

# TOWN OF RUSTON

## ORDINANCE NO. 1307

### AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF RUSTON, WASHINGTON, REGARDING STORM DRAINAGE, GROUNDWATER, AND OTHER UNAUTHORIZED DISCHARGES INTO THE TOWN'S SANITARY SEWER SYSTEM

WHEREAS, The Ruston Town Council finds that unauthorized connection of storm drains into the Town's sanitary sewer system, and other unauthorized discharge of storm water, groundwater, and other drainage and unpolluted water into the Town's sanitary sewer system places unnecessary burdens on the system, and, if left unchecked, may contribute both to maintenance problems and to the system exceeding the maximum flow capacity allowable under the Town's sewerage treatment agreement with the City of Tacoma; and

WHEREAS, the Town's current ordinances do not penalize unauthorized connection of storm drains with, or discharge of storm water, ground water, rainwater, or other drainage or unpolluted water into the Town's sanitary sewer system;

WHEREAS, the Ruston Town Council finds it to be in the best interest of the Town and its citizens to prohibit such conduct and enforce such prohibition with appropriate penalties;

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF RUSTON, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Chapter 21.01 of the Ruston Municipal Code is hereby amended to add the following Sections 21.01.025, which shall read in its entirety as follows:

#### **21.01.025 Prohibitions on storm drainage, ground water and unpolluted water**

a. Stormwater, groundwater, rainwater, street drainage, subsurface drainage, yard drainage, roof drainage, or unpolluted water, including but not limited to cooling water or process water, shall not be discharged through direct or indirect connection to any sanitary sewer unless approved by the Town Engineer. The Town Engineer may, but shall not be required to, approve such discharge if no reasonable alternative for disposal of such discharge is available. If approval is granted for the discharge of such water into a sanitary sewer, the user shall pay all applicable charges and fees and meet any other conditions required by the Town Engineer.

b. In addition to any other penalties provided by this Chapter, any violation of this Section shall constitute a public nuisance, which may be abated by the Town in a Superior Court action as provided by RCW 7.48.220 *et seq.*

**Section 2.** If any provision of this Ordinance should be held or adjudged unconstitutional or otherwise unlawful by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

**Section 4.** This Ordinance shall take effect immediately upon publication as provided by law.

ENACTED by the Town Council of the Town of Ruston in open public meeting, SIGNED by the Mayor and attested by the Town Clerk in authentication of such passage this 1 day of March, 2010.

  
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Bruce Hopkins, Mayor

ATTEST:

  
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Myriah Mesa, Town Clerk