ORDINANCE NO. 48

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, ADOPTING BY REFERENCE CHAPTER 13.04, PIERCE COUNTY SANITARY **SEWER** UTILITY ADMINISTRATIVE CODE, CHAPTER 13.06, SEWER UTILITY DISCHARGES PROHIBITED AND INDUSTRIAL PRETREATMENT REGULATIONS, AND CHAPTER 13.08, DELINQUENT SEWER ASSESSMENTS, OF THE PIERCE COUNTY CODE AS REGULATIONS OF THE CITY

WHEREAS, the City of University Place will incorporate on August 31, 1995; and

WHEREAS, the City wishes to adopt by reference a number of ordinances which contain civil or criminal penalties for a violation of an ordinance; and

WHEREAS, the City needs to have enforceable code chapters regarding Public Sanitary Sewer Systems; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. <u>Authority to adopt Pierce County Code</u>. Pursuant to RCW 35A.12.140 and 35A.13.180, the City adopts by reference Chapters 13.04, 13.06 and 13.08 of the Pierce County code, as presently constituted or hereinafter amended, as regulations of the City.

Section 2. <u>Adoption of Administrative Rules</u>. There are hereby further adopted by reference any and all implementing and administrative rules and enforcement's and remedies now in effect Public Sanitary Sewer Systems that have been adopted pursuant to Pierce County code Chapters 2.06, 13.04, 13.06 and 13.08 except that, unless the context requires otherwise, any reference to the "County" or to "Pierce County" shall refer to the City of University Place; any reference to the Pierce County Executive shall refer to the City Manager, and any reference to County staff shall refer to the City Manager or designee.

Section 3. Adoption of Certain Other Laws. To the extent that any provision of the Pierce County Code, or any other law, rule or regulation referenced in the Public Sanitary Sewer Chapters is necessary or convenient to establish the validity, enforceable or interpretation of these, then such provision of the Pierce County Code and Chapter, or other law, rule or regulation, is hereby adopted by reference.

Section 4. <u>Severability.</u> Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared

unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force on the date of incorporation.

PASSED BY THE CITY COUNCIL ON AUGUST 21, 1995

Stanley L.K. Flemming, Mayor

ATTEST:

Susan Matthew, Interim City Clerk

APPROVED AS TO FORM:

Robert J. Backstein, Interim City Attorney

Date of Publication: August 24, 1995

Effective Date:

August 31, 1995

Chapter 13.04

PIERCE COUNTY SANITARY SEWER UTILITY ADMINISTRATIVE CODE

Sections:

- 13.04.010 Definition of Terms.
- 13.04.020 Administration.
- 13.04.030 Required Use of Public Sanitary Sewerage Systems.
- 13.04.040 Unlawful Use of Public and Private Sanitary Sewer Systems.
- 13.04.050 Types and Methods of Providing Sanitary Sewerage Service.
- 13.04.060 Construction of Sanitary Sewer Systems.
- 13.04.070 Assessments Deposits Charges.
- 13.04.080 Violations of Code.
- 13.04.090 Fees.
- 13.04.100 Connection Charge Establishment.

13.04.010 Definition of Terms.

Words or phrases used herein shall have the following meanings:

- A. "General" means unless the context specifically indicates otherwise, the meaning of terms used in this Code shall be as set forth in this Section. Terms not specifically defined herein shall be as defined in the latest revised publication, "Glossary Water and Wastewater Control Engineering," published jointly by the American Public Health Association, American Society of Civil Engineers, American Water Works Association and Water Pollution Control Federation.
- B. "Approved" means approved by the "Director" unless otherwise specified.
- C. "ASTM" means American Society for Testing Materials.
- D. "Benefitted property" means property receiving or having the potential of receiving sanitary sewer service from "public sewer facilities" built either by the "County" or for the "County" to provide service to a defined area.
- E. "BOD" means either the abbreviation for biochemical oxygen demand, the quantity of oxygen used in the biochemical oxidation of organic matter in a specified time, at a specified temperature, and under specified conditions; or a standard test used in assessing "wastewater" strength.
- F. "Building Sewer" means that portion of the "sanitary sewer" connecting one (1) or more structure(s) from the "plumbing outlet" to the "public sewer facilities." The "building sewer" including that portion called the "side sewer stub" is constructed in accordance with "County" approved standards and is not part of the "County" "public sewer facilities." "Building sewers" shall be maintained by the property owner.

