

ATTACHMENT G

CODE

CITY OF REDMOND ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON, AMENDING SUBSECTION
13.07.100 (A) (1) WELLHEAD PROTECTION
PERFORMANCE STANDARDS OF THE REDMOND MUNICIPAL
CODE TO MAKE MINOR CORRECTIONS AND CHANGES,
PROVIDING FOR SEVERABILITY AND ESTABLISHING AN
EFFECTIVE DATE

WHEREAS, the City of Redmond periodically updates the Redmond Municipal Code to correct non-substantive errors such as those resulting from outdated or incorrect references, to reflect changes to names and terminology, and to ensure the code's clarity; and

WHEREAS, the City Council adopted Ordinance 2957 on April 16, 2019 to revise the City's regulations relating to wellhead protection and critical aquifer recharge areas; and

WHEREAS, a minor amendment to RMC Section 13.07 Wellhead Protection provides clarity regarding an inadvertent conflict resulting from amendments implemented by City of Redmond Ordinance 2957; and

WHEREAS, the minor amendment herein to RMC Section 13.07.100 Wellhead Protection Performance Standards corrects regulation regarding secondary containment standard within critical aquifer recharge areas; and

WHEREAS, the City of Redmond's Department of Public Works staff provided information describing appropriate source control activities to business customers who receive contacts from City staff as implementation of the Source Control program; and

WHEREAS, state agencies received 60-day notice of the proposed amendments on August 27, 2020; and

WHEREAS, a State Environmental Policy Act checklist was prepared and a Determination of Non-significance was issued on September 9, 2020 for the proposed amendments; and

WHEREAS, the City Council held a public meeting on December 8, 2020 and January 5, 2021 to consider the proposed amendments; and

WHEREAS, a notice of the City Council's action on this proposed amendment was provided on January 26, 2021; and

WHEREAS, the City of Redmond desires to amend portions of the Redmond Municipal Code as set forth in this ordinance.

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

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

Section 2. Amendment of Subsection. RMC 13.07.100.A.1 Wellhead Protection Performance Standards, is hereby amended to read as follows:

13.07.100 Performance standards.

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

1. Secondary Containment.

a. The owner or operator of any facility or activity shall provide secondary containment for hazardous materials or other deleterious substances in aggregate quantities equal to or greater than 20 gallons liquid or 200 pounds solid or in quantities specified in RMC 15.06, whichever is smaller.

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

c. Facilities or activities located in Critical Aquifer Recharge Area II are exempt from secondary containment requirements in

item a. above for indoor storage of hazardous materials and deleterious substances.

Requirements in RMC 15.06 still apply.

2. Property owners shall properly decommission all wells that are abandoned. This may include plugging the abandoned well with an approved inert and impervious substance so that groundwater contamination is not possible in the future. State Department of Ecology regulations describe the requirements for decommissioning in chapter 173-160-381 WAC, which is already required by law.

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

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

Section 3. 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 of any other section, sentence, clause, or phrase of this ordinance.

Section 4. 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 16 day of February, 2021.

CITY OF REDMOND

ANGELA BIRNEY, MAYOR

ATTEST:

CHERYL XANTHOS, CMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

{JEH2356220.DOCX;1/00020.190008/ }

JAMES HANEY, CITY ATTORNEY

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
SIGNED BY THE MAYOR:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.