WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting – 7:00 PM
May 15, 2014

Woodland NEW City Council Chambers
200 E Scott Avenue, Woodland, Washington

CALL TO ORDER – 7:00 PM

APPROVAL OF MINUTES

- March 20, 2014 meeting minutes (held over)
- April 24, 2014 meeting minutes

PUBLIC HEARING

- Public Participation Plan – 2016 Comprehensive Plan Update

- Haddock Lot Consolidation (LU #214-910): Proposed lot consolidation between two same ownership lots in the River Mist Subdivision.

WORKSHOP

- WMC Title 12 Streets & Sidewalks, WMC Title 13 Water & Sewage, and WMC Title 14 Municipal Public Works Code
    - Draft Code

- Repeal without replacement WMC 16.20 – Condominium code
    - Staff Report

UPDATE

- Project status - Report

ADJOURN

cc: Post (City Hall Annex, Library, Post Office, City Hall)
City of Woodland website
Planning Commission (5)
City Council (7)
Mayor
Department Heads

WOODLAND PLANNING COMMISSION MINUTES

Planning Commission Regular Meeting – 7:00 PM

SPECIAL DAY: Thursday, April 24, 2014

Woodland NEW City Council Chambers
200 E Scott Avenue, Woodland, Washington

CALL TO ORDER – 7:04:55 PM

PRESENT:	Commissioner Deborah Deans Commissioner David Simpson Commissioner Sharon Watt.
ABSENT:	Commissioner Mike Amirenini Commissioner Tel Jensen.
STAFF:	Clerk Shannon Rychel Community Development Planner Amanda Smeller Public Works Director Bart Stepp

APPROVAL OF January 16, 2014 MEETING MINUTES
Commissioner Watt made a motion to approve the minutes as written. This motion was seconded by Commissioner Deans and passed unanimously.

March 20, 2014 meeting minutes could not be approved due to lack of attendance.

WORKSHOP

- WMC Title 12 Streets & Sidewalks, WMC Title 13 Water & Sewage, and WMC Title 14 Municipal Public Works Code. Staff report was given by Bart Stepp. Current code has street standards from the 1970's and does not meet today's standards. Staff proposes to make construction standards not in the code but in a separate standards section so that the code does not have to change every time there is a construction standard change.

- Haddock Plat Amendment/Lot Consolidation. Staff report was given by Amanda Smeller. The owner is seeking to put lots together.
  Commissioner Watt moved, seconded by Commissioner Deans, to approve lot consolidation.

DRAFT

PRESENTATION

- 2016 Comprehensive Plan Update. A presentation was given by Eric Eisemann.
    - Comprehensive Plan Schedule
    - Public Participation Plan draft

A public hearing was proposed for Public Participation Plan Draft.
Commissioner Watt moved, seconded by Commissioner Deans, to have a public hearing on the Public Participation Plan in May.

ADJOURNMENT 8:18 PM
A motion to adjourn the meeting was made by Commissioner Watt, seconded by Commissioner Deans, and unanimously approved at 8:18pm.

_____ _____
Shannon Rychel, Building and Planning Clerk Date

These minutes are not a verbatim record of the proceedings.

cc: Post (City Hall Annex, Library, Post Office, City Hall)
City of Woodland website
Planning Commission (5)
City Council (7)
Mayor
Department Heads

DRAFT

WOODLAND PLANNING COMMISSION MINUTES

Planning Commission Regular Meeting – 7:00 PM

Thursday, March 20, 2014

City Council Chambers
200 E Scott Avenue, Woodland, Washington

CALL TO ORDER
The meeting was called to order at 7:04PM.

PRESENT: Commissioner David Simpson
Commissioner Murali Amirenini
Commissioner Sharon Watt

ABSENT: Commissioner Tel Jensen
Commissioner Deborah Deans

STAFF:
Public Works Director Bart Stepp
Community Development Planner Amanda Smeller
Clerk Jessica Myers

APPROVAL OF January 16, 2014 Minutes
Minutes could not be approved without three Commissioners from January's meeting present.

WORKSHOP

- Sign Ordinance

  Amanda gave a refresher on sign-murals and frontage to catch Commissioner Murali up to speed. Commissioner Simpson likes the notes in gray, gives the board some topics to think about. Commissioner Amirenini questioned section K. Smeller explained that it has been discussed before and it sounds funny, but it is right. Smeller will look at it again to possibly change it. Commissioner Simpson wants to know are murals exempt. Smeller and Stepp expressed that for window and painted signs it is a $75.00 fee. Smeller also added that once you identify the business in the painting you need a permit for a sign. Commissioner would like to see the fee for a mural lower than that. Commissioner Watt would like to see a definition added to the code that states clearly what a mural is. Commissioner Simpson would like to not add the City of Zilla's language on Real Estate signs on 'higher signs.' Commissioners agreed that signs pertaining only to the sale or rent of property can be on the sign. Commissioner Amirenini added that it is an eye sore to have multiple advertising on one sign. Commissioners would like the input from Mary Parsons-Code Enforcement. They want her opinion on the sign code. Commissioner Simpson stated that she is the one dealing with it, so he wants to just help make it easier on her. Smeller said she will supply Parsons with a copy of the drafted sign code.

DRAFT

DISCUSSION

- Joint Planning Commission/City Council Goals 2014

- Gateway Rezone

  Smeller gave a Staff Report of the Gateway Rezone Process. She has heard back from 3 of the property owners. The 3 property owners we heard from own a majority of the land in the Gateway Rezone. Commissioner Simpson wants to make sure we don't need to have ok by owner. Rezoning from a C1 to a C2, will make the bank property conforming. Commissioner Simpson would like to see the Park and Ride rezoned to a PQPI as well as the pool. He states this is for housekeeping purposes. Stepp suggested an open house for the Gateway Rezone. Stepp also asked about if the Commissioners wanted to pick out any pieces of property or all them all to the rezone. Commissioner Simpson stated he liked it the way it was. Idea for an open house was to have a booth at Planter's Day. Commissioner Simpson would like everyone to read a section a month for the Comprehensive Plan.

- Project update

  Smeller's report was-American paper appeal is set for March 25, 2014. The city is taking a side with American Paper. They would like the requirement removed on for the Robinson road frontage update. The county wants them to make frontage improvements, which would include streetlights and sidewalks. Also, there is no application for a Winco and Smeller thinks the application for Taco Bell will be coming soon.

ADJOURNMENT 8:34 PM

A motion to adjourn the meeting was made by Commissioner Watt, seconded by Commissioner Amirenini, and unanimously approved at 8:34 PM. Next meeting will be April 24, 2014. Commissioner Deans and Jensen should be back.

_____ _____

Jessica Myers, Administrative Clerk Date

These minutes are not a verbatim record of the proceedings.

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Woodland 2016 Comprehensive Plan Update: Public Participation Plan

REVIEW DRAFT 1

Purpose

The Washington State Growth Management Act (GMA) requires cities and counties to conduct outreach to ensure "early and continuous public participation" in developing and amending comprehensive plans and development regulations (RCW 36.70A.140). The GMA also requires that local programs clearly identify schedules and procedures for public participation in the periodic update process (RCW 36.70.A.130(2)(a)). The purpose of this Public Participation Plan (PPP) is to ensure compliance with the statute by identifying the scope of proposed activity and potential timeframes for participation and decision making.

Goals

1. Ensure broad participation by identifying key interest groups and soliciting input from the public.
2. Maintain effective communication and coordination.
3. Focus resources on issues most likely to be of interest to the public.
4. Distribute information and public notices early and efficiently.

Scope of Work

The Scope of Work is segregated into three phases:

Phase I: Review Comprehensive Plan and Development Code for compliance with state law; identify plan areas to be amended; scope the breadth of the update publicly.

Phase II: Address the issues identified in Phase I.

Phase III: Conduct public hearings and take legislative action.

Phase I

- Conduct a thorough review of GMA requirements and compilation of amendments since the 2007 update, using the GMA Periodic Update Checklist and other resources.
- Review the Comprehensive Plan and development regulations to determine whether revisions will be required to ensure consistency with GMA amendments.
- Re-asses the vision expressed in the Comprehensive Plan; has it changed?

- Analyze the Urban Growth Area (UGAs) to ensure it is sized to accommodate 20 years of population and employment growth, based on the adopted Office of Financial Management (OFM) range.
- Identify corrective actions, if necessary, such as, altering the size of the UGA or changing the allowed uses and densities or planning assumptions.
- Inventory and assess Capital Facilities necessary to implement the 20-year plan.
- Provide a status report to the public, the Planning Commission and the City Council.

Phase II

- Adopt an ordinance or resolution stating that the City has reviewed its Comprehensive Plan, consistent with RCW 36.70A.130, and finds that no amendments are necessary or some amendments are required.
- Propose updates and amendments to the Comprehensive Plan through public work sessions and hearings before the Planning Commission and City Council.
- Conduct SEPA review in conjunction with Clark County.

Phase III

- Planning Commission will conduct public hearings on the proposed Comprehensive Plan amendments and will forward a recommendation to the City Council.
- The City will provide notify the Department of Commerce with notice and text of the proposed amendments at least 60-days prior to final adoption.
- The City Council will conduct separate public hearings on the proposed amendments and will take legislative action.
- Forward adopted amendments to the Department of Commerce and Clark County.

Public Participation Program Structure

Techniques and Strategies

The public participation methods employed may include:

- Use innovative technologies whenever possible, such as, posting meeting notices online, interactive surveys, and links to informative programming.
- Provide public notices and information releases through print, posting, mail and email. Publicize through community channels such as schools, social clubs, and local websites as well. Post all hearing notices and materials on the City's website.
- Maintain an email distribution list and database to disseminate public information and notices of meetings.
- Identify and reach out to stakeholders, such as, the school district, neighborhood associations, business groups, and civic organizations.

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- Conduct public workshops, public meetings, and open houses at times convenient to the public and at locations that are accessible. Workshops and/or listening posts may involve presentations by staff and consultants, question and answer sessions or interactive activities.
- Use informal gatherings and planned community events to solicit public feedback on City planning efforts, such as, Hot Summer Nights, Planters Days, club meetings, and similar opportunities.
- Depending upon the scope of the update, consider the creation of technical advisory groups composed of persons with specific technical expertise to assist the staff, consultants, and Planning Commission.

Preliminary Schedule

- Phase I: March 2014 – Fall 2014

  Establish preliminary scope of work and public participation plan and adopt same; select population and employment targets; assess regional growth trends; inventory and assess capital facilities; inventory vacant and buildable lands; assess existing Comprehensive Plan and Development Code for compliance with GMA; Council to adopt resolution stating GMA review has occurred.

- Phase II: January 2015 – December 2015

  Accelerate public outreach on plan vision and policies; evaluate UGA and planning assumptions; initiate revisions to plan policies and make recommendations for changes to the development regulations, if necessary; develop revised plan that incorporates community vision, planning assumptions, and plan policies; communicate and coordinate with County and State agencies regarding SEPA and proposed plan amendments.

- Phase III: January 2016 – February 2016

  Conduct public hearings before the Planning Commission; send notice to Commerce of proposed amendments 60 days prior to adoption; City Council to conduct public hearings and take legislative action; notify Commerce of final action.

