspection programs.

13.07.140 Appeals.

A. Appeals concerning the application and administration of this chapter shall be processed according to the administrative procedures provided in Redmond Zoning Code Chapter 21.76, Review Procedures [~~UNLESS ASSOCIATED WITH ANOTHER PERMIT, IN WHICH CASE THE APPEAL PROCEDURES IN REDMOND ZONING CODE CHAPTER 21.76 FOR THE ASSOCIATED PERMIT WILL APPLY~~].

~~[B. GROUNDWATER PROTECTION INCENTIVE PROGRAM DECISIONS. THE FOLLOWING ADDITIONAL PROCEDURES APPLY TO DECISIONS MADE UNDER THE GROUNDWATER PROTECTION INCENTIVE PROGRAM:~~

~~1. ANY PROPERTY OWNER WHO DISAGREES WITH ANY FINAL DECISION OF THE PUBLIC WORKS DIRECTOR UNDER THE GROUNDWATER INCENTIVE PROGRAM MAY APPEAL THAT DECISION BY FOLLOWING THE APPEAL PROCEDURES FOR TYPE I DECISIONS UNDER THE REDMOND ZONING CODE. THE APPEAL SHALL PROCEED TO HEARING AND FINAL DECISION BY THE HEARING EXAMINER IN THE SAME MANNER AS OTHER TYPE I APPEALS UNDER THE CITY'S ZONING CODE.~~

~~2. DRAFT AUTHORIZED WORK, NOTICE TO PROCEED, AUTHORIZED ALTERNATIVE, AND REIMBURSEMENT OF COST LETTERS WILL BE ISSUED PRIOR TO FINAL DECISION BY THE PUBLIC WORKS~~

~~DIRECTOR. AS PROVIDED IN SECTION 13.07.115, IF A PROPERTY OWNER DISAGREES WITH THE TERMS OF A DRAFT AUTHORIZED WORK, NOTICE TO PROCEED, AUTHORIZED ALTERNATIVE, OR REIMBURSEMENT OF COST LETTER, THE PROPERTY OWNER MAY FILE A WRITTEN REQUEST THAT THE CITY STAFF RECONSIDER SUCH TERMS WITHIN TEN (10) CALENDAR DAYS OF THE ISSUANCE OF THE DRAFT LETTER. IF A TIMELY REQUEST FOR RECONSIDERATION IS FILED, THE PROPERTY OWNER AND THE CITY WILL MEET WITHIN TEN (10) CALENDAR DAYS OF THE CITY HAVING RECEIVED THE REQUEST IN A GOOD FAITH ATTEMPT TO RESOLVE THE ISSUES. IF THE MEETING IS NOT SUCCESSFUL, EITHER PARTY MAY ELECT TO SUBMIT ANY REMAINING ISSUES TO A NEUTRAL MEDIATOR BY FILING A MEDIATION REQUEST WITHIN TEN (10) CALENDAR DAYS OF THE UNSUCCESSFUL MEETING. ANY REQUIRED TIME PERIOD FOR THE PUBLIC WORKS DIRECTOR TO MAKE A FINAL DECISION IS TOLLED PENDING COMPLETION OF THE RECONSIDERATION AND MEDIATION PROCESS AND THE SUBMITTAL OF A RECONSIDERATION REQUEST BY A PROPERTY OWNER CONSTITUTES THE PROPERTY OWNER'S CONSENT TO SUCH TOLLING.~~

~~3. NOTWITHSTANDING THE PROVISIONS OF SECTION 13.07.140.B.2, EITHER PARTY MAY REQUEST THAT A NEUTRAL MEDIATOR BE AGREED UPON AT ANY TIME AFTER THE~~

~~PROPERTY OWNER SUBMITS ITS ISSUES IN WRITING, EVEN
THOUGH THE OBLIGATORY MEETING TO RESOLVE DISPUTES HAS
NOT YET TAKEN PLACE.~~

~~4. IF THE PARTIES CANNOT AGREE UPON A NEUTRAL MEDIATOR
WITHIN FIVE (5) BUSINESS DAYS OF A REQUEST BY EITHER
PARTY THAT A MEDIATOR BE NAMED, EITHER PARTY MAY, ON THE
SHORTEST NOTICE AUTHORIZED BY COURT RULE, PETITION THE
PRESIDING JUDGE OF THE KING COUNTY SUPERIOR COURT TO
IMMEDIATELY APPOINT A NEUTRAL MEDIATOR WITH SUBSTANTIAL
LAND USE, ENVIRONMENTAL, OR CIVIL ENGINEERING EXPERIENCE
IN ADDITION TO SUBSTANTIAL MEDIATION EXPERIENCE.~~

~~5. EACH PARTY SHALL PAY AN EQUAL SHARE OF THE MEDIATOR'S
FEES.~~

~~6. MEDIATION SHALL BE COMPLETED WITHIN 30 CALENDAR DAYS
FROM THE DATE THE REQUEST FOR MEDIATION IS FILED. IF
MEDIATION DOES NOT RESULT IN AN AGREEMENT, EITHER PARTY
MAY, WITHIN FIVE (5) CALENDAR DAYS AFTER MEDIATION IS
COMPLETED, REQUEST THAT THE OWNERS AND THE CITY STAFF
MEET WITH THE MAYOR IN A GOOD FAITH ATTEMPT TO REACH A
RESOLUTION. THE MEETING WILL BE SCHEDULED AS
EXPEDITIOUSLY AS POSSIBLE GIVEN THE MAYOR'S SCHEDULE.~~

~~7. IF A REQUEST FOR RECONSIDERATION, MEDIATION, OR A
MEETING WITH THE MAYOR RESULTS IN AGREEMENT ON THE TERMS~~

~~OF AN AUTHORIZED WORK, NOTICE TO PROCEED, AUTHORIZED ALTERNATIVE, OR REIMBURSEMENT OF COST LETTER, THE PUBLIC WORKS DIRECTOR SHALL ISSUE A FINAL AUTHORIZED WORK, AUTHORIZED ALTERNATIVE, NOTICE TO PROCEED, OR REIMBURSEMENT OF COST LETTER CONTAINING THE AGREED-UPON TERMS. IF NO AGREEMENT IS REACHED AS THE RESULT OF A REQUEST FOR RECONSIDERATION, MEDIATION, OR MEETING WITH THE MAYOR, OR IF NO TIMELY REQUEST FOR RECONSIDERATION, MEDIATION, OR MEETING WITH THE MAYOR IS MADE, THE PUBLIC WORKS DIRECTOR SHALL ISSUE A FINAL AUTHORIZED WORK, NOTICE TO PROCEED, AUTHORIZED ALTERNATIVE, OR REIMBURSEMENT OF COST LETTER SETTING FORTH THE CITY'S FINAL POSITION AND THE PERIOD FOR APPEALING THE PUBLIC WORKS DIRECTOR'S DECISION SHALL COMMENCE.]~~

13.07.150 Enforcement authority.

The Public Works Director shall administer and enforce this chapter and shall have the authority to adopt and implement administrative procedures for such enforcement.

13.07.160 Enforcement policy.

Enforcement action shall be taken whenever a person has violated any provisions of this chapter. The choice of enforcement action taken and the severity of any penalty

shall be based on the nature of the violation; the damage or risk to the public or to the underlying aquifer, groundwater wells, and drinking water infrastructure; and/or the degree of bad faith demonstrated by the person(s) subject to the enforcement action. In determining appropriate penalties to be assessed for violation(s) of the terms of the chapter, the City [~~SHALL~~] **must** also consider the financial savings, if any, achieved by the violator in failing to comply with the terms of this chapter.

13.07.170 Orders.

The **Public Works** Director shall have the authority to issue to an owner or operator of a facility, or any other person, an order to bring the facility into compliance with this chapter in accordance with the provisions set forth in Section 1.14.100.

13.07.180 Penalty for violations.

A. *Persons Subject to Penalty.* Any person who violates or fails to comply with the requirements of this chapter or who fails to conform with the terms of an approval or order issued by the **Public Works** Director shall be subject to civil and/or criminal penalties. Civil and criminal penalties shall be administered as provided in

Chapter 1.14 of the Redmond Municipal Code. Each day of continued violation shall constitute a separate violation.

B. *Aiding or Abetting.* Any person who, through an act of commission or omission, aids or abets a violation shall be considered to have committed a violation for the purposes of the civil penalty.

C. *Procedures for Imposing Penalty.* The procedures for notice of violation and imposition of penalties under this chapter shall be the same as for other code violations as described in Chapter 1.14 of the Redmond Municipal Code; provided, that such procedures may be initiated by either the **Public Works** Director or the Code Compliance Officer upon request of the Director.

D. *Community Service or Supplemental Environmental Project Alternative.* The Director may, at his/her discretion, provide the option for payment of all or part of any penalties incurred by any person(s) to be made in the form of community service or a Supplemental Environmental Project that will be of benefit to the environment and the City. If a person(s) decides to avail [~~HIMSELF/HERSELF~~] **themselves** of this option when offered by the Director, the Director and the person(s) shall

enter into a formal written agreement providing for the community service or Supplemental Environmental Project. This agreement shall include, in detail, the description of the service(s) to be rendered or the project to be implemented by the person(s) in penalty for noncompliance with this chapter. The description shall include the hours of service(s) needed to offset the aforementioned penalties based on a mutually agreed upon hourly rate for service.

E. *Reinspection Fees.* In addition to the penalties imposed by the Code Compliance Hearing Examiner, the Director may impose a reinspection fee for any facility found not to be in compliance with this chapter. The reinspection fee shall be independent of any current or future penalties that may be incurred by the facility owner or operator for noncompliance with this chapter.

13.07.190.

13.07.200.

13.07.210.

13.07.220.

13.07.230.

13.07.240 **State statutes and regulations adopted by reference.**

The following state statutes and administrative regulations are hereby adopted by this reference as if set forth in full, to the extent necessary to interpret and implement this chapter:

A.	RCWs	Title
	<u>43.20</u>	[DRINKING WATER] <u>State Board of Health</u>
	[70.95] <u>70A.205</u>	[DANGEROUS AND SOLID WASTE] <u>Solid Waste Management - Reduction and Recycling</u>
	[70.105] <u>70A.300</u>	[DANGEROUS WASTE, MTCA, SEDIMENT STANDARDS] <u>Hazardous Waste Management</u>

90.48 [~~GROUND WATER, SURFACE~~
~~WATER, SEDIMENT~~] **Water**

Pollution Control

90.54 [~~GROUND WATER~~] **Water**

Resources Act of 1971

[90.70] [SEDIMENT]

B. WACs Title

173-200 Water Quality
Standards for Ground
Waters of the State
of Washington

173-201 Water Quality
Standards for Surface
Waters of the State
of Washington

173-216 State Waste Discharge
Permit Program

173-220 National Pollutant
Discharge Elimination
System Permit Program

173-204 Sediment Management
Standards

173-303 Dangerous Waste
Regulations

173-304 Minimum Functional
Standards for Solid
Waste Handling

173-340 [~~THE~~] Model Toxics
Control Act Cleanup
Regulation

246-290 **Group A** Public Water
Supplies

Section 9. Amendment of Chapter. RMC 13.08, Installing
and Connecting Water Service, is hereby amended to read as follows:

Sections:

- 13.08.010 Application for service.
- 13.08.015 Meters required.
- 13.08.020 Meters city property.
- 13.08.030 Installation charge.
- 13.08.032 [~~FULL-SERVICE~~] **Full-service** installations.
- 13.08.035 Water service modifications.
- 13.08.040 Exempt meters.
- 13.08.050 Unauthorized connections.
- 13.08.060 Fire sprinkler system connections.

13.08.010 Application for service.

All persons desiring water service from the City water
system are required to make application for such service
with the [~~UTILITY~~] **Development Engineering** Division. All

water service installations made to the City water system [~~SHALL~~] **must** be made by or under the direction of the [~~UTILITY~~] **Development Engineering** Division.

13.08.015 Meters required.

A. Each separate structure or use [~~SHALL~~] **must** be served through at least one water meter to determine the water consumption. The following structures or uses do not need to be separately metered but may be combined with other metered structures or uses as described:

1. Accessory buildings associated with single-family dwelling units, including garages, greenhouses, cabanas, workshops and similar structures not used for sleeping, cooking or other residence-specific functions may be combined with the associated single-family structure.
2. Individual mobile homes in a mobile home park may be combined except that not more than 20 units shall be served by a single meter.
3. Restroom and accessory facilities serving a public park may be combined with other metered uses.
4. "Portable" classroom buildings at a school may be combined as a single metered use but shall be separately metered from other primary structures.

5. "Portable" commercial structures or buildings such as construction trailers, landscape or building maintenance buildings.

B. Landscape irrigation systems shall be separately metered, except those installed at a single-family residence, middle housing residential unit, or those installed at other use classifications where the use is served through a water meter less than one inch in size.

For other use classifications with a meter greater than one inch, the owner has the option to use a city-owned

irrigation meter or a ~~[AT THE OPTION OF THE OWNER, THE METER MAY BE CITY-OWNED OR IT MAY BE A]~~ customer-owned exempt meter as provided in RMC 13.08.040.

C. Service to the residential units of a ~~[MIXED USE]~~ **mixed-use** structure shall be served through a separate meter if there are more than three residential units.

D. Facilities that are owned and operated by the water utility are exempt from these requirements.

E. Middle housing comprised of attached dwelling units in a single structure shall be served by at least one water meter per structure. **With the exception noted in item F below, middle** ~~[MIDDLE]~~ housing comprised of

detached dwelling units shall have their own individual meters.

F. Attached and detached accessory dwelling units can share a water meter with the primary residence as long as such accessory dwelling unit is under the same ownership as the primary residence.

G. Any detached non-livable space can share a water service with the livable space.

13.08.020 Meters city property.

All water meters furnished by the City in such installations or connections shall be and remain the property of the City.

Water service lines beyond the customer side of the water meter setter shall be owned by and the responsibility of the property owner.

Exempt meters and backflow preventers shall be owned by and the responsibility of the property owner.

13.08.030 Installation charge.

An installation charge [~~SHALL~~] must be paid by all persons connecting to the water system at the time of approval of an application for service. Installation charges will index to inflation and adjust annually The

charge shall be based upon the size of the water meter
 [AS FOLLOWS:] per the approved City fee schedule.

