

ORDINANCE NO. 1560

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, AMENDING CHAPTER 13.12 OF THE BONNEY LAKE MUNICIPAL CODE AND ORDINANCE NO. 1477 RELATING TO MANDATORY SEWER CONNECTIONS.

WHEREAS, the City Council wishes to modify the requirements for connecting to the public sewer system;

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

Section 1. BLMC Section 13.12.130 and Ordinance No. 1477 are hereby amended to read as follows:

13.12.130 Sewer connections mandatory.

A. Sewer Connections Mandatory. All new development must connect to the public sewer system unless an exception or special provision in this section has been met.

B. Exception for Single-Family Residential and Duplex. Where a public sanitary sewer is over ~~250~~ 200 feet from a lot of record (as measured along centerline of right-of-way or easement from end of sewer main to intersection of right-of-way centerline and extension of the nearest property line), a private wastewater disposal system may be installed in conjunction with the construction of an individual single-family home or duplex if the Tacoma-Pierce County health department has issued a permit for the private wastewater disposal system.

C. Limits on Use of Private Wastewater Disposal Systems. Where a private wastewater disposal system predates the enactment of this section or has been permitted pursuant to subsection B of this section, the private wastewater disposal system may be used so long as it is functioning properly; provided, that:

1. When a gravity public sewer main has been installed in any street, alley, or right-of-way abutting within 250 feet of the property line, the property must connect to the public sewer at the time of sale or substantial improvement as defined in BLMC 16.20.030; and

2. When a public sewer main has been installed within ~~250~~ 200 feet of the property line, the property must connect to the public sewer if the private wastewater disposal system fails or requires replacement;

3. If a property is not connected to the public sewer at the time a connection is required under this section, the city shall levy penalties in an amount equivalent to

such charges that would be levied if said property were connected, pursuant to RCW 35.67.190.

D. Special Conditions for Eastown Zoning District. Properties within the Eastown zoning district may continue to use existing private wastewater disposal systems for existing or changed uses and may install new private wastewater disposal systems in conjunction with changes of use or new construction. The Tacoma-Pierce County health department must issue a permit for all private wastewater disposal systems. Applicants for development approvals or permits, including but not limited to site plan approvals, building permits, tenant improvements, and certificates of occupancy, shall, at the time of permitting, execute an agreement with the city containing the following provisions:

1. A covenant, which shall run with the land and bind future owners of the property, to connect to public sewer service within one year of when sewer service becomes available. For purposes of this section, sewer service is available when an active public sewer main reaches the property line or is within 250 feet of the property line;
2. An agreement that system development charges and related charges, latecomer fees, and monthly sewer fees shall be due at the time public sewer service becomes available, and that unpaid charges will become a lien on the property;
3. An agreement to install public sewer infrastructure required by then current Bonney Lake Municipal Code, including dry lines located in a public sewer easement, at the time of temporary septic system construction;
4. An agreement that if future construction increases the sewer capacity required by the property, additional system development charges shall be paid;
5. A requirement to decommission the private wastewater disposal system at the time of sewer connection.

E. Financial Hardship for Residential Customers. When connection to the sewer system for an existing residence becomes mandatory and the home is not being sold contemporaneously with the mandatory sewer application, a homeowner may apply to the city to pay the sewer SDC on an installment payment plan. The application shall state that paying the SDC poses a financial hardship. The city may permit the applicant to pay the charge in monthly or annual installments (not both) for a period of not more than 10 years. A reasonable interest rate, as determined by the city's chief financial officer, will be charged on the balance owing to the city. The entire remaining balance of the connection charge plus interest shall be due and payable at the time of sale of the home. Any past-due installments and any remaining balance that are not paid at the sale of the home will become a lien on the property.

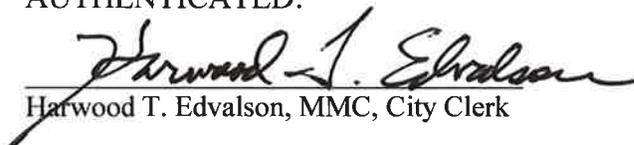
Section 2. The city clerk shall sign and file with the adopting ordinance a copy of the statutes and regulations referenced herein and shall also file and maintain the city clerk's office one copy of each of the adopted laws in the form in which they were adopted for use and examination by the public.

Section 3. This Ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication, as required by law.

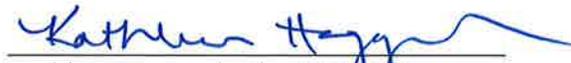
PASSED by the City Council and approved by the Mayor this 8th day of November, 2016.


Neil Johnson, Jr., Mayor

AUTHENTICATED:


Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:


Kathleen Haggard, City Attorney

Passed: 11/8/2016
Valid: 11/8/2016
Published: 11/16/2016
Effective Date: 12/8/2016
This Ordinance totals 3 page(s)

AB16-132

City of Bonney Lake, Washington
City Council Agenda Bill (AB)

Department/Staff Contact: Public Services / John P. Vodopich, AICP	Meeting/Workshop Date: 8 November 2016	Agenda Bill Number: AB16-132
Agenda Item Type: Ordinance	Ordinance/Resolution Number: D16-132	Councilmember Sponsor: Donn Lewis

Agenda Subject: Modification to the requirements for connection to the public sewer system

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Amending Chapter 13.12 Of The Bonney Lake Municipal Code And Ordinance No. 1477 Relating To Mandatory Sewer Connections.

Administrative Recommendation: Approve

Background Summary: This Ordinance would modify the requirements for when properties with existing on-site septic systems would be required to connect to the public sewer system by clarifying that a gravity sewer must be abutting to the property, and reduce the distance requirement when a septic fails from 250' to 200'.

Attachments: Draft Ordinance D16-132

BUDGET INFORMATION				
Budget Amount	Current Balance	Required Expenditure	Budget Balance	Fund Source
				<input type="checkbox"/> General <input type="checkbox"/> Utilities <input type="checkbox"/> Other
Budget Explanation:				

COMMITTEE, BOARD & COMMISSION REVIEW				
Council Committee Review:	Community Development Date: 1 November 2016	<i>Approvals:</i> Chair/Councilmember Councilmember Councilmember	Donn Lewis Jim Rackley Dan Swatman	Yes No <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
	Forward to:		Consent Agenda:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Commission/Board Review:				
Hearing Examiner Review:				

COUNCIL ACTION	
Workshop Date(s):	Public Hearing Date(s):
Meeting Date(s): November 8, 2016	Tabled to Date:

APPROVALS		
Director: JPV	Mayor: NJJ	Date Reviewed by City Attorney: October 18, 2016 (if applicable)