Prepared by:
E^2 Land Use Planning Services, LLC
e.eisemann@e2landuse.com

DRAFT

Print Form

Required Fields

LAND USE APPLICATION

PLANNING DEPARTMENT
230 Davidson Avenue. Woodland, WA 98674
Office 360-225-1048 Fax 360-225-7336

Acct: 001 000 000 345

OFFICIAL USE ONLY
LAND USE # 214-910
PERMIT TYPE AMDT
DATE 3/20/14
AMOUNT PAID $250.00
RECEIPT # 95225
RECEIVED BY JM

[ ] 81-00 Boundary Line Adjustment *($400+$75/lot)*
[ ] 81-00 Short Plat *($800+$75/lot)*
[ ] 81-00 Preliminary Plat *($3,500+$75/lot)*
[ ] 81-00 PURD *($3,000)*
[ ] 81-00 Binding Site Plan *($2,000+$150/acre)*
[ ] 81-00 Final Plat *($1,500+$75/lot)*
[X] 81-00 Plat Vacation *($250+cost)*
[ ] 81-00 Plat Extension *($300)*
[ ] 81-00 Administrative Conditional Use *($700)*
[ ] 81-00 Conditional Use *($2,500)*
[ ] 81-00 Administrative Temporary Use *($100)*
[ ] 81-00 Similar Use Determination *($500)*
[ ] 81-00 Minor Variance *($400[1])*
[ ] 81-00 Major Variance *($1,500[1])*
[ ] 81-00 Comp Plan/Text Amendment *($2,000[1])*
[ ] 81-00 Zoning Map/Text Amendment *($2,500[1])*
[ ] 81-00 Annexation (Notice of Intent) *($250)*
[ ] 81-00 Annexation (Petition) *($1,200/$1,500)*
[ ] 81-00 Appeal *($700 + HE cost)*
[ ] 83-00 Site Plan Review *($110/1,000 sq. ft.)*
[ ] 89-00 Shoreline Substantial Dev *($800 + HE[1])*
[ ] 89-00 Shoreline Cond. Use/Variance *($600)*
[ ] 89-00 Shoreline Exemption *($100)*
[ ] 89-00 SEPA *($650)*
[ ] 89-00 Critical Area Permit *($600[1])*
[ ] 89-00 Other _____
[ ] 89-00 Report or Data Preparation *(staff time plus cost recovery)* _____

[1] = **Cost Recovery if outside review is required.**

BRIEF PROJECT DESCRIPTION Lot consolidation for Lots 23 and 24 River Mist so that one home can be constructed on both lots.

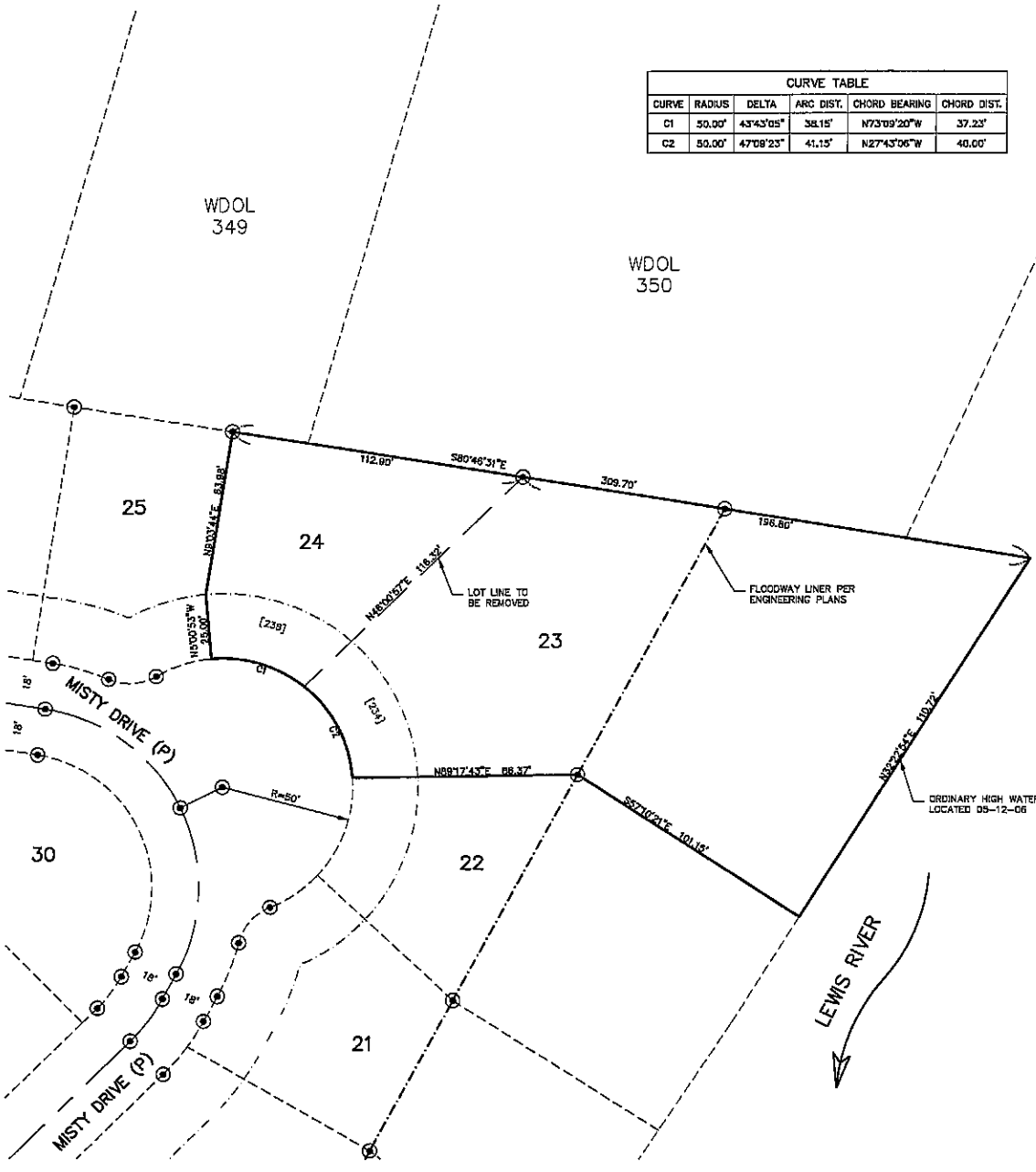
PAID
MAR 20 2014
CITY OF WOODLAND

Property Owner Name Rick and Cynthia Haddock		
Phone 360-696-4571	Mobile 360-607-2314	E-Mail Address haddockr@fbrrealty.com
Applicant Name Rick Haddock		
Mailing Address 6100 Hwy 99, Vancouver, Wa. 98665		
Phone 360-696-4571	Mobile 360-607-2314	E-Mail Address haddockr@fbrrealty.com
Contact Name & Address (If other than applicant)		
Phone	Mobile	E-Mail Address
Site Address		
Parcel Number 504214423 and 504214424		
Comprehensive Plan/Zoning Designation LDR-6		
Flood Zone Designation	FIRM Map Panel #	Map Date
Critical Area or Shoreline within 200' [ ] Yes [ ] No		

ROAD ACCESS
[ ] Private
[ ] County
[ ] State
[ ] City

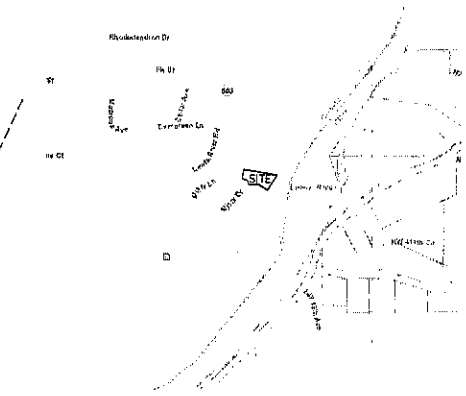
Property Owners Signature — Date 3-20-14

Applicant Signature — Date March 11, 2014



CURVE TABLE					
CURVE	RADIUS	DELTA	ARC DIST.	CHORD BEARING	CHORD DIST.
C1	50.00'	43°43'05"	38.15'	N73°09'20"W	37.23'
C2	50.00'	47°09'23"	41.15'	N27°43'06"W	40.00'

VICINITY MAP



SITE DATA:

LEGAL: LOTS 23 & 24 OF RIVER MIST SUBDIVISION
QUARTER SECTION: NE 1/4 OF SEC. 18, T5N R1E, W.M.
ZONING: LDR-6
COMPREHENSIVE PLAN DESIGNATION: LDR
PARCEL NUMBER: 504214423 & 504214424
SITE ADDRESS: 234 & 238 MISTY DRIVE
AREA: LOT 23=6975 S.F. LOT 24=26,235 S.F.

NOTES:
-THERE ARE NO EXISTING STRUCTURES ON SITE.
-TOPOGRAPHIC & BOUNDARY DATA PROVIDED BY MINISTER-GLAESER SURVEYING, INC.

DANIEL ADOLPH RENTON
STATE OF WASHINGTON
37535
REGISTERED
PROFESSIONAL LAND SURVEYOR

30 15 0 30 45 60
SCALE 1 INCH = 30 FEET

N

OWNER/APPLICANT/CONTACT:
RICK & CYNTHIA HADDOCK
6100 HWY 99
VANCOUVER, WA 98665
(360) 696-4571

MINISTER-GLAESER SURVEYING, INC.
2200 E. EVERGREEN BLVD.
VANCOUVER, WA 98661
(360) 694-3313

M S

PROJECT DESCRIPTION:

THE PROPERTY OWNER REQUESTS TO CONSOLIDATE LOTS 23 & 24 OF RIVER MIST SUBDIVISION IN TO ONE PARCEL

LOT CONSOLIDATION PLAN:

RIVER MIST LOTS 23 & 24

JOB #: 14-074
FILE: 14074SP1
DATE: 03/17/14
DRAWN BY: CSA
SHEET 1 OF 1

3309541 Vol 14 Pg 37

RIVER MIST

A SUBDIVISION IN A PORTION OF THE JOSEPH EATON D.L.C IN A PORTION OF THE NE 1/4 AND THE SE 1/4 OF SECTION 18 T. 5 N., R. 1 E., W.M. CITY OF WOODLAND COWLITZ COUNTY, WASHINGTON