- of each such family. A "duplex" shall be considered a "multifamily dwelling".
- S. "Easement" means a legally binding agreement entitling the "County" to construct, repair and/or connect sewer facilities located on private property; or, an agreement between two separate owners, for the purpose of mutual "wastewater" discharge, to construct sewer facilities on property owned by one "owner" or the other or both.
- T. "Effluent" means "wastewater" that has been treated to remove wastes and is discharged from treatment facilities.
- U. "Garbage" means animal, vegetable, and other waste resulting from the handling, preparation, cooking and serving of foods. It is composed largely of putrescible organic matter and its natural moisture content.
- V. "Governmental Entity" means the organization or agency through which a separate and independent political body exercises authority including but not limited to, cities, towns, water and sewer districts and other municipal corporations.
- W. "Industrial Wastes" means wastes from industrial processes, as distinct from domestic or sanitary wastes.
- Y. "Multifamily Dwelling" means a building designed and/ or used to house three or more families living independently of each other in separate living quarters that share common walls, floors and/or ceilings and including all necessary household functions of each such family.
- Y. "Mutual Maintenance Agreement And Easement" means a legally binding agreement between two or more "owners" for the purpose of connecting two (2) or more structures to a single "building sewer" located on private property and specifying for the mutual maintenance of the single "building sewer" by said property owners.
- Z. "Natural Outlet" means any outlet into a "watercourse", pond, ditch, lake or other body of surface or ground water.
- AA. "Natural Watercourse" means a surface or underground "watercourse" created by natural agencies and conditions.
- BB. "Off-Site General Facilities" means the same as "public sewer facilities."
- CC. "On-Site General Facilities" means the same as "private sewer facilities."
- DD. "Owner" means the lawful and legal owner of a lot or parcel of land (delineated by parcel number) under single ownership also noted on County Assessor/Treasurer property rolls as the taxpayer.
- "Permit" means written authorization from the "Director" granting the "owner" or his/her duly authorized representative permission to make the

- prevailing in "public sewer facilities", with no particle greater than 1/4 inch in any dimension.

 QQ. "Public Sewer Facilities" means any "sanitary sewer" constructed within a public right-of-way, perpetual "easement" dedicated to the "County", or on property owned by the "County", including but not limited to, treatment plants, structures, collection lines, trunk sewers, interceptor sewers, lateral sewers, side sewer tees, pump stations, force mains, and appurtenances. "Public sewer facilities" are operated and maintained by the "County." "Building sewers" and "side sewer stubs" as defined herein, are not "public sewer facilities" and are operated and maintained by the "owner."
- RR. "Purchaser" means any person, or the heirs, successors or assigns of such person, who purchases and/or leases any house, building or structure; or one or more units in a subdivision or multiple housing projects, from a developer as herein defined.
- SS. "Registered Building Sewer Contractor" means any contractor who is duly registered pursuant to the requirements of this Code to construct, install, repair, reconstruct, excavate, or connect any "building sewer" and "side sewer stub" to the "public sewer facilities" of the "County."
- TT. "Registered Professional Engineer" means an individual or corporation holding a currently valid license to practice engineering in the State of Washington.
- UU. "Residential Equivalent Unit (R.E.)" means that service unit which, for purposes of sewerage service measurement, is 220 gallons per day (GPD), having a waste strength of not greater than 225 milligrams per liter of "BOD" and not greater than 225 milligrams per liter of "suspended solids" (SS).
- VV. "Residential Facilities Or Units" means a structure or portion of a structure capable of human habitation, including, but not limited to, private houses; each unit of a duplex, triplex, fourplex, apartment building, condominium, or townhouse; or a mobile home.
- WW. "Sanitary Sewage" means the same as "wastewater."
- XX. "Sanitary Sewer" means a collection of facilities which carries "sanitary sewage."
- YY. "Septic Tank" means a settling tank in which settled sludge is in immediate contact with the "wastewater" flowing through the tank and in which the organic solids are decomposed by anaerobic bacterial action.
- ZZ. "Service Area" means that area eligible for the extension of sewer service under a "ULID", "sewer line extension" or County extension as defined by a comprehensive plan for the area or natural topography.
- AAA. "Sewage" means the term now being replaced in technical usage by the preferable term of "wastewater", and for the purpose of this Code shall be considered synonymous.

- III. "Storm Drain" means those drainage pipes which are designated to carry surface water runoff and other such storm waters as are not permitted to be disposed of through the "sanitary sewer system", in accordance with the provisions of this Code.
- JJJ. "Structure" means anything constructed erected or placed, the use of which requires location or attachment to something having location on the ground, and shall in addition, include but not be limited to, trailers, mobile homes and house trailers, but shall not include fences and retaining walls.
- KKK. "Suspended Solids" means solids that either float on the surface of, or are in suspension in, water, "wastewater", or other liquids, and which are largely removable by laboratory filtering.
- LLL. "Unpolluted Water" means water in its natural state, or water which, after use for any purpose, is not substantially changed as to chemical or biochemical qualities.
- MMM. "Utility Local Improvement District (ULID)" means a special district (geographic area) established by the "County" under provisions of the Revised Code of Washington for the purpose of providing "wastewater" facility improvements and assessing all properties benefitting from those "wastewater" facility improvements for all or a portion of the cost of those improvements.
- NNN. "Wastewater" means water-carried wastes from domestic, commercial or industrial facilities together with other waters which may inadvertently enter the system.
- OOO. "Wastewater Facilities" means the structures, equipment, and processes required to collect, transport, and treat domestic and commercial wastes, and dispose of the "effluent" and waste by-products including "public" and "private sewer facilities".
- PPP. "Wastewater Treatment Plant" means the arrangements of devices and structures used for treating the "wastewater" collected by the "County."
- QQQ. "Watercourse" means: (1) A natural or artificial channel for passage of water; (2) A running stream of water; (3) A natural stream fed from permanent or natural sources, including rivers, creeks, runs, and rivulets. There must be a stream, usually flowing in a particular direction (though it need not flow continuously) in a definite channel, having a bed or banks and usually discharging into some other stream or body of water.

