

CODE

**CITY OF REDMOND  
ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE CITY OF REDMOND,  
WASHINGTON, AMENDING RMC 15, BUILDINGS AND  
CONSTRUCTION, TO CLARIFY PURPOSE AND MODERNIZE  
THE CODE'S APPLICABILITY

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WHEREAS, Redmond Municipal Code Title 15 establishes the authorities and rules that the City may apply to the regulation of buildings and construction; and

WHEREAS, the City proposes updates to Title 15 related to Public Works functions relating to buildings and construction; 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 15, Buildings and Construction, is hereby amended to read as follows:

Chapters:

- 15.02 Accessory Improvements
- 15.04 Flood Control
- 15.06 Fire Code
- 15.08 Building Code
- 15.10 Repealed
- 15.12 Electrical Code
- 15.14 Mechanical Code
- 15.16 Plumbing Code
- 15.18 Energy Code
- 15.20 Repealed
- 15.22 Moving Buildings
- 15.24 Clearing, Grading, and [~~STORM WATER~~] **Stormwater** Management
- 15.26 Wildland-Urban Interface Code
- 15.28 Public Works Construction Projects - Apprentice Requirements
- 15.30 Construction and Demolition Debris Recycling and Reuse

Section 3.      Amendment of Chapter. RMC 15.02, Accessory Improvements, is hereby amended to read as follows:

**15.02.010 Compliance with city standards.**

All improvements installed in conjunction with, or otherwise for the purpose of serving any structure governed by the City building code, shall be constructed and installed in accord with standards maintained by the City Public Works Department. Such accessory improvements include, but are not limited to, the following:

- A. Parking lots;
- B. Driveways;
- C. Curbs, gutters and sidewalks;

D. Drainage pipes, subdrains, catchbasins, detention systems and other drainage facilities;

E. Telephone, electric, gas and underground communication lines;

F. Water and [~~SANITARY SEWER~~] wastewater facilities.

**15.02.020 Public Works Director to promulgate and maintain standards.**

The City's Public Works Director shall compile and review the City's existing standards, and where necessary, promulgate additional standards which shall be maintained in a unified compilation evidencing formal approval by the [~~DIRECTOR~~] Public Works Director.

**15.02.030 Revisions to standards.**

The Public Works Director shall provide for review and updating of the accessory improvement standards at reasonable intervals. No revision shall be effective until approved by the [~~DIRECTOR~~] Public Works Director, nor shall any revision be applied to a project for which a complete building permit application, or other appropriate application, has been submitted, and the necessary fees paid, prior to formal adoption of the standard.

**15.02.040 Plan approval required.**

Construction of any improvement governed by this chapter shall not be commenced prior to receiving approval of the plans therefor by the [~~DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE~~] **Public Works Director**. Plan approval may be consolidated with review and approval of plans submitted as part of a building permit application or other appropriate approval application.

**15.02.050.**

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**15.02.060 Enforcement/penalty for violation.**

The City's Public Works Director [~~AND HIS DESIGNEES ARE~~] **is** authorized to issue and enforce stop work orders in accordance with enforcement provisions of the City building code. Additionally, the Public Works Director is authorized to issue a written notice to the person or persons carrying out the work, or to the owner of property upon which the work is being performed, requiring said person or persons to correct work performed in violation of this chapter within a reasonable period of time. Failure to comply with a properly issued stop work order or notice requiring correction of work shall constitute a misdemeanor, punishable as provided by Section 1.01.110 of the

Redmond Municipal Code. Enforcement action under this section shall be in addition to, and not in lieu of, any other available remedy or enforcement procedure.

Section 4.        Amendment of Chapter.    RMC    15.04,    Flood Control, is hereby amended to read as follows:

Sections:

- 15.04.010 Purpose.
- 15.04.020 Definitions.
- 15.04.030 Lands to which this chapter applies.
- 15.04.040 Basis for establishing [~~THE AREAS OF SPECIAL FLOOD HAZARD~~] **Special Flood Hazard Areas**.
- 15.04.045 Compliance with state Flood Control Zone Permit Program required - Administration by city.
- 15.04.050 Compliance.
- 15.04.051 Penalties for noncompliance.
- 15.04.052 Abrogation and greater restrictions.
- 15.04.060 Interpretation.
- 15.04.061 Warning and disclaimer of liability.
- 15.04.062 Severability.
- 15.04.063 Development permit required.
- 15.04.064 Application for development permit.
- 15.04.065 Designation of the Floodplain Administrator.
- 15.04.070 Duties and responsibilities of the Building Official.
- 15.04.075 Use of other base flood data (in A zones).
- 15.04.080 General standards.
- 15.04.090 Anchoring.
- 15.04.100 Construction materials and methods.
- 15.04.105 Storage of materials.
- 15.04.110 Utilities.
- 15.04.120 Subdivision proposals and development.
- 15.04.125 Specific standards.
- 15.04.130 Residential construction.
- 15.04.140 Nonresidential construction.
- 15.04.150 Manufactured homes.
- 15.04.155 Recreational vehicles.
- 15.04.156 Enclosed area below the lowest floor.
- 15.04.157 Appurtenant structures (detached garages and small storage structures).

15.04.158 AE zones with base flood elevations but no floodways.

15.04.160 Floodway/floodway fringe.

15.04.170 Critical facilities.

**15.04.010.**

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**15.04.020 Definitions.**

A. The following words and phrases shall be defined and given the meaning set forth below for the purpose of this chapter. Other words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and all interpretations shall be made as to give this chapter its most reasonable application.

"Alteration of watercourse" means any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

"Appeal" means a request for a review of the interpretation of any provision of this chapter or a request for a variance.

~~["AREA OF SPECIAL FLOOD HAZARD" MEANS THE LAND IN THE FLOODPLAIN WITHIN A COMMUNITY SUBJECT TO A 1 PERCENT OR GREATER CHANCE OF FLOODING IN ANY GIVEN YEAR. IT IS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) AS ZONE A OR AE.~~

~~"SPECIAL FLOOD HAZARD AREA" IS SYNONYMOUS IN MEANING WITH THE PHRASE "AREA OF SPECIAL FLOOD HAZARD."~~]

"ASCE 24" means the most recently published version of ASCE 24, Flood Resistant Design and Construction, published by the American Society of Civil Engineers.

"Base flood" means a flood having a one percent chance of being equaled or exceeded in any given year, **also referred to as the "100-year flood". The base flood can be the effective FEMA flow or best available data as approved by the City.** [~~(ALSO REFERRED TO AS THE "100-YEAR FLOOD")~~].]

"Base flood elevation" means the **water surface** elevation **of** flood waters [~~WOULD REACH~~] during the base flood event. **It shall be referenced to the effective FIRM datum.**

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Building. See "Structure."

"Building code" means the currently effective versions of the International Building Code and the International Residential Code adopted by the State of Washington Building Code Council.

"Critical facility" means a facility [~~FOR WHICH EVEN A SLIGHT CHANCE OF FLOODING MIGHT BE TOO GREAT~~] **that is necessary to protect the public health, safety, and general welfare which are defined in IBC Table 1604.5 (2003), Categories III and IV. These facilities include, but are not limited to, schools, hospitals, police stations, fire departments and other emergency response facilities, and nursing homes. Critical facilities also include sites of hazardous waste materials and storage.**

~~[CRITICAL FACILITIES INCLUDE (BUT ARE NOT LIMITED TO) SCHOOLS, NURSING HOMES, HOSPITALS, POLICE, FIRE AND EMERGENCY RESPONSE INSTALLATIONS, AND INSTALLATIONS WHICH PRODUCE, USE, OR STORE HAZARDOUS MATERIALS OR HAZARDOUS WASTE.]~~

"Development" means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling

operations or storage of equipment or materials (including gas or liquid storage tanks principally above ground) and located within [~~THE AREA OF SPECIAL FLOOD HAZARD~~] **a Special Flood Hazard Area.**

"Elevated building" means, for insurance purposes, a nonbasement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

"Elevation certificate" means an administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

"Essential facility" has the same meaning as "essential facility" defined in ASCE 24. Table 1-1 in ASCE 24-14 further identifies building occupancies that are essential facilities.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities,

the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the community.

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Farmhouse" means a single-family dwelling located on a farm site where resulting agricultural products are not produced for the primary consumption or use by the occupants and the farm owner.