JOB NO: 05-411 JULY 26, 2006

SHEET 3 OF 4

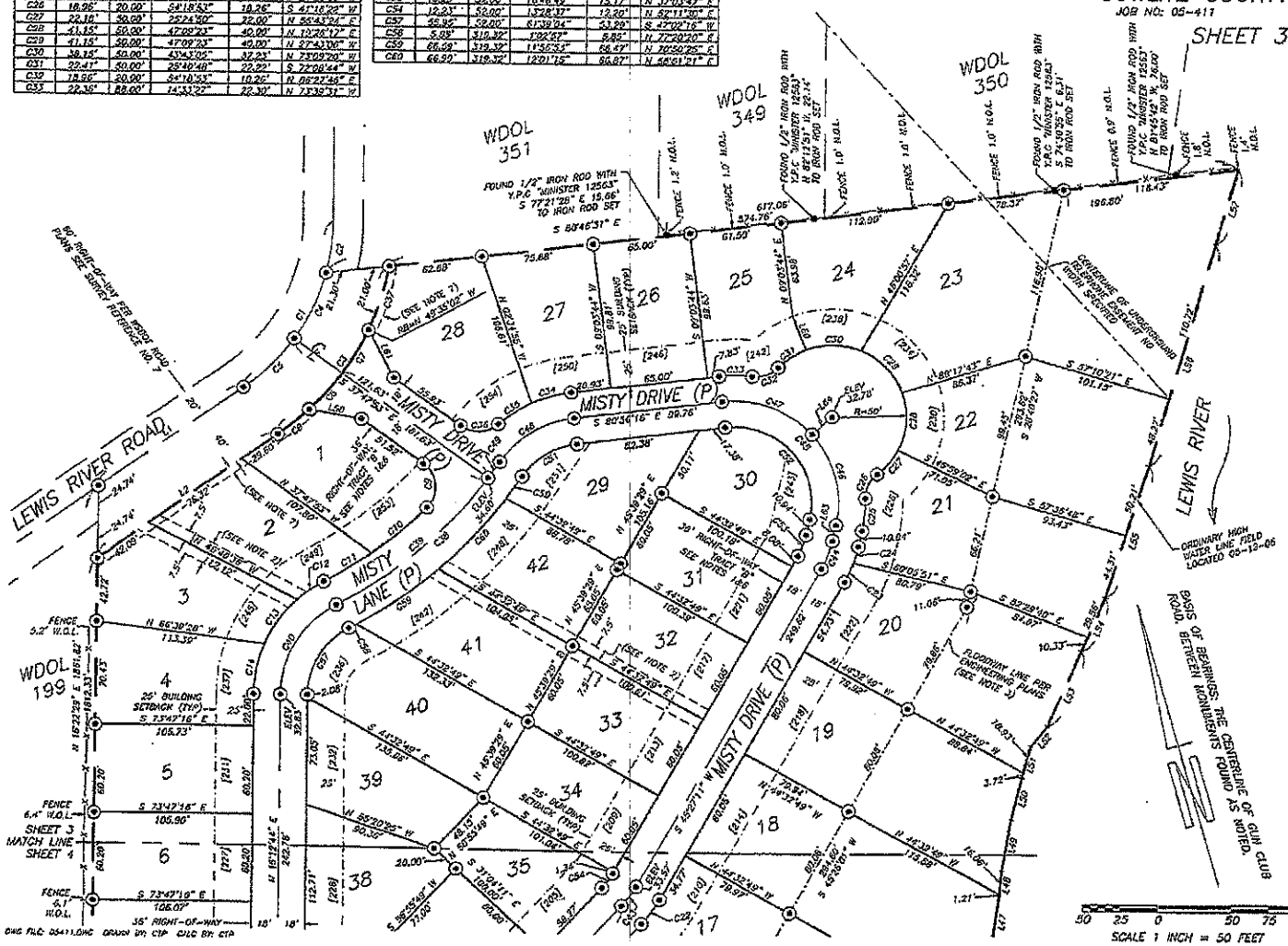
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	1.44.83'	143.24'	53°05'00"	139.81'	N 43°20'20" E
C2	35.03'	143.24'	14°24'42"	35.24'	N 23°34'53" E
C3	141.96'	183.24'	44°23'18"	138.43'	N 46°06'52" E
C4	50.42'	143.24'	20°09'52"	50.16'	N 40°52'16" E
C5	48.39'	143.24'	19°21'14"	48.16'	N 60°37'52" E
C6	53.81'	183.24'	16°34'14"	53.26'	N 56°30'45" E
C7	34.52'	183.24'	10°48'38"	34.52'	N 45°46'17" E
C8	22.23'	183.24'	6°30'40"	37.19'	N 66°03'09" E
C9	34.31'	20.00'	98°17'28"	30.25'	N 11°40'01" E
C10	48.66'	283.32'	9°50'27"	48.60'	N 63°24'09" E
C11	37.23'	283.32'	7°31'46"	37.21'	N 74°05'53" E
C12	21.71'	88.00'	14°07'52"	21.65'	S 70°47'50" W
C13	37.20'	88.00'	24°12'41"	37.41'	S 51°27'31" W
C14	35.29'	88.00'	22°53'28"	35.05'	S 27°41'52" W
C22	20.70'	88.00'	13°28'33"	20.65'	N 52°11'30" E
C23	14.15'	88.00'	9°11'20"	14.11'	N 40°51'16" E
C24	11.66'	88.00'	7°34'56"	11.66'	N 32°27'52" E
C25	22.36'	88.00'	14°33'22"	22.30'	N 21°33'18" E
C26	18.96'	20.00'	54°18'53"	18.26'	S 41°16'22" W
C27	22.18'	50.00'	25°24'30"	22.00'	N 55°43'24" E
C28	41.15'	50.00'	47°08'23"	40.00'	N 10°26'12" E
C29	41.15'	50.00'	47°08'23"	40.00'	N 37°42'06" W
C30	38.15'	50.00'	43°43'05"	37.23'	N 73°09'20" W
C31	22.41'	50.00'	25°40'48"	22.22'	S 72°08'44" W
C32	18.66'	20.00'	54°18'53"	18.26'	N 86°27'46" E
C33	22.36'	88.00'	14°33'22"	22.30'	N 73°39'31" W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C34	27.01'	88.00'	18°10'00"	22.79'	S 69°08'40" W
C35	26.06'	88.00'	17°22'21"	26.26'	S 77°08'35" W
C36	27.61'	20.00'	79°47'53"	25.39'	S 77°11'39" E
C37	46.36'	183.24'	14°29'43"	46.23'	N 33°10'07" E
C38	148.29'	301.32'	28°17'34"	147.00'	N 63°43'01" E
C39	134.28'	301.32'	25°10'00"	133.08'	N 65°01'46" E
C40	72.32'	70.00'	61°39'04"	71.74'	S 47°02'16" W
C43	16.47'	70.00'	13°28'37"	16.43'	N 59°11'30" E
C44	20.50'	70.00'	16°46'46"	20.43'	N 57°03'47" E
C45	133.81'	70.00'	109°16'38"	114.41'	N 26°07'59" W
C46	66.66'	70.00'	54°48'15"	64.43'	N 01°16'13" E
C47	68.06'	70.00'	57°48'18"	65.43'	N 53°12'06" W
C48	60.47'	70.00'	49°52'30"	58.60'	S 24°18'59" W
C49	13.81'	301.32'	2°37'33"	13.81'	N 52°53'01" E
C50	18.95'	319.32'	3°16'29"	18.23'	N 67°12'29" E
C51	44.92'	52.00'	49°29'30"	43.53'	S 24°18'59" W
C52	98.40'	52.00'	109°38'39"	84.90'	N 26°07'57" W
C53	15.93'	52.00'	16°46'49"	15.17'	N 37°03'47" E
C54	12.31'	52.00'	13°28'37"	12.30'	N 52°11'30" E
C57	35.95'	52.00'	61°39'04"	33.29'	S 47°02'16" W
C58	5.83'	319.32'	1°02'57"	5.83'	N 77°20'20" E
C59	66.59'	319.32'	11°56'55"	66.47'	N 70°50'25" E
C60	66.50'	319.32'	12°01'16"	66.37'	N 58°21'21" E

LEGEND:

- ● INDICATES MONUMENT FOUND AS NOTED
- ⊙ INDICATES 1/2" x 24" IRON ROD WITH (D.DENNY 35477) CAP SET
- ○ INDICATES CALCULATED POSITION, NOT SET
- Y.P.C. INDICATES YELLOW PLASTIC CAP
- RB INDICATES RADIAL BEARING
- [ ] INDICATES ADDRESS

ROCK NAIL WITH BRASS WASHER INSCRIBED NO. 35477 SET AT THE EXTENSION OF LOT LINE IN THE CURB FOR THE PURPOSE OF LINE NOT DISTANCE



LINE TABLE		
LINE	LENGTH	BEARING
L1	118.87'	N 70°18'28" E
L2	148.01'	N 70°18'22" E
L47	31.12'	N 24°06'59" E
L48	12.22'	N 21°37'00" E
L49	35.74'	N 25°59'04" E
L50	28.12'	N 29°55'28" E
L51	23.62'	N 31°25'31" E
L52	17.60'	N 55°15'59" E
L53	28.42'	N 39°18'45" E
L54	39.00'	N 39°32'50" E
L55	24.92'	N 33°50'12" E
L56	158.99'	N 37°22'51" E
L57	53.10'	N 32°34'42" E
L58	35.53'	N 63°57'14" W
L59	25.00'	N 05°00'53" W
L61	26.89'	N 11°38'03" W
L63	10.94'	S 28°40'25" W
L64	10.00'	S 63°52'04" W

DAVID ALLAN DENNY STATE OF WASHINGTON 35477 REGISTERED PROFESSIONAL LAND SURVEYOR EXPIRES: 8-15-2007

7-25-06

PREPARED BY:
MINISTER AND GLAESER SURVEYING, INC.
2200 E. EVERGREEN BLVD.
VANCOUVER, WA. 98661
(360) 694-3313

DWG FILE: 05411.DWG DRAWN BY: CTP CALC BY: CTP

Title 12 STREETS AND SIDEWALKS

Chapters:

Chapter 12.02 - ROAD, BRIDGE AND MUNICIPAL CONSTRUCTION SPECIFICATIONS AND PLANS

Chapter 12.04 - STREET EXCAVATIONS*

Chapter 12.06 - INSTALLATION OF SIDEWALKS

Chapter 12.08 - CURB AND SIDEWALK MAINTENANCE*

~~Chapter 12.10 - IMPROVEMENT STANDARDS~~(Repealed)

Chapter 12.14 - STREET CONSTRUCTION

~~Chapter 12.16 - DRIVEWAY CONSTRUCTION~~(Repealed)

Chapter 12.20 - PROHIBITED DISCHARGES ONTO STREETS AND INTO DRAINS

Chapter 12.24 - POLICIES AND PROCEDURES RELATING TO CONTRACTS FOR CONSTRUCTION OF PUBLIC FACILITIES

Chapter 12.28 - WOODLAND STREET TREES

Chapter 12.02 ROAD, BRIDGE AND MUNICIPAL CONSTRUCTION SPECIFICATIONS AND PLANS

Sections:

12.02.010 Adoption.

12.02.020 City of Woodland Public Works Engineering Standards for Construction (new)

12.02.010 Adoption.

The ~~1991~~ 2014 Standard Specifications and Standard Plans for Road, Bridge, and Municipal Construction, as published by the Washington State Department of Transportation and the American Public Works Association, as currently printed or hereafter amended, is adopted by reference.

(Ord. 732 § 2, 1992)

12.02.020 City of Woodland Public Works Engineering Standards for Construction (new)

All construction within City Right-of-Way will meet the requirements of the current version of the City of Woodland Public Works Engineering Standards for Construction.

