



Project title: An Ordinance Relating to Water Transmission Lines, amending Ordinance No. 1237-86 (as amended).

City Council Agenda Item Cover Sheet

Council Bill #

CB 2203-08

Agenda dates requested:

March 9, 2022

March 23, 2022

Briefing

Proposed action First and Second Reading 3/9

Consent

Action 3/23

Ordinance X

Public hearing

Yes X No

Budget amendment:

Yes X No

PowerPoint presentation:

Yes X No

Attachments:

Proposed Ordinance

Department(s) involved:

Public Works, Legal

Contact person:

Souheil Nasr

Phone number:

425-257-7210

Email:

snasr@everettwa.gov

Initialed by:

RLS

Department head

Administration

Council President

Project: Ordinance Relating to Water Transmission Lines

Partner/Supplier: N/A

Location: Water Transmission Lines corridors – East of the City

Preceding action: Ordinance No. 1237-86

Fund: 401 – Water/Sewer Utility Fund

Fiscal summary statement:

The proposed ordinance will clarify and establish requirements for service connections to Everett’s water transmission lines. The ordinance will also establish conditions for removal of “dormant services” off the water transmission lines.

No City expenditure will be required.

Project summary statement:

On May 19, 2021, the Everett City Council adopted the 2020 Comprehensive Water Plan. Section 2.1.10 of the plan recommends that we revise EMC 14.16.460 (Ordinance No. 1237-86, as amended) to conform with updates to the Washington Administrative Code relating to Public Water Supplies.

It is in the interest of the residents of Everett for public health and welfare, and the appropriate conservation and management of the City’s water resources to update the referenced ordinance to conform with current WAC requirements. The revision will clarify requirements for connections to our Water Transmission Lines and limit any new connections, upsize of existing connections, or changes in use of connections to be only by a master meter supplying a Group A public water system as defined in WAC 246-90-020.

Recommendation (exact action requested of Council):

Adopt an Ordinance Relating to Water Transmission Lines, amending Ordinance No. 1237-86 (as amended).



ORDINANCE NO. _____

An Ordinance Relating to Water Transmission Lines, amending Ordinance No. 1237-86, as previously amended.

WHEREAS,

- A. On May 19, 2021, the Everett City Council adopted the 2020 Comprehensive Water Plan. In section 2.1.10 of that 2020 plan, an update to EMC 14.16.460 (Ordinance No. 1237-86 as amended) was recommended. This is due to updates in the Washington Administrative Code relating to Public Water Supplies, WAC 246-290.
- B. It is in the interests of the citizens of Everett, for the public health and welfare, and the appropriate conservation and management of the City's water resources, that Ordinance No. 1237-86 (as amended) be amended to align with the Washington Administrative Code, so that for water service outside the City limits, new connections, upsizing or change of use of existing connections to the #2, #3, #4, or #5 water transmission lines be by master meter supplying only Group A public water systems as defined in WAC 246-290-020.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. Section 46 of Ordinance No. 1237-86, as amended by Sections 1 and 2 of Ordinance No. 1374-87, codified at EMC 14.16.460, is amended as follows, with ~~strikeout~~ text deleted and underlined text added:

- A. *Individual and Master Meters.* All water furnished to customers outside the city limits shall be supplied only through an individual meter or through a master meter. There shall be no water furnished outside the city limits on a fixed rate basis. For purposes of this chapter an "individual meter" designates a metered service supplying a single premises or user, and a "master meter" designates a metered service supplying more than one premises or user. New connections, upsizing, or change of use of existing connections to the #2, #3, #4, or #5 water transmission lines shall be only by master meter ~~only~~ supplying a minimum of ten (10) or more customers Group A community public water systems as defined in WAC 246-290-020 (as currently enacted or later amended).
- B. *Service Connection Application.* Before a service connection is installed outside the city limits, application shall first be made to the utilities division and payment made therefor in the

regular manner. No service connection shall be installed outside the city limits for which all costs therefor have not been paid by the applicant.

C. *Water Delivered—Charges.* The charges for water delivered through all service connections located outside the city limits shall be paid under the current water rates and charges schedule therefor, except those which may be served under a written contract separate and apart from this chapter.

D. *Plan Required—Extension.* At the time an application for water service outside the city limits is made to the utilities division, the applicant shall file with the division a drawing showing the property to be served, together with a description thereof and location of all proposed water pipe thereon. No extension of water pipes within or beyond the boundary of the property shown on the drawing shall be permitted without first having submitted a supplementary drawing for approval by the utilities division. Master meter applicants shall submit a water system plan approved by the DSHS district engineer, and plans and specifications shall bear the seal and signature of a professional engineer licensed by the state. Master meter connections greater than 12" shall be subject to modification of the city water system plan prior to acceptance and approval by the utilities superintendent. Failure to obtain prior approval of any water pipe extension shall result in a thirty percent surcharge on the customer's water bill. The surcharge will continue until the utilities division provides an after-the-fact approval of the water pipe extension.

E. *Single Representative.* All customers served through a master meter shall designate one representative who shall be responsible for complete management of the water system including maintenance, 24 hour emergency response, water quality monitoring, payment of water bills and required notifications to the city. Each representative as designated above shall submit an annual report to the utilities division.

The annual report shall provide a system map showing the site and location of all water lines, valves, hydrant and storage reservoirs. The annual report shall also indicate the number of services, population and land area served by the master meter. Failure to submit an acceptable annual report to the utilities division by March 1st of every year will result in a 30% surcharge on the customer's water bill. The surcharge will continue until an acceptable annual report is received by the utilities division.

F. *Customer to Provide Storage.* The city shall not be responsible for the water storage needs of customers outside the city, and all customers outside the city limits shall provide sufficient water storage for their need during periods of transmission line or water main failures and/or periods of reduced pressure or flow. All new water services outside the city shall be required to provide a minimum of one hundred fifty gallons per capita of water storage.



G. *Application of Regulations.* This chapter and all rules and regulations governing the water system shall apply to all customers outside the city limits.

H. ~~No new individual water services will be allowed outside the city.~~ All new water services outside the city must be Group A community public water systems as defined in WAC 246-290-020 (as currently enacted or later amended) ~~have a minimum of ten customers~~ and comply with all state regulations for ~~Class 1 or Class 2~~ Group A community public water systems. No other new water services will be allowed outside the city.

I. All new water services must provide pressure reducing valves or water pumps as specified by the utilities division to accommodate fluctuating water pressure conditions on the city's water transmission system.

J. A "dormant service" is service to a Group B system (as defined in WAC 246-290-020 (as currently enacted or later amended) or to an individual (or single family) that is (1) connected to a water transmission line and (2) not furnished water by the city for 18 months. Dormant services shall be permanently removed along with the service meter at the City's convenience and no new service will be allowed unless it is part of a Group A community public water system as defined in WAC 246-290-020 (as currently enacted or later amended).

Section 2. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any internal references.

Section 3. The City Council hereby declares that should any section, paragraph, sentence, clause or phrase of this ordinance be declared invalid for any reason, it is the intent of the City Council that it would have passed all portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

Section 4. The enactment of this Ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

Section 5. It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provision or any term used in this Ordinance is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by

its officers, employees or agents.

Cassie Franklin, Mayor

ATTEST:

City Clerk

PASSED: _____

VALID: _____

PUBLISHED: _____

EFFECTIVE DATE: _____