

ORDINANCE NO. 1483

AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, RELATING TO CHARGES FOR CONNECTION TO SANITARY SEWER WITHIN THE CITY OF RUSTON, AMENDING SECTION 21.01.040 OF THE RUSTON MUNICIPAL CODE TO AMEND THE SANITARY SEWER CONNECTION LANGUAGE IN THE CODE FOR CLARIFICATION PURPOSES TO ENSURE THAT THE CITY'S PRACTICES ARE CLEARLY UNDERSTANDABLE TO MEMBERS OF THE PUBLIC, INCLUDING ADDING A DESCRIPTION OF WHAT CONSTITUTES A "UNIT" AND PROVIDING THE CITY PLANNING DIRECTOR WITH INTERPRETATION AUTHORITY, PROVIDING AN APPEALS PROCESS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with RCW 35A.11.020, 35A.21.150, and Chapter 35.67 RCW, the City is authorized to provide sanitary sewer services to properties within the City; and

WHEREAS, in accordance with RCW 35.67.020, the City has the authority to establish charges for the sanitary sewer facilities, including connection charges; and

WHEREAS, in accordance with RCW 35.67.190, the City has the authority to fix the rates for sanitary sewer services and connection fees; and

WHEREAS, the sewer connection fees are meant to help ensure that "growth pays for growth" and that the new customers will pay into a system that has been created by existing customers; and

WHEREAS, the City charges \$2,000 per connection for new sewer connections in accordance with RMC 21.01.040; and

WHEREAS, the City has implemented this to be a charge of \$2,000 per unit for new sewer connections; and

WHEREAS, to ensure clarity in the code on this issue, RMC 21.01.040 should be updated;

and

WHEREAS, on July 5, 2016, the City Council held the first reading of this Ordinance; and

WHEREAS, on July 19, 2016, the City Council held a public hearing on this ordinance and adopted this Ordinance at Second Reading during its regular meeting following such hearing;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 21.02.040 of the Ruston Municipal Code is hereby amended to read as follows:

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 City 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 \$2,000 per unit being developed. The definition of a "unit" shall be per "dwelling unit" per "commercial unit" or per "hotel room". An area shall not be considered a separate "unit" if it does not have any plumbing fixtures in the space. If there is an issue as to how many units are being connected under this section, then the City Planning Director shall have the discretion to make a determination as to the number of units being connected. Such determination shall be appealable under the procedures for Interpretations under Chapter 19.09 RMC. If there is a partial unit, the number of units shall be rounded up to the nearest whole number. The Clerk shall issue a permit after being satisfied that such person is qualified or authorized as provided in this code and all fees have been paid.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 4. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 19th day of July, 2016.

APPROVED by the Mayor this 19th day of July, 2016.




Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams, City Clerk

APPROVED AS TO FORM:
Office of the City Attorney



Jennifer S. Robertson

FILED WITH THE CITY CLERK: 6/23/2016
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
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