(Ord. 91-190S § 2 (part), 1992)

13.04.020 Administration.

A. Department of Utilities. Pursuant to Pierce County Resolution 13214, the Department of Utilities has been established as a completely independent department within the government of Pierce County. This Department

13 - 7

- 3. Contracts with such entities whereby Pierce County may utilize for any lawful purpose all or any portion of a system of sewerage and/or water owned and/or operated by such other entity or person;
- 4. Contracts with such entities wherein such other entity or person may utilize all or a portion of Pierce County's system of sewerage for any lawful purpose; and
- 5. Contracts with owners of real estate, wherein such owners agree to construct off-site sewerage and/or water facilities, or any portion thereof, or appurtenances thereto.
- E. Contract Requirements. All contracts entered into between the County and other entities shall contain the minimum following information:
 - complete description of all the duties, obligations, and commitments of both parties;
 - description of all construction, maintenance and operation requirements;
 - 3. legal description;
 - type of development, units to be served and capacity to be required;
 - responsibility of inspection: documentation, record drawings;
 - temporary and/or perpetual easements;
 - required payments, connection charges, fees, deposits and assessments;
 - 8. other information/items deemed necessary by the Director; and
 - 9. requirements of other agencies of the County and the State of Washington and/or United States Government for the type of service being provided in said contracts.
- Review, Inspection, and Construction of Sewer Facilities Built By a Property Owner or Developer. Prior to the construction, installation and operation of any public or private sewer facility governed by the provisions of this Code, the Department of Utilities shall require owners, developers or other entities as defined and/or required by this Code to submit Sewer Facility Plans to the Director for action/approval, and/or obtain a building sewer permit and pay all required fees and Sewer Facility Plans required by this Code charges. shall conform to Pierce County Department of Utilities Standard Sanitary Sewer Specifications and Standard Plans and include information of sufficient scope and detail so as to allow the Director to make a determination that the plans and specifications meet the minimum requirements of the County.

The Department shall also conduct reviews of Sewer Facility Plans prior to commencement of construction and conduct inspections of said sewer facility installation prior to operation to ascertain whether said installation complies with the approved Sewer Facility Plan and

- Property Required to Connect to Public Sewer. area under the jurisdiction of the County the owner of each lot or parcel of real property within a Utility Local Improvement District, or any portion of a lot or parcel located within a horizontal plane of three hundred (300) feet of any permanent wastewater facilities is hereby required, at his/her expense, to connect all applicable plumbing outlets from such building(s) or structure(s) directly to the public sewer, in accordance with the provisions of this Code. The owners of all such properties located outside the boundary of a Utility Local Improvement District (ULID) shall be required to submit to the Department of Utilities any required Sewer Facilities Plan(s), obtain a building sewer permit and pay all applicable charges and fees and take any other action required by the provisions of this Code. Exceptions to this Section are provided for in Subsections 13.04.030 D. and E.
- Required Use Exemptions. Except as indicated below, when the Department or a developer extends permanent sewer service into an area not included within the boundaries of a Utility Local Improvement District (ULID), existing structures in a single drainage area will not be required by the Department of Utilities to connect to the public system unless the owners of such structures voluntarily elect to connect to the public system and pay all fees/capital charges to the Utility. However, if septic tank systems serving existing structures fail or if a property owner expands the use of the structure through the County building permit process, then the owners of such existing structures shall be required to connect to the public sewer system immediately and at their own expense and pay all fees/ capital charges to the Utility.

Additional exemptions inside or outside the boundaries of a ULID may be granted at the discretion of the Director. Such requests shall be in written form to the Director and include but not be limited to the following:

- 1. applicant's name and address;
- reason for the request;
- map of applicant's property including location of nearest existing sanitary sewer system;
- 4. legal description of property including parcel number; and
- cost documentation excluding sewer connection charges.

Decisions by the Director may be appealed to the Hearing Examiner and appeals will be processed in accordance with the Hearing Examiner Code (PCC 2.36)

- F. Unlawful Damage to Sewer Facilities. It shall be unlawful for any unauthorized person to maliciously or willfully break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or piece of equipment which is part of the County sanitary sewer system by throwing, dumping, discharging or otherwise introducing any dirt, rocks, sticks, debris, other foreign matter or any other matter prohibited by this Code into the County sanitary sewer system. Any person or entity that violates this Section will be subject to the civil and/or criminal liability and penalties prescribed in Section 13.04.080.
- Pretreatment of Sewage. When, at any time, it becomes necessary or desirable to discharge into the Pierce County sewer system any matter from any existing or proposed facility which does not conform to the standards as prescribed in the most current Department of Utilities "Pierce County Sewer Utility Prohibited Discharges and Industrial Pretreatment Regulations", the owner(s) of such facilities shall hereby be required to pretreat such matter at the owner(s) expense to a degree that will produce an effluent which will conform to the standard outlined therein and as amended from time to time or as prescribed and interpreted by the Director. Such pretreatment shall be understood to include grease interceptors, oil/water separators, chemical or biochemical plants, sedimentation chambers and any devices which effect a change of any nature in the characteristics of the matter being treated. Any and all such devices and equipment shall be subject to the approval of the Director and the Washington State Department of Ecology and shall not be put into operation nor revised in any manner without written permit or approval issued by the Director, the Washington State Department of Ecology and other approving governmental agencies. (Any such device other than a grease interceptor requires approval from other governmental entities.) Said devices and equipment shall be provided with all necessary features of construction permit inspection of operations and testing of material passing through them and shall be open to the inspection of the Director at any time. Written approval from the Director and other governmental agencies for such pretreatment facilities shall not guarantee that the pretreatment facility will operate as designed; the owner and/or the owner's engineer will assume this liability.