"Flood" or "flooding" means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - a. The overflow of inland or tidal waters.
  - b. The unusual and rapid accumulation or runoff of surface waters from any source.
  - c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of

this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.

"Flood elevation study" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

"Flood insurance rate map (FIRM)" means the official map on which the Federal Insurance Administration has delineated both [~~THE AREAS OF SPECIAL FLOOD HAZARDS~~]

**Special Flood Hazard Areas** and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

"Flood proofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

"Floodplain" or "flood prone area" means any land area susceptible to [~~BEING INUNDATED BY WATER FROM ANY SOURCE. SEE "FLOOD" OR "FLOODING."~~] **inundation having a one percent chance of being equaled or exceeded in any given year.**

"Floodplain administrator" means the community official designated by title to administer and enforce the floodplain management regulations.

"Floodplain management regulations" means the zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as

floodplain ordinance, grading ordinance and erosion control ordinance) and other application of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

"Floodway" means the channel or portion of a watercourse and the adjacent land areas that must be reserved in order to discharge a base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "regulatory floodway."

"Floodway fringe" means that portion of the area of [~~SPECIAL FLOOD HAZARD~~] **a Special Flood Hazard Area** exclusive of the floodway.

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is:

1. ~~[LISTED INDIVIDUALLY]~~ **Included in, or eligible for inclusion** in the National Register of Historic Places, **Washington Heritage Register, King County Historic Register, or Redmond's Heritage Resources Register.** ~~[(A LISTING MAINTAINED BY THE DEPARTMENT OF THE INTERIOR) OR PRELIMINARILY DETERMINED BY THE SECRETARY OF THE INTERIOR AS MEETING THE REQUIREMENTS FOR INDIVIDUAL LISTING ON THE NATIONAL REGISTER;~~
2. ~~CERTIFIED OR PRELIMINARILY DETERMINED BY THE SECRETARY OF THE INTERIOR AS CONTRIBUTING TO THE HISTORICAL SIGNIFICANCE OF A REGISTERED HISTORIC DISTRICT OR A DISTRICT PRELIMINARILY DETERMINED BY THE SECRETARY TO QUALIFY AS A REGISTERED HISTORIC DISTRICT;~~
3. ~~INDIVIDUALLY LISTED ON A STATE INVENTORY OF HISTORIC PLACES IN STATES WITH HISTORIC PRESERVATION PROGRAMS WHICH HAVE BEEN APPROVED BY THE SECRETARY OF THE INTERIOR; OR~~

~~4. INDIVIDUALLY LISTED ON A LOCAL INVENTORY OF HISTORIC PLACES IN COMMUNITIES WITH HISTORIC PRESERVATION PROGRAMS THAT HAVE BEEN CERTIFIED EITHER:~~

~~A. BY AN APPROVED STATE PROGRAM AS DETERMINED BY THE SECRETARY OF THE INTERIOR; OR~~

~~B. DIRECTLY BY THE SECRETARY OF THE INTERIOR IN STATES WITHOUT APPROVED PROGRAMS.]~~

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of RMC 15.04.130.

"Manufactured home" means a structure which is transportable in one or more sections, is built on a permanent chassis, and is designed [FOR USE] **to be a dwelling** with or without a permanent foundation when [ATTACHED] **connected** to the required utilities. The term does not include a recreational vehicle.

"Manufactured home park or subdivision" means [~~A PARCEL~~  
~~(OR CONTIGUOUS PARCELS)~~] **an area** of land [~~DIVIDED INTO~~  
~~TWO OR MORE MANUFACTURED HOME LOTS FOR RENT OR SALE~~]  
**designed for placement of manufactured homes or mobile**  
**homes with two or more improved pads or spaces**  
**for manufactured homes or mobile homes providing**  
**connections for, but not limited to, water, sewer, and**  
**electricity service.**

"Mean sea level" means, for purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

"New construction" means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.

One-Hundred-Year Flood or 100-Year Flood. See "Base flood."

**"Public Works Director" means the Public Works**

**Director or their representatives pursuant to RMC**

**1.01.025.**

"Reasonably safe from flooding" means development that is designed and built to be safe from flooding based on consideration of current flood elevation studies, historical data, high water marks and other reliable data known to the community. In unnumbered A zones where flood elevation information is not available and cannot be obtained by practicable means, "reasonably safe from flooding" means that the lowest floor is at least two feet above the Highest Adjacent Grade.

"Recreational vehicle" means a vehicle which is:

1. Built on a single chassis;
2. Four hundred square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling, but as a temporary living quarters for recreational, camping, travel, or seasonal use.

**"Special Flood Hazard Area (SFHA)" means the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as zone A or AE. "Special Flood Hazard Area" is synonymous in meaning with the phrase "area of special flood hazard."**

"Start of construction" includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The "actual start" means either the first placement of permanent construction of a structure on a

site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means, for floodplain management purposes, a walled and roofed building or mobile home, including a gas or liquid storage tank, that is principally above ground.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring

the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial improvement" means any repair reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure ~~[BEFORE THE "START OF CONSTRUCTION" OF THE IMPROVEMENT. THIS TERM INCLUDES STRUCTURES WHICH HAVE INCURRED "SUBSTANTIAL DAMAGE," REGARDLESS OF THE ACTUAL REPAIR WORK PERFORMED]~~ either (1) before the improvement or repair is started, or (2) if damaged, the value of the structure to be restored prior to being damaged. The term does not, however, include either:

1. Any project for improvement of a structure to correct previously identified existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure"; provided, that the alteration will not preclude the structure's continued designation as a "historic structure."

"Variance" means a grant of relief by a community from the terms of a floodplain management regulation.

"Water dependent" means a structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

"Water surface elevation" means the height, in relation to the vertical datum utilized in the applicable flood insurance study, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

**15.04.030 Lands to which this chapter applies.**

A. This chapter shall apply to all [~~AREAS OF SPECIAL FLOOD HAZARDS~~] **Special Flood Hazard Areas** within the jurisdiction of the City.

**15.04.040 Basis for establishing [~~THE AREAS OF SPECIAL FLOOD HAZARD~~] **Special Flood Hazard Areas**.**

A. [~~THE AREAS OF SPECIAL FLOOD HAZARD~~] **Special Flood Hazard Areas (SFHAs)** are identified by the Federal Insurance Administration and the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for King County, Washington and Incorporated Areas," dated August 19,

2020, and any revisions thereto, and by the Flood Insurance Rate Map entitled "FIRM (Flood Insurance Rate Map) for King County, Washington and Incorporated Areas," dated August 19, 2020, and any revisions thereto, as the same relate to land within the current or future boundaries of the City, are adopted by this reference as if set forth in full and declared to be a part of this chapter. The Flood Insurance Study and Flood Insurance Rate Map are on file at the office of the Public Works Department, City Hall, 15670 NE 85th Street, Redmond, Washington. The best available information for flood hazard area identification as outlined in RMC 15.04.075 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under RMC 15.04.075.

**15.04.045 Compliance with state Flood Control Zone**

**Permit Program required - Administration by city.**

A. Pursuant to delegation of authority by the Washington State Department of Ecology, the City is charged with the responsibility of administering the Washington State Flood Control Zone Permit Program within the City. All development within [~~THE SPECIAL FLOOD HAZARD AREA, THE BOUNDARIES OF WHICH ARE SET FORTH IN THE OFFICIAL~~

~~DIVISION OF HYDRAULICS MAP MAINTAINED WITHIN THE PUBLIC WORKS DEPARTMENT OF THE CITY,]~~ **Special Flood Hazard Areas** shall comply with RCW Chapter 86.16, the state Flood Control Zone Act, and WAC Chapter 508-60, the Permit Program Regulations.

**15.04.050 Compliance.**

All development within [~~SPECIAL FLOOD HAZARD AREAS~~] **Special Flood Hazard Areas** is subject to the terms of this chapter and other applicable regulations.

**15.04.051.**

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**15.04.052.**

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**15.04.060.**

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**15.04.061 Warning and disclaimer of liability.**

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside [~~THE AREAS OF SPECIAL FLOOD HAZARDS~~] **Special Flood Hazard**

Areas or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Redmond, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

**15.04.062.**

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**15.04.063 Development permit required.**

A development permit shall be obtained before construction or development begins within any [~~AREA OF SPECIAL FLOOD HAZARD~~] Special Flood Hazard Area established in RMC 15.04.040. The permit shall be for all structures including manufactured homes, as set forth in the definitions, and for all development including fill and other activities, also as set forth in the definitions.