METER SIZE	COST
5/8 X 3/4 INCH DROP-IN	\$425.00
1 INCH DROP-IN	500.00
1.5 INCH DROP-IN	930.00
2 INCH DROP-IN	1,220.00
5/8 X 3/4 INCH FULL SERVICE	\$7,200.00
1 INCH FULL SERVICE	7,500.00
1.5 INCH FULL SERVICE	9,000.00
2 INCH FULL SERVICE	9,500.00
COMBINATION SINGLE-FAMILY RESIDENTIAL 5/8 X 3/4 DOMESTIC AND 1, 1.5 OR 2 INCH FIRE SPRINKLER SERVICE	9,500.00

13.08.032 [FULL SERVICE] Full-service installations.

[FULL SERVICE] Full-service installations shall only be constructed by the City for single-family residential structures on existing lots. Water service installations for all other developments (e.g., multifamily residential, commercial, industrial, and new residential

plats and short plats) shall be constructed as part of the development improvements by the applicant or property owner. Water service installation for middle housing residential shall be constructed as part of the development improvements by the applicant [~~FOR FOUR OR MORE METERS~~].

13.08.035 Water service modifications.

A charge shall be paid by all persons requesting a modification to their water service including adjustments of height, relocation, abandonment or other modifications. The charge shall be set by the City Engineer [~~OR HIS/HER DESIGNEE~~] in an amount to cover the City's full cost for constructing such modification.

13.08.040 Exempt meters.

Privately owned meters [~~WHICH~~] that are proposed to be installed [~~DOWN-STREAM~~] downstream of a city owned meter to measure water [~~WHICH~~] that is either not subject to sewer charges or, in the case of approved reclaimed water and rainwater harvesting systems, not subject to water consumption charges but subject to sewer charges shall be purchased from the City. The location of the privately owned meter shall be approved by the City and the materials used for the meter assembly shall be approved

by the City. The charge for the City to provide and install the meter device shall be the same as the installation charge for drop-in meters of the same size.

Exempt meters cannot be used to irrigate land served by a domestic meter in someone else's name (the exempt meter and domestic meter must be in the same customer's name).

Exempt meters may not be used for Single-Family Residential, Townhouses, and Cottage Houses as there is no commodity charge to exempt. Maintenance of these privately owned meters is the responsibility of the customer. In the case that an exempt meter is inoperable and unable to be read, the customer will not be granted an exemption.

13.08.050 Unauthorized connections.

Any person connecting to the City water system other than under the supervision and approval of the Public Works Director [DEPARTMENT], and any person reconnecting (turning on) water service after service [~~SHALL HAVE~~] has been discontinued pursuant to RMC 13.17.080 shall be guilty of a violation of this chapter and be subject to a civil infraction in an amount not to exceed [~~\$500~~] \$1200 for each violation.

13.08.060 Fire sprinkler system connections.

A. *Single-Family Residential Systems.* Fire sprinkler systems for single-family residential structures shall be metered. If separately metered, the meter shall be installed pursuant to an approved application for service. The fire sprinkler system may be separately metered or may be combined with the domestic water service to the dwelling.

B. *Other Systems.* Fire sprinkler systems for structures other than single-family residential structures shall not be separately metered. Such systems shall be connected to the City water system pursuant to construction drawings approved by the [UTILITY] **Development Services** Division of the [PUBLIC WORKS] **Planning** Department and all connections shall be made pursuant to the applicable inspection and installation procedures set forth in the Uniform Fire Code.

Section 10. Amendment of Chapter. RMC 13.10, Cross-Connection and Backflow Prevention, is hereby amended to read as follows:

13.10.010 Definitions.

For the purpose of this chapter:

A. "Backflow" means a flow, other than the intended direction of flow, of any foreign liquids, gases or

substances into the distribution system of the public water supply.

B. "Backflow prevention device" means a device approved by the State of Washington, Department of [~~SOCIAL AND HEALTH SERVICES~~] **Health** or such other state department as has jurisdiction over the subject matter and by the American Water Works Association, used to counteract back pressure or prevent siphonage into the distribution system of a public water supply.

C. "Cross-connection" means any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, **reclaimed water supply system**, sewer, drain, conduit, pool, storage reservoir, plumbing fixture or other device which contains or may contain contaminated water, [~~SEWAGE~~] **wastewater** or other wastes or liquids of unknown or unsafe quality, which may be capable of imparting contamination to a public water supply as a result of backflow.

13.10.020 Cross-connections declared unlawful.

The installation, maintenance, or operation of a cross-connection, which, in the opinion of the [~~DIRECTOR OF~~] Public Works **Director** [~~OR HIS DESIGNEE~~], will endanger

the water quality of the potable water supply of the City, is unlawful.

13.10.030 Backflow prevention devices to be installed.

Backflow prevention devices, when required to be installed in the opinion of the [~~DIRECTOR OF~~] Public Works Director [~~OR HIS DESIGNATED REPRESENTATIVE~~], shall be installed and maintained by the service customer on any service connection to the City water supply system where the backflow prevention devices are necessary for the protection of the City water supply.

13.10.040 Adoption of state regulations.

Rules and regulations of the State Board of Health regarding public water supplies, [~~WAC 248-54-820 THROUGH WAC 248-54-850~~] WAC 246-290-490, 248-54-250 through 248-54-500, 331-355, and the American Water Works Association, Pacific Northwest Section's Third Edition of "Accepted Procedure and Practice in Cross-Connection Manual" as they presently exist, and as they may from time to time be amended in the future, are adopted by this reference as if set forth in full.

13.10.050 Abatement of unlawful cross-connections and installation of backflow prevention devices - procedures.

Cross-connections declared in this chapter to be unlawful whether presently existing or hereinafter installed and/or services requiring backflow prevention devices pursuant to this chapter are public nuisances, and, in addition to any other provisions of this code or the ordinances of the City on abatement of public nuisances, shall be subject to abatement in accordance with the following procedure:

A. In the event that the **Public Works** Director [~~OF PUBLIC WORKS OR HIS DESIGNEE~~] determines that a nuisance as herein provided does exist, written notice shall be sent to the person in whose name the water service is established under the records of the City water division, or alternatively, a copy of such written notice shall be posted conspicuously on the premises served by the City water division.

B. The notice shall provide that the nuisance described herein shall be corrected within 30 days of the date the notice is mailed or posted on the premises or [~~WATER SERVICE WILL BE DISCONTINUED~~] **City will take action that may include discontinuing water service, and/or take further action pursuant to Redmond Municipal Code 5.04.140, if the nuisance property is a business.**

C. In the event the nuisance is not abated within the prescribed time, water service to the premises [SHALL] may be discontinued. Licensed businesses may be subject to review of license status pursuant to Redmond Municipal Code 5.04.140, and subject to denial, suspension, or revocation of license.

D. In the event that the nuisance, in the opinion of the Public Works [~~DIRECTOR OF PUBLIC WORKS, OR HIS DESIGNATED REPRESENTATIVE~~], presents an immediate danger of contamination to the public water supply, service from the City water supply system to the premises may be terminated without prior notice; provided, however, notice will be posted on the premises in the manner provided above at the time the service is terminated.

13.10.060 Inspections.

The [~~DIRECTOR OF~~] Public Works Director[~~, OR HIS DESIGNEE~~], upon showing proper identification [SHALL] must be allowed access to all portions of the premises, including buildings and structures, to which water is supplied, at reasonable hours of the day and for the sole purpose of inspecting and determining compliance on such property with all provisions of this chapter. Water service may be refused or discontinued to any premises

for failure to allow such necessary access and inspections.

13.10.070.

Section 11. Amendment of Section. RMC 13.11.030, General Connection Charge, is hereby amended to read as follows:

13.11.030 General connection charge.

There is established a general water connection charge and a general sewer connection charge [~~WHICH~~] **that** shall be imposed on all owners of real property seeking to connect said property and improvements to the City water and/or sewer systems.

Section 12. Amendment of Section. RMC 13.11.032, Regional Water Connection Charge, is hereby amended to read as follows:

13.11.032 Regional water connection charge.

There is established a regional water connection charge [~~WHICH~~] **that** shall be imposed upon all owners of real property seeking to connect said property and improvements to the City water system. The amount of the regional water connection charge shall be equal to the regional capital facility charge imposed by the Cascade Water Alliance, plus an additional [~~THREE~~] **four** percent [~~(3%)~~] **(4%)** of said charge, rounded up to the nearest

dollar. The regional water connection charge shall be in addition to any and all other connection charges established by this chapter or elsewhere in the City's Codes and ordinances.

Section 13. Amendment of Section. RMC 13.11.035,
Additional Connection Charge, is hereby amended to read as follows:

13.11.035 Additional connection charge.

A. Whenever the City constructs a sewer or water system improvement [~~WHICH~~] that will provide service to or benefit only a limited number of properties within a defined geographic area, the owners of those properties who thereafter seek connection to the City's water or sewer system through the improvement shall be required to pay, in addition to the general connection charge established by this chapter, an additional connection charge consisting of an equitable share of the costs [~~WHICH~~] that have been incurred by the City to design, engineer, construct and install the water or sewer system improvement.

B. *Single-Family Residential Main Extensions.* The amount of the water or sewer additional connection charge and the area or properties which will be required to pay the same shall be established by the [~~DIRECTOR~~

⊕F] Public Works Director pursuant to the following procedure:

1. The total project cost shall be determined to include all costs to design, engineer, construct and install the water or sewer main extension. A "project" shall be defined as that construction which provides service to contiguous or nearly contiguous properties in a specific geographic area.

2. The number of existing homes which may connect to the water or sewer extension shall be determined.

3. The number of future homes which may connect to the water or sewer extension lots shall be determined.

"Future homes" are those which may be constructed either on vacant lots or on underdeveloped lots. In making this determination, the Public Works Director shall consider the practicality of achieving the density allowed by zoning on any lot, and shall determine the number of homes possible in light of such practical constraints as placement of existing structures, topographical features, sensitive areas and other typical constraints relevant to construction of new homes.

4. The cost per dwelling unit shall be determined by dividing the project cost from subsection B.1 above by

the sum of the existing homes from subsection B.2 above and future homes from subsection B.3 above.

5. For all existing homes [~~WHICH~~] **that** may connect to a sewer extension, the additional connection charge shall be (a) 50% of the cost per dwelling unit from subsection B.4 above or (b) the cost per dwelling unit from subsection B.4 above minus \$10,000, whichever is greater.

6. For all future homes [~~WHICH~~] **that** connect to either a water or a sewer extension and for existing homes which connect to a water extension, the additional connection charge shall be the cost per dwelling unit from subsection B.4 above.

C. *Repealed by Ord. 2936.*

D. *System Improvements except for Single-Family Residential Main Extensions.* The amount of the water or sewer additional connection charge and the area or properties which will be required to pay the same shall be established by resolution of the City Council. In establishing the amount of the charges, the City Council shall consider the costs [~~WHICH~~] **that** will be or have been incurred to design, engineer, construct and install

the water or sewer system improvement, together with any other relevant information.

E. The additional connection charge will include an appropriate interest charge from the completion of the improvement until the time of connection, in accord with Section 13.11.100.

Section 14. Amendment of Section. RMC 13.11.036, Loan Program for Additional Connection Charge, is hereby amended to read as follows:

13.11.036 Loan program for additional connection charge.

A. Property owners who meet the requirements of this section may qualify for a loan of a portion of the additional sewer connection charge established under Section 13.11.035. The principal amount of the loan authorized by this section shall not exceed the amount of the additional connection charge, less any private financing or prepayment by the owner. The actual amount financed shall be determined under the following formula:

Owner's Share of Sewer Project

(= Total Project Cost/Number of Benefited Properties)

Less 50% or \$10,000, whichever is less

Less Private Financing or Prepayment (if any)

Equals Total Loan Amount.

B. In order for a property owner to qualify for a loan under this section, the property to which the connection is to be made must be developed with an existing single-family home served by an existing septic system. Vacant property, property used for multifamily dwelling units, property served by existing sewers, and nonresidential property shall not qualify for the loan program established by this section.

C. In order to qualify for a loan under this section, the property owner must fill out a credit application and pass an appropriate credit check. The City reserves the right to exercise reasonable business judgment and to disapprove any loan based upon a credit check. The application must be accompanied by a nonrefundable application fee in an amount set in the City's user fee resolution.

D. The terms of the loan shall be as follows:

1. The loan will be structured as a simple promissory note.

2. The term of the note shall not exceed [~~10~~] **15** years, commencing at the time the property is connected to the sewer.

3. The note will bear interest at the rate which is based on the City's current investment yield at the time of the loan, plus a two percent margin to cover administrative costs and interest rate fluctuations over the loan period.

4. The loan will be secured by an interest in the property. The property interest may take the form of a lien, a deed of trust, or such other instrument as may be acceptable to the City Finance Director and City Attorney.

5. The note shall provide for acceleration of the principal upon default in any payment. In the event of default, the City shall have all available remedies, including, but not limited to, foreclosure of its interest in the property, notification of credit bureaus, use of collection agencies, and terminating service.

6. Loan principal and interest charges will be billed by the City and due monthly. Appropriate penalties may be imposed by the City for delinquent accounts.

7. There shall be no penalty for prepayment.

8. The note will contain a due on sale clause which provides for payment in full of all outstanding principal and interest upon sale of the property.

E. No loan shall be made unless the property owner connects the property to the system and pays the City's general connection charge and the [METRO] **King County Wastewater Treatment Division** connection charge at the time the property is connected. In no event shall the loan be used to cover the City's general connection charge, the [METRO] **King County Wastewater Treatment Division** connection charge, the property owner's side sewer costs, the decommissioning of the property's septic system, or any other charge not included in the additional connection charge established by Section 13.11.035.

F. Nothing in this section requires any person to finance any portion of the additional connection charge through the City. Property owners are free to pay any or all of the additional connection charge at the time of connection and may privately finance any or all of the additional connection charge.

G. Loans shall be limited by available funds. The amount of available funds shall be at the discretion of the City Council and shall be determined periodically by City Council motion, resolution, or ordinance. All funds used for loan purposes shall be derived from operating revenues from the sale of sewer services.

Section 15. Amendment of Section. RMC 13.11.040, Water and Sewer Stub Charge, is hereby amended to read as follows:

13.11.040 Water and sewer stub charge.

When constructing water or sewer mains, and street projects, and when determined feasible by the Public Works Director, the City shall extend water main stubs, sewer main stubs and side sewer stubs to the property line of each parcel of undeveloped property. These stubs [~~SHALL~~] **must** be capped until needed for development. Any person desiring to connect to a stub or develop a property for which a stub was provided, shall make payment to the City for the City's costs incurred in constructing the stub to the property. The amount of the stub charge shall be established by resolution of the City Council. The water and sewer stub charge shall be in addition to any other required charges or fees,

including inspection and connection charges and shall be paid at the time of application for connection.

