

ORDINANCE NO. 1012

AN ORDINANCE REPEALING RUSTON MUNICIPAL CODE CHAPTER 21.01, ENACTING A REPLACEMENT THEREOF AND DEFINING RESPONSIBILITY FOR SEWER REPAIRS

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF RUSTON:

Section 1: Ruston Municipal Code Chapter 21.01 is repealed.

Section 2: The following is hereby adopted as Ruston Municipal Code Chapter 21.01:

21.01.010. Definitions.

- a) "Public Sewer" means any sewer or appurtenant facility other than a side sewer, either owned or operated by or within the jurisdiction of the Town of Ruston.
- b) "Side Sewer" means any sewer line used or installed by any person to conduct waste from any private property to a public sanitary sewer.

21.01.020 Construction.

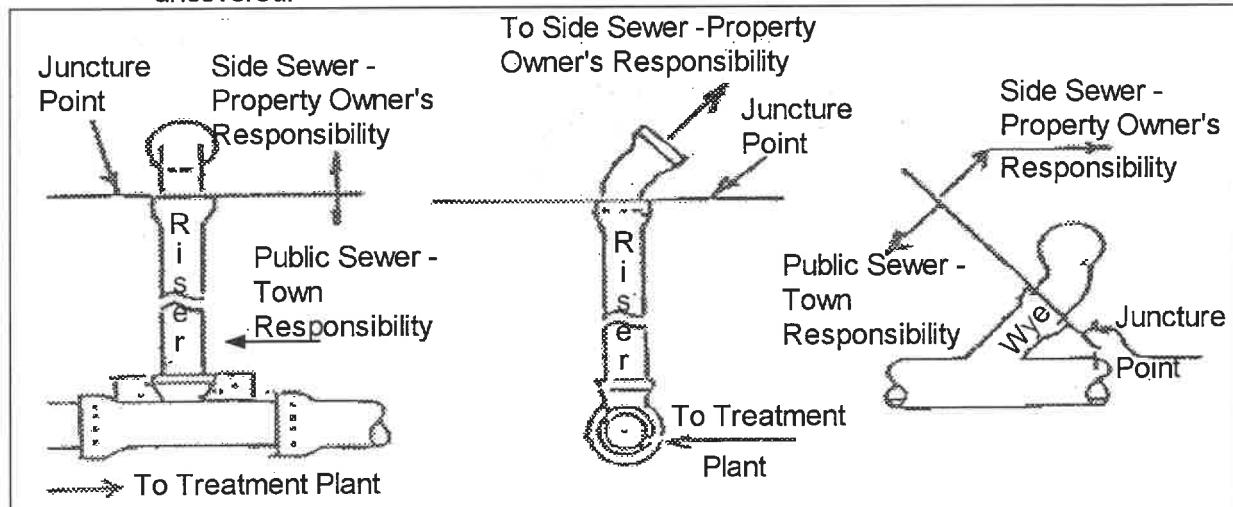
- a) All side sewer connections with public sewers and the laying of all pipes or drains shall be made and laid only by Washington State licensed, bonded and insured plumbing companies and sewer contractors. It shall be unlawful for any other person to perform such work except as provided in subparagraph b).
- b) Provided, that the requirements of subparagraph a) that only qualified plumbers may perform such work shall not apply to any person laying or repairing a side sewer line on property owned by him or as to which he is a contract purchaser.
- c) All construction shall be in accordance with the Uniform Plumbing Code.

21.01.030 Sewer Maintenance Responsibility.

The responsibilities of the Town and of bordering private property owners for servicing, replacement and maintenance of public and side sanitary sewers shall be as herein provided:

- a) The Town shall be responsible for servicing, replacement and maintenance of the public sewer system including the riser or wye. Bordering property owners shall be responsible for the servicing, maintenance or replacement of the side sewer system, including the owner's connection to the riser or wye serving their site.
- b) Where a blockage occurs, and responsibility is questionable as to whether the obstruction is in the Town's portion of the system or the portion within the owner's responsibility, it shall be the obligation of the owner or his representative to notify the Town prior to excavation in the public right-of-way or incurring expenses other than reasonable rodding and rooter charges. Upon receiving such notifications, the Town will inspect the site immediately and will make a determination as to the party responsible for the repairs. Repair work will then be performed by the party having responsibility.

- c) If the responsibility cannot be determined at the time of inspection pursuant to subparagraph (b), or in an emergency situation, the Town may authorize completion of repair work by the owner, subject to charges being later assigned to the appropriate party. In these instances the owner shall provide proof of responsibility or call for inspection showing responsibility. In such case, the Town will be responsible for charges within the public sewer, where the owner has been authorized by the Town to perform the necessary work.
- d) In the event that an owner or his representative commences side sewer repair or replacement without a prior determination of responsibility pursuant to subparagraph (b), such owner will be deemed to have assumed responsibility for completion of the work, including provision of an approved connection in conformity with the Town's standards, including riser or wye replacement where necessary.
- e) Nothing herein contained shall be deemed to relieve any party from liability for damages caused by the negligence of that party.
- f) Where, in order to repair, service, or connect to the sanitary sewer, it is necessary to excavate any public road, street, alley, sidewalk, planting strip, or other public property, such excavation shall be promptly and expeditiously restored according to Town standards.
- g) It is unlawful for any person to cover and back-fill any side sewer without having first called for and received an inspection and approval from the Mayor or his or her designee.
- h) Following are typical drawings showing the areas of jurisdiction for side sewer maintenance responsibility. Connections other than those shown below will be evaluated for party responsibility on a case by case basis at the time they are uncovered.



21.01.040 Application.

Any person desiring such connection to be made, or such pipe or drain to be laid, shall make an application for permit therefor in writing to the Town Clerk on a form to be prescribed by the Mayor. Such application shall specify the plumber or other person who is to perform the work,

and shall be accompanied by a permit fee as prescribed by the Uniform Plumbing Code and a one time connection fee of \$ \$375.00. The Clerk shall issue a permit after being satisfied that such person is qualified or authorized as provided in this code.

21.01.050 Permits.

No building or plumbing permit shall be issued, when it appears from the plans or specifications, or from any other source of information, that the work contemplated, or any part thereof, calls for the laying of pipe or drain, or the making of sewer connections, until the applicant therefor shall present satisfactory proof that he or she has complied with the provisions of the chapter.

21.01.060 Civil Penalty.

Violation of any provision hereof shall be a civil infraction, and shall be subject to class 1 infraction under RMC Chapter 9.22.

Section 3: This ordinance shall be effective from its passage and posting.

PASSED THE COUNCIL AND APPROVED by me this 20th day of July, 1998.



Mayor C. Michael J. Transue

ATTEST:



Barbara Matheson

Clerk-Treasurer