New plans and specifications and other pertinent information relating to proposed preliminary treatment facilities shall be prepared by a licensed professional engineer and shall be submitted for the approval of the Director and of the Washington State Department of Ecology and Department of Health when required by law.

- testing laboratory and shall be conducted at the sole expense of the owner.
- K. Commercial Wastes Control Manhole. When required by the Director, the owner of any property served by a building sewer carrying commercial or industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be fully accessible, safely located, and constructed in accordance with plans approved by the Director. Such plans shall be in accordance with current Utilities Department Standard Sanitary Sewer Specifications and Standard Plans. The manhole shall be installed by the owner at the owner's expense and shall be maintained by the owner so as to be safe and accessible at all times by the Department.
- L. Septic Tank Contents. It shall be unlawful for anyone to discharge the contents of any septic tank, cesspool, chemical toilet, or sewage holding tank into the sewer system of Pierce County except in accordance with the provisions of this Code. Any person or entity violating this Subsection shall be subject to the civil/criminal liabilities/penalties prescribed in Section 13.04.080 of this Code.
- M. Designation of Places and Manner of Discharge of Septic Tank Contents. The Director shall designate in writing the particular locations where the contents of septic tanks, cesspools, chemical toilets, or sewage holding tanks may be discharged into public sewer systems, and the manner in which said contents shall be discharged into the County sewer system. Any person or entity violating this Section shall be subject to the civil/criminal liabilities/penalties prescribed in Section 13.04.080 of this Code.
- N. Uncontaminated Wastewater. Whenever a multiple residential, commercial or industrial customer or user, either directly or indirectly, of a public sewer system uses water for irrigation, cooling, heating, processing or any other purpose that produces uncontaminated wastewater satisfactory for direct discharge into storm drains or surface waterways pursuant to Subsections 13.04.040 D. and E. of this Code the, owner shall, at the owner's sole expense, separate this water from other sewage and discharge it into a storm drain or surface waterway as approved by the appropriate county, state and/or federal departments.
- (Ord. 91-190S § 2 (part), 1992)
- 13.04.050 Types and Methods of Providing Sanitary Sewerage Service.
 - A. Permanent Sewerage Facilities. The primary means of sewage collection and disposal in urbanizing areas shall be construction and extension of permanent sanitary sewers as required to an existing sewer system and

in full prior to the issuance of building permits or sewer line extension plan approval.

- F. Utility Local Improvement District Establishment. Pierce County shall have the power to establish Utility Local Improvement Districts (ULIDs) for the purpose of constructing or reconstructing sewer systems, by the method and manner prescribed by Title 36, Chapter 94 of the Revised Code of Washington within the area of a sewerage and/or water general plan and to levy special assessments to pay in whole the cost of any improvements.
- G. Connection of Non-ULID Properties to an Existing County Operational Sewer System. Property owners desiring sanitary sewer service by the connection of property to an existing operational Utility Local Improvement District/sewer line extension may do so provided that:
 - The capacity in said existing facilities which is determined by the Director which is to be paid for immediately and allocated on a first-come, firstserved basis, is available in an amount to sufficiently accommodate the sewage generated by the added development;
 - The property owner consents to pay the connection charges for said property.
- H. Developers Sewer Line Extension Facilities. Property owners or developers of property electing to obtain sewer service by the construction and extension of existing public facilities may do so provided:
 - The capacity in said existing facilities, as determined by the Director, which is to be paid for immediately and allocated on a first-come firstserved basis, is available in an amount to sufficiently accommodate the sewage generated by the added development;
 - The proposed facility is to be constructed in accordance with the Comprehensive Sewerage General Plan or applicable Basin Water Quality Management Plan;
 - The sewer line extension is built to current County design criteria and construction standards as required under subsection 13.04.020 G. of this Code;
 - 4. The property owner or developer agrees to the requirements for privately constructed sewer line extension facilities as outlined in this Code;
 - 5. Property owners pay to the County, in addition to any other charges which may be due, an amount of money which shall constitute connection charges as required under Section 13.04.070 and a plan review fee and an inspection fee as outlined in Section 13.04.090;
 - 6. Property owner uses the capacity purchased within eighteen (18) months of the purchase date and agrees to pay the monthly sewer service charges generated by the total amount of purchased capacity after twelve (12) months of the purchase date;

If a property owner or developer is required by the County to construct a public sewer system with capacity in excess of that required by law to serve his/her property or development (larger than 8-inch diameter pipe), the County may at the discretion of the Director enter into an Reimbursement agreement with the owner or developer pursuant to Title 36, Chapter 94 of the Revised Code of Washington to credit a part of the cost of such excess capacity against the owner or developer's obligation to pay the area charge and/or frontage charge portion of the connection charges prescribed in Subsections 13.04.070 B. and E. the cost of the excess capacity exceeds the owner's area charge and/or frontage charge obligation, the County, at the discretion of the Director, may reimburse to the owner on an annual basiswithout provision for interest, additional monies as other property owners connect to the sewer line extension. reimbursement shall be made for interest costs associated with construction of the project. The duration of the agreement shall not exceed ten (10) years or the maximum time permitted by state law if so approved by the Director. The specifics of such an agreement shall include all the customary terms and conditions as required by RCW and as determined necessary by the Director and Prosecuting Attorney's Office. (Ord. 91-190S § 2 (part), 1992)