Section 16. Amendment of Section. RMC 13.11.060,
Calculating and Setting General Connection Charges, is hereby amended to read as follows:

13.11.060 Calculating and setting general connection charges.

The amount of the water and sewer general connection charges shall be established by resolution or ordinance of the City Council. In establishing the amount of the charges, the City Council shall consider the costs of the system together with any other relevant information, and shall determine the amount of charges, which will result in the payment of an equitable share of the costs of such systems by those property owners desiring to connect to such systems. The amount of the charges [SHALL] must be reviewed by the utility not less frequently than in January of odd numbered years. Based upon these periodic reviews, the utility shall make a written recommendation to the City Council upon the need for revision of the charges.

Section 17. Amendment of Section. RMC 13.11.130,
Connection Charge Computations, is hereby amended to read as
follows:

13.11.130 Connection charge computations.

Applications for connection to the water and sewer
system [~~SHALL~~] **must** be made to the utility on a
printed form furnished for that purpose, and the
utility shall calculate the applicable charges imposed
pursuant to this chapter.

Section 18. Amendment of Chapter. RMC 13.12,
Reimbursement Agreements for Utility Improvements, is hereby
amended to read as follows:

13.12.010 Purpose.

The purpose of this chapter is to prescribe rules and
regulations for exercise of the authority to enter into
a Utility Reimbursement Agreement granted to the City by
RCW Chapter 35.91. The rules and regulations included in
this chapter are based on Redmond's interpretation that
Chapter 35.91 contemplates that reimbursement
agreements will be executed prior to commencement of
construction. **Utility Reimbursement Agreements allow
property owners who extend utilities across other
property frontages (or through easements on other**

properties) to recover a portion of the costs from benefitting property owners when those owners develop their property.

13.12.020 Definitions.

As used in this chapter, the terms listed below shall be defined as follows:

A. "Cost of construction" means those costs incurred for design, acquisition for right-of-way and/or easements, construction, materials and installation required in order to create an improvement ~~[WHICH]~~ **that** complies with city standards. Until such time as RCW Chapter 35.91 is amended to expressly authorize inclusion of interest charges or other financing costs, such expenses shall not be included in the calculation of construction costs. In the event of a disagreement between the City and the applicant concerning the cost of the improvement, the ~~[CITY DIRECTOR'S]~~ **Public Works Director's** determination shall be final.

B. "**Public Works** Director" means the ~~[DIRECTOR OF]~~ Public Works **Director or their representatives pursuant to RMC 1.01.025** ~~[OR HIS/HER DESIGNATED REPRESENTATIVE]~~.

C. "Reimbursement agreement" means a written contract between the City and one or more property owners

providing for construction of water or sewer facilities and for partial reimbursement to the party causing such improvements to be made of a portion of the costs of such improvements by owners of property benefitted by the improvements, as more specifically described in RCW Chapter 35.91.

D. "Water or sewer facilities" shall have the meaning specified in RCW 35.91.020 as it now reads, or as hereafter amended.

13.12.030 Minimum project size.

In order to be eligible for a reimbursement agreement, the estimated cost of the proposed improvement must not be less than [~~FIVE THOUSAND DOLLARS~~] **\$15,000**. The estimated cost of the improvement shall be determined by the [~~DIRECTOR~~] **Public Works Director**, based upon a construction contract for the project, bids, engineering or architectural estimates or other information deemed by the [~~DIRECTOR~~] **Public Works Director** to be a reliable basis for estimating costs. The determination of the [~~DIRECTOR~~] **Public Works Director** shall be final.

13.12.040 Application.

An application for reimbursement agreement [~~SHALL~~] **must** be made on a form provided by the City. The application

fee shall be set by council resolution and shall be submitted to the City with the written application and [~~SHALL~~] **must** be accompanied by:

- A. Preliminary utility design drawings;
- B. Itemized estimate of construction costs prepared and signed by a licensed civil engineer or in the form of a bid submitted by a qualified contractor (if more than one bid has been obtained, all bids must be submitted to the City);
- C. A scaled vicinity drawing on eight and one-half inch by eleven inch [~~MYLAR~~] **sheet**, stamped by a licensed civil engineer or licensed land surveyor depicting the improvements and their location and the proposed benefitted area, including dimensions and county assessor's numbers for each tax parcel, size of parcels, and evaluations where necessary for determining benefits;
- D. A separate legal description for each tax parcel within the benefitted area; and
- E. Such other information as the [~~DIRECTOR~~] **Public Works Director** determines is necessary to properly review the application.

13.12.050.

13.12.060 Director's determination - Review by Mayor.

A. The Public Works Director shall review all applications and shall approve the application only if the following requirements are met:

1. The project satisfies the minimum size requirement, Section 13.12.030; and
2. The proposed improvements fall within the description of water or sewer facilities as those terms are described in RCW Chapter 35.91; and
3. The proposed improvements are not constructed or currently under construction.

B. In the event all of the above criteria are not satisfied, the Public Works Director may condition approval as necessary in order for the application to conform to such criteria, or shall deny the application. The final determination of the Public Works Director shall be in writing. The applicant may obtain a review of the final determination by filing a request therefor with the City Clerk no later than ten (10) days after mailing a copy of the final determination to the applicant at the address listed on the application.

C. In reviewing a final determination, the Mayor shall apply the criteria set forth above, and shall uphold the decision of the Public Works Director unless evidence presented by the applicant clearly demonstrates that the criteria have been satisfied.

13.12.070 Determination of reimbursement area boundary and reimbursement fee.

In the case of all applications [which] that are approved, the [DIRECTOR] Public Works Director shall define the reimbursement area based upon a determination of which parcels did not contribute to the original cost of the water or sewer facility for which the reimbursement agreement applies and [which] that may subsequently tap into or use the same, including not only those [which] that may connect directly thereto, but also those who may connect to laterals or branches connecting thereto. An estimated amount of the reimbursement fee shall be established so that each property will pay a share of the costs of the improvements, [which] that is proportional to the benefits [which] that accrue to the property. Properties upstream of utility improvements are not eligible for inclusion in the reimbursement area boundary.

13.12.090 Reimbursement agreement must be recorded.

In order to become effective, a reimbursement agreement must be recorded with the [~~OFFICE OF THE KING COUNTY DEPARTMENT OF RECORDS AND ELECTIONS~~] **King County Recorder's Office**. It shall be the sole responsibility of the beneficiary of the reimbursement agreement to verify the agreement has been recorded.

13.12.100 Written agreement - Payment of city costs in excess of application fee.

A. Upon approval of the application, determination of the estimated costs of construction, the reimbursement area and estimated fees by the **Public Works** Director, the applicant [~~SHALL~~] **must** sign a reimbursement agreement in the form supplied by the City. The signed agreement, the application and supporting documents, together with the [~~DIRECTOR'S~~] **Public Works Director's** estimate of cost of construction, and determination of reimbursement area and estimated fees shall be presented to the Mayor. The Mayor is hereby granted the authority to sign reimbursement agreements on behalf of the City.

B. In the event that costs incurred by the City for engineering or other professional consultant services required in processing the application exceed the amount

of the application fee, the Public Works Director shall so advise the Mayor and Mayor's approval shall be conditioned upon receipt of payment by the applicant of an additional amount sufficient to compensate the City for its costs in excess of the application fee.

13.12.110 Construction and acceptance of improvements -

Recording of final fees.

A. After the reimbursement agreement has been signed by both parties, and all necessary permits and approvals have been obtained, the applicant shall construct the improvements, and upon completion, request final inspection and acceptance of the improvements by the City, subject to any required obligation to repair defects. An appropriate bill of sale, easement and any other document needed to convey the improvements to the City and to insure right of access for maintenance and replacement shall be provided, along with documentation of the actual costs of the improvements and a certification by the applicant that all of such costs have been paid.

B. In the event that actual costs are less than the [~~DIRECTOR'S~~] Public Works Director's estimate used in calculating the estimated fees by ten percent or more,

the [~~DIRECTOR~~] Public Works Director shall recalculate the fees, reducing them accordingly, and shall cause a revised list of fees to be recorded with the [~~COUNTY AUDITOR~~] King County Recorder's Office.

13.12.120.

13.12.125.

13.12.130.

13.12.135 Notice of contact information.

The reimbursement agreement shall include a provision that requires that any party entitled to reimbursement under the agreement provide the City current contact information including name, address and telephone number. This contact information [~~SHALL~~] must be provided every two years from the date of the agreement. If a party entitled to be reimbursed fails to notify the City of current contact information within 60 days of the due date for notification that party will no longer be entitled to reimbursement and the City will collect such fees owing and deposit those fees in the appropriate utility construction fund.

13.12.140.

Section 19. Repeal of Chapter. RMC 13.15, Latecomer
Connection Charge - 180th Avenue N.E. Sanitary Sewer
Improvements, is hereby repealed in its entirety:

[SECTIONS:

~~13.15.010 DESCRIPTION OF IMPROVEMENTS.~~

~~13.15.020 DESCRIPTION OF SERVICE AREA.~~

~~13.15.030 CONNECTION CHARGE - ASSESSMENT RATE.~~

~~13.15.040 COLLECTION OF CONNECTION CHARGES.~~

~~13.15.050 ADDITIONAL TO OTHER CHARGES.~~

~~**13.15.010 DESCRIPTION OF IMPROVEMENTS.**~~

~~THE SANITARY SEWER SYSTEM IMPROVEMENTS REFERRED TO IN
THIS CHAPTER AND THOSE TO WHICH THIS CHAPTER SHALL
PERTAIN CONSIST OF THOSE SANITARY SEWER SYSTEM
IMPROVEMENTS INSTALLED UNDER PROJECT NO. 78-SS-63, LID
79-SS-31, KNOWN AS AND HEREINAFTER REFERRED TO AS THE
"180TH AVENUE N.E. SANITARY SEWER PROJECT."~~

~~**13.15.020 DESCRIPTION OF SERVICE AREA.**~~

~~THE SERVICE AREA FOR THE PURPOSES OF THIS CHAPTER SHALL
INCLUDE THOSE PROPERTIES IN THE VICINITY OF 180TH AVENUE
N.E. WHICH WERE NOT INCLUDED IN AND ASSESSED UNDER LID
79-SS-31, BUT WHICH MAY LATER BE SERVED BY SAID
IMPROVEMENTS AND SPECIFICALLY INCLUDING THE REAL
PROPERTY DESCRIBED ON EXHIBIT A, ATTACHED TO THE~~

~~ORDINANCE CODIFIED IN THIS CHAPTER AND INCORPORATED
HEREIN BY THIS REFERENCE, SITUATED IN THE CITY OF
REDMOND, KING COUNTY, WASHINGTON.~~

~~**13.15.030 CONNECTION CHARGE — ASSESSMENT RATE.**~~

~~AS A CONDITION TO THE RIGHT TO CONNECT TO THE 180TH
AVENUE N.E. SANITARY SEWER PROJECT, A CHARGE BASED ON
THE ORIGINAL ASSESSMENT METHOD FOR LIKE LOTS LOCATED
WITHIN THE LOCAL IMPROVEMENT DISTRICT, SHALL BE PAID AND
COMPUTED AS FOLLOWS:~~

~~ZONE 1, PROXIMITY OF SERVICE ZONE: FIRST 200 FEET OF LOT
DEPTH ABUTTING SEWER — \$0.0829222 PER SQUARE FOOT.~~

~~ZONE 2, GENERAL AREA ZONE: AREA BEYOND ZONE 1 EXTENDING
TO THE SERVICE AREA BOUNDARY DESCRIBED IN
SECTION 13.15.020 — \$0.04146115 PER SQUARE FOOT.~~

~~THE CONNECTION CHARGE SHALL BE COLLECTED FROM THE OWNERS
OF ALL PROPERTY INCLUDED WITHIN THE SERVICE AREA SET
FORTH AND DESCRIBED IN SECTION 13.15.020. THE
DETERMINATION OF THE AREA TO BE CHARGED, INCLUDING
COMPUTATIONS FOR INDIVIDUAL LOTS AND TRACTS, SHALL BE
MADE BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY. IN
THE CASE OF LARGE, UNPLATTED TRACTS, THE PUBLIC WORKS
DEPARTMENT SHALL HAVE THE AUTHORITY TO SEGREGATE THE
PROPERTY TO BE SERVED FOR THE PURPOSE OF DETERMINING THE~~

~~AREA WHICH SHALL BE SUBJECT TO THE CONNECTION CHARGE;
PROVIDED THAT IN NO CASE SHALL THE SIZE OF THE AREA
CHARGED BE LESS THAN THE EXISTING ZONING REQUIREMENTS
FOR THE USE ZONE DISTRICT INVOLVED.~~

~~**13.15.040 COLLECTION OF CONNECTION CHARGES.**~~

~~THE CONNECTION CHARGES HEREIN DETERMINED SHALL BE
PAYABLE AT THE TIME APPLICATION FOR A SANITARY SEWER
SERVICE CONNECTION IS MADE. CONNECTION CHARGES COLLECTED
SHALL BE CONSIDERED REVENUE OF THE WATER/SEWER UTILITY
TO BE USED SOLELY FOR CAPITAL IMPROVEMENTS. CONNECTION
SHALL NOT BE MADE UNTIL ALL CONNECTION CHARGES HAVE BEEN
PAID.~~

~~**13.15.050 ADDITIONAL TO OTHER CHARGES.**~~

~~THE CONNECTION CHARGES ASSESSED PURSUANT TO THIS CHAPTER
SHALL BE IN ADDITION TO THE ACTUAL COST OF SUCH
CONNECTION AND TO CHARGES IMPOSED UNDER OTHER ORDINANCES
OF THE CITY RELATED TO UTILITY CONNECTIONS, INCLUDING
SECTION 13.16.100* OF THE REDMOND MUNICIPAL CODE.]~~

Section 20. Amendment of Section. RMC 13.16.010,

Definitions, is hereby amended to read as follows:

13.16.010 Definitions.

A. Use Classifications.

1. Detached Single-Family Residential. Detached single-family residential shall include:

- a. One single-family dwelling; or
- b. One single-family dwelling that includes an attached and/or detached accessory dwelling unit(s). Accessory single-family structures including, but not limited to, garages, greenhouses, cabanas, workshops with plumbing, etc., shall be incidental uses to single-family residential and shall not cause a change in classification to multifamily residential or commercial.

2. Middle Housing. Middle housing includes buildings that are compatible in scale, form, and character with single-family houses and contain from two to eight attached, stacked, or clustered homes including:

- a. Duplexes, triplexes, fourplexes, fiveplexes, sixplexes;
- b. Townhouses;
- c. Stacked flats;
- d. Courtyard apartments; and
- e. Cottage housing.