**15.04.064.**

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**15.04.065.**

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**15.04.070 Duties and responsibilities of the Building Official.**

A. Duties of the Building Official shall include, but not be limited to:

1. Permit review, which shall involve the review of all applications for building permits to determine:

a. That the permit requirements of this chapter have been satisfied;

b. That all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required;

c. That the proposed development is not located in the floodway. If the proposed development is located in the floodway, to assure that the provisions of RMC 15.04.160 are met;

d. That the site is reasonably safe from flooding; and

e. Notify FEMA when annexations occur in the [~~SPECIAL FLOOD HAZARD AREA~~] **Special Flood Hazard Area**.

2. *Information to Be Obtained and Maintained.*

a. Where base flood elevation data is provided through the Flood Insurance Study, FIRM, or required in this chapter, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor

(including basement) of all new or substantially improved structures, and whether or not the structure contains a basement. Documentation of the actual elevation will be documented in the form of a FEMA Elevation Certificate.

b. For all new or substantially improved floodproofed structures where base flood elevation data is provided through the Flood Insurance Study, FIRM, or as required in this chapter:

- i. Obtain and record the elevation (in relation to mean sea level) to which the structure was floodproofed; and
- ii. Maintain the floodproofing certifications required in RMC 15.04.080 through 15.04.160.

c. Certification required by RMC 15.04.160A.

d. Records of all variance actions, including justification for their issuance.

e. Improvement and damage calculations.

f. Maintain for public inspection all records pertaining to the provisions of this chapter forever.

3. Notification of the alteration of watercourses and maintenance of flood-carrying capacity, consisting of the following:

a. Notify adjacent communities and the State Department of Ecology, prior to any alteration or relocation of the Sammamish River, Bear Creek, Evans Creek and Lake Sammamish, and submit evidence of such notification to the Federal Insurance Administration; and

b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.

4. *Interpretation of FIRM Boundaries.* Together with the technical committee, make interpretation where needed as to exact location of the boundaries of the areas of [~~SPECIAL FLOOD HAZARDS~~] **Special Flood Hazard Areas** (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The technical committee shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source in making such interpretations in order to administer RMC 15.04.130 through 15.04.170. Any person contesting the location of the boundary shall be given thirty days to appeal the interpretation in writing to the board of adjustment or its successor.

5. *Review of Building Permits.* Where elevation data is not available either through the FIS, FIRM, or from another authoritative source (see RMC 15.04.075), applications for floodplain development shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.

(Failure to elevate habitable buildings at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.)

6. *Changes to [THE] Special Flood Hazard Area.*

a. If a project will alter the BFE or boundaries of the SFHA, then the project proponent shall provide the community with engineering documentation and analysis regarding the proposed change. If the change to the BFE or boundaries of the SFHA would normally require a Letter of Map Change, then the project proponent shall initiate, and receive approval of, a Conditional Letter of Map Revision (CLOMR) prior to approval of the development permit. The project shall be constructed in a manner consistent with the approved CLOMR.

b. If a CLOMR application is made, then the project proponent shall also supply the full CLOMR documentation package to the Floodplain Administrator to be attached to the floodplain development permit, including all required property owner notifications.

**15.04.075.**

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**15.04.080 General standards.**

A. In all areas of [~~SPECIAL FLOOD HAZARDS~~] **Special Flood Hazard Areas**, the standards set forth in RMC 15.04.090 through 15.04.170 are required.

**15.04.090.**

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**15.04.100.**

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**15.04.105 Storage of materials.**

A. The storage or processing of materials that could be injurious to human, animal, or plant life if released due to damage from flooding is prohibited in [~~SPECIAL FLOOD HAZARD AREAS~~] **Special Flood Hazard Areas**.

B. Storage of other material or equipment may be allowed if not subject to damage by floods and if firmly anchored

to prevent flotation, or if readily removable from the area within the time available after flood warning.

**15.04.110.**

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**15.04.120.**

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**15.04.125 Specific standards.**

In all areas of [~~SPECIAL FLOOD HAZARDS~~] **Special Flood Hazard Areas** where base flood elevation data has been provided as set forth in RMC 15.04.040 or 15.04.075 the following provisions are required.

**15.04.130.**

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**15.04.140.**

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**15.04.150.**

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**15.04.155.**

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**15.04.156.**

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**15.04.157.**

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**15.04.158.**

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**15.04.160 Floodway/floodway fringe.**

Special restrictions with respect to floodways and floodway fringe areas shall be as follows:

A. Floodway. Located within [~~AREAS OF SPECIAL FLOOD HAZARD~~] **Special Flood Hazard Areas** established in RMC 15.04.040 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following are not permitted in the floodway: structures, developments, or landfills, other than for shoreline protective structures, bridges, roads, trails, and railroads.

1. No Rise Standard. Prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.

2. All Other Building Standards Apply in the Floodway. If subsection A of RMC 15.04.160 is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of RMC 15.04.

B. Floodway Fringe Restrictions. The following are not permitted in a floodway fringe:

1. Except in areas designated "urban environment" in the Redmond shoreline master program, any structure, development or landfill which would: reduce the natural floodwater storage capacity of the [~~AREA OF SPECIAL FLOOD HAZARD~~] **Special Flood Hazard Area**; pollute or contribute materially to the turbidity of floodwater at the base flood stage; significantly change the existing base flood hydraulic characteristics; or alter the temperature characteristics of the water body unless an improvement in fish habitats would result.

2. Any residential structure which is not fully protected from water damage at the base flood elevation by having the lowest floor raised at least one foot above the base flood elevation.

3. Any nonresidential structure which does not meet the elevation or floodproofing requirements for

nonresidential or critical facilities standards of this chapter.

**15.04.170.**

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Section 5.        Amendment of Paragraph. RMC 15.06.013 (A) (21),  
is hereby amended to read as follows:

**15.06.013 (A) (21) .**

Add Section 114.8 as follows:

114.8 Fire- or explosion-damaged buildings.

The owner, occupant, or other person having under [~~HIS~~]  
**their** control any property or materials on a property  
damaged by fire or explosion shall, when ordered by the  
fire chief, immediately secure the property against  
entry or unauthorized access by the public, by boarding  
up all openings, fencing, barricading or utilizing other  
appropriate measures. Within 30 days after written  
notice to do so has been served, all debris and/or  
damaged materials shall be removed from the property and  
proof furnished that contractual arrangements have been  
made for prompt demolition, replacement, or repair of  
all fire- or explosion-damaged structures remaining on  
the property involved in the fire or explosion.

Section 6.            Amendment            of            Subparagraph.            RMC

15.06.013(A) (36) (510.6.2), is hereby amended to read as follows:

**15.06.013(A) (36) 510.6.2 Additional frequencies.**

The building owner shall modify or expand the emergency responder radio coverage system at [~~HIS OR HER~~] **their** expense in the event frequency changes are required by the FCC or other radio licensing authority or additional frequencies are made available by the FCC public safety radio system operator or FCC license holder. Prior approval of a public safety radio coverage system on previous frequencies does not exempt this section.

Section 7.            Amendment            of            Section.            RMC    15.06.019, New Materials, Processes or Occupancies Which May Require Permits, is hereby amended to read as follows:

**15.06.019 New materials, processes or occupancies which may require permits.**

The Fire Code Official shall determine and specify, after giving the affected person an opportunity to be heard, any new materials, processes or occupancies which may require permits, in addition to those now enumerated in said code. The Chief of the Fire Department shall cause such a list to be posted in a conspicuous place in

[~~HIS~~] **their** office and distribute copies thereof to interested persons.

Section 8.      Amendment of Subsection. RMC 15.14.050(D), is hereby amended to read as follows:

**15.14.050(D)      Amend      Section      106.4.1,      Approved**  
**Construction Documents.**

When the code official issues a permit where construction documents are required, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." Such reviewed construction documents shall not be changed, modified or altered without authorization from the code official. Work shall be done in accordance with the approved construction documents. One set of construction documents so reviewed shall be retained by the code official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the code official or a duly authorized representative.

The code official shall have the authority to issue a permit for the construction of part of a mechanical system before the construction documents for the entire system have been submitted or approved, provided

adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of such permit shall proceed at [~~HIS OR HER~~] **their** own risk without assurance that the permit for the entire mechanical system will be granted.