Chapter 12.04 STREET EXCAVATIONS*

Sections:

12.04.010 Definitions.

12.04.020 Permit required.

12.04.030 Permit exemptions.

12.04.040 Permit application.

12.04.050 Permit fee.

12.04.060 Disruption fee.

12.04.070 Security required.

12.04.080 Insurance required.

12.04.090 Routing of traffic.

12.04.100 Clearance for fire equipment.

12.04.110 Traffic-control devices.

12.04.120 Utility removal and protection.

12.04.130 Attractive nuisance—Unlawful to leave unguarded.

12.04.140 Property lines and easements.

~~12.04.150 Cleanup.~~ (Repealed)

~~12.04.160 Backfilling.~~(Repealed)

~~12.04.170 Restoration of surface by permittee.~~

12.04.180 City completion and restoration.

~~12.04.190 Open trench length.~~

12.04.200 Diligence in completion of work.

12.04.210 Power of public works director to order emergency work.

12.04.220 Emergency action.

12.04.230 Minimization of noise, dust and debris.

12.04.240 Preservation of monuments.

12.04.250 Inspections.

12.04.260 Maintenance of drawings, plans and profiles.

12.04.270 Liability of city.

12.04.280 Violation—Penalty.

12.04.010 Definitions.

For the purposes of this chapter, the following terms, phrases, words, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the

singular number include the plural number. The word "shall" is always mandatory and not merely directory:

"Applicant" means any person making written application to the public works department for an excavation permit hereunder.

"City" means the city of Woodland.

"City council" or "council" means the city council of the city of Woodland.

"Permittee" means any person who has been granted and has in full force and effect an excavation permit issued under this chapter.

"Person" means any person, firm, partnership, association, corporation, company or organization of any kind.

"Public works director" means the public works director or his designee.

"Right-of-way" means the area of land dedicated for current or future public use.

"Street" means any street, highway, sidewalk, alley, avenue, easement, or other public way or public grounds in the city.

(Ord. 856 § 1 (part), 1997)

12.04.020 Permit required.

Whenever any person, firm or corporation, intends to construct, excavate or install any facility in the city right-of-way, including the extension of city utilities, they shall first obtain a right-of-way access/utility permit. Failure to obtain such a permit as a condition precedent to undertaking such work shall constitute a misdemeanor under Chapter 1.12. Typical facilities covered by this chapter are signposts, utility poles, culverts, underground utilities, curbs, sidewalks, driveways, bus shelters, fences, street lights or any manner of obstruction and/or construction which occupies the right-of-way.

(Ord. 856 § 1 (part), 1997)

12.04.030 Permit exemptions.

A right-of-way access/utility permit shall not be required under the following conditions:

A. When city employees, or contractors engaged by the city, perform work on behalf of the city within the right-of-way;

B. When a public utility, under franchise agreement with the city, performs normal maintenance as defined in the franchise agreement in order to protect the existing utility system;

C. When natural disasters or other emergencies make it impossible to obtain a permit prior to commencing work. In such event, the director of public works shall be notified as soon as possible.

(Ord. 856 § 1 (part), 1997)

12.04.040 Permit application.

The permit application shall be accompanied by detailed plans and specifications covering the construction in accordance with the requirements of the public works department. The permit shall require the approval of the public works director and if the traveled way will be obstructed, the police department and fire department shall be notified.

(Ord. 856 § 1 (part), 1997)

12.04.050 Permit fee.

A permit fee in an amount established by resolution of the city council shall accompany the right-of-way access/utility permit application. In addition, plan check and inspection fees will be levied as required by resolution of the city council.

(Ord. 856 § 1 (part), 1997)

12.04.060 Disruption fee.

When an underground utility installation is made within five years after improvement of a street to city standards, a disruption fee in addition to the fees prescribed in Section 12.04.050 shall apply. The fee shall be paid at the time the permit fee is due. This additional disruption fee shall be five times the estimated cost of restoration as determined by the public works director if the installation is made during the first year after the street improvement is completed, four times during the second year, three times during the third year, two times during the fourth year, and equal to the estimated construction cost during the fifth year; provided, however, the public works department shall notify all persons utilizing any portion of the city right-of-way under a franchise and such other special districts and municipal corporations as may be subjected to the disruption fee as soon as practicable following the final decision of the city to so improve a street. Where no permit fee is required, the disruption fee shall be paid at the time the work is undertaken.

(Ord. 856 § 1 (part), 1997)

12.04.070 Security required.

Prior to commencement of the work under a permit granted pursuant to this chapter, the City may require the permittee or the contractor for the permittee ~~shall~~ to post with the city a bond with a surety qualified to do bonding business in this state, a cash deposit or an assigned savings account or other security acceptable to the city in an amount equal to one hundred fifty percent of the cost of the work as estimated by the public works director. Such bond, deposit or other security shall be conditioned upon the permittee or its contractor performing the work pursuant to the terms of this chapter, including the restoration and/or replacement of the street, sidewalk, or other right-of-way within the time specified by the public works director, and a maintenance bond guaranteeing such work and replacement at ten percent of the estimated cost of surface restoration for a period of two years after the completed job is accepted by the city. For those public utilities which hold a franchise agreement, a maintenance bond is not required.

(Ord. 856 § 1 (part), 1997)

12.04.080 Insurance required.

Prior to commencing work pursuant to the permit granted under this chapter, the permittee or his/her contractor shall obtain and maintain during the period of construction, public liability insurance for bodily injury and property damage, to public or private persons or property, which insurance shall name the city as an additional insured, and provide coverage for all claims or damages for bodily injury, including wrongful death, and property damage, in an amount not less than a single limit of one million dollars per occurrence. Proof of such coverage shall be provided to the city as a condition to the issuance of the permit.

(Ord. 856 § 1 (part), 1997)

12.04.090 Routing of traffic.

The permittee shall take appropriate measures to assure that during the performance of the work traffic conditions as nearly normal as practicable shall be maintained at all times, so as to cause as little inconvenience as possible to the occupants of the abutting property and to the general public; provided, that the public works director may permit the closing of streets to all traffic for a period of time prescribed by him/her, if in his/her opinion it is necessary. The permittee shall route and control traffic including its own vehicles in a manner approved by the public works director. The following steps shall be taken before any highway may be closed or restricted to traffic:

A. The permittee must receive the approval of the public works director and the police department therefor.

B. The permittee must notify the chief of the fire department of any street so closed.

C. Upon completion of construction work, the permittee shall notify the public works director and city police department before traffic is moved back to its normal flow so that any necessary adjustments may be made.

D. Where flagmen are deemed necessary by the city, a traffic control plan shall be prepared and approved by the public works director and such plan and flagmen shall be furnished by the permittee at its own expense. Through traffic shall be maintained without the aid of detours, if possible. In instances in which this would not be feasible, the public works director will designate detours. The city shall maintain roadway surfaces of existing highways designated as detours without expense to the permittee, but in case there are no existing highways, the permittee shall construct all detours at its expense and in conformity with the specifications of the public works director. The permittee will be responsible for any damage caused to any highways by the operation of its equipment.

E. If traffic control is necessary on state controlled portions of State Route 503, Pacific Avenue, or Atlantic Avenue the permittee shall get a traffic control permit from the Washington State Department of Transportation prior to construction.

(Ord. 856 § 1 (part), 1997)

12.04.100 Clearance for fire equipment.

The work shall be performed and conducted so as not to interfere with access to fire facilities and fire hydrants. Materials or obstructions shall not be placed within fifteen feet of fire hydrants. Passageways leading to fire escapes or firefighting equipment shall be kept free of piles of material or other obstructions.

(Ord. 856 § 1 (part), 1997)

12.04.110 Traffic-control devices.

The permittee shall erect and maintain suitable traffic-control devices in conformance with the current standards contained in the "Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD)."

(Ord. 856 § 1 (part), 1997)

12.04.120 Utility removal and protection.

The permittee shall not interfere with any existing utility without the written consent of the public works director and the utility company or person owning the utility. If it becomes necessary to remove an existing utility, this shall be done by its owner. No utility owned by the city shall be moved to

accommodate the permittee unless the cost of such work is borne by the permittee. The cost of moving privately owned utilities shall be similarly borne by the permittee unless it makes other arrangements with the person owning the utility. The permittee shall support and protect by timbers or otherwise all pipes, conduits, poles, wires, or other apparatus which may be in any way affected by the work, and do everything necessary to support, sustain and protect them under, over, along or across the work. In case any of the pipes, conduits, poles, wires or apparatus should be damaged, they shall be repaired by the agency or person owning them; and the expense of such repairs shall be charged to the permittee, and his/her or its bond shall be liable therefor. The permittee shall be responsible for any damage done to any public or private property by reason of the breaking of any water pipes, sewer, gas pipe, electric conduit or other utility, and its bond shall be liable therefor. The permittee shall inform itself as to the existence and location of all underground utilities and protect the same against damage.

(Ord. 856 § 1 (part), 1997)

12.04.130 Attractive nuisance—Unlawful to leave unguarded.

It is unlawful for the permittee to permit to remain unguarded at the place of work or opening any machinery, equipment, or other device having the characteristics of an attractive nuisance likely to attract children and be hazardous to their safety or health.

(Ord. 856 § 1 (part), 1997)

12.04.140 Property lines and easements.

Property lines and limits of easements shall be indicated on the plan accompanying the application for the right-of-way access/utility permit, and it shall be the permittee's responsibility to confine the work within these limits.

(Ord. 856 § 1 (part), 1997)

~~12.04.150 Cleanup.~~

~~As the work progresses, all streets and private properties shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. All cleanup operations at the location of such work shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the public works director. From time to time, as may be ordered by the public works director and in any event immediately after completion of the work, the permittee shall at his/her or its own expense clean up and remove all refuse and unused materials of any kind resulting from the work; and upon failure to do so within twenty-four hours after having been notified to do so by the public works director, the work may be done by the city and the cost thereof charged to the permittee; and the permittee shall also be liable for the cost thereof under the surety bond provided hereunder.~~

(Ord. 856 § 1 (part), 1997)

~~12.04.160 Backfilling.~~

~~Backfilling in any street opened or excavated pursuant to a right-of-way access/utility permit issued hereunder shall be according to WSDOT/APWA and the City of Woodland Public Works Department Engineering Standards for Constructioncity's development standards. When water is taken from a fire hydrant, the permittee shall first make arrangements with the city for a hydrant meter and shall assign one person to operate the hydrant and shall make certain that the person has been instructed by the city public works department in the operation of the hydrant. The department shall likewise be notified at both the beginning and end of the job so that the condition of the fire hydrants can be checked on both occasions. Any damage done to the hydrant or hydrant meter during the work shall be the responsibility of the permittee. Water shall be paid for by the permittee in the amount established by council resolution.~~

~~(Ord. 856 § 1 (part), 1997)~~

~~12.04.170 Restoration of surface by permittee.~~

~~A. The permittee shall restore the surface of all streets broken into or damaged as a result of the work to their original condition in accordance with city standards and WSDOT/APWA specifications.~~

~~B. Acceptance or approval of any work by the public works director shall not prevent the city from asserting a claim against the permittee and his/her or its security deposit required hereunder for incomplete or defective work, if discovered within twenty-four months from the completion of the work. The presence of a staff member of the public works department during the performance of any work shall not relieve the permittee of its responsibilities under this chapter.~~

~~(Ord. 856 § 1 (part), 1997)~~

12.04.180 City completion and restoration.

If the permittee shall have failed to restore the surface of the street to its original and proper condition upon the expiration of the fixed time by such permit, or shall otherwise have failed to complete the work covered by such permit, the public works director, if he/she deems it advisable, shall have the right to do all work and things necessary to restore the street and to complete the work. The permittee shall be liable for the actual cost thereof and twenty-five percent of such cost in addition for general overhead and administrative expenses. The city shall have a cause of action for all fees, expenses and amounts paid out and due it for such work and shall apply, in payment of the amount due it, any funds of the permittee deposited as provided in this chapter; and the city shall also enforce its rights under the permittee's security deposit provided pursuant to this chapter. It shall be the duty of the permittee to guarantee and maintain the site of the work in the same condition it was prior to the work for two years after restoring it to its original condition.