Middle housing has the same meaning as RCW 36.70A.030, Middle Housing, and as hereafter amended.

3. Multifamily Residential. Multifamily residential shall include:

a. A nine- or more unit apartment or condominium building; or

b. One or more units in a mobile home park served through a single meter; or

c. Laundry buildings, recreation buildings and other accessory buildings in multifamily residential developments, including associated pools and spas; or

d. Boarding homes, group homes and retirement homes, not including convalescent centers or nursing homes.

4. Commercial. Commercial shall include all uses not classified as single-family residential, middle housing, multifamily residential, irrigation, or cooling towers and shall include, but not be limited to, structures used for retail sales, offices, manufacturing, schools, convalescent centers and nursing homes. Mixed use structures with both the commercial and residential uses served by a single meter shall be classified commercial. Mixed use structures with the commercial and residential uses served by separate meters shall be classified multifamily and commercial as appropriate for the separate parts. Single-family residential structures in

commercial zones that have been converted to commercial uses shall be classified commercial, and once converted shall remain commercial even if returned to a residential use.

5. Irrigation. Irrigation shall include meters installed ~~[WHICH]~~ **that** serve primarily landscape irrigation systems and include city-owned meters ~~[WHICH]~~ **that** directly connect to the City water system (water only) or privately owned meters located downstream of a city-owned meter (exempt meters). Meters ~~[WHICH]~~ **that** serve park properties, golf courses, commercial nurseries or agricultural uses shall be classified as irrigation except for meters which serve only nonirrigation uses. Exempt meters ~~[WHICH]~~ **that** serve uses other than landscape irrigation systems shall also be considered irrigation and shall not be considered commercial.

6. Hydrant Use.

a. Type "A" ~~[HYDRANT USE SHALL INCLUDE THE CONNECTION TO A HYDRANT WITH HOSE OR PIPING ONE INCH AND SMALLER IN SIZE FOR SHORT-TERM CONSTRUCTION AND DEMOLITION ACTIVITIES]~~ **Eliminated.**

b. Type "B" hydrant use shall include the connection to a hydrant to fill water carrying trucks used for construction, street cleaning, parking lot cleaning, landscape spraying and other similar uses.

c. Type "C" hydrant use shall include the connection to a hydrant for construction, demolition, and other stationary uses. [~~OF HOSE OR PIPING LARGER THAN ONE INCH AND ANY OTHER USES NOT CLASSIFIED TYPE "A" OR TYPE "B."~~]

Type "C" hydrant uses shall be metered.

7. Fire Sprinklers - Single-Family Residential. Fire sprinkler - single-family residential shall include all single-family residential fire sprinkler systems served by a meter which is separate from the domestic water meter and shall not include meters [~~WHICH~~] that serve both a domestic water and fire sprinkler system.

8. Cooling Tower. Cooling tower uses shall include all separately metered supplies to mechanical equipment where a large percentage of the water is lost to evaporation. The meter can be either a city-owned meter or can be a privately owned meter similar to an exempt meter except that the wastewater is not exempt from sewer charges.

B. Chargeable Wastewater. Chargeable wastewater, for calculation of sewer rates and charges, shall be the quantity of water metered through a primary meter less the quantity of water metered through an exempt meter, if an exempt meter exists. An exempt meter may be installed where the use of water is such that all of the water used does not enter the City [~~SEWAGE~~] **wastewater** system, such as water used for irrigation, or consumed in a manufactured product, and the user provides proof of these conditions.

C. Residential Equivalent. One residential equivalent for King County sewer charges shall be as established by contract with King County.

Section 21. Amendment of Section. RMC 13.16.030,

Hydrant Use Charges, is hereby amended to read as follows:

13.16.030 Hydrant use charges.

A. [~~DEPOSITS~~] **Deposit and payments** shall be required for all Hydrant Use Permits.

B. Hydrant Use Permit charges include daily and monthly fees and commodity charges when metered in accordance with the [~~FOLLOWING~~] **approved City fee schedule.**

[~~SCHEDULE:~~]

[~~1. REDMOND SERVICE AREA.~~]

2025 AND-AFTER RATES	TYPE "A"	TYPE "B"	TYPE "C"
DEPOSIT	\$707.17	\$1,767.60	\$1,414.08
MONTHLY ADMINISTRATIVE FEE	73.52	73.52	73.52
DAILY FEE	12.53	47.09	4.25
COMMODITY CHARGE (PER 100 CF)			
2025 RATE	0.00	0.00	7.95
2026 AND-AFTER RATE	0.00	0.00	8.75

~~2. NOVELTY HILL SERVICE AREA.~~

2025 AND-AFTER RATES	TYPE "A"	TYPE "B"	TYPE "C"
DEPOSIT	\$1,380.37	\$2,070.55	\$2,070.55
MONTHLY ADMINISTRATIVE FEE	104.63	104.63	104.63
DAILY FEE	18.91	66.33	5.67
COMMODITY CHARGE (PER 100 CF)			
2025 RATE	0.00	0.00	17.12

2025 AND AFTER RATES	TYPE "A"	TYPE "B"	TYPE "C"
2026 AND AFTER RATE	0.00	0.00	18.83]

Section 22. Amendment of Subsection. RMC 13.16.040(D), Sewer Service Rates and Charges, is hereby amended to read as follows:

13.16.040(D) Sewer service rates and charges.

D. Other. Sewer rates and charges for other uses which do not have a metered water supply such as, but not limited to, parking garages, dumpsters/compactors, gasoline station pump islands, surface drains, etc., shall be at the commercial rate in subsection C of this section. The Public Works Director [~~OR DESIGNEE~~] may establish a monthly estimate of the quantity of wastewater that is considered chargeable wastewater depending on the use being connected. Each individual use shall be subject to minimum monthly charges as though it was a metered use.

Section 23. Amendment of Subsection. RMC 13.16.050(A), Supplemental Water and Sewer Rates and Charges, is hereby amended to read as follows:

13.16.050(A) Supplemental water and sewer rates and charges.

A. Low Income Disabled and Low Income Senior Citizen Credit. A "low income disabled" or "low income senior citizen" credit of 50 percent of monthly water, sewer, King County Wastewater Treatment, and [~~STORM DRAIN~~] **stormwater** charges shall be allowed to persons who make application therefor to the City and who qualify for such credit. For the purposes of this section, "low income senior citizen" means a person who has attained the age of 62 years and whose total household income from all sources does not exceed the amount specified as "very low income" in the regulations of the United States Department of Housing and Urban Development (HUD) for Section 8 programs, as now existing or as hereafter amended. For the purposes of this section, "low income disabled" means a person whose total household income from all sources does not exceed the amount specified as "very low income" under the regulations of the United States Department of Housing and Urban Development (HUD) for Section 8 programs, as now existing or as hereafter amended, and who has been determined to be totally and permanently disabled as defined by the Social Security

Administration or the Veterans Benefits Administration. Applications must include proof of such disability from the Social Security Administration or Veterans Affairs. To qualify for either credit you must be a "low income senior citizen" or "low income disabled"; and you must reside in a living unit that has a use classification of single-family residential or middle housing, and you must be the person or spouse of the person named on the billing statement. The credit shall only be allowed from and after the date that the application is approved. The City shall not be liable for the failure of any qualified person to make application for the credit and there shall be no entitlement to such credit in the absence of an application.

Section 24. Amendment of Subsection. RMC 13.16.050(D), Supplemental Water and Sewer Rates and Charges, is hereby amended to read as follows:

13.16.050(D) Supplemental water and sewer rates and charges.

D. Novelty Hill Service Area Depreciation Rate Surcharge. Within the Novelty Hill service area a depreciation rate surcharge shall be collected at the time of sale of water meters or side sewer permits and

shall be collected for each meter and side sewer connection. The charge shall be based on water meter size for all classes of use and shall be as follows:

1. Water.

Meter Size	Surcharge
5/8" x 3/4"	\$ 425.00
1"	1,065.00
1 1/2"	2,125.00
2"	3,400.00
3"	6,800.00
4"	10,625.00
6"	21,250.00

2. Sewer.

Meter Size	Surcharge
5/8" x 3/4"	\$ 325.00
1"	815.00
1 1/2"	1,625.00
2"	2,600.00

Meter Size	Surcharge
3"	5,200.00
4"	8,125.00
6"	16,250.00

For sewer connections that do not have a water supply, the Public Works Director [~~OR HIS/HER DESIGNEE~~] shall establish meter size equivalent for the use.

Section 25. Amendment of Subsection. RMC 13.16.050 (E), Supplemental Water and Sewer Rates and Charges, is hereby amended to read as follows:

13.16.050 (E) Supplemental water and sewer rates and charges.

E. Miscellaneous Service Fees. The Public Works Director shall establish regulations, procedures and fees for incidental services provided by the utility for services, including but not limited to meter testing, exchanging, or removal; fire hydrant flow testing; the cross-connection and backflow prevention program; customer service requests; final bill reading; sewer television services; system damage and vandalism; pre-treatment device inspections; water and sewer

availability letters and certificates; construction [~~STORM WATER~~] stormwater discharges to the sanitary sewer; utility location requests; and other such services.

Section 26. Amendment of Chapter. RMC 13.17, Utility Accounts, is hereby amended to read as follows:

13.17.010 Utility accounts.

A. Utility accounts shall be established for any property, structure, or use receiving water, sewer, or [~~STORM WATER~~] stormwater services. The Finance Department may aggregate or separate accounts for such properties, structures, or uses as it determines appropriate considering property ownerships, tenants, consolidation of bills, [~~SHUT-OFF~~] shut off and lien procedures, and any other applicable factors.

B. Accounts for water service shall be established as soon after water meter installation as feasible. Water service shall be billed from date of meter installation. Water service accounts shall only be terminated after removal of the structure or use receiving water service and removal of the meter as processed through a water [~~SHUT-OFF~~] shut off. Accounts for structures which are

temporarily or permanently vacant shall continue to receive regular service charges.

C. Accounts for sewer service shall be established as soon after the side sewer connection as feasible. Sewer service shall be billed from date of side sewer connection. Sewer service accounts shall only be terminated after removal of the structure or use receiving sewer service, and removal of the side sewer providing the service as documented by a side sewer permit inspection.

D. [~~STORM WATER~~] **Stormwater** service shall be billed at such time that Public Works notifies Utility Billing that impervious surface on a parcel has changed. [~~STORM WATER~~] **Stormwater** service accounts shall only be terminated when parcels are returned to "undeveloped" status based on a restoration plan approved by the City.

13.17.020 Billing.

A. Billing for single-family residential and middle housing townhouses and cottage houses shall be bimonthly. Billing for multifamily residential, middle housing except for townhouses and cottage houses, commercial, other developed (~~[STORM WATER]~~ **stormwater** only), and irrigation shall be monthly, except that

multifamily residential, commercial, other developed, and irrigation may be billed bimonthly for isolated uses located within single-family areas. Billing dates may be staggered throughout the month and billing dates shall be established administratively by the Finance Director.

B. Fixed monthly charges shall apply from billing date to billing date, read date to read date, or shall apply for a one-month period of time, as determined by the Finance Director, and may be prorated based on the number of days in the billing period. Commodity charges shall be based on consecutive meter readings which shall be scheduled to be completed a reasonable time before the billing dates.

C. If on the billing date the meter reading for the billing period shall not have been completed, the consumption for the billing period shall be estimated from patterns of previous consumption.

D. For water and sewer accounts a final billing will be processed when a change in ownership or a change in tenants occurs.

E. A final [~~STORM WATER~~] stormwater bill for a change in tenants will only be processed if the account is classified as single-family or middle housing and is

billed with the water or sewer bills as indicated in Section 13.17.040.B.

F. For [~~STORM WATER~~] stormwater accounts classified as "other developed," a final bill will only be processed when there is a change in parcel ownership or unit ownership for middle housing.

G. An administrative fee in an amount established by the Finance Director to cover the administrative costs for processing a final bill shall be charged to any account for which a final billing is processed.

13.17.030 Due date.

All rates and charges for water service, hydrant use, sewer service and [~~STORM WATER~~] stormwater management service shall be due on the day stated in the billing statement.

13.17.040 Billing statements.

A. Water and sewer billing statements for single-family residential, multifamily residential, middle housing, commercial and irrigation accounts shall be made in the name of the property owner, or pursuant to a property owner's written agreement with the City, to a management company, tenant or other authorized agent.

B. For residential parcels classified as single-family by the [~~STORM WATER~~] **stormwater** code, Section 13.18.040.E, the [~~STORM WATER~~] **stormwater** fee shall be billed with the sanitary sewer or on the water bill for the entire parcel if the property is served by those utilities.

C. For "other developed" parcels and middle housing units, a single [~~STORM WATER ONLY~~] **stormwater-only** bill will be issued to the property owner (taxpayer) of record per the King County Assessor Records. At the written request of the property owner, the bill may be forwarded to a property management company or a payment processing center; however, no [~~STORM WATER~~] **stormwater** billings for "other developed" parcels will be made in the name of a tenant. Property held in common by several owners may be billed to a homeowners' association or property management company at the written request of the property owners.

D. A separate [~~STORM WATER~~] **stormwater** bill shall be issued to the property owner (taxpayer) of record per the King County Assessor Records for single-family and other developed parcels within the City which are not City water or sanitary sewer customers.

E. Billings made to persons other than the property owner shall not relieve the owner of the property from liability for payments of rates and charges for water service, hydrant use, sewer service and [~~STORM WATER~~] **stormwater** management service, including, but not limited to, monthly charges, commodity charges, delinquency charges, lien fees and court fees and shall not in any way affect the lien rights of the City against the property to which the services are furnished.

13.17.050 Returned payments.

An account for which a payment for rates and charges for water, sewer, or [~~STORM WATER~~] **stormwater** services is made to the City and said payment is not honored by the bank or other financial institution for insufficient funds or for any other reason, shall be charged an administrative fee in an amount as established by the Finance Director.

13.17.060 Partial payments.

A. Any payment of fees and charges for water, sewer, or [~~STORM WATER~~] **stormwater** services shall be applied to the outstanding fees and charges in the following manner:

1. Where a single combined bill is sent to an account holder for water, sewer and [~~STORM WATER~~] stormwater, any payment received shall be applied to the outstanding fees and charges in the following manner:

a. To the fees and charges of the billing with the earliest due date.

b. In the following order of fees and charges within said billing:

i. Fees and charges not identified below.

ii. [~~METRO SEWAGE~~] King County Wastewater Treatment Division wastewater disposal component of the sewer service charges.

iii. [~~STORM WATER~~] stormwater service charges.

iv. Redmond collection component of the sewer service charges.

v. Water service charges.