Section 9.        Amendment of Section.        RMC    15.22.040,  
Applicability, is hereby amended to read as follows:

**15.22.040 Applicability.**

A. *Affected Structures.* This chapter applies to the movement, relocation, and placement of structures that would require a building permit to construct or place. Included in this definition are manufactured homes that have previously had a building permit issued for said structure.

B. *Regulation.* Affected structures, as identified by subsection A of this section, shall not be placed on a lot or moved across any lot line or within any public right-of-way or easement by any individual, except in conformity with this chapter.

C. *Administration.*

1. Compliance with this chapter shall require that a structure mover obtain and conform to the conditions of

approval of a structure movement permit and to the provisions of the Redmond Zoning Code.

2. This chapter establishes four classifications of moves as described in RMC 15.22.050. For these classifications, administration shall be as follows:

a. *Class I, II, and III.* The Director of Planning and Community Development or [HER/HIS] **their** designee shall administer compliance with Class I, II, and III moves.

b. *Class IV.* The [~~DIRECTOR OF PUBLIC WORKS OR HER/HIS DESIGNEE~~] **Public Works Director** for the City of Redmond shall administer Class IV moves, as defined under this chapter.

Section 10.     Amendment of Section. RMC 15.22.070, Permits - Deposits and Fees, is hereby amended to read as follows:

**15.22.070 Permits - deposits and fees.**

Unless otherwise stated below, the following deposits and fees shall apply to all permits issued under this chapter:

A. An application for a permit under this chapter shall not be determined complete until application filing fees are received. Fees shall be in the amount as defined by Redmond Zoning Code Chapter 21.76.

B. An application hereunder shall be accompanied by the following:

1. A cash deposit or corporate surety bond in the sum of \$10,000 or such greater amount as the Public Works Director [~~OR HIS/HER DESIGNEE~~] determines necessary as indemnity for any damage which the City may sustain by reason of damage or injury to any highway, street or alley, sidewalk or other property of the City, which may be caused by or be incidental to the removal of any building over, along or across any street in the City and to indemnify the City against any claim of damages to persons or private property;

2. A public liability insurance policy providing \$1,000,000 or such greater amount as the Public Works Director [~~OR HIS/HER DESIGNEE~~] determines necessary to satisfy any claim by private individuals, firms, or corporations arising out of, caused by, or incidental to the moving of any building over, along, or across any street in the City; and

3. A cash deposit or a corporate surety performance bond in the sum of \$5,000 or such greater amount as the Public Works Director [~~OR HIS/HER DESIGNEE~~] determines necessary conditioned upon permittee, within six months

from the date of the issuance of such permit (a) completing the construction, painting and finishing of the exterior of the building, and (b) faithfully complying with all requirements of this chapter, the building code, the zoning ordinance, the other ordinances then in effect within the City including but not limited to permittee completing such work within six months to the date of the issuance of such permit. In the event the provisions of this subsection are not complied with within the time specified, a sum of \$5,000 shall be forfeited to the City as a penalty for the default, and this shall be in addition to any other penalties provided for failure to comply within the terms of this chapter.

Section 11. Amendment of Chapter. RMC 15.24, Clearing, Grading, and [~~STORM WATER~~] **Stormwater** Management, is hereby amended to read as follows:

Sections:

15.24.010 Purpose and intent.

15.24.020 Design, construction and maintenance - General requirements.

15.24.030 Director.

15.24.040 Issuance of permits.

15.24.050 Activities requiring permits.

15.24.055 Activities that do not require a clearing[~~7 GRADING, AND STORM WATER~~] **and grading, and stormwater or civil site** permit.

15.24.060 Classification of clearing, grading and [~~STORM WATER~~] **stormwater** management construction activities.

- 15.24.070 Rough grading projects.
- 15.24.080 Requirements for design and construction.
- 15.24.082 Topographic change (cut and fill) limits.
- 15.24.084 Deviations.
- 15.24.089 Variances.
- 15.24.090 Repealed.
- 15.24.091 Conflicts**
- 15.24.095 Wellhead and groundwater protection performance standards.
- 15.24.100 Enforcement - Authorization.
- 15.24.110 Inspection.
- 15.24.120 Stop work orders.
- 15.24.130 Suspension or revocation of permit.
- 15.24.140 Penalty for violation.
- 15.24.150 Restoration.
- 15.24.160 Notification of noncompliance.
- 15.24.170 Penalties.
- 15.24.180 Processing fees.
- 15.24.190 Permit fees.
- 15.24.200 Inspection fees.

**15.24.010 Purpose and intent.**

The purpose of the Clearing, Grading, and [~~STORM WATER~~]  
Stormwater Management Code is to: safeguard life, property, public health, and general welfare; minimize water quality degradation; prevent excessive sedimentation of or erosion by surface waters; and prevent the creation of public nuisances such as fouling of surface or groundwater. Furthermore, this section is intended to reduce impacts from land development; preserve and enhance wildlife habitat in and along surface waters; enhance the aesthetic quality of the area waters; minimize erosion; preserve trees; and preserve natural topographic features. These regulations

focus on prevention of adverse impacts associated with clearing, grading and [~~STORM—WATER~~] **stormwater** activities rather than remediation of adverse impacts after they have occurred.

**15.24.020 Design, construction and maintenance - General requirements.**

A. The design, construction, and maintenance of all clearing, grading and [~~STORM—WATER~~] **stormwater** management systems and facilities shall comply with the requirements and design standards contained in all the following documents:

1. This chapter.
2. *Repealed by Ord. 2860.*
3. *Repealed by Ord. 2860.*
4. The **latest version of the** Redmond [~~STORM—WATER~~] **Stormwater** Technical Notebook, which locally adopts and modifies the Washington State Department of Ecology 2019 [~~STORM—WATER~~] **Stormwater** Management Manual for Western Washington, ("2019 SWMMWW" for the remainder of this chapter), or its successor.
5. Redmond Standard Specifications and Details.
6. The 2019 SWMMWW.

B. The Public Works Director shall prepare and shall adopt construction specifications and details, along with design standards for clearing, grading, and [~~STORM WATER~~] **stormwater** management, as described in the Redmond [~~STORM WATER~~] **Stormwater** Technical Notebook. The objective of the standards, details, and specifications shall be to control the quantity and quality of [~~STORM WATER~~] **stormwater** produced by development and redevelopment in the City to minimize downstream impacts and protect receiving waters. The Public Works Director has the authority to make changes as local conditions warrant. The specifications, design details, Redmond [~~STORM WATER~~] **Stormwater** Technical Notebook, and any changes shall be made available to the public. A fee set by the Public Works Director may be charged for these documents.

C. In the case of conflicts between the documents listed in subsection A of this section, conflicts shall be resolved by applying the following order of precedence:

1. This chapter;
2. The Redmond [~~STORM WATER~~] **Stormwater** Technical Notebook;
3. Redmond Standard Specifications and Details;

4. The 2019 SWMMWW.

**15.24.030 Director.**

For the purposes of this chapter only, [~~"DIRECTOR"~~]  
**"Public Works Director"** shall mean the [~~DIRECTOR OF THE  
PUBLIC WORKS DEPARTMENT OR HIS/HER DESIGNEE~~] **Public  
Works Director or their representatives pursuant to RMC  
1.01.025 unless the authority is specifically assigned  
to another City Director.**

**15.24.040 Issuance of permits.**

A. Regulated clearing, grading and/or [~~STORM WATER~~]  
**stormwater** activity as defined in RMC 15.24.050 requires  
City approval and the issuance of the appropriate  
permit(s) before initiating any of the regulated  
activities.

B. Speculative clearing and grading shall be prohibited.

C. For regulated activities, "City approval" means  
approval of appropriate plans, prepared by the  
applicant's engineer(s), indicating compliance with the  
requirements and design standards specified in this  
chapter under RMC 15.24.020. Approval shall be evidenced  
by the signature of the Public Works Director [~~OR  
DESIGNEE~~]. Once plans are approved, a permit may be  
issued by the City. Fees for plan review and permit

processing may be charged as established by separate ordinance. Issued permits shall be posted on the construction site at all times when work is underway. To ensure that the actual work in the field conforms with the approved plans, permitted activities shall be inspected by the City during construction.