(Ord. 856 § 1 (part), 1997)

~~12.04.190 Open trench length.~~

~~Except by special permission from the public works director, no trench shall be excavated more than one hundred feet in advance of pipelaying nor left unfilled more than two hundred feet where pipe has been laid. No trench shall be left unfilled overnight unless authorization to do so has been given by the public works director. Any trench so left shall be protected in a manner which will not endanger the safety of passing motorists or pedestrians. The length of the trench that may be opened at any one time shall not be greater than the length of pipe and the necessary accessories which are available at the site ready to be put in place.~~

~~(Ord. 856 § 1 (part), 1997)~~

12.04.200 Diligence in completion of work.

The permittee shall prosecute with diligence and expedition all work covered by the right-of-way access/utility permit, and shall promptly complete such work and restore the street to its original condition, or as near as may be, as soon as practicable and in any event not later than the date specified in the permit therefor. Failure to comply with these requirements shall authorize the city to take action against permittee's surety bond or the security and/or prosecute permittee for violation of this chapter as set forth in Section 12.04.280.

(Ord. 856 § 1 (part), 1997)

12.04.210 Power of public works director to order emergency work.

If, in his/her judgment, traffic conditions, the safety or convenience of the traveling public or the public interest require that the work be performed as emergency work, the public works director shall have full power to order, at the time the permit is granted, that a crew and adequate facilities be employed by the permittee twenty-four hours a day to the end that such work may be completed as soon as possible.

(Ord. 856 § 1 (part), 1997)

12.04.220 Emergency action.

In the event of any emergency in which a sewer, main, conduit or utility in or under any right-of-way breaks, bursts, or otherwise is in such condition as to immediately endanger the property, life, health or safety of any individual, the person owning or controlling such sewer, main, conduit or utility, without first applying for and obtaining any right-of-way access permit hereunder, shall immediately take proper emergency measures to cure or remedy the dangerous conditions for the protection of property, life, health and safety of individuals. However, such person owning or controlling such facility shall apply for a right-of-way access permit not later than the end of the next succeeding day during which the public works director's office is open for business, and shall not proceed with permanent repairs without first obtaining a permit hereunder.

(Ord. 856 § 1 (part), 1997)

12.04.230 Minimization of noise, dust and debris.

Each permittee shall conduct and carry out the work in such manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. The permittee shall take appropriate measures to reduce to the fullest extent practicable in the performance of the work, noise, dust and unsightly debris; and during the hours of eight p.m. through seven a.m. Monday through Friday and eight p.m. through nine a.m. on Saturday shall not use, except with the express written permission of the public works director or in case of an emergency as otherwise provided in this chapter, any tool, appliance or equipment producing noise of sufficient volume to disturb the sleep or repose of occupants of the neighboring property. No work shall be permitted on Sundays except in the case of an emergency.

(Ord. 856 § 1 (part), 1997)

12.04.240 Preservation of monuments.

The permittee shall not disturb any surface monuments or hubs found on the line of excavation work until ordered to do so by the public works director.

(Ord. 856 § 1 (part), 1997)

12.04.250 Inspections.

The primary responsibility for on-site inspections to guarantee that all necessary requirements have or will be met is that of the permittee. The public works department shall make such inspections as are necessary to enforce this chapter.

(Ord. 856 § 1 (part), 1997)

12.04.260 Maintenance of drawings, plans and profiles.

Users of subsurface street space shall maintain accurate drawings, plans and profiles showing the location and character of all underground structures including abandoned installations.

(Ord. 856 § 1 (part), 1997)

12.04.270 Liability of city.

This chapter shall not be construed as imposing upon the city or any official or employee thereof any liability or responsibility for damages to any person injured by the performance of any work for which a right-of-way access permit is issued hereunder; nor shall the city or any official or employee thereof be deemed to have assumed any such liability or responsibility by reason of inspections authorized hereunder, the issuance of any permit, or the approval of any work.

(Ord. 856 § 1 (part), 1997)

12.04.280 Violation—Penalty.

Anyone who violates or fails to comply with any provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished in accordance with the provisions of Chapter 1.12.

(Ord. 856 § 1 (part), 1997)

Chapter 12.06 INSTALLATION OF SIDEWALKS

Sections:

12.06.010 Required.

12.06.020 Placement.

12.06.030 Replacement of existing sidewalks.

12.06.040 Construction standards.

~~12.06.050 Exceptions.~~(Repealed)

12.06.060 Appeals.

12.06.010 Required.

The public works director is authorized and directed to require the installation of sidewalks with new construction.

(Ord. 856 § 2 (part), 1997: Res. 318 § 1, 1991)

12.06.020 Placement.

A. The sidewalks shall be constructed across the frontage of the property being developed between property lines of abutting properties.

B. If the property being developed is a corner lot, sidewalks shall be constructed on the sides abutting city streets or other public access.

(Ord. 856 § 2 (part), 1997: Res. 318 §§ 2, 3, 1991)

12.06.030 Replacement of existing sidewalks.

If the property being developed currently has sidewalks and, in the opinion of the public works director, the sidewalks are in such disrepair so as to render them a public safety hazard, the public works director is authorized and directed to require the construction of new sidewalks.

(Ord. 856 § 2 (part), 1997: Res. 318 § 4, 1991)

12.06.040 Construction standards.

Sidewalks constructed pursuant to this chapter shall be constructed to the latest version of the City of Woodland Public Works Engineering Standards for Construction. ~~standards required by the public works director~~.

(Ord. 856 § 2 (part), 1997: Res. 318 § 5, 1991).

~~12.06.050 Exceptions.~~

~~New development on State Route #503 may be considered an exception to the requirements listed in this chapter unless required as a condition of subdivision approval or requirements of the Washington State Department of Transportation.~~

(Ord. 856 § 2 (part), 1997: Res. 318 § 6, 1991)

12.06.060 Appeals.

Any party may appeal the requirements of the public works director by submitting a letter stating the basis for the appeal to the city council. Provided however, the jurisdictional authority of the city council shall be to determine whether such requirements are consistent with city regulations and policy.

(Ord. 856 § 2 (part), 1997: Res. 318, § 7, 1991)

Chapter 12.08 CURB AND SIDEWALK MAINTENANCE*

Sections:

12.08.010 Inspection.

12.08.020 Notice to repair.

12.08.030 Notice contents.

12.08.040 Notice service or posting.

12.08.050 Action by city.

12.08.060 Assessment becomes lien.

12.08.070 Abutting owner's liability.

12.08.010 Inspection.

The public works director shall from time to time inspect the sidewalks and curbs within the city limits to determine whether programs for repair and/or replacement should be initiated.

(Ord. 856 § 3 (part), 1997)

12.08.020 Notice to repair.

Upon having made an inspection as provided in Section 12.08.010 and upon being satisfied by such inspection that any sidewalk or curb is in fact defective, dangerous or obstructed, the public works director shall notify the owner of the abutting property to repair, reconstruct, replace, clean or remove such condition or obstruction. In the event the owner fails to respond and/or initiate the work, the city shall invoke the procedures set forth in RCW 35.69 to cause the work to be completed. Provided however, pursuant to RCW 35.69, as amended in 2009~~1996~~, in the event the cost of the improvements exceed fifty percent of the assessed value of the abutting property, the cost imposed may only be the fifty percent amount. Provided further, such cost may not be assessed if the damage was caused by the city or through the city's failure to enforce ordinances.

(Ord. 856 § 3 (part), 1997)

12.08.030 Notice contents.

The notice provided in Section 12.08.020 shall be in writing and shall specify the precise location, and state the legal description of the abutting property so concerned and the owner's name, and shall state the nature of the deficiency to be repaired or removed and the time granted for such removal or repair, and that if such deficiency is not repaired or removed by the time specified in such notice, the city will by contract or with its employees proceed to make such improvement, repair or removal and assess the cost of so doing and all legal and professional charges incidental thereto against the property. Such notice shall further state that if the work is not done by the property owner, the public works director shall present to the city council, after the completion of the work, an assessment roll showing by legal description the lot or parcel abutting said work, the cost and expense of said work, and the name of the owner. The council will proceed to hear any and all protests against the assessment and confirm, alter, revise or set aside such roll as may in their judgment be just, and any assessment so made shall be and become a lien upon said property and shall be collected by due process of law.

(Ord. 856 § 3 (part), 1997)

12.08.040 Notice service or posting.

The notice provided for in Section 12.08.030 shall be served by the chief of police upon the owner of the property personally, if he or she can be found or if not then upon the agent for the owner if any is found in the city. If the owner is absent and has not attached to the property a legible notice stating his name and address or that of his agent, then the person or persons found to be physically and actually in charge of and upon the property shall be deemed to be the agent of the owner, and if no personal service is possible within the city or the premises is closed, then good and sufficient notice shall be had by firmly posting and attaching to the property a copy of the notice in a prominent place and sending a copy by mail to the last mailing address of owner known to the county treasurer.

(Ord. 856 § 3 (part), 1997)

12.08.050 Action by city.

In the event the improvement specified in the notice is not carried out, it shall be the duty of the public works director to carry out the improvement with city employees and equipment or by hiring extra help and rented equipment by contract in the manner that may in his opinion be most expedient and economical, and he shall keep careful accounting of all costs, including the wages and salaries of all city employees, and a just rental for all city equipment and all legal and advertising costs, and shall prepare and present to the council an assessment roll all in accordance with the notice as hereinabove prescribed.

(Ord. 856 § 3 (part), 1997)

12.08.060 Assessment becomes lien.

When the council has heard all protests, considered and revised, altered or found true and confirmed such assessment by ordinance, it shall become a lien on the property described and shall be collected by due process of law.

(Ord. 856 § 3 (part), 1997)

12.08.070 Abutting owner's liability.

Any abutting property owner who fails, refuses, neglects or omits to maintain, clean and keep up abutting sidewalks and curbs in good repair, and in the condition safe for the use thereof by the public shall be liable to the public or any member thereof for any and all damages to persons or property resulting therefrom.