13.04.060 Construction of Sanitary Sewer Systems.

Time, Manner and Repair of Required Sewer Connections. Pursuant to Sections 13.04.030, 13.04.040 and 13.04.050, any owner of each lot or parcel of real property required to make a connection to a public sewer shall make such connection, within sixty (60) days after the date written notification of public sewer availability is mailed from the Director to the owner of record listed as the taxpayer on the County Assessor/Treasurer records of the property to be serviced. All connections to the public sewers of the County shall be made in a permanent and sanitary manner in accordance with the provisions of this Code and shall be sufficient to carry all the wastewater of every kind from the building or structure into the public sewer. Each toilet, sink, stationary washstand, washing machine, dishwasher, floor drain and other type of equipment discharging sanitary wastewater shall be connected to the public sewer.

All plumbing outlets from any building or structure hereafter constructed or made available for human occupation and/or use for any purpose, when required by Section 13.04.030 of this Code, shall be connected to a public sewer of the County before the completion of the construction of such building or structure or before any occupancy or use thereof is allowed. In the event that a public sewer capable of serving that building or structure had not been completed by the County prior to the construction or occupancy of such building or structure, said building or structure may install an onsite septic and drainfield system approved by the proper

developer provided the Director takes the following steps:

- 1. Notifies the owner or developer that the connections or repairs are delinquent pursuant to the provisions of Subsections 13.04.060 A., B., and/or C. and informs said owner or developer that the County intends to make said connections or repairs itself and.
- 2. Notifies the owner or developer that the County shall charge said owner or developer for all costs associated with said connections or repairs including, but not limited to, all construction or repair costs and any other applicable costs which would normally be incurred by said owner or developer pursuant to the provisions of this Code, and,
- 3. Notifies the owner or developer that any failure to reimburse the County for said costs shall result in the County filing a lien upon the property as provided for in Title 36, Chapter 94, Revised Code of Washington in the amount of said unpaid cost plus interest and any applicable penalties.
- D. Connection of Non-Assessed Property. The owners of property which have not been subject to special assessments for sewers by the County may connect structures on that property to the public sewers of the County provided the owner has paid a connection charge and has obtained the required sewer permits as outlined in this Code.
- E. Unlawful Connections to or Disturbances of Public Sewers. Any person who makes or causes to be made any connection to, opening into, use, alteration and/or disturbance of the public sewers of the County without receiving a permit authorizing such a connection and/or use, alteration, etc., shall be subject to the violation provisions set forth in Section 13.04.080 of this Code.
- F. Backwater Valve Requirement. Any structure having a plumbing outlet that serves fixtures with flood level rims located below the elevation of the next upstream manhole cover of the structure connecting to the public sewer shall install an approved backwater valve.
- G. Information from the County. The owner of any building shall be responsible for obtaining from the Director the approximate location and elevation of the sewer wye, tee or stub at the point of connection and, in the case of new construction, for planning the building and plumbing to provide adequate slope for building connection to the side sewer stub. The applicant for permit shall be responsible for determining the available grade between plumbing outlet and sewer wye, tee or stub. All Department supplied information shall be field checked by the owner/developer or his/her representative prior to design and/or commencing construction. The County is not liable for inaccurate information provided to the County by others.

building sewer contractor to connect the building to a public sewer through the normal opening of a wye, tee, or side sewer stub under the supervision of the Director or the Director's representative. For building sewers, the owner may perform only that portion of the connection located on private property and not in public right-of-way or easement dedicated to the County;

4. Building sewer or sewer line extension permits shall not be transferable unless a written request to do so is received by the Department from the owner, and that request is approved by the Director. No person, including any registered building sewer contractor, shall lay any pipe pursuant to any other person's or contractor's permit;

shall be issued prior to commencement of construction and only after approval of any required Sewer Facilities Plan by the Director and only after all applicable charges and fees have been paid by the owner or developer;

6. No building sewer permit allowing connection to the public sewer shall be issued before the main sewer is accepted by the Director, and the property owner so notified. An interim permit allowing building sewer construction without connection to a non-operational public sewer may be issued at the discretion of the Director; and/or

7. The permit must be posted on the job prior to commencing the work and must be readily accessible to the Director or the Director's representative.

Plan Review and Inspection of Sewer Line Extensions and L. Building Sewers. The Director shall require the property owner to submit to the Director for his approval, a Sewer Facilities Plan prepared by a registered professional engineer for any new construction and/or extensions of privately owned sanitary sewer systems and/or connections to the public sanitary sewer. Single family residences, individual duplexes, or two or less structures located on a single parcel served by an individual connection and which are not part of a residential complex or development are exempt from this requirement and shall not be considered sewer line extensions as defined in Subsection 13.04.010 CCC. other new sewer construction, extensions of and/or connection to the public sewer system shall be considered sewer line extensions and be required to comply to the provisions of this Subsection.