2. Where separate bills for water, sewer, and [~~STORM WATER~~] stormwater are sent to a single account holder or to multiple account holders for a single parcel, any payment received shall be applied to the outstanding fees and charges owed by the account holder submitting payment.

13.17.070.

13.17.080 Delinquent account processing.

A. Interest shall be charged for any sewer or [~~STORM WATER~~] stormwater fee or charge, or any portion thereof, which has not been paid within sixty days of the due date. The interest rate shall be 8 percent per annum computed on a monthly basis. This interest charge shall be billed on each regular billing as the charges become applicable.

B. The Public Works Director together with the Finance Director shall establish regulations and procedures for discontinuing water service to properties for which water service fees become delinquent. These regulations and procedures shall provide for a date at which delinquent accounts will be processed for shutoff and shall provide for a notice to be given advising of the planned discontinuance of water service. Administrative fees in an amount established by the Finance Director to cover the administrative costs of notification and processing shall be charged to any account for which delinquent water fees and charges remain unpaid in accordance with said rules and regulations.

Administrative fees in an amount established by the Finance Director to cover the cost to turn off and turn on water service shall be charged to any account for which an employee of the City is sent to the property to turn on or turn off the water in accordance with said rules and regulations.

C. All fees and charges for water, sanitary sewer and [~~STORM WATER~~] **stormwater** services including but not limited to all charges for turning water on or off, together with any penalties and interest that may be provided by ordinance, shall be a lien upon the property to which the water, sanitary sewer and/or [~~STORM WATER~~] **stormwater** service is furnished superior to all other liens and encumbrances whatsoever, except those for general taxes and local and special assessments. Liens shall be enforced by the City in the manner provided by law.

D. The Public Works Director together with the Finance Director shall establish regulations and procedures for the filing of liens against properties for nonpayment of sewer and [~~STORM WATER~~] **stormwater** fees and charges. In the event that the City shall prepare and/or record a written lien against a property pursuant to state law,

administrative fees in amounts established by the Finance Director shall be charged to cover the administrative costs of preparing and filing such lien and shall be added to the delinquent charges. In the event that the City shall prepare and/or file a claim in small claims court for nonpayment of sewer and [~~STORM WATER~~] **stormwater** fees and charges, administrative fees in amounts established by the Finance Director shall be charged to cover the administrative costs of preparing and filing such claim and shall be added to the delinquent charges. In addition to the administrative fee, reasonable attorney's fees as may be awarded by the court shall be charged to the account.

E. The additional and concurrent method of enforcing the lien of the City for the delinquent and unpaid sewer and [~~STORM WATER~~] **stormwater** fees and charges by turning off the water service to the premises to which water, sanitary sewer, and [~~STORM WATER~~] **stormwater** management services are furnished shall not be exercised after two years from the date of recording of the lien notice, as provided by law, except to enforce payment of one year's charges for which no lien notice is required by law to be recorded.

F. The Finance Director and/or the Public Works Director, or their respective designees, shall have the authority to adjust the amount of any service charges and to waive all or any portion of the interest charges and administrative fees established by this section in the case of errors, malfunctions of meters or other system components, excusable neglect, undue hardship, uncollectible debt, or other similar extenuating circumstance.

Section 27. Amendment of Chapter. RMC 13.18, [~~STORM WATER~~] **Stormwater** Management Utility, is hereby amended to read as follows:

Sections:

- 13.18.010 [~~STORM WATER~~] **Stormwater** management utility created - Responsibilities.
- 13.18.020 Administrator of utility.
- 13.18.030 Ownership of City [~~STORM WATER~~] **stormwater** facilities and assets.
- 13.18.040 Rates and charges - Definitions.
- 13.18.050 System of charges.
- 13.18.060 Rate adjustment.
- 13.18.070 Authority to promulgate rules.
- 13.18.080 Repealed.

13.18.010 [~~STORM WATER~~] Stormwater management utility created - Responsibilities.

There is created and established pursuant to Chapters 35A.80 and 35.67 RCW a storm and surface water utility to be known as the "Redmond [~~STORM WATER~~]"

Stormwater Management Utility." All references to "the utility" in this chapter refer to the Redmond [~~STORM WATER~~] Stormwater Management Utility. The utility will have primary authority and responsibility for carrying out the City's Stormwater and Surface Water System Plan [~~COMPREHENSIVE DRAINAGE AND STORM SEWER PLAN~~], including responsibilities for planning, design, construction, maintenance, administration, and operation of all city storm and surface water facilities, as well as establishing standards for design, construction, and maintenance of improvements on private property where these may affect storm and surface water management.

13.18.020 Administrator of utility.

The [~~DIRECTOR OF~~] Public Works Director shall be [~~EX OFFICIO~~] the administrator of the utility.

13.18.030 Ownership of City [~~STORM WATER~~] stormwater facilities and assets.

~~[TITLE AND ALL OTHER INCIDENTS OF OWNERSHIP OF THE FOLLOWING ASSETS ARE VESTED IN THE UTILITY: ALL PROPERTIES, INTERESTS, AND PHYSICAL AND INTANGIBLE RIGHTS OF EVERY NATURE OWNED OR HELD BY THE CITY, HOWEVER ACQUIRED, INSOFAR AS THEY RELATE TO OR CONCERN STORM OR SURFACE WATER SEWAGE, FURTHER INCLUDING, WITHOUT~~

~~LIMITATION, ALL PROPERTIES, INTERESTS, AND RIGHTS ACQUIRED BY ADVERSE POSSESSION OR BY PRESCRIPTION, DIRECTLY OR THROUGH ANOTHER, IN AND TO THE DRAINAGE OR STORAGE, OR BOTH, OF STORM OR SURFACE WATERS, OR BOTH, THROUGH, UNDER, OR OVER LANDS, WATERCOURSES, SLOUGHS, STREAMS, PONDS, LAKES, AND SWAMPS, ALL BEGINNING IN EACH INSTANCE, AT A POINT WHERE STORM OR SURFACE WATERS FIRST ENTER THE STORM AND SURFACE WATER SYSTEM OF THE CITY AND ENDING IN EACH INSTANCE AT A POINT WHERE THE STORM OR SURFACE WATERS EXIT FROM THE STORM AND SURFACE WATER SYSTEM OF THE CITY, AND IN WIDTH TO THE FULL EXTENT OF INUNDATION CAUSED BY STORM OR FLOOD CONDITIONS, TOGETHER WITH ALL FUNDS ON DEPOSIT IN THE CITY STORM DRAINAGE CONSTRUCTION FUND AND FUTURE REVENUES OF SAID FUND.] **The utility owns and is vested in all titles and incidents of ownerships in the following assets and rights related to the city's stormwater and surface water drainage system. This includes: all properties, interests, and physical and intangible rights of every nature owned or held by the City, however acquired, insofar as they relate to or concern stormwater or surface waters or both. This ownership applies without limitation and to include, all properties, interests, and rights acquired**~~

by adverse possession or by prescription, directly or through another, in and to the drainage or storage, or both, of stormwater or surface waters, or both, through, under, or over lands, watercourses, sloughs, streams, ponds, lakes, and swamps, all beginning in each instance, at a point where stormwater or surface waters first enter the stormwater and surface water system of the City and ending in each instance at a point where the stormwater or surface waters exit from the stormwater and surface water system of the City, and in width to the full extent of inundation caused by storm or flood conditions. The utility's ownership extends together to all funds on deposit to the City Stormwater Capital Improvement Fund and future revenues of said fund.

13.18.040 Rates and charges - Definitions.

As used in this chapter, the following terms have the meanings set forth below:

A. "Developed parcel" means a parcel of real property which has been altered by grading or filling of the ground surface, or by construction of any improvement or other impervious surface area which affects the hydraulic properties of the parcel.

B. "Impervious surface" means those hard surfaced areas which either prevent or retard the entry of water into the soil in the manner that such water entered the soil under natural conditions preexisting any development on the property, and/or those hard surfaced areas which cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions preexisting any development on the property, including, but not limited to, such surfaces as rooftops, "green roofs," asphalt or concrete sidewalks, paving, driveways, parking lots, walkways, patio areas, storage areas, and gravel, oiled macadam, pervious asphalt or concrete, or other surfaces which similarly affect the natural infiltration or runoff patterns existing prior to development.

C. "Impervious unit" means a configuration or conglomeration of impervious surface estimated to contribute an amount of runoff to the City's [~~STORM WATER~~] stormwater management system which is approximately equal to that created by the average single-family residential parcel. One impervious unit (IU) is equivalent to 2,000 square feet of impervious surface area. For purposes of computation of rates and

charges, impervious units are truncated to the nearest tenth.

D. "Parcel" means the smallest separately segregated unit or plot of land having an identified owner, boundaries and surface area [~~WHICH~~] that constitutes a separate lot or tract capable of being conveyed without further subdivision.

E. "Single-family parcel" means a parcel which has been actually developed with [~~A~~] one single-family residence.

F. "Undeveloped parcel" means any parcel of real property which has not been altered by grading or filling of the ground surface, or by construction of any improvement or other impervious surface area [~~WHICH~~] that affects the hydraulic properties of the parcel.

G. *Repealed by Ord. 2864.*

H. "Other developed parcel" means any developed parcel not defined as a single-family parcel in subsection E of this section, including middle housing and rights-of-way.

13.18.050 System of charges.

The following monthly service charges are established for all parcels of real property within the boundaries of the City, as they now exist or as they may be

hereafter amended, for the purpose of carrying on the responsibilities of the [~~STORM WATER~~] **stormwater** management utility. All developed parcels shall be charged the monthly service charge regardless of whether the parcel has a storm drainage connection to the [~~STORM WATER~~] **stormwater** system.

A. *Undeveloped Parcels.* Undeveloped parcels shall not be charged.

B. *Single-Family Parcels.* The monthly service charge for each single-family parcel shall be \$16.97 per month for 2025, and a base charge of \$17.06 per month for 2026 and after, which shall hereafter be referred to as the "base rate."

C. *Other Developed Parcels.* The monthly service charge for all other developed parcels, including middle housing, city-owned properties and rights-of-way, shall be computed by multiplying the base rate times the number of impervious units applicable to the parcel times the rate adjustment for the parcel as determined under Section 13.18.060. This formula is expressed mathematically as follows:

$$\text{Charge} = \text{Base Rate} \times \text{IUs} \times \text{Rate Adjustment}$$

D. *Minimum Charge.* Notwithstanding the number of impervious units applicable to any individual property, there shall be a minimum monthly service charge for all developed properties equal to the base rate.

13.18.060 Rate adjustment.

A. *Generally.* The rate adjustment used to compute the monthly service charge for parcels shall be determined by taking the coverage factors set forth in subsection B of this section and adding or subtracting any applicable water quality and quantity credits, and any special program adjustment, as determined under subsections C and D of this section. Parcels served by multiple water quality or quantity facilities will have the rate adjustment calculated based on the percentage of area treated by each facility. **Parcel(s) utilizing regional water quality and quantity facilities are not eligible for the rate adjustment(s).**

B. *Coverage Factor.*

**For Impervious Surface
Expressed as a Percentage of
Total Parcel Area Over Rate
Adjustment Is**

30%

+ 1.10

**For Impervious Surface
Expressed as a Percentage of
Total Parcel Area Over Rate
Adjustment Is**

40%	+ 1.20
50%	+ 1.30
60%	+ 1.40
70%	+ 1.50
80%	+ 1.60
90%	+ 1.70

Portions of a parcel receiving an infiltration or dispersion credit shall receive a coverage factor of 1. The remainder of the parcel will receive a coverage factor based on the entire parcel.

C. Water Quantity and Quality Credits:.

1. Quantity Credits.

	Description	Examples	Credit
High Performance	Designed systems that prevent the majority of runoff from leaving the site.	<ul style="list-style-type: none"> • Rainwater Harvesting and Reuse [• FULL INFILTRATION OR DISPERSION] • <u>91% or greater Infiltration or Dispersion</u> • LID Performance Standard + Flow Control 	-0.4
Full Control	Designed systems that control the majority of runoff from the site.	<ul style="list-style-type: none"> • Detention (2001 Standard, <u>minimum</u>) • Private Direct Discharge • Infiltration (91% annual runoff volume) 	-0.2
Partial Control	Designed systems that partially control the runoff from the site.	<ul style="list-style-type: none"> • Detention (1992 Standard) • Rainwater Harvesting (State Definition) 	-0.1
Other Control	Designed systems that reduce or control runoff in some manner but do not meet the criteria above. Typically older systems.	<ul style="list-style-type: none"> • Other designed flow control • Other designed infiltration • LID Performance Standard 	-0.05

2. *Quality Credits.*

	Description	Examples	Credit
Advanced	Designed system that separates runoff from nonpollution generating surfaces.	Infiltration of nonpollution generating surfaces Rainwater Harvesting and Reuse	-.2
Enhanced	Designed system that removes sediment, metals, and/or phosphorus to current ecology standard.	Enhanced Treatment	-.15
Basic	Designed system that removes sediment to current ecology standard.	Basic Treatment	-.1
Other Treatment	Designed systems that improve or monitor water quality in some manner but do not meet the criteria above.	State or City Required Monitoring Oil/Water Separator Other designed water quality	-.05

D. *Special Programs.* Adjustments for special programs may be determined on a case-by-case contractual basis upon approval by the City Council.

E. Because developed city rights-of-way provide surface drainage, access to the [~~STORM DRAIN~~] stormwater pipes and overflow routes for [~~STORM WATER~~] stormwater in many areas, such developed rights-of-way shall have a fixed single rate adjustment of 0.3, notwithstanding any other provision of this section.

F. *Repealed by Ord. 2864.*

G. The credits set forth in this section shall apply only if the on-site facilities for which a reduction in the rate adjustment is given met applicable standards upon installation, received approval of construction, and have been and are maintained and operated in accord with city standards applicable at the time of billing. In the event that the administrator of the utility determines that the operation and maintenance standards are not complied with, no reduction in the rate adjustment shall be made for water quantity, water quality, or special programs for a minimum of one year and until operation and maintenance do meet city standards, whereupon the person being billed may reapply

for system inspection and for application of the special programs, water quantity and/or quality credits.

H. Developed rights-of-way designated as state highways shall have a fixed single rate adjustment of 0.3, notwithstanding any other provision of this section.

13.18.070 Authority to promulgate rules.

The [~~ADMINISTRATOR OF THE UTILITY~~] **Finance Director** is authorized to promulgate rules and regulations governing the proration or other adaptation of rates to particular site circumstances and any other matters necessary to calculate or impose the service charges provided for in this chapter.