(Ord. 856 § 3 (part), 1997)

~~Chapter 12.10 IMPROVEMENT STANDARDS~~ (Repealed)

~~Sections:~~

~~12.10.010 Definitions.~~

~~12.10.020 Minimum widths for street right-of-way improvements.~~

~~12.10.010 Definitions.~~

~~For the purposes of this chapter, the terms set forth below shall mean the following:~~

~~"Collectors" provide for movement within a community, including connecting neighborhoods with smaller community centers. Collectors also provide connections to secondary and major arterials. Property access is generally a high priority for collectors, with a lower priority for through traffic movements. Collectors also provide access to commercial and industrial developments. Spacing of collectors is generally one mile or less.~~

~~"Local/access streets" primarily provide access to abutting properties. Local streets include a variety of designs and spacing depending on access needs.~~

~~"Major arterials" means inter-community roadways connecting community centers or major facilities. Major arterials are generally intended to serve predominately "through" traffic with minimum direct service to abutting land uses. Spacing between parallel major arterials is generally two miles or greater.~~

~~"Minor arterials" provide for intra-community travel for areas bounded by the major arterial system. Secondary arterials serve trips of moderate length and provide more direct access to abutting properties than major arterials. Spacing of secondary arterials is typically less than two miles.~~

~~"Street" means a public way that provides vehicular circulation or primary access to abutting properties, inclusive of arterials, collector streets and local streets, and exclusive of alleys. Physically a "street" is the improved and maintained portion of a right-of-way that is designated for vehicular use.~~

~~(Ord. 854 § 1, 1997: Ord. 676 § 3 (part), 1989)~~

~~12.10.020 Minimum widths for street right-of-way improvements.~~

~~The minimum width standards for street right-of-way improvements are as set out in the following table. Provided however, where an existing street has been constructed to a wider width than required in these standards, any extensions of that street shall be constructed to the wider standard unless otherwise approved by the development review committee.~~

~~Minimum Width Standards for~~

~~Street Right-of-Way Improvements~~

~~Street Class[1]~~	~~Right-of-way[2]~~	~~Curb-to-curb Pavement[3]~~	~~Utility Planting Strip~~	~~Sidewalk Two Sides~~
~~Major Arterial~~	~~80'~~	~~50'[4]~~	~~9'~~	~~5'~~
~~Minor Arterial~~	~~70'~~	~~44'~~	~~8'~~	~~5'~~

~~Commercial:~~				
~~Collector[5]~~	~~60′~~	~~36′~~	~~6′6″~~	~~5′~~
~~Industrial:~~				
~~Collector[5]~~	~~60′[3]~~	~~36′~~	~~6′6″~~	~~5′~~
~~Residential:~~				
~~200 or less trips per day~~	~~50′~~	~~32′~~	~~3′6″~~	~~5′~~
~~More than 200 trips per day~~	~~56′~~	~~36′~~	~~4′6″[6]~~	~~5′~~
~~Collector~~	~~60′~~	~~40′~~	~~4′6″[6]~~	~~5′~~
~~Alleys~~	~~20′~~	~~20′~~	~~-~~	~~-~~

~~-~~

~~-~~

~~1. Authority to determine a street's class shall lie with the development review committee.~~

~~2. Additional right-of-way and pavement width may be required to allow parking and turn lanes. Additional right-of-way or easements may be required for cut and fill embankments.~~

~~3. Unless otherwise approved by the city's development review committee, the sidewalk shall be located immediately adjacent to the curb (See Figure 1B, included in Chapter 16.14). Unattached sidewalks and meandering all-weather walkways may be allowed if the variation is integral to the design of the subdivision or development and pedestrian needs are not compromised. A sidewalk or walkway on only one side may also be allowed if consistent with on and off-site parking locations and pedestrian movements as demonstrated in the development plan for the area. A determination that a sidewalk need be constructed on one side of the street only reduces the right-of-way requirements for street width by five feet. In such instance, the centerline of the street may be off-set from the center of the fifty-five-foot right-of-way with prior approval of the public works director.~~

~~4. Allows for four lanes and two-foot median.~~

~~5. No on-street parking is allowed on industrial collector streets in industrial parks. On-street parking for commercial collector streets may be restricted.~~

~~6. Five feet, six inches are required for curb and sidewalk together if an integral curb and sidewalk is to be developed (See Figure 1, included in Chapter 16.14). In areas of steep terrain, sidewalks on one side may be allowed; however, utility strips not less than four feet, six inches in width shall be provided in the right-of-way on both sides of the street. A five-foot underground utility easement shall be granted by the developer across the front of lots to accommodate underground utilities, if necessary.~~

~~(Ord. 854 § 2, 1997: Ord. 687 § 2 (part), 1989: Ord. 676 § 3 (part), 1989)~~

Chapter 12.14 STREET CONSTRUCTION

Sections:

12.14.010 New streets and additions to meet all standards—Conveyance of facilities.

12.14.020 Construction cost reimbursement— Late-comer fee.

12.14.030 Late-comer fee program—Contract.

12.14.010 New streets and additions to meet all standards—Conveyance of facilities.

All new streets and additions to existing streets shall be constructed to meet all standards of the City of Woodland Public Works Engineering Standards for Construction~~public works supervisor and other city ordinances~~. When such facilities are constructed by the developer and are certified as acceptable by the Public Works Director~~public works supervisor to the city~~, the developer shall convey such facilities and easements to the city for consideration of the benefits of city service and regulations. The city will thereafter operate and maintain said facilities. Said conveyance of facilities shall occur no later than sixty days after inspection and acceptance of said facilities by the city.

(Ord. 712 § 1, 1990)

12.14.020 Construction cost reimbursement— Late-comer fee.

When a new street or an addition to an existing street is constructed and the cost is absorbed entirely by the developer, the developer may be reimbursed by the owners of other property benefiting from such construction for portions of the cost to the developer at such time as other property benefiting from the construction is developed.

A late-comer fee shall be a charge equal to a pro-rata cost of a street or street addition, constructed by a developer, as computed on a front-footage basis, or other equitable basis using actual costs of construction. The late-comer fee shall be paid to the original developer until the verified cost of the line has been re-paid or a period of ten years has lapsed, whichever shall first occur. Provided, the pro-rata charge to the original developer who constructed the street or street addition, shall be subtracted from the cost of the original construction when computing the late-comer fee due. The developer may be the city.

(Ord. 856 § 4, 1997: Ord. 712 § 2, 1990)

12.14.030 Late-comer fee program—Contract.

If a developer desires to participate in the late-comer fee program as described in Section 12.14.020, provision shall be recognized through a contract between the city and the developer. Such contract is obtained from the city.

(Ord. 712 § 3, 1990)

Chapter 12.16 DRIVEWAY CONSTRUCTION

Sections:

12.16.010 Definitions.

12.16.020 Permit required.

12.16.030 Maximum and minimum widths— Except industrial zoning districts.

12.16.035 Maximum and minimum width for driveways in industrial zoning districts.

12.16.040 Materials.

12.16.050 Curb cuts.

12.16.060 Use and action when abandoned.

12.16.070 Permit fees.

12.16.080 Liability insurance and bonds.

12.16.090 Penalty for violation.

12.16.100 Design standard illustrated—Alternate No. 1.

12.16.110 Design standard illustrated—Alternate No. 2.

12.16.010 Definitions.

"Engineer," as used in this chapter, means the public works director or his duly authorized representative.

"Inspector," as used in this chapter, means the city building inspector or his duly authorized representative.

"Person," as used in this chapter, means and includes an individual, firm, association, corporation or other organization except the city of Woodland or employees thereof and except the state of Washington or employees thereof, while acting in the course of their employment of the city or state.

"Private driveway," as used in this chapter, means any ingress or egress constructed in accordance with the city's standard specifications which provides access to only one lot or parcel and which joins with a private or public street and is intended for use by the occupant.

"Service driveway," as used in this chapter, means any ingress or egress constructed in accordance with the city's standard specifications which provides access to only one lot or parcel and which joins with a private or public street and is intended for use by the public for access to any place of business or public use.

(Ord. 854 § 3, 1997: Ord. 676 § 2, 1989; Ord. 401 §§ 1, 2, 1974)

12.16.020 Permit required.

A. It is unlawful to hereafter construct any service or private driveway in the city without first securing a permit therefor and paying the permit fee required in Section 12.16.070. Such driveways shall be in accordance with the drawings, codified at Section 12.16.100, which by this reference are incorporated herein.

B. The city building department shall issue a permit upon approval of the application therefor by the inspector.

~~(Ord. 401 § 3, 1974)~~

~~12.16.030 Maximum and minimum widths— Except industrial zoning districts.~~

~~A. If only one service driveway is desired, the maximum width approved shall be as follows:~~

~~Frontage~~	~~Width~~
~~30 to 50 feet~~	~~20 feet at the bottom of ramp~~
~~51 to 75 feet~~	~~25 feet at the bottom of ramp~~
~~76 feet or over~~	~~30 feet at the bottom of ramp~~

-

~~B. The minimum width for all service driveways shall be ten feet at the bottom of the ramp. If more than one service driveway is desired for frontage up to one hundred feet, the maximum width of each driveway shall be twenty feet, and not more than two such driveways will be permitted. The minimum width for property on which two service driveways are constructed shall be seventy-five feet. If service driveways less than twenty feet in width are desired, three fifteen-foot service driveways may be permitted; provided, however, that not less than twenty feet of straight curb must separate service driveways under one ownership.~~

~~C. If a private driveway is desired, the minimum width of the driveway for a fifty-foot lot shall be sixteen feet at the bottom of the ramp. For each additional twenty-five feet of property, two feet additional may be added to the width of the driveway to a maximum of twenty feet.~~

~~D. If two driveways are to be used for the purpose of a circular entrance and exit, the maximum width shall be sixteen feet at the bottom of the ramp.~~

~~E. Subject to the approval of the city engineer and the city building inspector and with the prior consent of the council, the provisions of this section may be varied where the topography of the property for which the permit is requested, as hereinafter provided, or the irregular shape of the lot or lot for which such permit is requested, makes such variance necessary. The city council may, in its discretion, grant or refuse to grant permits varying the provisions set forth in this section.~~

~~F. The above standards shall not apply to development within industrial zoning districts.~~

~~(Ord. 854 § 4, 1997: Ord. 446, 1977: Ord. 401 § 4, 1974)~~

~~12.16.035 Maximum and minimum width for driveways in industrial zoning districts.~~

~~The maximum and minimum widths for driveways in the light industrial and heavy industrial districts shall be determined by the public works director and based upon information in the proponent's SEPA checklist or impact statement. Appeals of the director's determination may be made to the city council.~~

~~(Ord. 854 § 5, 1997)~~

~~12.16.040 Materials.~~

~~A. All driveways and curbs shall be constructed of class 5.5 concrete. They shall conform to the sizes and standards of the attached drawing. Slope from gutter to back of sidewalk line shall not be more than three-fourths inch rise to one foot and from gutter to top of curb shall not be more than one and one-half inch rise per foot from the level.~~

~~B. If there are no existing sidewalks in the area where the driveway is to be constructed or if in the opinion of the inspector there are no sidewalks anticipated in the foreseeable future, a light bituminous or asphaltic concrete wearing surface over a suitable base may be constructed from the property line to the curb line. However, if the property owners construct sidewalks at some future date the light bituminous or asphaltic concrete surfaces must be removed and replaced with concrete as shown on the attached sketch.~~

~~(Ord. 401 § 5, 1974)~~

~~12.16.050 Curb cuts.~~

~~A. In the event it is necessary to cut the curb and street at the location of a driveway, the following requirements must be met:~~

