

ORDINANCE NO. 281

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY ESTABLISHING A POLICY FOR INTERIM SEWERAGE FACILITIES, DESCRIBING THE CRITERIA FOR SAID INTERIM FACILITIES, CREATING A CUMULATIVE RESERVE FUND, AND ADDING A NEW CHAPTER TO THE LACEY MUNICIPAL CODE.

WHEREAS, requests for temporary sewerage systems have been made to the Thurston-Mason County Health District because permanent sewerage facilities are not available in certain areas of the City of Lacey; and

WHEREAS, certain guidelines for determining and defining interim sewerage facilities are needed for the City of Lacey;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LACEY AS FOLLOWS:

There is hereby added to the Lacey Municipal Code, Chapter 13.30, to read as follows:

13.30.010 Interim Sewerage Facilities. In those areas where connection to a permanent public sewerage system is not feasible, as determined by criteria set forth from time to time by the Director of Public Works of the City of Lacey, the following requirements for sewage collection and disposal shall be met:

a. Where existing approved interim treatment and disposal facility capacities are available, extension of

1st reading 11/2/72

Tabled 11/16/72 - Untabled later

2nd reading 3/8/73

and connection of collection sewers to said existing facilities may be required. Sewer systems so constructed shall be dedicated to the City of Lacey. Said systems shall be maintained and operated by the Department of Public Works of the City of Lacey. A monthly sewer service charge shall be levied as provided for in Chapter 13.16.

b. Where approved existing interim facilities are not available, and yet where soil permeability will permit subsurface disposal of settled sewage effluent in conformance with the standards of the Thurston-Mason County Health District, or where there is some other means of safe disposal of effluent, as approved by the Director of Public Works of the City of Lacey, the State Department of Ecology, the State Health Department, and the Thurston-Mason County Health District, construction of sewerage systems utilizing interim means of treatment and disposal which meet design criteria and construction standards may be required. All collection sewers, permanent pumping stations and all other sewer appurtenances shall conform with the applicable basin sewerage general plan. Said systems shall be dedicated to and maintained and operated by the City of Lacey, for which service a monthly sewer service charge shall be levied as provided for in Chapter 13.16 of the Lacey Municipal Code. Plans must be submitted to the Lacey Director of Public Works for approval before construction of an interim sewer

system, and these plans must include written approval of the Thurston-Mason County Health District and the Washington State Department of Ecology.

c. Interim individual wastewater disposal units (septic tanks) may be permitted where soil conditions will allow conformance with Thurston-Mason County Health District Standards for subsurface disposal, provided there is concurrent construction of, or provision for, a collection sewer (dry sewer) which meets prescribed design criteria for future extension and connection to a major drainage basin sewerage system together with construction of the building sewer to the property line. Subject to other zoning restrictions, the minimum lot size permitted under this condition of development will be 12,000 square feet.

Where it is deemed by the Director of Public Works of the City of Lacey to be impractical, uneconomical or otherwise imprudent to require concurrent construction of the above required collection sewer system, the payment of all applicable charges-in-lieu-of-assessment, as may be established by the Lacey City Council, shall constitute adequate provision for the required collection sewer system. Operation and maintenance of an interim individual wastewater disposal system shall be the responsibility of the owner.

13.30.020 Interim Facility Inspection Fees. All sewers constructed by any property owner outside the boundaries of any utility local improvement district shall be constructed and installed at the sole expense of the property owner under the supervision of the City of Lacey, and after installation such sewer lines, other than building sewers extending from the structure to the property line or to a public sewer, shall be conveyed to the City of Lacey free and clear of all liens or encumbrances, together with duly executed and acknowledged easements for all portions of such sewer lines located upon private property, all at no cost to the City. The property owner shall furnish the City "as built" drawings covering such sewer lines so constructed and installed.