Section 28. Amendment of Chapter. RMC 13.20, [~~STORM WATER~~] **Stormwater** Drainage Capital Facilities Charges, is hereby amended to read as follows:

Sections:

13.20.010 Purpose.

13.20.020 Definitions.

13.20.030 [~~STORM WATER~~] **Stormwater** capital facilities charges imposed.

13.20.040 Citywide [~~STORM WATER~~] **stormwater** capital facilities charge. Revised

13.20.045 Downtown sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge.

13.20.047 Overlake sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge.

13.20.050 [~~STORM WATER~~] **Stormwater** capital improvement fund.

13.20.060 Repealed.

13.20.070 Collection of charges.

13.20.080 [~~RECORDING~~] **Tracking** payments.

13.20.090 Repealed.
13.20.100 Additional requirements for development.

13.20.010 Purpose.

The purpose of this chapter is to establish [~~STORM WATER~~]
stormwater connection or capital facilities charges for
all properties within the City that are hereafter
developed with impervious surface.

13.20.020 Definitions.

As used in this chapter, the following terms have the
meanings set forth below:

**A. "Created impervious units" means the impervious
units the project constructs. The created impervious
units consist of new impervious and replaced impervious.
If located in the Downtown and Overlake surcharge areas,
then the new and replaced impervious in private
property, public property, and public right-of-way are
subject to the Regional Capital Facility Charge. The
new and replaced impervious in private property and
public property is also subject to the City-wide Capital
Facility Charge.**

**B. [A.] "Development" means any alteration by grading or
filling of the ground surface, or by construction of any
improvement or construction or replacement of any other**

impervious surface area that affects the hydraulic properties of any parcel of land.

C. [~~B.~~] "Impervious surface" means those hard surfaced areas [~~WHICH~~] that either prevent or retard the entry of water into the soil in the manner that such water entered the soil under natural conditions preexisting any development on the property, and/or those hard surfaced areas [~~WHICH~~] that cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions preexisting any development on the [~~PROPERTY,~~] property. Impervious surface areas, including, but not limited to, such surfaces as rooftops, green roofs, asphalt or concrete sidewalks, paving, driveways, permeable pavers and pavement, parking lots, walkways, patio areas, storage areas, and gravel, oiled macadam, or other surfaces [~~WHICH~~] that similarly affect the natural infiltration or runoff patterns existing prior to development.

D. [~~C.~~] "Impervious unit" means a configuration or conglomeration of impervious surface estimated to contribute an amount of runoff to the City's [~~STORM WATER~~] stormwater management system [~~WHICH~~] that is approximately equal to that created by the average

single-family residential parcel. One impervious unit (IU) is equivalent to 2,000 square feet of impervious surface area. For purposes of computation of the charges provided for in this chapter, impervious units are truncated (rounded down) to the nearest tenth.

E. [~~D.~~] "Regional [~~STORM WATER~~] stormwater facilities" or "regional system" means public conveyance, detention, infiltration, and/or water quality facilities designed to manage [~~STORM WATER~~] stormwater runoff from specific areas of the City to meet the City's water quality goals, and to support new development in a cost effective manner. Properties being developed may have the option to or be required to participate in the financing of the facilities, and in return requirements for on-site controls are eliminated or reduced. Proposed facilities are shown on the [~~PROPOSED~~] Regional [~~STORM WATER~~] Stormwater [~~FACILITIES MAP IN THE CLEARING, GRADING, AND STORM WATER MANAGEMENT~~] Technical Notebook.

13.20.030 [~~STORM WATER~~] Stormwater capital facilities charges imposed.

There are hereby established [~~STORM WATER~~] stormwater capital facilities charges [~~WHICH~~] that shall be imposed upon all parcels [~~WHICH~~] that are proposed to be

developed within the City. No building permit, short subdivision or subdivision approval, or other permit allowing development within the City shall be granted except upon payment of a Citywide [~~STORM—WATER~~] **stormwater** capital facilities charge and, if established, a sub-basin [~~STORM—WATER~~] **stormwater** capital facilities charge. Public capital projects are subject to the **citywide and** sub-basin [~~STORM—WATER~~] **stormwater** capital facilities charges.

13.20.040 Citywide [~~STORM—WATER~~] Stormwater capital facilities charge.

The Citywide [~~STORM—WATER~~] **stormwater** capital facilities charge established by RMC 13.20.030 shall be calculated for property development based upon the **total** number of impervious units [~~PROPOSED—TO—BE~~] created by the development. The charge [~~IS—\$2,310.00~~] for each impervious unit **shall be per the most current Development Engineering Fee Schedule**. The total charge to be paid in connection with any development approval shall be determined by multiplying the total number of impervious units [~~TO—BE~~] created [~~BY—THE—PROPOSED DEVELOPMENT~~] by the charge for each **impervious** unit.

13.20.045 Downtown sub-basin [~~STORM WATER~~] Stormwater
capital facilities charge.

The [~~DOWNTOWN~~] Downtown sub-basin is an area generally bordered by the Sammamish River to the west, Bear Creek to the east, the [~~RAILROAD CORRIDOR~~] Redmond Central Connector to the south and NE 95th Street to the north. The Downtown sub-basin boundary is not identical to the Downtown zoning boundary in the Redmond Zoning Code. The sub-basin is depicted in a map in the [~~STORM WATER~~] Stormwater Technical Notebook.

A. Parcels [~~WHICH~~] that are proposed to be developed within the [~~DOWNTOWN~~] Downtown sub-basin shall not be required to construct on-site [~~STORM WATER~~] stormwater detention and water quality facilities as required elsewhere in this code, with the exception of those facilities noted in RMC 13.20.045.B. In lieu of such construction, a [~~DOWNTOWN~~] Downtown sub-basin [~~STORM WATER~~] stormwater capital facilities charge is hereby imposed upon all such parcels. The [~~DOWNTOWN~~] Downtown sub-basin [~~STORM WATER~~] stormwater capital facilities charge shall be used by the City to design, acquire property for, and conduct other activities necessary to construct regional [~~STORM WATER~~] stormwater conveyance,

detention and water quality facilities (the regional system).

B. Participation in the downtown regional facility program provides basic water quality treatment only. Projects that require enhanced water quality treatment are required to supply that level of treatment on the project site.

C. [B.] The [DOWNTOWN] Downtown sub-basin [STORM WATER] stormwater capital facilities charge shall be calculated for property development based upon the number of impervious units proposed to be created by the development. The charge [~~IS~~—\$3,358.00] for each impervious unit shall be per the most current Development Engineering Fee Schedule. A credit of 80 percent may be applied to the number of nonpollution generating impervious units that are [managed] fully infiltrated by an approved private infiltration facility meeting current standards. The total charge to be paid in connection with any development approval shall be determined by multiplying the total number of impervious units to be created by the proposed development by the charge for each such unit minus the number of creditable

impervious units multiplied by 0.80 of the charge for each unit.

D. [~~C.~~] The [~~DOWNTOWN~~] **Downtown** sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge provided for in this section shall be in addition to the Citywide [~~STORM WATER~~] **stormwater** capital facilities charge established by RMC 13.20.030 and 13.20.040. No building permit, short subdivision or subdivision approval, or other permit allowing development within the [~~DOWNTOWN~~] **Downtown** sub-basin, shall be granted except upon payment of said [~~DOWNTOWN~~] **Downtown** sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge.

E. [~~D.~~] Owners of properties adjacent to the Sammamish River or adjacent to the publicly owned property immediately adjacent to the Sammamish River may seek to have their properties opt out of the City's regional (sub-basin) [~~STORM WATER~~] **stormwater** system and the [~~DOWNTOWN~~] **Downtown** sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge or may seek a reduced [~~DOWNTOWN~~] **Downtown** sub-basin [~~STORM WATER~~] **stormwater** capital facility charge. These properties must also have (or be able to construct) a private discharge system to the river.

1. Any owner of property that seeks to opt out shall make a proposal to the City identifying the ability of a property or set of properties to be served by a private discharge system to the river. Private properties under common control and/or properties that are part of an existing private drainage system may be included in an opt-out proposal. Properties separated by a public right-of-way may be included only if they are connected by an existing private drainage system. The Technical Committee will review the proposal and will approve it if the Technical Committee determines that the proposed private drainage system:

a. Detains and treats all [~~STORM WATER~~] **stormwater** from the properties proposed or required to be served by the private drainage [~~STORM WATER~~] **stormwater** system in a manner that meets all City water quality and quantity control standards;

b. Can be constructed, installed, or improved without interfering with the ongoing operation of any other utility line or improvement within the public right-of-way or public property;

- c. Can be constructed, installed, or improved within easements or other property interests owned or controlled by the applicant;
- d. Will not adversely impact other properties in the vicinity; and
- e. Otherwise meets the requirements of the City's codes and standards.

2. The [~~DIRECTOR OF~~] Public Works **Director** and any property owner who would qualify to opt out of the **City's** regional [~~STORM WATER~~] **stormwater** system and [~~DOWNTOWN~~] **Downtown** sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge may agree on a reduced [~~DOWNTOWN~~] **Downtown** sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge in exchange for the property owner not opting out. The reduced charge shall be based on the estimated cost to design and construct the private [~~STORM WATER~~] **stormwater** detention and water quality facilities that would be necessary to provide a private [~~STORM WATER~~] **stormwater** discharge system meeting the City's regulations, together with the amount by which the value of the property owner's property would be affected by the use of a portion of that land for the private [~~STORM WATER~~] **stormwater** facilities. If the

[~~DIRECTOR OF~~] Public Works **Director** and the property owner agree on the amount of the reduced [~~DOWNTOWN~~] **Downtown** sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge, the reduced charge shall be agreed to in a written instrument to be recorded against the title of the property. The reduced charge shall thereafter be applied to all properties or parcels subject to the agreement, and the property owner may not thereafter opt out of the regional [~~(SUB-BASIN) STORM WATER~~] **stormwater** system and the reduced [~~DOWNTOWN~~] **Downtown** sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge for those properties or parcels without the City's consent.

3. The ability to opt out provided by this section applies only to the **City's** regional [~~STORM WATER~~] **stormwater** system and the [~~DOWNTOWN~~] **Downtown** sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge. All other charges, including, but not limited to, the [~~CITYWIDE~~] **citywide** capital facilities charge, the monthly [~~STORM WATER~~] **stormwater** rates, and the [~~STORM WATER~~] **stormwater** engineering, plan review, and processing fees associated with development applications, provided elsewhere in this title shall continue to apply to properties that have opted out or

for which a reduced [~~DOWNTOWN~~] **Downtown** sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge has been agreed upon.

13.20.047 Overlake sub-basin [~~STORM WATER~~] stormwater capital facilities charge.

The Overlake sub-basin is an area generally bordered by 148th Ave NE to the west, 156th Ave NE to the east, NE Bel-Red Road to the south and NE 40th Street to the north. The sub-basin is depicted in a map in the [~~CLEARING, GRADING, AND STORM WATER~~] **Stormwater** [~~MANAGEMENT~~] Technical Notebook. **The Overlake sub-basin boundary is not identical to the Overlake Village zoning boundary in the Redmond Zoning Code.** [~~THE OVERLAKE VILLAGE DESIGN DISTRICT IS A PORTION OF THE OVERLAKE SUB-BASIN IDENTIFIED WITHIN THE REDMOND COMMUNITY DEVELOPMENT GUIDE.~~]

A. Parcels [~~WHICH~~] **that** are proposed to be developed within the Overlake sub-basin shall be required to construct only those on-site [~~STORM WATER~~] **stormwater** detention and water quality facilities noted below and as further described in the [~~STORM WATER~~] **Stormwater** Technical Notebook.

1. Fully infiltrate roof runoff where soils allow. (This may impact a project's ability to achieve the maximum allowable impervious coverage.)

2. Meet Minimum Requirement No. 5 [~~BY FULLY INFILTRATING OTHER HARD SURFACES~~] where feasible.

3. Construct any interim [~~STORM WATER~~] **stormwater** facilities required to protect downstream properties **or to provide water quality** until regional facilities are constructed.

4. Those onsite storm water treatment and/or infiltration facilities required in Overlake Zoning District.

5. Participation in the Overlake regional facility program provides basic water quality treatment only for projects north of NE 26th Street. Projects that require enhanced water quality treatment are required to supply that level of treatment on the project site.

In lieu of construction of additional facilities, an Overlake sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge is hereby imposed upon all such parcels. The Overlake sub-basin [~~STORM WATER~~] **stormwater** capital facilities charge shall be used by the City to design, acquire property for, and conduct other

activities necessary to construct regional [~~STORM WATER~~]
stormwater conveyance, detention and water quality
facilities (the **City's** regional system).

B. The Overlake sub-basin [~~STORM WATER~~] **stormwater**
capital facilities charge shall be calculated for
property development based upon the number of impervious
units proposed to be created by the development. The
charge [~~IS \$10,253.00~~] for each impervious unit **shall be**
per the most current Development Engineering Fee
Schedule. A credit of 80 percent may be applied to the
number of impervious units that are [~~MANAGED~~] **fully**
infiltrated by an approved private infiltration facility
meeting current standards. The total charge to be paid
in connection with any development approval shall be
determined by multiplying the total number of impervious
units to be created by the proposed development by the
charge for each such unit minus the number of creditable
impervious units multiplied by 0.80 of the charge for
each unit.

C. The Overlake sub-basin stormwater capital facilities
charge provided for in this section shall be in addition
to the Citywide [~~STORM WATER~~] **stormwater** capital
facilities charge established by

Sections 13.20.030 and 13.20.040. No building permit, short subdivision or subdivision approval, or other permit allowing development within the Overlake sub-basin shall be granted except upon payment of said Overlake sub-basin [~~STORM WATER~~] stormwater capital facilities charge.

13.20.050 [~~STORM WATER~~] Stormwater capital improvement fund.

There is established a [~~STORM WATER~~] stormwater capital improvement fund into which shall be paid all [~~STORM WATER~~] stormwater capital facilities charges collected under this chapter, all area and frontage charges collected under previous ordinances, and all contributions made by the City and from other sources, and from which shall be paid the cost and expense of planning, designing, acquiring property, constructing and installing general and regional facilities for [~~STORM WATER~~] stormwater management and flood control.

13.20.060.

13.20.070 Collection of charges.

The [~~STORM WATER~~] stormwater capital facilities charges imposed by this chapter shall be paid prior to issuance

of any building permit, short subdivision or subdivision approval, or other permit allowing development within the City.

13.20.080 [RECORDING] Tracking payments.