~~1. The curb must be cut vertically and proper bond must be insured when pouring the new section of curb.~~

~~2. If an expansion joint occurs within four feet of the proposed cut, the curb shall be removed to the expansion joint.~~

~~3. The new curb shall be properly formed so that it will be poured monolithically with the new driveway. The foot of the driveway shall be formed so that the concrete will have a vertical face; therefor, insuring a proper bond with the surfacing of the roadway.~~

~~4. The portion of the roadway that is removed for the construction of the driveway must be replaced according to the requirements of the city specifications for street and roads. The replacement must have the approval of the inspector. Any variance shall have the approval of the engineer.~~

~~B. After completion of such work, a call for final inspection shall be made in order that the inspector can determine if all requirements have been met. No release of the performance bond, as required in Section 12.16.080, shall be made until a written release has been issued by the inspector.~~

~~(Ord. 401 § 6, 1974)~~

~~12.16.060 Use and action when abandoned.~~

~~A. It is unlawful to permit a truck or any other vehicle to stand or park in a service driveway between the property line and the curb line. No building shall be arranged for the loading or unloading of merchandise on or from the trucks or other vehicles from or into the building by having the truck or other vehicle stand or park wholly or partially in or on the service driveway. When a building is arranged with a drive-in space for the loading or unloading of trucks or similar vehicles used in transporting merchandise, the length of the drive-in space to the property line shall not be less than the greatest overall length of the truck, plus one foot, and in no case shall this distance be less than twenty feet.~~

~~B. When a driveway over an existing sidewalk is desired, the approval of the inspector shall be obtained. The sidewalk must be free from cracks and other imperfections that may tend to weaken it for vehicular loads. Any portion of the sidewalk that does not meet this requirement in the opinion of the inspector must be replaced according to the standards of the city.~~

~~C. When the use of a service or private driveway is abandoned, the owner of the abutting property shall construct a new curb and sidewalk section to conform to the standards of the city.~~

~~(Ord. 401 § 7, 1964)~~

~~12.16.070 Permit fees.~~

~~The permit fee for each driveway shall be as established by resolution of the city council.~~

~~(Ord. 796 § 6, 1996: Ord. 522 § 2, 1981: Ord. 401 § 8, 1974)~~

~~12.16.080 Liability insurance and bonds.~~

~~Prior to the issuance of any permit hereunder, the applicant shall furnish to the city public liability and property damage insurance in the amounts of five thousand dollars for any one person, ten thousand dollars for any one accident, and five thousand dollars for property damage, to protect the city from any damage, costs or liability for injury to any person (including death) and damage to any property resulting from or in any manner connected with the opening or disturbing of the surface of the street, curbs or sidewalks, and shall file with the inspector appropriate certificates of insurance showing such insurance to be in full force and effect and showing the city to be named insured under such policy or policies of insurance. The applicant shall also file with the chief building inspector, a good and sufficient performance bond executed by the applicant as principal, and a surety company authorized to do business in the state of Washington as surety, in the amount of one thousand dollars or in such higher amount as the city council may deem necessary to protect the city adequately, conditioned that the applicant will comply strictly with the terms of this chapter and with the conditions of his permit, and that he will restore to its original condition any street, alley, sidewalk, curb or other structure opened or disturbed in the prosecution of the work under the permit, and will maintain the same until a written release is given him by the inspector.~~

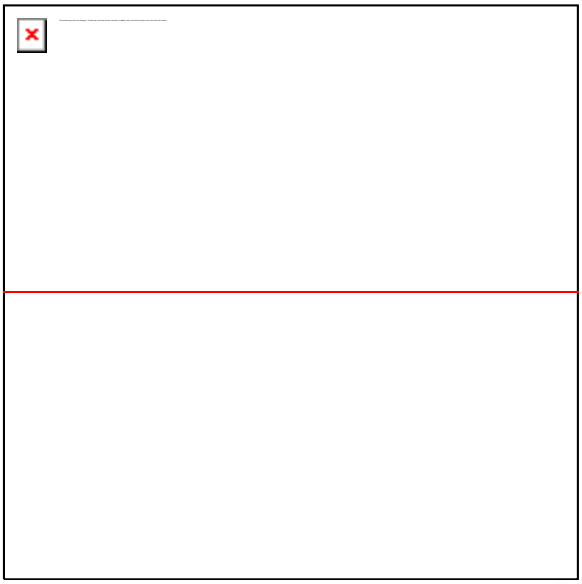
~~(Ord. 401 § 9, 1974)~~

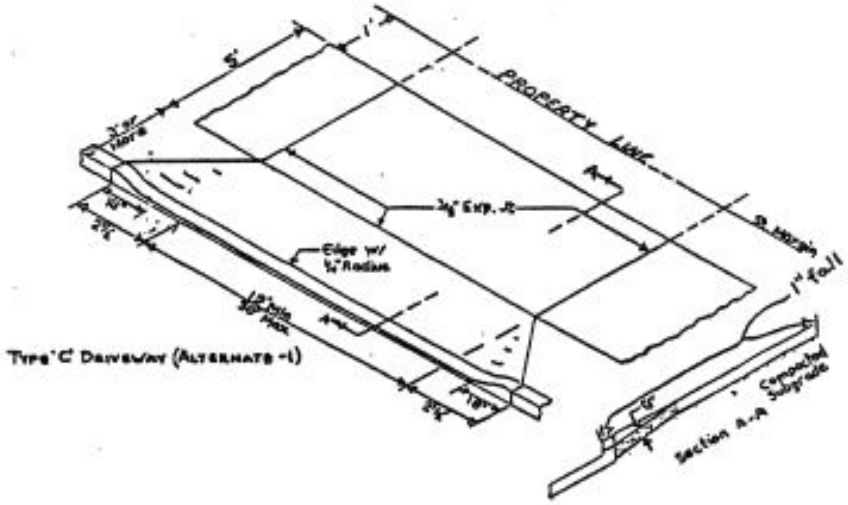
~~12.16.090 Penalty for violation.~~

~~Any person violating any of the provisions of this chapter and upon conviction thereof shall be punished according to W.M.C. Section 2.56.110.~~

~~(Ord. 401 § 10, 1974)~~

~~12.16.100 Design standard illustrated—Alternate No. 1.~~





~~GENERAL NOTES~~

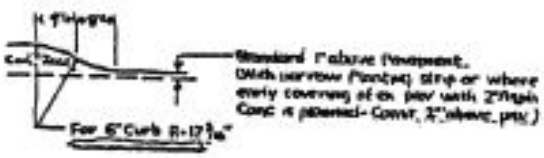
~~**JOINTS.** In paving slab shall not extend into driveway. All joints shall be clean and edged. Transverse driveway joints shall be as shown or as directed by the city engineer.~~

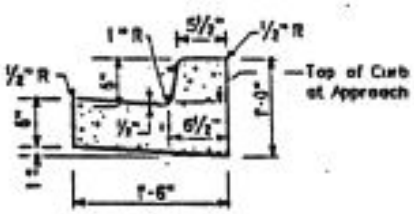
~~**MATERIAL.** Shall meet requirements of the Standard~~

~~Specifications for Municipal Public Works Construction.~~

~~**CONCRETE.** Shall be Cement Concrete Class 5 (1½) or 5(¾)~~

~~**PROCEDURES.** For further requirements for forms, form settings, placing, finishing, stripping and curing shall be as outlined in Standard Specifications for Municipal Public Works Construction.~~

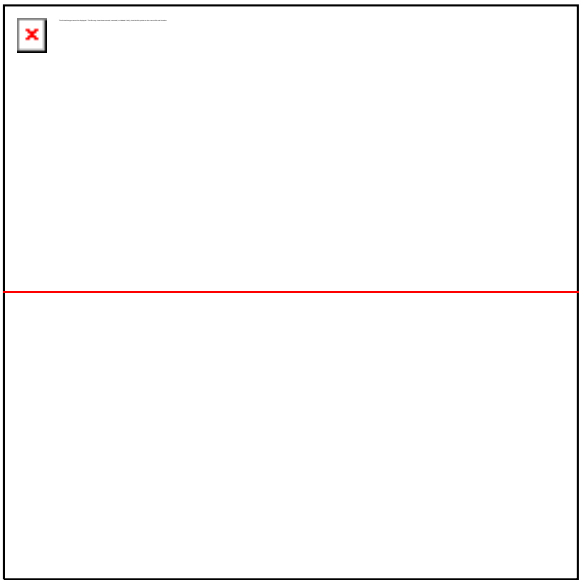


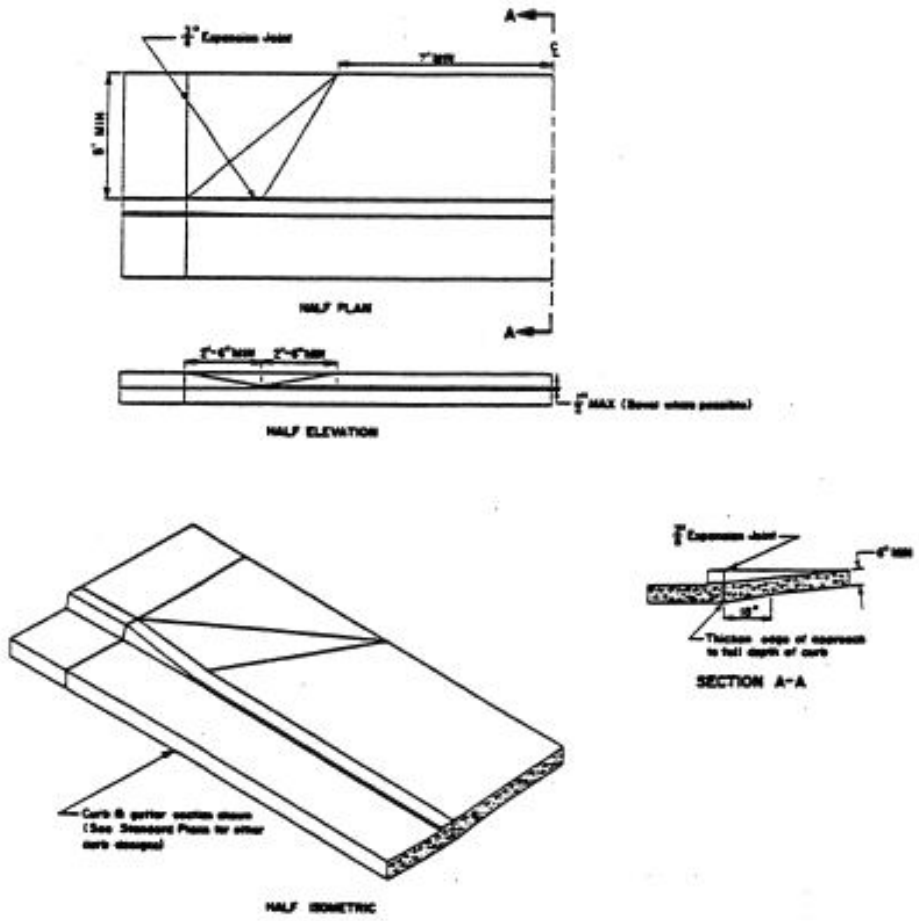


CEMENT CONCRETE CURB AND GUTTER

~~(Ord. 687 § 3, 1989)~~

~~12.16.110 Design standard illustrated—Alternate No. 2.~~





~~NOTES~~

~~Cement concrete approaches shall be constructed of air-entrained concrete Class B.~~

~~Contraction joints shall be placed at 15′ maximum spacing.~~

~~All joints shall be cleaned and edged.~~

~~Approaches may be poured integral with curb.~~

~~(Ord. 687 § 4, 1989)~~

Chapter 12.20 PROHIBITED DISCHARGES ONTO STREETS AND INTO DRAINS

Sections:

12.20.010 Prohibited substances.

12.20.020 Violation—Penalty.

12.20.010 Prohibited substances.

No person, firm or corporation shall discharge, allow to be discharged or cause to be discharged upon the city streets or into the city storm drainage system any of the following described waters or wastes:

A. Any liquid having a temperature higher than one hundred fifty degrees Fahrenheit;

B. Any water or waste which may contain more than one hundred parts per million, by weight, of fat, oil or grease;

C. Any gasoline, benzene, naphtha, oil or other flammable or explosive liquid, solid or gas;

D. Any noxious or malodorous gas or substance capable of creating a public nuisance; and,

E. Any hazardous material or waste as defined in RCW 70.105.

(Ord. 693 § 1, 1989)

12.20.020 Violation—Penalty.

Any person, firm or organization found to be in violation of Section 12.20.010 shall be penalized as provided in Section 1.12.010 of this code.

