

Attachment D: Chapter 13.36, Redmond Municipal Code

**Chapter 13.36
UTILITY EXTENSIONS OUTSIDE CITY LIMITS**

Sections:

- [13.36.010](#) Intent.
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13.36.010 Intent.

The intent of this chapter is to specify the terms and conditions under which the city will consider providing water, sewer and storm drainage service to properties outside the city limits. Nothing in this chapter shall be construed as, or is intended to constitute, the holding out of Redmond as a public utility generally willing to supply all those who request service outside its city limits. It is the intent of the city to supply such service only where the user complies with all terms and conditions of this chapter, and that the ultimate decision to extend services shall rest within the sole discretion of the City Council. (Ord. 1437 § 1 (part), 1988).

13.36.020 Conditions for extension of service.

Water, sanitary sewer and storm drainage service shall be extended beyond the city limits of Redmond only upon compliance with all of the following conditions:

A. The owner of the property for which service is requested must execute a utility extension agreement in a form approved by the City Attorney containing all of the following terms:

1. A warranty that the owner has title to the property and is authorized to enter into the agreement;
2. A statement specifying the location and line from which service may be extended;
3. An agreement by the owner to pay all costs of designing, engineering and constructing the extension to city standards and according to plans approved by the city Public Works Department;
4. A requirement that the owner secure and obtain, at the owner's sole cost and expense, any necessary permits, easements and licenses to construct the extension;
5. An agreement by the owner to turn over and dedicate any capital facilities such as main lines, pump stations and wells, to the city upon completion of construction and to furnish as built plans, any necessary easements, permits or licenses, a bill of sale, and a maintenance guarantee to the city;

6. An agreement by the owner to pay connection charges;
7. An agreement by the owner to pay all utility service charges at rates applicable to properties outside the city limits;
8. An agreement by the owner to annex the property to the city at such time as the owner is requested by the city to do so;
9. A restriction on the use of the property which will ensure that any development or redevelopment meets the requirements of the city's comprehensive plan, zoning code and building regulations: provided, that such restriction may not be required, or an alternative restriction may be substituted, when:
 - a. The utility extension is requested to serve property which, at the time of the request, is designated "Study Area" by the city's land use plan map; and
 - b. The development or redevelopment meets the requirements of the county's adopted comprehensive plan; and
 - c. The City Council finds that it is in the best interest of the city to approve the requested extension of utility service;
10. A statement that delinquent payments under the agreement will constitute a lien which may be foreclosed as other liens for sewer and water service;
11. A statement that the city may terminate service in the event of noncompliance by the owner with any term or condition of the agreement;
12. A waiver of the right to protest formation of a local improvement district for improvements which would benefit the subject property;
13. A clause providing that the agreement may be specifically enforced;
14. A requirement that the agreement be recorded with the King County recorder and constitute a covenant running with the land receiving service, and providing that all costs of recording the agreement will be borne by the owner; and
15. A clause providing for attorney's fees in the event of litigation.

B. All agreements for the extension of service beyond the city limits must receive approval from the City Council.

C. Any necessary approval by the boundary review board must be received prior to the extension of service.

D. Upon execution of the agreement and receipt of all approvals, the agreement shall be recorded with the King County recorder as a covenant running with the land, and all costs of recording shall be paid by the owner in accord with the terms of the agreement. (Ord. 1674 § 1, 1992; Ord. 1437 § 1 (part), 1988).

13.36.030 Application.

A. Any person desiring to apply for the extension of water, sanitary sewer or storm drainage service outside the city limits under the provisions of this chapter shall do so on a form provided by the city. The completed application form, together with a nonrefundable application fee set by council resolution, shall be submitted to the Public Works Department, and accompanied by the following:

1. A vicinity map on 8-1/2 x 11 inch mylar, drawn to a scale acceptable to the Public Works Department, depicting the area for which service is being requested and the existing city facilities from which the extension is proposed to be made; and
2. A legal description of the property to be served by the extension; and
3. A statement of the nature of the proposed development and its conformance with the requirements of the city's comprehensive plan, zoning code and building regulations, or, if the proposed development is within a designated study area on the city's land use map, a statement of the nature of the proposed development and its conformance with the county's adopted comprehensive plan; and
4. Such other information as the Director of Public Works determines is necessary to properly review the application.

B. The Public Works Department shall review the application and forward the same, together with the department's recommendation, to the City Council for determination. (Ord. 1674 § 2, 1992; Ord. 1552 § 1, 1990).