

H2
5/12

Ordinance 902

An ordinance creating a chapter in the Clallam County Code titled, "Carlsborg Sewer System" to establish regulations and fees relating to the Carlsborg Sewer System and the Carlsborg Urban Growth Area

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. Section .010, Definitions, is created to read as follows:

The following words and phrases as used in this chapter have the following meanings:

- (1) "Carlsborg sewer system" or "sewer system" means the sanitary sewer owned by Clallam County, including all present and future public interceptors, pump stations, trunk lines, sewer mains, sub-mains, laterals, and appurtenances, easements and rights-of-way, located in the Carlsborg Urban Growth Area and the sewer lines connecting this system to the City of Sequim Sewer system.
- (2) "Carlsborg Urban Growth Area" or "Carlsborg UGA" means the Urban Growth Area established by the County pursuant to the Growth Management Act, Chapter 36.70A RCW, for the unincorporated Carlsborg Area.
- (3) "Change of ownership" means any change that results in more than 50 percent new ownership of a property, as reflected in a deed of trust, quit claim deed, purchase agreement, or other legally binding ownership document filed with the County Auditor.
- (4) "Completion of roadway restoration" means the dates, to be determined by the Director, upon which public roadway restoration is complete following the installation of sewer mains or sub-mains for the Carlsborg sewer system.
- (5) "County" means Clallam County.
- (6) "Department" means Clallam County Public Works Department.
- (7) "Director" means Clallam County Administrative Director of Public Works, or Clallam County Engineer.
- (8) "Equivalent residential unit" or "ERU" means a water service connection to a residential unit, commercial use, or industrial use, consisting of a 3/4-inch or 1-inch diameter service line with a 5/8-inch meter.
- (9) "LID" means local improvement district.
- (10) "New development" means any development, re-development, or change of use of property that would necessitate either provision of a new sewer service or an expansion or upgrade of an existing septic system.
- (11) "Operational date" means the date, to be determined by the Director, upon which the Carlsborg sewer system begins conveying, on a daily basis, domestic sewage collected in Carlsborg to Sequim for treatment.
- (12) "Sewer lateral" or "lateral" means a public sewer line that has no other common sewers discharging into it.
- (13) "Sewer main" means a public sewer line that receives flow from one or more sub-mains.
- (14) "Sewer sub-main" or "sub-main" means a public sewer line that receives flow from one or more sewer laterals.
- (15) "UGA" means urban growth area.

Section 2. Section .020, Prohibition of new septic systems in the Carlsborg UGA, is created to read as follows:

After the operational date of the Carlsborg sewer system no new septic systems shall be permitted in the Carlsborg UGA, unless a waiver is granted pursuant to Section .040(7) below.

Section 3. Section .030, Subscription for sewer service, is created to read as follows:

All properties within the Carlsborg UGA are eligible to apply for connection to the Carlsborg sewer system at any time. Applications for connection shall be submitted on forms provided by the County and signed by the property owner(s).

Pursuant to RCW 36.70A.110(4) no property outside the Carlsborg UGA shall be allowed to connect to the Carlsborg sewer system except in those limited circumstances shown to be necessary to protect basic public health and safety and the environment.

Section 4. Section .040, Connection required, is created to read as follows:

The following sewer system connection requirements shall apply to properties in the Carlsborg UGA:

(1) Once the Carlsborg sewer system is installed and operational, properties with existing septic systems that are within 200 feet of a sewer main or sub-main (as measured along the usual or most feasible route of access as determined by the Director) shall be required to connect to the Carlsborg sewer system within one year of the date of change in ownership.

(2) For those properties with existing septic systems that apply for connection prior to the completion of roadway restoration, and that are within 200 feet of a sewer main or sub-main (as measured along the usual or most feasible route of access as determined by the Director) the County shall install the sewer lateral needed from the sewer main or sub-main to the property line, at no expense to the property owner.

(3) Properties farther than 200 feet from the nearest sewer main or sub-main (as measured along the usual or most feasible route of access as determined by the Director) shall be allowed to continue use of an existing properly functioning septic system until such time as a sewer main or sub-main is available within 200 feet of the property, at which time the provisions of subsection .040(1) above shall apply. Nothing herein prohibits any property in the Carlsborg UGA from connecting to the Carlsborg sewer system at any time, however all properties connecting after the initial sewer system construction is complete are responsible for the installation of any sewer main or sub-main extensions and sewer laterals necessary for such connection. All such sewer mains, sub-mains, and laterals shall meet standards for sewer facilities established by the County, and upon inspection and approval by the County shall be dedicated to the County.