The Public Works Department shall establish a system for [RECORDING] tracking payments of [~~STORM WATER~~] stormwater capital facilities charges made pursuant to this chapter [~~IN ORDER THAT CREDIT MAY BE RECORDED AND GIVEN FOR CONTRIBUTIONS MADE FOR STORM WATER MANAGEMENT GENERAL FACILITIES AND REGIONAL FACILITIES IN CONNECTION WITH THAT PROPERTY~~]. It is the intent of this section that development shall not be charged twice for the same proposed impervious unit and that where a [PROPOSED] created impervious unit has been paid for pursuant to a short subdivision or subdivision approval, site plan approval, or other development approval required by the City, the applicant shall not be charged a second time for that unit when a building or other subsequent permit for the same [DEVELOPMENT] property is issued. The development shall provide supporting documentation of prior fees paid.

13.20.090.

13.20.100 Additional requirements for development.

The owners of all property within the City being improved or developed shall be responsible for the installation of an adequate [~~STORM WATER~~] **stormwater** management system within [~~HIS OR HER~~] **their** property in conformity with City standards and in conformity with the **Stormwater Technical Notebook and the Stormwater and Surface Water System Plan** [~~COMPREHENSIVE STORM WATER MANAGEMENT PLAN~~] of the City. Payment of the Citywide and sub-basin capital facilities charges shall not relieve property owners and developers from installing [~~SUCH~~] **stormwater management** systems or from making such improvements to downstream [~~STORM WATER~~] **stormwater** facilities as may be necessary to **meet all applicable requirements in RMC 15.24.080** [~~CONVEY STORM WATER FROM THE PROPERTY TO A RECEIVING WATER OR TO A REGIONAL STORM WATER FACILITY WITHOUT DOWNSTREAM FLOODING~~].

Section 29. Amendment of Chapter. RMC 13.21, [~~STORM WATER~~] **Stormwater** Engineering, Plan Review and Processing Fees, is hereby amended to read as follows:

13.21.010 Purpose.

The purpose of this chapter is to authorize the imposition of fees and charges for performance of

various administrative [~~STORM—WATER~~] stormwater engineering, plan review and processing within the City.

13.21.020 Plan review and processing fees.

The fees for performance of various administrative [~~STORM—WATER~~] stormwater engineering, plan review and processing shall be set by Council Resolution.

Section 30. Repeal of Chapter. RMC 13.24, Water Conservation, is hereby repealed in its entirety:

~~**13.24.010 WASTING WATER UNLAWFUL.**~~

~~IT IS UNLAWFUL FOR ANY PERSON TO WASTE CITY WATER THROUGH OPEN OR LEAKY FAUCETS OR THROUGH BROKEN OR LEAKY PIPES, OR IN ANY OTHER MANNER WHATSOEVER.~~

~~**13.24.020 DAMAGING WATER SYSTEM.**~~

~~IT IS UNLAWFUL FOR ANY PERSON OR PERSONS TO INTERFERE WITH OR DAMAGE IN ANY WAY THE CITY WATER SYSTEM, INCLUDING THE DAM, PIPELINE, HYDRANTS, VALVE BOXES, OR ANY PART WHATSOEVER OF THE CITY WATER SYSTEM.~~

~~**13.24.030 PENALTY FOR VIOLATIONS.**~~

~~ANY PERSON VIOLATING OR FAILING TO COMPLY WITH ANY OF THE PROVISIONS OF THIS CHAPTER SHALL BE DEEMED GUILTY OF A MISDEMEANOR, AND UPON CONVICTION THEREOF, SHALL BE PUNISHED BY A FINE OF NOT LESS THAN TWO DOLLARS AND NOT EXCEEDING FIVE DOLLARS.~~

~~UPON EACH SUCCEEDING CONVICTION, THE PUNISHMENT SHALL BE BY A FINE OF NOT LESS THAN TEN DOLLARS AND NOT EXCEEDING TWENTY-FIVE DOLLARS.~~

~~**13.24.040 WATER SHUT-OFF.**~~

~~NO WATER SHALL BE FURNISHED TO ANY PERSON FOUND GUILTY OF VIOLATING THE PROVISIONS OF THIS CHAPTER UNTIL ALL FINES ARE PAID.]~~

Section 31. Amendment of Section. RMC 13.25.020,

Purpose, is hereby amended to read as follows:

13.25.020 Purpose.

A. This chapter regulates temporary construction dewatering within the City of Redmond. The provisions of this chapter are intended to prevent, limit, and enable the City to respond to TCD activities which impair the City's ability to:

1. Deliver drinking water from the City water supply wells;
2. Safely convey and treat [~~STORM WATER~~] **stormwater** runoff within the City's municipal separate [~~STORM WATER~~] **stormwater** sewer system (MS4) and private [~~STORM WATER~~] **stormwater** sewer systems; and

3. Manage the movement and disposal of contaminated groundwater in a manner that is in compliance with state and federal laws.

Section 32. Amendment of Section. RMC 13.25.060,
Temporary Construction Dewatering Feasibility Study, is hereby
amended to read as follows:

**13.25.060 Temporary construction dewatering feasibility
study.**

A. A Temporary Dewatering Feasibility Study is required for all construction projects that require temporary construction dewatering and for which it cannot be demonstrated that groundwater will be captured, pumped, or removed from the development site at a rate of less than 500 gallons per minute. A Temporary Construction Dewatering Feasibility Study shall be submitted prior to construction as part of site planning and entitlement review processes. This feasibility study shall consist of a site specific hydrogeological and engineering analysis which details the potential dewatering-related impacts to the City water supply wells, to [~~STORM WATER~~] **stormwater** conveyance and treatment systems, and on the potential movement of underground contaminants.

B. The feasibility study shall:

1. Include analysis of geotechnical project, and water quality considerations detailed in the Temporary Construction Dewatering Operating Policy adopted by the City's Technical Committee;

2. Be conducted using the procedures and methodologies identified in the Temporary Construction Dewatering Operating Policy adopted by the City's Technical Committee; and

3. Include a site-specific assessment of potential contamination, and identify any known contaminated sites located within the proposed TCD's radius of influence.

C. The City of Redmond shall review Temporary Construction Dewatering Feasibility Studies completed in accordance with the Temporary Construction Dewatering Operating Policy to determine if the City will allow proposed TCD activities to occur at a development project site. The City of Redmond retains the authority to condition, deny, or allow TCD activities at development projects based on this review.

D. Development Projects [~~WHO~~] **that** have adequately identified and demonstrated that potential impacts to:

1. City water supply wells,

2. The City's [~~STORM WATER~~] **stormwater** conveyance system,

3. *Repealed by Ord. 2957,*

4. Public or private [~~STORM WATER~~] **stormwater** runoff treatment systems, and

5. The movement of contaminants across property boundaries and/or toward city water supply wells, or the acceleration of such movement where the same already exists are negligible or can be mitigated, will be allowed to conduct TCD contingent upon the successful completion of a Temporary Construction Dewatering Plan.

Section 33. Amendment of Subsection. RMC 13.25.070(B),

Temporary Construction Dewatering Plan, is hereby amended to read as follows:

13.25.070(B) Temporary construction dewatering plan.

B. The City of Redmond shall review Temporary Construction Dewatering Plans completed in accordance with the Temporary Construction Dewatering Operating Policy, to determine that the development project has addressed all potential impacts to City water supply wells, [~~STORM WATER~~] **stormwater** conveyance and treatment systems, and the movement of contaminants. The City of Redmond retains the authority to add conditions and

requirements to construction activities to the Civil Site Construction Permit. Private development projects shall not start TCD activities until the City of Redmond has granted the Civil Site Construction Permit. Temporary Construction Dewatering shall not begin at public capital improvement projects prior to approval of the site design by the City Engineer. Conditions and requirements shall be included with the development project construction contract as a special provision.

Section 34. Amendment of Section. RMC 13.25.080, TCD

Suspensions or Revocation, is hereby amended to read as follows:

13.25.080 TCD suspensions or revocations.

A. The Public Works Director [~~OR HIS/HER DESIGNEE~~] may order the suspension of temporary construction dewatering for any of the following reasons:

- 1. Storm pipe capacity has been exceeded, resulting in an unacceptable increased risk of flooding.
- 2. City water supply wells are impacted to such an extent that one or more City water supply wells cannot produce specified minimum quantities of water to fulfill supply to water utility customers and the City or the City's wholesale water supplier has activated an emergency water response plan.

3. Violations of state surface water quality standards (Chapter 173-201A WAC) when the TCD effluent discharges to surface Waters of the State.

4. Violations of state groundwater quality standards (Chapter 173-200 WAC) when the TCD effluent is infiltrated via dispersion back into a groundwater aquifer.

5. Repealed by Ord. 2957.

6. [~~STORM WATER~~] **Stormwater** runoff treatment system has been impaired.

7. When otherwise deemed necessary by the Public Works Director to protect public safety, property, and natural environment.

B. Notice of suspension or revocation shall be given in writing by mailing or otherwise delivering a copy to the applicant or the applicant's onsite construction personnel. The suspension or revocation shall become effective immediately upon delivery or receipt and the applicant shall immediately cease all TCD activities.

Section 35. Amendment of Section. RMC 13.25.090, TCD Effluent Discharge, is hereby amended to read as follows:

13.25.090 TCD effluent discharge.

A. TCD effluent shall be allowed to be discharged to the City's [~~STORM WATER~~] **stormwater** conveyance system; provided, that the City's [~~STORM WATER~~] **stormwater** engineering staff is able to verify that:

1. The effluent meets appropriate state water quality standards for dispersion into the surface Waters of the State;
2. Effluent discharge rates do not exceed those designated within the Temporary Construction Dewatering Plan; and
3. All other conditions stipulated in the Temporary Construction Dewatering Plan have been satisfied.
4. Effluent discharge does not impair [~~STORM WATER~~] **stormwater** treatment systems.

Section 36. Amendment of Section. RMC 13.25.100,

Replacement of Drinking Water Supply, is hereby amended to read as follows:

13.25.100 Replacement of drinking water supply.

A. The Public Works Director [~~OR HIS/HER DESIGNEES~~] shall determine if TCD activities at one or more developments are impacting a City water supply well. The following considerations shall be used to make this declaration of impact: Reduced expected instantaneous

City water supply well production rate, water level within the City water supply well while pumping, time of year, and potential contamination or other factor to degrade the quality of potable water produced by the City water supply well. The evaluation of considerations leading to a determination of impact shall occur in accordance with the procedures and methodology detailed in the Temporary Construction Dewatering Operating Policy.

B. The Public Works Director [~~OR HIS/HER DESIGNEES~~] may, at their discretion, allow TCD activities to reduce the instantaneous and annual rates of withdrawal if regional drinking water supply is available for purchase from Cascade Water Alliance. It is presumed that if regional drinking water supply is not available for purchase, the regional water shortage plan has been activated.

C. Development projects whose TCD activities have been determined to be solely or partly impacting the City of Redmond Water Utility's production of the drinking water at a specific supply well shall either:

1. Cease TCD activities; or
2. With the Public Works Director's consent, pay the City's costs of purchasing replacement supply, if

available, from the City's water purveyor as a condition for continued operation of TCD activities. The Public Works Director may require the applicant to deposit sufficient funds with the City to defray the cost of purchasing replacement water for the duration of the TCD activities impact to supply well production prior to allowing the TCD activities to continue.

Section 37. Amendment of Subsection. RMC 13.25.120(A), Appeals, is hereby amended to read as follows:

13.25.120(A) Appeals.

A. The development project applicant and any party of record may appeal a decision of the City to approve, deny, or condition a Temporary Construction Dewatering Feasibility Study or Temporary Construction Dewatering Plan under this chapter. The appeal shall be made by appealing the decision on the underlying permit to which the Study or the Plan pertains and shall ~~[FOLLOWING]~~ **follow** the procedures for appealing the underlying permit set forth in the Redmond Zoning Code.

Section 38. Amendment of Section. RMC 13.29.010, Purpose, is hereby amended to read as follows:

13.29.010 Purpose.

A. This chapter is an exercise of the police power of the City for the protection of the public health, safety and welfare [~~OF THE CITIZENS OF THE CITY~~]. This chapter establishes the conditions under which the use of water will be restricted due to lack of regional water supply or other water supply emergency. The provisions of this chapter shall apply to all customers and water users using City of Redmond water, both in and outside the City, regardless of whether any customer or water user shall have a contract for water service with the City.

Section 39. Amendment of Section. RMC 13.29.030, Water Use Restrictions, is hereby amended to read as follows:

13.29.030 Water use restrictions.

A. The Mayor, within the framework of the Water Shortage Response Plan, may impose, order, and enforce restrictions and/or limitations on the use of water by type of use, customer class, or geographic area, or other appropriate distinction depending upon the nature and extent of the water supply shortage. The use of water for irrigation, cooling, washing, or other uses may be forbidden, restricted, or regulated and such regulations may be made effective as to all customers or as to particular classes of customers. Rationing may be

imposed during any shortage of water, either in lieu of or in addition to other measures hereby authorized. The Mayor is further authorized to make exceptions to such restrictions in specific cases as [~~HE/SHE FINDS~~] **they find** reasonable, such as, but not limited to, watering newly seeded or sodded lawns, alleviating unnecessary economic hardship to commercial or industrial activities, or preventing possible damage to health, safety or welfare. The Mayor is authorized to promulgate such rules and regulations as may be necessary to implement water use restrictions. The City shall not be liable for damages or losses resulting from the curtailment of water usage.

Section 40. Amendment of Section. RMC 13.29.040,

Enforcement, is hereby amended to read as follows:

13.29.040 Enforcement.

A. The Public Works Department shall conduct public education efforts regarding the necessity of the restrictions for the public. The use of water that does not conform to the water use restrictions issued by the Mayor shall be a violation of this code. Enforcement of a violation shall be administered in accordance with Chapter 1.14 RMC, Enforcement and Penalties. Violations

and penalties shall be in accordance with RMC 1.14.060. To enforce the provisions of this chapter, the Public Works Director [~~AND THE DIRECTOR'S DESIGNEES~~] shall have all of the authority and powers of the Code Compliance Officer as provided in Chapter 1.14 RMC. In exercising this authority and power, the Public Works Director [~~AND THE DIRECTOR'S DESIGNEES~~] shall comply with all of the applicable provisions of Chapter 1.14 RMC and shall be subject to any appeals provided under that chapter. If any monetary penalty imposed pursuant to this section is not paid within 30 days of issuance of a notice with a penalty amount, said penalty amount shall be entered upon the water bill for the account where the violation occurred as a special rate surcharge and shall be due and collectable as any other utility charge.

