

ORDINANCE 483

CITY OF LACEY

AN ORDINANCE RELATING TO CHARGES FOR WATER AND SEWER CONNECTIONS AND FOR ALL STREET OPENING PERMITS, AMENDING SECTIONS 12.16.050, 13.16.010, 13.32.010 AND 13.52.010 OF THE LACEY MUNICIPAL CODE AND ADDING A NEW SECTION, 13.52.015, TO THE LACEY MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Section 12.16.050 of the Lacey Municipal Code is hereby amended to read as follows:

"A permit fee of five dollars shall accompany the application. Should considerable inspection and engineering be required by the city in the opinion of the city engineer or if the pavement restoration is to be completed by the city, an estimate of the costs of such inspection, and engineering or pavement restoration will be furnished the applicant by the engineer and the estimated amount will become additional application fee. At the conclusion of the work called for in this section, the actual costs incurred by the city will be computed and the fee adjusted in accordance with such costs."

Section 2. Section 13.16.010 of the Lacey Municipal Code is hereby amended to read as follows:

"All structures or properties used for human occupancy, employment, recreation or other purposes which are required to connect to the public sewer under the provisions of the city's ordinances shall pay a connection charge for each separate service connection provided to the property during construction of the public sewers and before restoration of the trench and surface of the street

or easement area in which the sewer is laid. The amount of the connection charge will be determined at the time of construction of the public sewer. The cost of such connection to the sewer after the sewer construction is completed and the trench is closed and land or street surfaces are restored shall be ~~four~~ five hundred dollars, ~~except that if such connection is on an arterial street, the charge shall be the actual cost plus fifteen percent for overhead as determined at the time of installation.~~ plus any and all costs of pavement restoration incurred by the city."

Section 3. Section 13.32.010 of the Lacey Municipal Code is hereby amended to read as follows:

"(a) The construction of a standard new service connection by the city for water shall include all labor, pipe and fittings up to the property line. The charges for the labor and materials, including the meter and its installation, for a standard service connection shall be as follows:

<u>Type of Service</u>	<u>Meter Size</u>	<u>Connection Charge</u>
Single-residence	5/8" x 3/4"	\$175.00
Commercial	5/8" x 3/4"	175.00
Commercial	3/4"	200.00
Commercial	1"	225.00
Commercial	1-1/4"	250.00
Commercial	1-1/2"	325.00
Commercial	2"	450.00
		<u>525.00</u>

"Over 2" meter--The charge shall be the costs of labor and material, plus fifteen percent.

"Any and all costs incurred by the city for pavement restoration shall be in addition to the charges set forth above."

"(b) In those cases where the property owner constructs all portions of the service connection with the exception of providing and dropping the meter, the charges to the city for providing the meter and dropping the same shall be as follows:

<u>"Meter Size</u>	<u>Connection Charge</u>
5/8"	\$ 35.00
1"	65.00
1-1/2"	150.00
2"	200.00

"Over 2" meter--The charge shall be the costs of labor and material, plus fifteen percent.

~~"(b)~~ (c) Where the customer already has a connection and requests an additional connection or a new connection, the charge shall be the costs of labor and material, plus fifteen percent.

~~"(e)~~ (d) On connections for sprinkling only, the charge shall be the costs of the material and labor, plus fifteen percent.

~~"(d)~~ (e) No water connection shall be made until the person desiring the same has signed an application at the office of the city water department, and paid the charges imposed herein."

Section 3. Section 13.52.010 of the Lacey Municipal Code is hereby amended to read as follows:

"(a) Property abutting on but not previously assessed or not having previously contributed its proportionate share of construction costs for standard six-inch water mains, including not only those directly connected thereto, but also users connected to laterals or branches connecting thereto, except those properties abutting on water mains in existence on January 1, 1969, or installed as the result of city bonding Ordinance No. 102, may be connected

to such abutting mains upon the payment of a special connection charge ~~equal-to-four-dollars~~ per front foot of the property to be served at the rates set forth in Section 13.52.015, which charge may be paid either in cash or in four quarterly payments over a twelve month period from date of connection. Such connection charge shall be in addition to other connection charges herein provided. If the property owner elects to make payments on a quarterly basis, he shall execute a contract in such form as prescribed by the city council to pay such charge with the provision that any unpaid balance may be paid in full on the date of any quarterly payment. Such contract shall be a covenant running with the land and shall provide that the unpaid balance of the connection charge shall be a lien upon the property to which such connection is made, superior to all other liens and encumbrances except those for general taxes and special assessments which may be foreclosed in the same manner provided by law for the foreclosure of delinquent local improvement district assessment liens. The contract shall be recorded in the office of the Thurston County auditor at the expense of the property owner and upon payment in full, a release of the lien shall be executed for the city by the city manager and attested by the city clerk. The contract shall further provide that in the event of delinquency in the payment of such connection charge, the water superintendent may disconnect the city's water service from, and refuse to supply water to, the premises in default until said delinquent payments are paid in full. This remedy shall be

concurrent with and in addition to the city's right to foreclose the lien as herein provided.

"(b) Provided that nothing herein shall be deemed to bar the city upon order of the city council as a part of a street improvement program from replacing any existing mains with new mains of any size to prevent future street disruption for water main repairs and such replacement may be made without cost to the abutting property or upon such apportionment of cost as the council shall deem reasonable.

"(c) All connection charges so received shall be considered revenue of the water department of the city, except as affected by Section 13.52.030.

"(d) All ordinances, rules, regulations and procedures relating to the use, maintenance and connections for water service in the city as the same now are or may hereafter be adopted by the city shall apply with equal force to such water service connections.

"(e) Future service connections to property abutting the water main including users connected to laterals or branches connected thereto on which a water service connection charge has not been paid but which adjoins a specific parcel of property previously charged shall be subjected to the charges as hereinabove set forth.

"(f) The connection charge hereinabove provided for in this section shall be credited to and considered as a benefit to the specific premises served by the connection. The premises so benefitted shall be legally described and posted by the city and

recorded as a part of the city's permanent records pertaining thereto. No further water service connection charges shall be collected against the premises so described."

Section 5. There is hereby added to the Lacey Municipal Code a new section, 13.52.015 to read as follows:

"The special connection charge required by Section 13.52.010 shall be at the rate of five dollars per front foot of the property to be served."

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY,
WASHINGTON, this 23rd day of February, 1978.

CITY COUNCIL

By Karen R. Frazer
Mayor

Attest:

Timothy McGuire
City Clerk

Approved as to Form:

[Signature]
City Attorney

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