**15.24.050 Activities requiring permits.**

All clearing, grading or [~~STORM—WATER~~] **stormwater** management construction activities listed below require approved plans and a permit(s). The thresholds are cumulative during a [~~ONE—YEAR~~] **three-year** period for any given site. **The assessed value of existing improvements shall be the King County Assessed value available on King County Tax Assessor’s website.**

- A. Clearing of 7,000 square feet of land area or more.
- B. Earthwork of 50 cubic yards or more. This means any activity which moves 50 cubic yards of earth, whether the material is excavated or filled and whether the material is brought into the site, removed from the site, or moved around on the site.
- C. Removal of 11 or more significant trees. The removal of 10 or fewer significant trees is regulated in Redmond Zoning Code Chapter 21.72.

D. Any clearing or grading within a critical area or buffer of a critical area. Critical areas are defined in Redmond Zoning Code Chapter 21.64, Critical Areas. Any disturbance to vegetation within critical areas and their corresponding buffers is also regulated by Redmond Zoning Code Chapter 21.64, Critical Areas. Note that under this chapter, a clearing/grading permit for work on steep slopes must first comply with RZC 21.76.070(E), Alteration of Geologic Hazard Areas.

E. Any change of the existing grade by four (4) feet or more. This criterion applies to all permanent changes in grade and grade changes for extended periods of time (sixty (60) days or longer) located outside structure footprints.

F. Any work within a native growth protection easement or area, a public easement, City-owned tract or City right-of-way. Any clearing, grading or landscaping must be approved by the Department of Public Works prior to construction.

G. The creation or addition of new, replaced or new plus replaced hard surfaces in the amount of 2,000 square feet or more. Hard surfaces include impervious surfaces

(defined in RZC 21.78), green roofs and pervious pavement.

H. Any construction of public drainage facilities to be owned or operated by the City.

I. Any construction of private storm drainage pipes 12 inches in diameter or larger.

J. Any modification of, or construction which affects, a privately owned/operated flow control facility or runoff treatment facility. (~~DOES~~ **This does** not include maintenance or repair to the condition defined by previously approved plans; **however, removal of uncontaminated water from the system prior to maintenance or repair is required.**)

**K. Any removal and disposal of uncontaminated water from privately owned/operated flow control facility, runoff treatment, or catch basins in order to complete any maintenance or repair cited in 15.24.055.**

**15.24.055 Activities that do not require a clearing[~~7~~  
~~GRADING, AND STORM WATER~~] and grading, and stormwater or civil site permit.**

A. All clearing, grading and [~~STORM WATER~~] **stormwater** management construction activities that do not involve any of the thresholds listed above do not require **a**

**separate clearing and grading, and stormwater or civil site stormwater** [~~CITY-APPROVED CLEARING, GRADING AND~~

~~STORM WATER MANAGEMENT PLANS OR A]~~ permit, but still must meet the requirements specified in RMC 15.24.020.

B. Activities that do not require approved plans or permits must still provide and install sediment and erosion control and pollution prevention BMPs as necessary to protect water quality.

C. The following activities are unregulated by this chapter even if the criteria in RMC 15.24.050 are exceeded **and if the activities are not part of, directly related to, or caused by new development of redevelopment projects:**

1. Agricultural crop management of existing farmed areas.
2. Cemetery graves involving less than 50 cubic yards of excavation, and related filling per each cemetery plot.
3. Public pavement maintenance such as pothole and square cut patching, overlaying existing asphalt or concrete pavement with asphalt or concrete without expanding the area of coverage, shoulder grading, reshaping/regrading drainage systems, crack sealing, resurfacing with in-kind material without expanding the

road prism, pavement preservation activities that do not expand the road prism, and vegetation maintenance associated with the road right-of-way (such as planter strips).

Public vegetation maintenance such as landscape maintenance and gardening, when the work is limited to the removal and/or replacement of surface material such as grass, artificial turf, weeds, and shrubs. Artificial turf removal and/or replacement is considered a maintenance practice only if the underdrain system for the turf is not disturbed, or if an underdrain system is not present, then when the ballast rock underlying the existing turf is not disturbed.

Public stormwater facility maintenance when conducted according to established current standards and procedures or when conducted according to an approved Operation and Maintenance Manual.

4. Public underground utility projects including installing, maintaining, and/or upgrading an underground utility (does not include culverts) and that replace the ground surface with in-kind material or materials with similar runoff characteristics are only subject to

Minimum Requirement #2, Construction [~~STORM WATER~~]  
**Stormwater** Pollution Prevention.

**15.24.060 Classification of clearing, grading and [~~STORM~~  
~~water~~] stormwater management construction activities.**

A. [~~A CLEARING, GRADING AND STORM WATER MANAGEMENT PERMIT MAY BE CONSIDERED AS A COMPONENT OF A BUILDING PERMIT OR OTHER PERMIT, RATHER THAN AS A SEPARATE PERMIT, IF CITY-APPROVED DRAWINGS FOR SUCH ACTIVITIES ARE INCLUDED UNDER THE OTHER PERMIT~~] **Clearing, grading and stormwater management activities may be reviewed as part of a building permit and/or other permit, if City-approved drawings for such activities are included under the building and/or other permit.**

B. The Director **of Planning and Community Development** shall specify what submittal and application materials are required for a complete application, including the type of submittals, the required level of detail, the minimum qualifications of preparers of technical documents, and the number of copies that must be submitted.

C. Clearing, grading and [~~STORM WATER~~] **stormwater** management activities are classified based on type, location and timing of development activity proposed.

Table 1 outlines the classifications for clearing, grading and [~~STORM WATER~~] **stormwater** management activities and briefly reviews processing. Other City processes, approvals and permits may also be required for projects. The Director **of Planning and Community Development** may adjust classifications and permit processing steps for proposed projects which are shown to be in multiple classifications or are otherwise not appropriately classified under the criteria shown in Table 1 and may adjust processing steps and fees as appropriate.

D. Project Classification and Processing Table.

**Table 1**

Project Classification	Typical Type of Development Activity	City Permit Which Allows Clearing, Grading and [ <del>STORM WATER</del> ] <u>Stormwater</u> Management Construction*	Summary of Permit Process for Clearing, Grading and [ <del>STORM WATER</del> ] <u>Stormwater</u> Management Construction
Building Projects	Single-family, middle housing, commercial, industrial and multifamily	Building Permit; <b><u>and if applicable, either Clear</u></b>	Clearing, grading and [ <del>STORM WATER</del> ] <b><u>stormwater</u></b> management activities are

Project Classification	Typical Type of Development Activity	City Permit Which Allows Clearing, Grading and [ <del>STORM WATER</del> ] <u>Stormwater Management Construction*</u>	Summary of Permit Process for Clearing, Grading and [ <del>STORM WATER</del> ] <u>Stormwater Management Construction</u>
	construction, additions	<u>and Grade Permit or civil SITE Permit</u>	reviewed in conjunction with the Building Permit <u>and either Clear and Grade Permit or SITE Permit</u> plans. Single-family and middle housing are reviewed by the Construction and Building Divisions [ <del>ALL OTHER PROJECTS ARE REVIEWED</del> ] <u>and</u> by the Development Services Division.
Development Projects	Subdivision, utility construction outside City right-of-way	[ <del>APPROVED CIVIL DRAWINGS</del> ] <u>Clear and Grade Permit</u>	Clearing, grading and [ <del>STORM WATER</del> ] <u>stormwater</u> management activities are reviewed by the

Project Classification	Typical Type of Development Activity	City Permit Which Allows Clearing, Grading and <del>[STORM WATER]</del> <u>Stormwater</u> Management Construction*	Summary of Permit Process for Clearing, Grading and <del>[STORM WATER]</del> <u>Stormwater</u> Management Construction
		<u>or civil SITE Permit</u>	Development Services Division as all or part of the site improvement plans.
Right-of-Way Projects	Construction activities all or partly within the City right-of-way	<del>[STREET]</del> <u>Right-of-Way</u> Use Permit	Clearing, grading and <del>[STORM WATER]</del> <u>stormwater</u> management activities are reviewed by the <u>Public Works Right of Way group</u> [ <del>DEVELOPMENT SERVICES DIVISION</del> ] as part of the project.
Rough Grading Projects	Clearing and/or grading of a site before all final approvals of the entire project	Rough Grading Permit	Clearing and grading activities are reviewed by the Development

Project Classification	Typical Type of Development Activity	City Permit Which Allows Clearing, Grading and [ <del>STORM WATER</del> ] <u>Stormwater Management Construction</u> *	Summary of Permit Process for Clearing, Grading and [ <del>STORM WATER</del> ] <u>Stormwater Management Construction</u>
			Services Division prior to other site improvements plans. Special conditions shall be met for issuance of Rough Grading plans (see RMC 15.24.070).
Clearing and Grading Projects	Clearing and Grading only projects including landscaping project (see RMC 15.24.050 for the minimum thresholds that trigger a clearing and grading permit)	<b><u>Clear and Grade</u></b> [ <del>CLEARING AND GRADING</del> ] Permit	Clearing and grading activities are reviewed by the Development Services Division.