Section 41. Amendment of Section. RMC 13.29.050,

Termination of Service, is hereby amended to read as follows:

13.29.050 Termination of service.

A. Failure to comply with any Notice and Order regarding water use restrictions may result in the termination of water service. The Public Works Director [~~AND THE DIRECTOR'S DESIGNEES ARE~~] **is** authorized to shut off water to any water services serving the account where a

violation of water use restrictions continues to occur. The Public Works Director [~~AND THE DIRECTOR'S DESIGNEES~~] may establish a date for shut-off and follow the regulations and procedures for shut-off provided in Chapter 13.17 RMC, Utility Accounts, or the Public Works Director [~~AND THE DIRECTOR'S DESIGNEES~~] may, based upon the severity of the violation, immediately shut off the water services serving the account where the violation continues to occur. Shut-off shall be in addition to any civil or criminal penalties.

Section 42. Repeal of Chapter. RMC 13.34,

Streetlighting Charges, is hereby repealed in its entirety:

~~[13.34.010 STREETLIGHT CHARGES.]~~

~~A MONTHLY STREETLIGHT SERVICE CHARGE IS HEREBY IMPOSED UPON ALL PROPERTIES WITHIN THAT PORTION OF THE ROSE HILL WATER DISTRICT ASSUMED BY THE CITY OF REDMOND AS OF JANUARY 1, 1994, AND WHICH WERE SUBJECT TO STREETLIGHTING CHARGES IMPOSED BY THE ROSE HILL WATER DISTRICT AS OF THAT ASSUMPTION DATE. THE AMOUNT OF THE CHARGE SHALL BE \$2.50 PER MONTH PER PROPERTY SUBJECT TO THE CHARGE. THE STREETLIGHTING CHARGES IMPOSED BY THIS SECTION SHALL APPLY TO ALL SERVICE FURNISHED ON OR AFTER JANUARY 1, 1994, AND SHALL, TO THE EXTENT NECESSARY, BE~~

~~RETROACTIVE FOR THE PURPOSE OF RECOVERING SERVICE CHARGES BETWEEN THAT DATE AND THE DATE THE ORDINANCE ENACTING THIS SECTION BECOMES EFFECTIVE.~~

~~**13.34.020 COLLECTION.**~~

~~THE STREETLIGHT SERVICE CHARGE IMPOSED BY THIS CHAPTER SHALL BE INCLUDED ON THE CUSTOMER'S UTILITY ACCOUNT BILL. ANY PAYMENTS RECEIVED ON ACCOUNT OF SAID BILL SHALL FIRST BE ALLOCATED TO THE STREETLIGHT CHARGE IMPOSED HEREIN AND THEN TO ALL OTHER FEES AND CHARGES FOR UTILITY SERVICE IN THE ORDER PROVIDED IN SECTION 13.17.060.]~~

Section 43. Amendment of Section. RMC 13.36.020,

Conditions for Extension of Service, is hereby amended to read as follows:

13.36.020 Conditions for extension of service.

Water, sanitary sewer and storm drainage service shall be extended beyond the City limits of Redmond only upon compliance with all of the following conditions:

A. The owner of the property for which service is requested must execute a utility extension agreement in a form approved by the City Attorney containing all of the following terms:

1. A warranty that the owner has title to the property and is authorized to enter into the agreement;

2. A statement specifying the location and line from which service may be extended;
3. An agreement by the owner to pay all costs of designing, engineering and constructing the extension to city standards and according to plans approved by the City Public Works Department;
4. A requirement that the owner secure and obtain, at the owner's sole cost and expense, any necessary permits, easements and licenses to construct the extension;
5. An agreement by the owner to turn over and dedicate any capital facilities such as main lines, pump stations and wells, to the City upon completion of construction and to furnish as-built plans, any necessary easements, permits or licenses, a bill of sale, and a maintenance guarantee to the City;
6. An agreement by the owner to pay connection charges;
7. An agreement by the owner to pay all utility service charges at rates applicable to properties outside the City limits;
8. An agreement by the owner to annex the property to the City at such time as the owner is requested by the City to do so;

9. A restriction on the use of the property which will ensure that any development or redevelopment meets the requirements of the City's comprehensive plan, zoning code and building regulations: provided, that such restriction may not be required, or an alternative restriction may be substituted, when:

a. The utility extension is requested to serve property which, at the time of the request, is [~~DESIGNATED "STUDY AREA" BY THE CITY'S LAND USE PLAN MAP; AND~~] **inside the City's potential annexation area.**

b. The development or redevelopment meets the requirements of the county's adopted comprehensive plan; and

c. The City Council finds that it is in the best interest of the City to approve the requested extension of utility service;

10. A statement that delinquent payments under the agreement will constitute a lien which may be foreclosed as other liens for sewer and water service;

11. A statement that the City may terminate service in the event of noncompliance by the owner with any term or condition of the agreement;

12. A waiver of the right to protest formation of a local improvement district for improvements which would benefit the subject property;

13. A clause providing that the agreement may be specifically enforced;

14. A requirement that the agreement be recorded with the King County [RECORDER] Recorder's Office and constitute a covenant running with the land receiving service, and providing that all costs of recording the agreement will be borne by the owner; and

15. A clause providing for attorney's fees in the event of litigation.

B. All agreements for the extension of service beyond the City limits must receive approval from the City Council.

C. Any necessary approval by the boundary review board must be received prior to the extension of service.

D. Upon execution of the agreement and receipt of all approvals, the agreement shall be recorded with the King County [RECORDER] Recorder's Office as a covenant running with the land, and all costs of recording shall be paid by the owner in accord with the terms of the agreement.

Section 44. Amendment of Section. RMC 13.36.030,

Application, is hereby amended to read as follows:

13.36.030 Application.

A. Any person desiring to apply for the extension of water, sanitary sewer or storm drainage service outside the City limits **or outside the Novelty Hill Service Area** under the provisions of this chapter shall do so on a form provided by the City. The completed application form, together with a nonrefundable application fee set by council resolution, shall be submitted to the Public Works Department, and accompanied by the following:

1. A vicinity map on 8-1/2 x 11 inch [~~MYLAR~~] **sheet**, drawn to a scale acceptable to the Public Works Department, depicting the area for which service is being requested and the existing city facilities from which the extension is proposed to be made; and
2. A legal description of the property to be served by the extension; and
3. A statement of the nature of the proposed development and its conformance with the requirements of the City's comprehensive plan, zoning code and building regulations, or, if the proposed development is within [~~A DESIGNATED STUDY AREA ON THE CITY'S LAND USE MAP~~] **the**

City's potential annexation area, a statement of the nature of the proposed development and its conformance with the county's adopted comprehensive plan; and

4. Such other information as the [~~DIRECTOR OF~~] Public Works Director determines is necessary to properly review the application.

B. The Public Works Department shall review the application and forward the same, together with the department's recommendation, to the City Council for determination.

Section 45. Amendment of Chapter. RMC 13.38,

Administrative and Processing Services - Cost Recoupment, is hereby amended to read as follows:

Sections:

13.38.010 Purpose.

13.38.020 Construction drawing review project processing fee.

13.38.030 Construction inspection fee.

13.38.035 Fire sprinkler system construction inspection fee.

13.38.040 Engineering report review [~~FEE~~] deposit.

13.38.045 Hydraulic model computer analysis [~~FEE~~] deposit.

13.38.050 Outside agency fees.

13.38.060 Establishment of fee amounts.

13.38.010.

13.38.020 Construction drawing review project processing fee.

A. Any person desiring to apply for the extension of water and/or sanitary sewer service within or outside the City limits, shall be required to pay a construction drawing review project processing fee. The City shall base the fee upon the following three criteria: (1) the linear footage of pipes to be installed and/or (2) an established [~~FLAT~~] **base** fee and/or (3) a percentage of the estimated construction costs for special appurtenances.

1. The linear footage for sewer mains shall be calculated on manhole to manhole runs and manhole to clean out runs but shall not include 6-inch side sewer pipes.

2. The linear footage for water mains shall be calculated on all pipe four (4) inches and larger but shall not include service lines or small lines to appurtenances (blow-offs, air vacuum release valves, etc.).

3. The construction drawing review project processing fee for special appurtenances, such as [SEWAGE] **wastewater** pump stations, pressure reducing valves,

booster pump stations, special metering devices, etc., shall be based on a percentage of the estimated cost of construction.

B. Upon submittal of construction drawings for review, a deposit for the construction drawing review project processing fee shall be paid in an amount determined by the ~~[DIRECTOR OF PUBLIC WORKS OR HIS/HER DESIGNEE]~~ **Public Works Director**. Such deposit amount shall be based upon an estimate of the linear footage of utility mains to be constructed. The Public Works Director ~~[OR HIS/HER DESIGNEE]~~ shall subsequently calculate the final fee based upon the actual linear footage of mains to be constructed and/or estimated construction costs. If the final fee is greater than the deposit, the excess shall be paid prior to construction drawing approval. If the final fee is less than the deposit, the overpayment shall be refunded or credited toward additional fees owing at the time of construction drawing approval.

C. Should construction drawings be reviewed and approved and the approval expire prior to the commencement of construction, the construction drawing shall be resubmitted for additional review for compliance with current standards and reapproval and additional

construction drawing review project processing fees shall be paid. Should the construction drawing approvals expire after commencement of construction, because construction was terminated or halted for a period of time, construction drawings for any uncompleted work shall be resubmitted for additional review for compliance with current standards and reapproval and an additional Construction Drawing Review Project Processing Fee shall be paid as designated pursuant to 13.38.060.

D. Should construction drawings be submitted and a deposit for the processing fee made and the project abandoned, the deposit shall be forfeited. Should construction drawings be submitted and a deposit for the processing fee made and processing of the construction drawings is delayed for a period of time by the applicant, additional construction drawing review project processing fees shall be paid. Delay by the applicant shall include nonsubmittal of requested additional information, nonsubmittal of revised construction drawings in accordance with the City comments, or direction from the developer to not proceed

with review. The fee schedule to apply in these cases shall be as designated pursuant to 13.38.060.

13.38.030 Construction inspection fee.

A. Any person desiring to apply for the extension of water and/or sanitary sewer service within or outside the City limits, shall be required to pay a construction inspection fee. The City shall base the fee upon the following three criteria: (1) the linear footage of pipes to be installed and/or (2) an established [~~FLAT~~] **base** fee and/or (3) a percentage of the estimated construction costs for special appurtenances.

1. The linear footage for sewer and water mains shall be determined as set forth in Section 13.38.020.A.1 and (A) (2).

2. The construction inspection fee for special appurtenances, such as [~~SEWAGE~~] **wastewater** pump stations, pressure reducing valves, booster pump stations, special metering devices, etc. shall be based on a percentage of the estimated costs of construction.

B. The construction inspection fee shall be paid at the time of construction drawing approval.

C. Should construction drawing approval expire prior to the commencement of construction or any activities

related thereto, any construction inspection fees paid shall be refunded less an administrative fee. Should construction or any activities related thereto commence and then be terminated, no refund of the construction inspection fee shall be made. Should construction or any activities related thereto commence and then be halted for a period of time and then recommenced an additional Construction Inspection Fee shall be paid as designated pursuant to 13.38.060.

13.38.035.

13.38.040 Engineering report review [~~FEE~~] deposit.

A. Any person desiring to apply for the extension of water and/or sanitary sewer service within or outside the City limits shall be required to pay [~~AN ENGINEERING REPORT REVIEW FEE WHICH~~] **a deposit to cover all costs incurred by the City for engineering report review. This** shall be assessed for review of all engineering reports, including a water or sewer system plan, plan amendments, pre-design reports, **hydraulic grade line reports, siphon reports,** special reports which may be included as appendices to environmental documents or which were required to be prepared through SEPA, site plan review

or another Planning Department permit process, and any other similar report prepared for developer extensions and additions to the water and sewer systems.

B. Upon submittal of engineering reports for review, a deposit for the engineering report review [~~FEE~~] shall be paid in an amount determined by the [~~DIRECTOR OF~~] Public Works **Director** [~~OR HIS/HER DESIGNEE~~]. Such deposit amount shall be based upon the complexity of the project and an estimate of the cost of city staff **and third party consultant** hours, including direct compensation, benefits and overhead, and costs of equipment and materials to be utilized. Additional deposit amounts may be required during the engineering report review. [~~THE PUBLIC WORKS DIRECTOR OR HIS/HER DESIGNEE WILL SUBSEQUENTLY CALCULATE THE FINAL FEE BASED UPON BOTH THE ACTUAL COST OF CITY STAFF HOURS, INCLUDING DIRECT COMPENSATION, BENEFITS AND OVERHEAD, AND COST OF EQUIPMENT AND MATERIAL UTILIZED DURING THE ENGINEERING REPORT REVIEW AND APPROVAL PROCESS. IN THE EVENT THE FINAL FEE IS GREATER THAN THE DEPOSIT, THE DIFFERENCE SHALL BE PAID PRIOR TO APPROVAL AND/OR FINAL COMMENTS ON THE REPORTS. IN THE EVENT THE FINAL FEE IS LESS THAN THE DEPOSIT, THE DIFFERENCE SHALL BE REFUNDED OR CREDITED~~]

~~TOWARD OTHER FEES OWING AT THE TIME OF APPROVAL AND/OR FINAL COMMENTS ON THE REPORTS]~~ Additional payment amounts may be required during the review. The Public Works Director will subsequently calculate the final amount due after the engineering report review and approval process is complete. In the event the final amount due is greater than the deposit, the difference shall be paid prior to approval and/or final comments on the reports. In the event the final amount due is less than the payment, the difference shall be refunded.

13.38.045 Hydraulic model computer analysis [FEE] deposit.

Any person desiring the City to perform a computer simulation of the City water system to assist in preparation of an engineering report or to determine the quantity of fire flow available from the water system shall be required to pay a hydraulic model computer analysis [FEE] deposit. The City shall base the [FEE] deposit on the number of separate computer simulations performed and on the complexity of the project and an estimate of the cost of city staff and third party consultant hours, including direct compensation, benefits and overhead, and costs of equipment and

materials to be utilized. Additional payment amounts may be required during the review. The Public Works Director will subsequently calculate the final amount due after the analysis and approval process is complete. In the event the final amount due is greater than the deposit, the difference shall be paid prior to approval and release of the analysis. In the event the final amount due is less than the payment, the difference shall be refunded.

13.38.050.

13.38.060.

Section 46. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 47. Effective date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this _____ day of
_____, 20XX.

CITY OF REDMOND

ANGELA BIRNEY, MAYOR

ATTEST:

CHERYL XANTHOS, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

REBECCA MUELLER, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.