Plans shall conform to standards and requirements described in the most current Pierce County Department of Utilities Standard Plans and Sanitary Sewer Specifications.

extension shall be borne by the owner. This responsibility includes paying all costs incidental to the aforementioned activities performed on all segments of the sewer or sewer line extension and including but not limited, to side sewer stub, sewer tee, sewer wye and all other sewer appurtenances.

- P. Building Sewer for Each Building Exceptions. A single building sewer shall be provided for each building unless the connection of more than one building to a single building sewer is approved in writing by the Director prior to the construction of such building sewer. No more than one multiple dwelling, industrial, or commercial building shall be connected to a single building sewer, unless otherwise approved in writing by the Director.
- Q. Mutual Maintenance Agreement and Easement. If it is determined that a special condition(s) requires more than one separately owned residence to be served by a single building sewer, written authorization to do so must be obtained from the Director after the owner(s) of said properties have entered into a Mutual Use Agreement. This document, assuring that all properties involved shall have perpetual mutual easements for the building sewer, and having provisions for mutual maintenance and access for repair purposes, shall be signed by the recorded owners and acknowledged and recorded with the County Auditor, and copy thereof furnished to the Director prior to the issuance of a permit for the approval of the building sewer.
- R. Reuse of Old Building Sewers. Old building sewers, including septic tank lines, may be used only when they are found, on examination and test by the Director, to meet all requirements of this Code. This examination and test shall be at the owner's expense. The owner or his/her agent shall demonstrate to the Director that no connection to such building sewer or septic tank line exists which conveys any material prohibited by the most current Department of Utilities "Pierce County Sewer Utility Prohibited Discharge and Industrial Pretreatment Regulations."
- 8. Protection of Excavations and Restoration of Public Property. All excavations for building sewer or sewer line extension installations shall be adequately guarded with barricades and lights in accordance with State and County requirements so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored to original condition or better.
- T. Indemnification of County. The property owner or developer performing any of the sewer system improvements described in or required by the subsections of this Code shall indemnify, defend, and hold harmless the County against any action for damages to personal or public property or against any action for damages to

accepts and/or approves of said sewer facilities or for a longer period of time as determined by the Director, public liability insurance for bodily injury and property damage liability, including products and contemplated operations and blanket contractual liability.

The owner or developer shall have the County specifically added as additional named insured in said policies, at no cost to the County. The above insurance shall cover the County, owner and contractors and/or subcontractors for claims or damages of any nature whatsoever, including but not limited, to bodily injury, including wrongful death, as well as other claims for property damage which may arise from construction activities whether such construction activities be by themselves or by any subcontractor or anyone directly or indirectly employed by either. The owner agrees, in addition, to indemnify and hold harmless the County from all suits, claims, demands, judgments, and attorneys' fees, expenses or losses occasioned by the performance of construction activities by himself, any subcontractor, or persons working directly or indirectly for him, or on account of or in consequence of any neglect in safeguarding the work or failure to conform with the safety standards for construction work adopted by the Safety Division of the Department of Labor and Industries of the State of Washington.

The amount of such insurance shall be that required by the Pierce County Risk Management Department or its successor department. The owner or contractor shall not cause any policy to be cancelled or permit it to lapse. All policies shall include a clause to the effect that the policy or certificate shall not be subject to cancellation or to a reduction in the required limits of liability or amounts of insurance or any other material change until notice has been mailed to the County stating when, not less than thirty (30) days thereafter, such cancellation or reduction or change shall be effective.

All certificates of insurance, authenticated by the proper officers of the insurer, shall state in particular those insured.

(Ord. 91-190S § 2 (part), 1992)

13.04.070 Assessments - Deposits - Charges.

A. Connection Charge. Property or portions thereof receiving permanent sanitary sewer service through the formation of a Utility Local Improvement District (ULID), by connection to an existing Utility Local Improvement District, or by the extension of or connection to any permanent wastewater facilities shall be

- 6. Consumer Price Index. For the purpose of defining the four (4) types of connection charges, the Consumer Price Index shall be defined as that method used by the U. S. Department of Commerce to measure changes in the prices of goods and services for the Seattle-Everett Metropolitan Area.
- 7. Area Charge. Area charge shall be defined as a portion of or all the capital cost(s) associated with all pump stations, force mains, interceptors and any incremental capital costs associated with providing mains larger than eight (8) inches in diameter which is not paid/covered by the front footage charge and may include other capital costs deemed appropriate by the Director.
- 8. Side Stub Sewer Charge. Side stub sewer charge shall be defined as a portion of or all the capital cost(s) associated with the installation of a side stub sewer to serve a parcel and may include other capital costs deemed appropriate by the Director.
- 9. Treatment Plant Charge. Treatment plant charge shall be defined as a portion of or all the capital cost(s) associated with the treatment of wastes and the disposal of wastewater treatment by-products and may include other capital costs deemed appropriate by the Director.
- 10. Front Footage Charge. Front footage charge shall be defined as a portion of or all the capital cost(s) associated with the installation of an eight (8) inch main serving a parcel and may include other capital costs deemed appropriate by the Director.

THE SPECIFIC FORMULAS USED TO CALCULATE CONNECTION CHARGES ARE INCLUDED IN SECTION 13.04.100 - CONNECTION CHARGE FORMULAS.