\*Construction is allowed only when approved plans for clearing, grading and [~~STORM~~—WATER] stormwater management construction are issued with the appropriate permit listed in the table.

**15.24.070 Rough grading projects.**

A. *Rough Grading Prerequisites.* The Technical Committee shall determine whether rough grading will be approved for a project. At a minimum, to obtain a Rough Grading Permit approval for a project all the following shall have been processed and have received approval:

1. Complete the first round of Coordinated Civil Review process.
2. SEPA review for the entire project completed (if required).
3. Clearing, grading and temporary erosion control construction plans.
4. Resolution of all project feasibility issues (i.e., required off-site easements, significant utility design issues, etc.).

B. *Rough Grading Application.* Upon completion of the prerequisites listed above, the following information shall be submitted, if applicable, for a rough grading application to be considered complete:

1. Rough grading drawings and supporting information stamped and signed by a professional civil engineer.
2. Clear identification of all work proposed under the rough grading application.
3. Clear identification of existing and proposed grades.
4. Clear identification of all areas that will be disturbed.
5. Identification of proposed quantity of earthwork.
6. Identification of proposed erosion control measures.
7. An erosion control plan designed in accordance with the Redmond [~~STORM WATER~~] **Stormwater** Technical Notebook and the Redmond Standard Specifications and Details.
8. Payment of the appropriate plan review fees.
9. Prior to issuance of Rough Grading Permits, acceptable site restoration assurance (bonding, cash deposits, etc., as specified by the Technical Committee) shall be posted with the City.

**15.24.080 Requirements for design and construction.**

The City hereby adopts the thresholds, definitions, and minimum requirements, found in Appendix 1 of the Western Washington Phase II Municipal [~~STORM WATER~~] **Stormwater** Permit, including the mandatory provisions of the 2019 SWMMWW. Refer to the Redmond [~~STORM WATER~~] **Stormwater**

Technical Notebook for local modifications and application of the definitions, thresholds, and minimum requirements in Redmond. Redmond Zoning Code 21.17.010.E details requirements to plan for [~~STORM WATER~~] **stormwater** management.

The **Public Works** Director may require additional controls or modified minimum requirements for specific projects or areas based on approved interlocal agreements, approved Department Operational Policies, identified capacity limitations, significant erosion potential, or seasonal factors. The Minimum Requirements, as further described in the Redmond [~~STORM WATER~~] **Stormwater** Technical Notebook, are:

- A. *Repealed by Ord. 2860.*
- B. *Repealed by Ord. 2860.*
- C. Minimum Requirement 1 - Preparation of [~~STORM WATER~~] **Stormwater** Site Plans.
- D. Minimum Requirement 2 - Construction [~~STORM WATER~~] **Stormwater** Pollution Prevention Plan.
- E. Minimum Requirement 3 - Source Control of Pollution.
- F. Minimum Requirement 4 - Preservation of Natural Drainage Systems and Outfalls.

G. Minimum Requirement 5 - On-site [~~STORM~~—WATER]

**Stormwater** Management.

H. Minimum Requirement 6 - Runoff Treatment.

I. Minimum Requirement 7 - Flow Control.

J. Minimum Requirement 8 - Wetlands Protection.

K. Minimum Requirement 9 - Operations and Maintenance.

**15.24.082 Topographic change (cut and fill) limits.**

A. Topographic change is limited in Redmond as follows:

1. Within the building work area (building footprint plus a ten (10) foot buffer), this chapter does not limit temporary or permanent cuts or fills (even with the presence of significant trees).

2. Outside the building work area, and where significant trees are not present, the maximum permitted vertical depth or height of a **permanent** cut or fill is a total of eight (8) vertical feet.

3. Outside building work area, and where significant trees designated to be saved are present, grades shall not be changed within five (5) feet of the tree's dripline.

4. [~~CUT~~] **Permanent cut** or fill slopes may not exceed 33 percent (3H:1V). Cut and fill slopes within the right-of-way may, however, be designed at (2H:1V).

**15.24.084 Deviations.**

A. Deviations, referred to as adjustments by Washington Department of Ecology, are permissions granted by the Technical Committee to deviate from the [~~STORM WATER~~] **stormwater** requirements for design and construction specified in RMC 15.24.080, 15.24.082 or in the Redmond [~~STORM WATER~~] **Stormwater** Technical Notebook. Deviations must provide the equivalent (or improved) level of environmental protection. Deviations are requested through application of a General Development Permit and decision by the Technical Committee. Application for deviations must include clear written documentation to explain how the proposed adjustments address the following criteria:

1. Provide substantially equivalent (or improved) environmental protection as would be provided if the standard [~~STORM WATER~~] **stormwater** requirements were met.
2. Reflect sound engineering practices.
3. Meet the objectives of public health, safety, function and maintenance.
4. Avoid damage to other properties in the vicinity of and downstream of the proposal.

B. The Technical Committee may deny any or all of the requested adjustments, may request additional information including written documentation from qualified specialists, may approve any or all of the requested adjustments, or may approve specific parts of adjustments, either to the extent requested or to a reduced extent. All documentation is to be obtained and paid for by the applicant(s). The Technical Committee may also require peer review which, if required, is to be paid for by the applicant.

C. The Technical Committee may determine the deviation(s) requested are to be processed in accordance with Redmond Zoning Code Section 21.76.070 (AB) (3), Variances, and the criteria in RMC 15.24.089.

**15.24.089 Variances.**

A. Variances are permissions granted through the City's variance process in accordance with Redmond Zoning Code Section 21.76.070 (AB) (3), Variances. Variances under this title apply only to RMC 15.24.080.C, D, E, F, G, H, I, J, and K. The criteria for approving a variance requested under this title shall include the decision criteria contained in

Redmond Zoning Code Section 21.76.070(AB) (3), Decision Criteria, together with the following criteria:

1. The variance may be granted by the City only when meeting the applicable standards would impose a severe and unexpected economic hardship.

2. The variance will not increase the risk to the public health and welfare, nor be injurious to other properties in the vicinity of and/or downstream or to the quality of waters of the state.

3. The variance is the least possible deviation that could be granted to comply with the intent of the Minimum Requirements detailed in the Redmond [~~STORM—WATER~~] **Stormwater** Technical Notebook.

B. The application for a variance shall include written documentation addressing the decision criteria above and written documentation addressing the following topics:

1. The current (pre-project) use of the site, and

2. How the application of Minimum Requirements restricts the proposed use of the site compared to restrictions that existed prior to adoption of the Minimum Requirements (October 1, 2004), and

3. The possible remaining uses of the site if the variance were not granted by the City, and

4. The uses of the site that would have been allowed prior to the City's adoption of Minimum Requirements, and

5. A comparison of the estimated amount and percentage of value loss resulting from meeting the Minimum Requirements, and

6. The feasibility to alter the project so that it meets the Minimum Requirements.

C. The City shall prepare written findings of fact that address each of the six items above and that address the variance criteria. The City shall publish legal public notice of an application that requests a variance under this title and shall publish legal notice of the City's decision on the application.

**15.24.190.**

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**15.24.091 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 shall apply unless specifically provided otherwise in this chapter.**

**15.24.095 Wellhead and groundwater protection performance standards.**

A. *Well Construction and Operation.* Construction or decommissioning details and registration forms of any well regulated under Chapter 173-160 WAC and UIC wells (infiltration trenches, drywells, infiltration vaults) must be registered per WAC 173-218-070. Details and registration forms shall be provided to the Department of Public Works within sixty (60) days of well construction or decommissioning.

B. *Fill Material.* Placement of imported contaminated fill material is prohibited, citywide. Fill material shall not contain concentrations of contaminants that exceed cleanup standards for soil specified in WAC 173-340-740, Model Toxics Control Act, regardless of whether all or part of the contamination is due to natural background levels at the fill source site. Where the detection limit (lower limit at which a chemical can be detected by a specified laboratory procedure) for a particular soil contaminant exceeds the cleanup standard for soil specified in WAC 173-340-740, the detection limit shall be the standard for fill material quality. Fill material shall be free of construction, demolition,

and land clearing waste including recycled concrete rubble and asphalt.