For all extensions to existing City sewer facilities or for interim sewer systems being constructed in advance of the availability of trunk sewers, an Interim Facility Inspection Fee shall be charged. The Interim Facility Inspection Fee shall provide for all costs of services performed by the Public Works Department relating to engineering review of plans, legal services, inspection of construction, and all other technical and administrative services provided relative to extensions to the existing sewer system or to interim sewer facilities constructed by a developer. The Interim Facility Inspection Fee shall

be fixed as the actual cost of the City services provided, including payroll costs and incidental costs relating thereto, costs of materials, equipment rental, and all other direct and indirect costs as shall be determined by the Director of Public Works or as otherwise provided herein.

For sewer systems to serve single family or duplex residential developments containing not more than 50 lots or units served, the Interim Facility Inspection Fee shall be \$25.00 per lot, payable at the time of plan submittal. For developments containing more than 50 lots in number, there shall be deposited with the City at the time of plan submittal a sum equal to six (6%) percent of the estimated cost of sewer improvements proposed. The amount of such deposit which exceeds the cost of plan review and inspection, as defined herein, shall be returned after project completion and acceptance by the City.

13.30.030 Charges-in-lieu-of-assessment. The charges-in-lieu-of-assessment shall be an area charge of \$.0225 per square foot for all land within the development, together with the estimated costs of running a public collection system past the development if said construction will be necessary and the estimated cost of connecting the interim system to the public system.

The charges-in-lieu-of-assessment must be paid in full before construction on the interim sewerage facilities is commenced.

13.30.040 Responsibility to Connect Interim Sewerage Systems to a Permanent System. Ultimate extension and connection of interim sewerage facilities provided for herein and incorporation of interim sewerage facilities with a permanent public sewerage system will be the responsibility of the City, subject to satisfactory payment of charges-in-lieu-of-assessment and all other applicable fees and charges as set forth herein.

13.30.050 Connection to Permanent System Required. Within one year after a permanent public sewerage system is available as described in Section 13.08.030, the interim sewerage facilities shall be connected to the same.

13.30.060 Applicability. This chapter shall apply within the City of Lacey to all platted subdivisions, proposed mobile home developments, multiple residential buildings or building complexes which exceed twelve (12) dwelling units, or commercial and industrial developments which require sewer service.

The City may defer any obligation to own, operate, or maintain any sewer facility which is determined to be excessively remote or inaccessible as to permit effective

and economical operation of said facilities by forces of the City of Lacey, or which, in the opinion of the Director of Public Works will not be connected to permanent sewer facilities within a five-year period.

13.30.070 Sewerage Facilities Design and Construction Standards. Sewerage facilities design and construction standards shall be those as prescribed in Standard Specifications for Municipal Public Works Construction, 1969, as prepared by the Washington State Chapter of the American Public Works Association modified and supplemented by standards established by the Lacey Director of Public Works and approved by the City Council by resolution.

13.30.080 Cumulative Reserve Fund Created. There is hereby created a special fund to be known and designated as the Cumulative Reserve Fund for the design and construction of permanent public sewer facilities. All charges-in-lieu-of-assessment collected pursuant to Section 13.30.010 and Section 13.30.030 shall be paid into said fund and a separate accounting and record shall be kept of all monies paid into said fund designating their source and the location of the property for which the charges have been paid. The monies in said fund may be allowed to accumulate from year to year until the City Council determines to expend the monies in the fund for the design and construction of permanent public sewer facilities, and the monies accruing to said fund shall never be expended for any other purpose without an approving



vote by a majority of the electors of the City at a general or special election voting on a proposal to allow other specified uses to be made of the fund. In addition, charges paid into said fund for a particular parcel or parcels of property may be used only for the design and construction of permanent public sewer facilities which shall serve in whole or in part said property or properties.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE  
MAYOR this 8<sup>th</sup> day of March, 1972<sup>3</sup> 1973

Albert F. VanAntwerp  
MAYOR

ATTEST:

[Signature]  
CITY CLERK

APPROVED AS TO FORM:

[Signature]  
CITY ATTORNEY

PASSED: March 8, 1973

PUBLISHED: \_\_\_\_\_