- C. Annual Update of Connection Charge Establishment. If necessary, on or about the fifteenth (15) day of January in each year, the Department of Utilities may establish new connection charge costs and begin to assess owners or developers requesting to connect to the sewerage system the new connection charge from the date the new connection charge is approved by ordinance.
- D. Exceptions to Mode of Assessment. When special conditions or circumstances exist, the Director may allow deviations from the mode of assessment prescribed in Subsection 13.04.070 B. of this Code provided that said deviation is consistent for all properties within a service area and that said deviation and resulting mode of assessment is specifically defined in a County resolution/ordinance adopting the formation of a ULID.
- E. Area Charge and/or Frontage Charge Adjustment for Reimbursement Agreements. In accordance with Subsection 13.04.050 I., should a property owner/developer be required by the County to construct sewer facilities

- I. Excess BOD or 88 Charges. Owners/Developers discharging wastewater flows with SS and/or BOD strengths greater than 225 mg/l or 225 mg/l respectively, shall be required to pay additional treatment plant capacity charges which shall be estimated by the Department of Utilities according to the formula and fees prescribed in Section 13.04.090 "Fees" and Section 13.04.100 "Connection Charge Establishment".
- Any owner or contractor electing to discharge into the County sewer system the contents of any sewage holding tank(s), septic tank(s), cesspool(s) or chemical toilet(s) in compliance with Subsections 13.04.040 L. and M shall pay to the County a septic tank discharge fee in the amount prescribed in Section 13.04.090. The point of discharge must be approved by the Director prior to any discharge.

Payments due the County as a result of said charges shall be combined with a monthly report, properly sworn to before a Notary Public, to be filed with the Director at the end of each month's business by the owner/contractor and shall contain the following information:

- Date of report;
- Number and type of loads discharged into sewer system;
- 3. The following data on each load:
 - a. The name and address indicating where the material was obtained;
 - b. Truck number and rated capacity of tank;
 - c. County Utility approved discharge point;
 - d. Date, hour, point and location of discharge into sewer;
- 4. Signature;
- 5. Affidavit and Notary Seal; and
- 6. Check in the amount of minimum charge plus the additional charges for excess tank capacity for total number of loads.

Each owner/contractor shall record a certified list of truck tank capacities by truck number with the Director prior to any discharge and/or use of the County sewer system.

- K. Charges and Rates for Sewer Service Outside Pierce
 County. Charges and rates for sewer service to areas
 outside the jurisdiction of Pierce County shall be
 determined and set forth as part of the agreement with
 the municipal corporation for providing sewerage service
 to said areas, subject to the following terms and
 conditions:
 - 1. Quantity and quality of waste received from areas served outside Pierce County jurisdiction shall be limited to the conditions prescribed in the service agreement which in no case shall be less restrictive than the conditions prescribed herein as set forth and established pursuant to this subsection;

- F. Lien. In the event that any person, or commercial entity fails to pay any fee or charge as set forth in this Code within sixty (60) days after the same is billed by the County, the unpaid balance plus interest shall become and remain a lien against the property.
- G. Lien Attachment. The Director shall certify periodically the delinquencies to the Pierce County Assessor/Treasurer at which time the lien shall attach.
- H. Lien Interest. The lien shall be for all charges, interest at the rate of eight percent (8%) to be applied from the date due until paid, and shall attach to the premises to which the services were furnished.
- I. Lien Foreclosure. Upon the expiration of sixty (60) days after the attachment of the lien herein, the County may bring suit in foreclosure by civil action in the Pierce County Superior Court.
- J. Validity Severability. The invalidity of any section, subsection, clause, sentence or provisions of this Code shall not affect the validity of any part of this Code which can be given effect without such part or parts.

(Ord. 91-190S § 2 (part), 1992)

13.04.090 Fees.

- A. Building Sewer Permit Fees. At the time a building sewer permit is applied for, the applicant shall pay to the County a building sewer permit fee as set forth herein and for any other charges, if applicable. Permit fees are not refundable. Permit fees shall be as follows:
 - For each new building or structure to be connected to the "Pierce County Sewerage System" (Subsection 13.04.010 JJ.) or "Private Sewer Facilities" (Subsection 13.04.010 MM.):
 - a. Residential, one hundred dollars (\$100); orb. Commercial, one hundred fifty dollars (\$150);
 - 2. For each modification, repair or addition to an existing building sewer where work is done entirely on private property and connected to "Pierce County Sewerage System" (Subsection 13.04.010 JJ.) or "Private Sewer Facilities" (Subsection 13.04.010 MM.):
 - a. Residential, one hundred dollars (\$100);b. Commercial, one hundred fifty dollars (\$150);
 - 3. For each reinspection required by the County due to failure of building sewer construction to comply with state and local construction requirements, a building sewer reinspection fee shall be charged in the amount of seventy percent (70%) of the original building sewer permit fee.
- B. Discharge of Septic Tank or Other Holding Tank Contents Charges - Report.
 - A minimum charge of two hundred dollars (\$200) shall be made for each truckload of septic tank, cesspool or chemical toilet contents with a container

County costs as prescribed in Subsections 13.04.090 C.1. and 13.04.090 C.2. Should the owner/developer elect not to have the County complete the processing of the item submitted, the owner/developer shall still be responsible for reimbursing the County for all expenses incurred. The County shall withhold granting approval of the owner's/developer's submittal until all costs have been paid in full. Failure of the owner/developer to pay the fees within thirty (30) days of notification shall result in the County filing and processing a lien as prescribed in Subsection 13.04.090 C.2. Administrative processing costs shall include, but not be limited to, the following items:

- to, the following items:
 1. Environmental checklist/environmental impact statement reviews;
 - Preparation of easements and/or legal descriptions;
 - Processing of basin plans, updates and amendments thereto;
 - Advertising expenses;
 - 5. Public hearing expenses;
 - Rental of meeting rooms;
 - 7. Legal advice;
 - 8. Travel expenses;
 - 9. Word processing expenses; and
- 10. Processing of property segregations.