1. Fill materials in quantities greater than 10 cubic yards placed directly on or in the ground shall meet the following requirements:

a. A fill material source statement shall be provided to the Department of Public Works and shall be reviewed and accepted by the Department prior to stockpiling or grading imported fill materials at the site. The source statement shall be issued by a professional engineer, geologist, engineering geologist or hydrogeologist licensed in the State of Washington demonstrating the source's compliance with standards of the Model Toxics Control Act. The source statement shall be required for each different source location from which fill will be obtained.

b. Analytical results demonstrating that fill materials do not exceed cleanup standards specified in WAC 173-340-740 may be used in lieu of a fill material source statement, provided the regulated facility submits a sampling plan to, and which is approved by, the [~~DIRECTOR OF~~] Public Works **Director**. The regulated facility must then adhere to the approved sampling plan, and maintain

analytical data on-site and available for inspection for a minimum of five years from the date that the fill was accepted.

2. The [~~DEPARTMENT OF PUBLIC WORKS~~] **Public Works Director** may accept a fill material source statement that does not include results of sampling and analysis of imported fill if it determines that adequate information is provided indicating that the source location is free of contamination. Such information may include, but is not limited to:

- a. Results of field testing of earth materials to be imported to the site with instruments capable of detecting the presence of contaminants; or
- b. Results of previous sampling and analysis of earth materials to be imported to the site.

3. A fill material source statement is not required if documents confirm that imported fill will be obtained from a Washington State Department of Transportation approved source.

4. The [~~DIRECTOR OF~~] Public Works **Director** shall have the authority to require corrective measures regarding noncompliant fill materials, including independent sampling and analysis, if the property owner or operator

fails to accomplish such measures in a timely manner. The property owner or operator shall be responsible for any costs incurred by the City in the conduct of such activities.

C. *Cathodic Protection Wells.* Designs for cathodic protection wells shall be submitted to the City for review and approval prior to initiation of drilling. Cathodic protection wells shall be constructed such that the following do not occur:

1. Vertical cross-connection of aquifers normally separated by confining units;
2. Migration of contaminated surface water along improperly sealed well borings or casings;
3. Introduction of electrolytes or related solutions into the subsurface; and
4. Any of the above conditions caused by improperly abandoned cathodic protection wells that are no longer in use.

D. *Underground Hydraulic Elevator Cylinders.* All underground hydraulic elevator pressure cylinders shall be encased in an outer plastic casing constructed of Schedule 40 or thicker-wall polyethylene or polyvinyl chloride (PVC) pipe, or equivalent. The plastic casing

shall be capped at the bottom, and all joints shall be solvent- or heat-welded to ensure water tightness. The neck of the plastic casing shall provide a means of inspection to monitor the annulus between the pressurized hydraulic elevator cylinder and the protective plastic casing. Vegetable oil shall be used for hydraulic fluid in elevator cylinders.

**15.24.100 Enforcement - Authorization.**

The Public Works Director is authorized and directed to enforce all the provisions of this chapter. For such purpose, the Public Works Director may appoint officers, inspectors, assistants and other employees as needed from time to time. The Public Works Director may authorize such employees, as may be necessary, to carry out the duties and functions of that office.

**15.24.110 Inspection.**

The Public Works Director is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter or whenever the Public Works Director has reasonable cause to believe that any land is being used in violation of this chapter. Inspections shall be made as follows:

A. As a condition of any permit issued for activity covered by this chapter, the property owner shall be required to consent to entry upon the land by the **Public Works** Director at all reasonable times to inspect the same or to perform any duty imposed upon the **Public Works** Director by this chapter. If the land is occupied, the **Public Works** Director shall first present proper credentials and request entry. If the land is unoccupied, a reasonable effort shall be made to locate the owner or other persons at the site who are in apparent charge or control of the land and demand entry. If no person is located, the **Public Works** Director may enter said property and shall, with due diligence, make attempts to notify the owner, occupant, or other person having charge within a reasonable amount of time.

B. Where the **Public Works** Director has reasonable grounds to believe that activities for which a permit is required by this chapter are being conducted without a permit on land within the City, the **Public Works** Director may seek to inspect the land and such activity. If the land is occupied, the **Public Works** Director shall first present proper credentials and request entry for inspection. If the land is unoccupied, a reasonable

effort shall be made to locate the owner or other persons at the site in apparent charge or control of the land and request entry for inspection. If no person is located, or if entry is refused, the **Public Works** Director may request the assistance of the City Attorney, City Prosecutor or Police Department regarding access.

**15.24.120 Stop work orders.**

A. Whenever any activity is being done contrary to the provisions of this chapter, the **Public Works** Director may order the work stopped by notice verbally or in writing served on any persons engaged in the doing or causing such work to be done, and any such person shall forthwith stop such work until authorized by the **Public Works** Director to proceed with the work.

B. The **Public Works** Director may suspend work on any project during periods of inclement weather to reduce actual or potential erosion and/or sedimentation. Such a period may involve days or weeks during storm events or may, at the discretion of the **Public Works** Director, involve the entire rainy season (October 1 through April 30).

C. Outside the rainy season (May 1 through September 30), the Public Works Director may order work stopped because of inadequate temporary erosion/sedimentation controls. In such cases, a revised temporary erosion/sediment control plan (including but not limited to addition of or additional phasing) shall be submitted to the City for review. Once approved and implemented, the Public Works Director shall lift the stop work order and work can continue.

D. During the rainy season (October 1 through April 30), The Public Works Director may require a Wet Weather Plan, a Seasonal Suspension Plan, and an updated temporary erosion and sediment control plan be submitted to the City for review and approval by September 30. The Redmond [~~STORM~~—WATER] Stormwater Technical Notebook details which plans apply to which projects. The Public Works Director may order work stopped because of inadequate temporary erosion/sediment controls during the rainy season. In such a case, the wet weather plan and temporary erosion/sediment control plan will be reviewed, updated and implemented to control erosion and/or sedimentation. If deemed necessary the City may

suspend work through the rainy season and require implementation of the seasonal suspension plan.

**15.24.130 Suspension or revocation of permit.**

The Public Works Director may suspend or revoke a permit whenever the permit is issued on the basis of incorrect information supplied, approved plans are not accurately reflective of actual field conditions, or the work is being done contrary to, or in violation of, any pertinent ordinance, regulation, procedure or permit. Upon receipt of a timely appeal under Redmond Zoning Code Chapter 21.76, suspension or revocation shall be stayed pending decision on the appeal; provided, that such a stay shall not affect any stop work order issued by the Public Works Director.

**15.24.140 Penalty for violation.**

All violations of this chapter, including hazards and failure to comply with terms of the clearing/grading permit and conditions, are determined to be detrimental to the public health, safety, and welfare and declared to be public nuisances. All such violations are also criminal gross misdemeanors and punishable as provided in RMC 1.01.110. All conditions that, after inspection, have been determined by the Public Works Director to

render any site or portion thereof to be used or maintained in violation of the section, shall be abated.

**15.24.150 Restoration.**

Any work not done in compliance with this chapter or any permit issued pursuant thereto or with any other section of the Redmond Zoning Code may be required by the **Public Works** Director to be removed or restored to as near pre-project original condition as possible in the sole opinion of the **Public Works** Director. Such restoration may include, but shall not be limited to, the following:

- A. Filling, stabilizing and landscaping with vegetation similar to that which was removed, cuts or fills;
- B. Planting and maintenance of trees of a size that will reasonably assure survival and that replace functions and values of removed trees; and
- C. Reseeding and landscaping with vegetation similar to that which was removed, in areas without significant trees where bare ground exists.

**15.24.160 Notification of noncompliance.**

A. If, while fulfilling their responsibility under this chapter, the inspector, the engineer, the soil engineer, the engineering geologist or the testing agency finds that the work is not being done in conformance with this

chapter or the approved grading plans, the discrepancies shall be reported immediately in writing to the person in charge of the grading work and to the **Public Works** Director. Recommendations for corrective measures, if necessary, shall be submitted upon request of the [DIRECTOR] **Public Works Director**.