(4) All new development on parcels within the Carlsborg UGA must provide sewer service by connection to the Carlsborg sewer system, unless a waiver from connection is provided pursuant to subsection .040(5) below.

(5) The Director may grant a waiver from the requirement of subsection .040(4) above if s/he finds the three following conditions have been met:

(a) The parcel is more than 200 feet from the nearest sewer main or sub-main (as measured along the usual or most feasible route of access as determined by the Director) and;

(b) The cost of connection to the Carlsborg sewer system (including the connection fee listed in .080) is more than 150 percent of the cost of installation of a private septic system meeting the requirements of the Clallam County Environmental Health Division, and;

(c) The property owner files with the County Auditor an agreement provided by the County not to protest or vote against any proposed future LID for a sewer system expansion for a period of 10 years.

When or if a Carlsborg sewer system main or sub-main is extended to within 200 feet (as measured along the usual or most feasible route of access as determined by the Director) of a property granted a waiver under this subsection, the property shall then be subject to the requirement of subsection .040(1) above.

Section 5. Section .050, Sewer service required for all new subdivisions, is created to read as follows:

Prior to final plat approval for all new land divisions within the Carlsborg UGA, sewer service shall be provided by extension of sewer mains, sub-mains, and lateral sewers as needed to serve each parcel in the division. All such sewer mains, sub-mains, and laterals shall meet standards for sewer facilities established by the County, and upon inspection and approval by the County shall be dedicated to the County.

Section 6. Section .060, Mobile home parks, is created to read as follows:

Pursuant to RCW 35.67.370 mobile home parks are exempt from the requirements of section .040(1) above until or unless the local or state health department determines that the septic system or systems serving a mobile home park are failing or unable to provide the level of effluent treatment necessary to protect basic public health and safety. Upon such a determination the mobile home park may be required to connect to the Carlsborg sewer system as provided under RCW 35.67.370.

Section 7. Section .070, Connection required for failed septic systems, is created to read as follows:

Any property within the Carlsborg UGA with a septic system that the local or state health department determines to be failing to provide the level of effluent treatment necessary to protect basic public health and safety, is required to connect to the Carlsborg sewer system.

Section 8. Section .080, Connection fees, is created to read as follows:

(1) The connection fee for the Carlsborg sewer system shall be \$8,000 per ERU, except for properties eligible for the discounted rates described in subsection .080(2) below.

(2) Properties within the Carlsborg UGA shall be eligible for connection at discounted rate as follows:

(a) Properties that have submitted an application for a building permit for new development within two years of the operational date of the sewer system shall be eligible for a discounted connection fee of \$1,500 per ERU. If, however, a building permit or an approved one year extension of a building permit expires without new development occurring, then that property shall not be eligible for the discounted connection fee.

(b) Properties with existing septic systems that apply for connection prior to roadway restoration shall be eligible for a discounted connection fee of \$500 per ERU.

(c) Properties with existing septic systems that apply for connection within two years of the operational date shall be eligible for a discounted connection fee of \$1,500 per ERU.

(3) The connection fees listed in subsections .080(1) and .080(2) may be reviewed and modified periodically by ordinance.

(4) Equivalent Residential Unit (ERU) Factors. The equivalent residential unit factors for determining the proportional ERUs for various sizes of water meters to a 3/4-inch or 1-inch diameter service line with a 5/8-inch meter shall be in accordance with the following data:

Meter Size (inch)	Operating Capacity (gpm)	Equivalent Residential Unit (ERU)Factor
5/8	20	1
3/4	30	1.5
1	50	2.5
1-1/2	100	5

Meter Size (inch)	Operating Capacity (gpm)	Equivalent Residential Unit (ERU)Factor
2	160	8
3	300	15
4	500	25
6	1,000	50
8	1,600	80

(5) If the actual water meter size installed is increased to provide for fire sprinkler installation, then the Director shall determine the appropriate equivalent residential unit factor based upon a standard installation for the use without fire sprinklers.

(6) For commercial property for which no water meter exists (for example where the water supply is a private well) the Director shall determine the ERU factor based on a determination of flow consistent with "Criteria for Sewage Works Design" published by the Washington Department of Ecology, and using 125 gallons per day per ERU.

Section 9. Section .090, Severability, is created to read as follows:

If any provision of this chapter is determined to be invalid, the remaining provisions shall continue in full force and effect.

ADOPTED this twelfth day of May 2015

BOARD OF CLALLAM COUNTY COMMISSIONERS



 Jim McEntire Chair



 Mike Chapman

ATTEST:



 Trish Holden, CMC, Clerk of the Board



 Bill Peach