E. Other Plan Review Fees:

- Grease Interceptor Plan Review: Fifty dollars (\$50)
 non-refundable fee plus time and materials billing
 for costs and expenses incurred in excess of the
 non-refundable fee.
- Pretreatment Plan Review: Fifty dollars (\$50) nonrefundable fee.
- 3. Accidental Spill Prevention Plan: Fifty dollars (\$50) non-refundable fee plus time and materials billing for costs and expenses incurred in excess of the non-refundable fee.
- 4. Industrial Pretreatment Permit Plan Review: One hundred dollars (\$100) non-refundable fee plus time and materials billing for costs and expenses incurred in excess of the non-refundable fee.
- 5. Oil-Water Separator Plan Review: Fifty dollars (\$50) non-refundable fee plus time and materials billing for costs and expenses incurred in excess of the non-refundable fee.
- 6. Residential Pump Plan Review: Fifty dollars (\$50) non-refundable fee plus time and materials billing for costs and expenses incurred in excess of the non-refundable fee.
- F. Sewer Line Tap Fees. For each sewer line tap, the permit fee shall be two hundred dollars (\$200) non-refundable fee plus time and materials billing for costs and expenses incurred in excess of the non-refundable fee. The owner's contractor shall be responsible for tapping the sewer line in accordance with County

Chapter 13.06

SEWER UTILITY PROHIBITED DISCHARGES AND INDUSTRIAL PRETREATMENT REGULATIONS

Sections:

13.06.010 Compliance with Regulations.

13.06.020 Regulations Available at the Utilities Department.

13.06.010 Compliance with Regulations.

All persons, entities, organizations and/or associations of any nature whatsoever shall comply with the provisions of the most recently adopted version of the Sewer Utility Prohibited Discharges and Industrial Pretreatment Regulations, together with any and all amendments thereto. (Ord. 89-46 § 2 (part), 1989)

13.06.020 Regulations Available at the Utilities Department.

The Pierce County Sewer Utility Prohibited Discharges and Industrial Pretreatment Regulations shall be available for inspection at the Pierce County Utilities Department during normal business hours and/or copies may be purchased for a fee of \$5.00. (Ord. 89-46 § 2 (part), 1989)

13.08.030 Foreclosure Proceedings.

The foreclosure proceedings shall be accomplished in accordance with the procedures set forth in Sections 2 through 8, Ch. 91, Laws of 1982, codified as RCW 35.50.220 through 35.50.270. (Ord. 84-32 § 1 (part), 1984; prior Code § 82.22.030)

13.08.040 Interest and Penalties.

Assessments or installments thereof, when delinquent, in addition to the interest provided for in the ordinance ordering the local improvement, or in the ordinance confirming the assessment roll and levying the assessment, shall bear a penalty of twelve percent on the assessment or installment thereof and the interest thereon until sale. The dates upon which sewer assessments or installments thereof are due and payable shall be set forth in each specific ordinance levying sewer assessments, approved at the time of confirmation of the assessment roll by the County Council. (Ord. 84-32 § 1 (part), 1984; prior Code § 82.22.040)

13.08.050 Sales to Collect Delinquent Assessments.

Unless otherwise provided in the ordinance ordering the improvement, or in the ordinance levying the assessment roll, all property described in any local assessment roll, after the assessment or any installment thereof shall have become delinquent, shall be sold for the amount of the total unpaid assessment, together with penalty and interest accruing to date of sale, and for the costs of such sale, and a certificate of sale shall be executed and delivered to purchaser. An assessment deed shall be executed and delivered to the person entitled thereto in the manner and after the proceedings set forth in RCW Chapter 35.50. (Ord. 84-32 § 1 (part), 1984; prior Code § 82.22.050)

13.08.060 Director of Budget and Finance to Collect Sewer Assessments.

All local assessments for sewers, either current or delinquent, shall be collected by the Office of Budget and Finance. The Director of Budget and Finance or his delegate shall execute and sign all receipts for payment of assessments. (Ord. 84-32 § 1 (part), 1984; prior Code § 82.22.060)

13.08.070 Record of Transactions.

The Office of Budget and Finance shall maintain a complete set of books in which there shall be recorded in detail all transactions relating to the payment of principal, interest and penalties in every Utilities Local Improvement District. At the end of any month, the Budget and Finance Director shall produce a statement showing the amount of money on hand in each Utilities Local Improvement District assessment fund at the beginning of the previous month, the amount of principal, interest and penalties received during the month, and any disbursements would be made therefrom, together with the balance on hand at the close of the month, and all transfers. (Ord. 84-32 § 1 (part), 1984; prior Code § 82.22.070)