B. The appropriate clearing, grading or [~~STORM WATER~~] **stormwater** management permit (see RMC 15.24.060) shall be required regardless of any permit issued by any other department or agency that may be interested in certain aspects of the proposed work. Where work for which a permit is obtained by this chapter is started or proceeding before obtaining such a permit, the work shall be stopped, and the violator shall be subject to such penalties as provided in this chapter. However, the payment of such penalties shall not relieve any person from fully complying with the requirements of this chapter in the execution of the work nor any other penalties prescribed thereon.

C. The **Public Works** Director may require that the approved activity, operations and project designs be modified if delays occur which incur weather-generated problems not apparent at the time the permit was issued.

**15.24.170 Penalties.**

Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, the work shall be stopped at the discretion of the Public Works Director, and a special investigation shall be made before a permit may be issued for such work. Work shall not commence during the investigation other than restoration, work on pollution control measures or stabilization approved by the Public Works Director. An investigation fee, in addition to the permit fee, [~~SHALL~~] may be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by the code. The minimum investigation fee shall be the same as the minimum fee set forth in the standard clearing and grading fee for permit application. [~~THE PAYMENT OF SUCH INVESTIGATION FEE SHALL NOT EXEMPT ANY PERSON FROM COMPLIANCE WITH ALL OTHER PROVISIONS OF THIS CODE~~] The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of

this code, nor from any penalty prescribed by law nor from any penalty prescribed by law.

**15.24.180 Processing fees.**

A. Clearing and grading and [~~STORM WATER~~] **stormwater** management fees shall be determined by the **Public Works** Director, and upon approval by the City Council shall be made available to the public.

B. Before accepting a set of plans and specifications for checking, the **Public Works** Director shall collect a plan-checking fee. Separate permits and fees shall apply to retaining walls or major drainage structures as required by the Uniform Building Code. There shall be no separate charge for standard terrace drains and similar facilities. The amount of the plan-checking fee for clearing/grading plans shall be as set forth in the schedule of fees adopted pursuant to Redmond Zoning Code Chapter 21.76, Review Procedures.

**15.24.190 Permit fees.**

A. A fee for each clearing, grading or [~~STORM WATER~~] **stormwater** management permit shall be paid to the **Public Works** Director as set forth in the fee schedule adopted pursuant to Redmond Zoning Code Chapter 21.76, Review Procedures.

B. Permits may be extended, before their expiration, for up to a total of one year. Inspection fees shall be paid before the start or extension of work and are required for the duration of the project. An additional fee may be charged for processing of a permit extension.

**15.24.200 Inspection fees.**

A fee for each clearing, grading or [~~STORM WATER~~] **stormwater** management construction inspection shall be paid to the **Public Works** Director as set forth in the fee schedule adopted pursuant to Redmond Zoning Code Chapter 21.76, Review Procedures.

Section 12.      Amendment      of      Section.      RMC      15.28.050,

Exceptions and Waivers, is hereby amended to read as follows:

**15.28.050 Exceptions and waivers.**

A. During the term of a construction contract subject to this chapter, the Public Works Director may reduce or waive the apprentice labor hour goals upon [~~HIS OR HER~~] **their** determination that:

- 1. The contractor has demonstrated a good faith effort to comply with the requirements of this chapter but remains unable to fulfill the goal;

2. The contractor has demonstrated that there is a lack of availability of apprentices in the Redmond, WA geographic area to meet the EAP utilization goals;
3. The reasonable and necessary requirements of the contract render apprentice utilization infeasible at the required levels;
4. There exists a disproportionately high ratio of material costs to labor hours, which does not make feasible the required minimum level of apprentice participation;
5. To the extent that apprentice labor hour goals are in conflict with funding agreements in place, including federal aid projects, in connection with the public work; or
6. For reasons deemed appropriate by the Public Works Director, approved by City Council, and not inconsistent with the purpose and goals of this chapter.

Section 13.      Amendment of Section.      RMC      15.30.010,

Definitions, is hereby amended to read as follows:

**15.30.010 Definitions.**

The following definitions shall apply:

"Banned Materials" means materials banned from disposal in landfills by King County construction and demolition receiving facilities, as identified by King County.

"Certified Deconstruction Contractor" means licensed contractor having at least one current employee who has successfully completed a deconstruction certification program recognized by King County.

"Certified salvage verifier" means an independent person, company or agency approved by the King County Solid Waste Division, or designee, deemed capable to prepare a deconstruction and salvage assessment.

"City-Sponsored" project means a project constructed or administered by the City (including demolition and deconstruction projects).

"Construction and Demolition Material (C&D material)" refers to building materials and solid waste resulting from construction, remodeling, repair, cleanup, or demolition operations, which are not dangerous as defined in RCW 70A.300.010. C&D materials include, but are not limited to: asphalt, concrete, Portland cement concrete, brick, lumber, gypsum wallboard, cardboard, and other associated packaging, roofing material, ceramic tile, carpeting, plastic pipe, and steel. The

material may be commingled with rock, soil, tree stumps, and other vegetative matter resulting from land clearing and landscaping for construction or land development projects.

"Construction and Demolition (C&D) Material Recovery Facility (MRF)" means a facility that receives only C&D material, in which the residual (disposed) amount of waste in the material is less than 10 percent of the average weight of material separated for reuse received by the facility over a one-month period.

"Covered Project" refers to residential, commercial, and City-sponsored deconstruction, demolition, renovation, and construction projects and shall be further defined by the thresholds set forth in RMC 15.30.030: Applicability for covered projects.

"Deconstruction" means the systematic disassembly of a building, and the subsequent return to commerce and reuse of a substantial percentage of salvaged materials, with a secondary purpose of recycling the remaining materials. Heavy machinery may be used in the deconstruction process.

"Deconstruction and salvage assessment" means a document summarizing the building components of an existing

building that, if removed, have potential to be reused. This assessment shall be signed by the owner or authorized agent and serve as an affidavit stating that the project shall be executed in compliance with the requirements of this code.

"Demolition" means the process of razing, relocating, or removing an existing building or structure, or a portion thereof.

"Designated Facility" or "King County Designated Facility" means a designated facility is either a Construction and Demolition Debris Material Recovery Facility (MRF) or a privately owned transfer station that has a signed agreement with King County that permits it to accept mixed C&D debris and waste C&D debris from jobsites located within the county's jurisdiction.

~~["DIRECTOR," UNLESS OTHERWISE SPECIFIED, SHALL BE THE DIRECTOR OF PUBLIC WORKS OR HIS/HER DESIGNATED REPRESENTATIVE.]~~

"Disposal" means the discharge, deposit, injection, dumping, leaking, or placing of any solid waste into or on any land or water.

"Diversion/Divert" means to use material for any reuse or recycling purpose other than disposal in a landfill or for use as fuel.

"Project" means any activity that requires a building or demolition permit or any similar permit from the City.

**"Public Works Director," unless otherwise specified, shall be the Public Works Director or their representatives pursuant to RMC 1.01.025.**

"Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials for the purpose of using the altered form in the manufacture of a new product. Recycling does not include burning, incinerating, or thermally destroying solid waste.

"Reuse" means the return of a commodity into the economic stream for use.

"Salvage" means the recovery of C&D building materials and components from a building or building site in order to increase the reuse or repurpose potential of these materials and decrease the amount of material being sent to the landfill. Salvaged material may be sold, donated, or reused on site.

"Solid waste" or "wastes" means all putrescible and non-putrescible solid and semisolid wastes, except wastes

identified in WAC 173-350-021 (Determination of Solid Waste), including, but not limited to, garbage, rubbish, ashes, industrial wastes, commercial waste, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, discarded commodities and recyclable materials.

"Source Separated Materials" means materials that are sorted at the site of generation by individual material types, including commingled recyclable materials, for the purpose of recycling.

"Volume-to-Weight Conversion Rate" means the rate set forth in the standardized conversion rate table approved by the City, pursuant to this chapter, for use in converting the volume of materials identified in the waste management plan to weight.

"Waste diversion plan" means a plan prepared in a format approved by the City and submitted to the City by the generator, including but not limited to the property owner or demolition contractor, for an eligible demolition project.

"Waste Diversion Report" means a report to the City of the material from the project meeting the requirements of RMC 15.30.040.B. Reporting.

"Waste Hauler" means a company that possesses a valid permit from an authorizing governmental body to collect and transport solid wastes from individuals or businesses for the purpose of recycling or disposal under the City of Redmond's name.

"Waste Management Plan (WMP)" means a completed waste management plan form, approved by the City and county for the purpose of compliance with this chapter, submitted by the applicant for any covered or non-covered project.

Section 14.     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 15.     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.