(Ord. 693 § 2, 1989)

Chapter 12.24 POLICIES AND PROCEDURES RELATING TO CONTRACTS FOR CONSTRUCTION OF PUBLIC FACILITIES

Sections:

12.24.010 Limitations—Disclaimer.

12.24.020 Establishment of procedures/policies.

12.24.030 Execution of disclaimer.

12.24.040 Application/processing fees.

12.24.050 Processing.

12.24.010 Limitations—Disclaimer.

Agreement on the city's part to invoke the process set out in either RCW 35.72 or RCW 35.91 is declared to be strictly discretionary with the city and the city's denial of such a request shall establish no rights of action on the part of any potentially benefitting developer whatsoever. Further, the process for latecomer reimbursement for any type of improvement shall not be deemed commenced until the city council, by majority vote, has accepted the application of a developer.

(Ord. 775 § 1, 1994)

12.24.020 Establishment of procedures/policies.

Within thirty days of the adoption of this chapter, the Public Works Director ~~public works superintendent~~ shall establish policies and procedures in accordance with RCW 35.72 and RCW 35.91 to be followed by prospective beneficiaries and city staff in processing latecomer reimbursement contracts for both water/sewer and street projects, taking into account the fact that the processes are different. Such policies and procedures shall be reviewed by the city attorney and approved by the city council before taking effect.

(Ord. 775 § 2, 1994)

12.24.030 Execution of disclaimer.

As a condition to applying for a latecomer reimbursement contract, the applicant shall be required to execute a disclaimer acknowledging that the city shall not be liable for contribution or damages in the event the developer does not recoup contribution from latecomers. Such disclaimer shall not be construed, however, to imply that the city is not obligated to distribute amounts collected from latecomers to the developer.

(Ord. 775 § 3, 1994)

12.24.040 Application/processing fees.

A. A nonrefundable one hundred ~~fifty~~ dollar application fee shall accompany any such application. Water and sewer facilities to be installed simultaneously may be combined in one application. Application for street projects must be separate and shall require a separate application fee.

B. In the event the city council accepts the application, a processing fee shall be established for each application which shall be no less than two hundred fifty dollars nor greater than five percent of the estimated value of the portion of the project which shall be subject to third party reimbursement. The fee shall be established by the city council upon recommendation of the Public Works Director ~~public works supervisor~~.

(Ord. 775 § 4, 1994)

12.24.050 Processing.

The processing of latecomer contract requests shall be in compliance with this ordinance and the policies and procedures prepared by the Public Works Director ~~public works~~ ~~supervisor~~ and approved by the city council.

(Ord. 775 § 5, 1994)

Chapter 12.28 WOODLAND STREET TREES

Sections:

12.28.010 Title and purpose.

12.28.015 Applicability.

12.28.020 Definitions.

12.28.025 Permitted street trees.

12.28.030 Planting restrictions.

12.28.040 Street tree work permit.

12.28.050 Permission and procedure to remove street trees.

12.28.060 Property owner responsibilities.

12.28.070 Utility maintenance responsibilities.

12.28.080 Street tree protection.

12.28.090 Safety provisions.

12.28.100 Prohibited trees.

12.28.110 Penalties.

12.28.120 Remedies not exclusive.

12.28.010 Title and purpose.

This chapter shall hereafter be referred to and cited as the "Woodland Street Tree Ordinance."

The purpose of this chapter is to enhance the environment, improve our quality of life, and enhance the general aesthetics and welfare of the community. The preservation, protection, historic, and planting of trees is deemed to be a desirable goal of the community.

(Ord. 1116 § 1 (part), 2007)

12.28.015 Applicability.

This chapter shall apply to all trees and woody shrubs within city right-of-way.

(Ord. 1116 § 1 (part), 2007)

12.28.020 Definitions.

"City" means the incorporated city of Woodland.

"Chapter" defined as, the "Woodland Street Tree Ordinance."

"Director" means the city's Public Works Director ~~director of public works~~, or their designee.

"Dead" means a street tree or woody shrub that is no longer alive. This can include some or all parts of an existing tree or shrub.

"Drip line" means that area on the ground below the tree in which the boundary is designated by the edge of the tree's branches.

"Emergency" means an imminent threat to persons or property.

"Enforcing authority" means the director of public works or their duly authorized representative, who shall be charged with the enforcement of this chapter, according to procedures adopted pursuant to adoption of this chapter.

"Hazard tree" means any street tree, or part thereof, that the enforcing authority determines is subject to a high probability of failure, due to structural defect or disease, and which poses a potential threat to persons or property in the event of failure.

"Maintenance" or "maintain" means to plant, prune, trim, water, feed, protect or any other activity intended to help a street tree achieve its mature size and full, environmental function.

"Minor pruning" means pruning or cutting out of water sprouts, suckers, twigs, or branches less than three inches in diameter; or cutting out of branches and limbs constituting less than fifteen percent of the tree's foliage bearing area and retaining the tree's natural form. Removal of dead wood, broken branches and stubs are also considered minor pruning.

"National arborist organization standards" means nationally recognized arborist association standards including those of the International Society of Arboriculture, Tree Care Industry Association and the American National Standards Institute.

"Permit holder" means that person who is issued a permit to install or maintain street trees under this chapter.

"Person" means and includes any individual, business, firm, association, corporation, agency, or organization of any kind.

"Planting" means necessary steps taken during the installation of trees and shrubs within the right-of-way to ensure survival.

"Planting strip" means that area between the back of a street curb to the front of a sidewalk or the area in a raised median, used for street trees, grass and other landscaping material.

"Private tree" means a tree in which the trunk wholly resides on a property owner's parcel outside of the right-of-way.

"Property owner" means a person, or agent thereof, who owns, leases or manages real property adjacent to or within the right-of-way.

"Removal" means the act of taking out or reducing a part of an entire tree or shrub so that the tree or shrub will not regain its mature size or function.

"Right-of-way" means property subject to public use for existing or future streets, curbs, planting strips, or sidewalks. Property subject to a right-of-way may be through an express, implied, or prescriptive easement granted to or controlled by the city or other public entity or may be owned by the city or other public entity in fee simple or other freehold interest. Right-of-way is separate and distinct from the lots or parcels adjoining such right-of-way, and is not included in the dimensions or areas of lots or parcels.

"Sidewalk" means a facility made of concrete or other approved material for the conveyance of pedestrians adjacent to a street.

"Serious bodily injury" means any bodily injury that creates a substantial risk of death or that causes the loss or impairment of the function of any body part or organ for a protracted period of time.

"Severely damaged" means a street tree that has been harmed by people or nature, including, but not limited to, storms, disease or insect infestation so that the street tree will not achieve its mature size or full, environmental function.

"Street" means any street, highway, sidewalk, ally, avenue, easement, or other public way.

"Street tree" means any tree in which the trunk is wholly or partially located within the right-of-way. A "street tree" may also be considered to be those portions of a private tree, including any overhanging limbs or exposed root systems, that may reside in the right-of-way.

"Topping" means cutting back a tree to buds, stubs or laterals not large enough to assume the role of leader.

"Tree" means any self-supporting perennial woody plant, generally single-stemmed, and is recognized by the city as a tree.

"Utility" means any business, organization or entity that legally uses the public right-of-way to deliver electrical, telephone, water, sewer, natural gas, cable television services, and other communication system. "Utility" also means the actual commodity delivered or sold by the business, organization or entity.

(Ord. 1116 § 1 (part), 2007)

12.28.025 Permitted street trees.

The city shall develop and maintain a list of permitted street trees and proper planting guidelines pursuant to adoption of the ordinance codified in this chapter.

(Ord. 1116 § 1 (part), 2007)

12.28.030 Planting restrictions.

All trees or shrubs shall hereafter be planted in any public parking strip or other public place in the city only with the permission of the director according to the provisions of this chapter. No trees or shrubs shall overhang any sidewalk or street in such manner as to obstruct or impair the free and full use of the sidewalk or street, including the interruption or interference with the clear vision of pedestrians or persons operating vehicles thereon, and including interference with poles, wires, pipes, fixtures or any other part of any public utility situated in said street. No trees or shrubs shall be planted which constitute a fire hazard or a menace to public health, safety or welfare.

(Ord. 1116 § 1 (part), 2007)

12.28.040 Street tree work permit.

The street tree work permit application requirements, and policies and procedures for its issuance, shall be developed pursuant to the adoption of this chapter.

A. Street Tree Work Permit Required. No person may plant, or remove any street tree, or disturb the area within the drip line of a street tree, or cause or authorize another person to do so, unless the person obtains a street tree work permit from the enforcing authority. Unless otherwise provided in this section, a separate permit is required for each work location. No permit is required for minor pruning of street trees.

B. Emergency Pruning and Removal. No street tree work permit is required to prune or remove a street tree that is in imminent danger of falling. Any individual, acting under this subsection, must notify the enforcing authority of the emergency pruning or removal within one working day of the action.

C. Permit Application Data. The applicant must provide the location, number and kind of trees to be pruned or removed and planted; the kind of work to be done; the reasons for the requested activity; and any other information required by the enforcing authority to ensure compliance with the provisions of this chapter.

D. Standards for Permit Issuance. The enforcing authority shall issue a permit if, in the enforcing authority judgment, the proposed work and methods are consistent with the requirements of this chapter.

E. Time. Any permit issued shall contain a date of expiration and the work must be completed within ninety days of permit issuance.

F. Notice of Completion. The permit holder shall notify the enforcing authority of the completed work within five days upon completion of said work.

(Ord. 1116 § 1 (part), 2007)

12.28.050 Permission and procedure to remove street trees.

A. Authority to Remove Street Trees. No tree over four inches in diameter at its base shall hereafter be removed in any public planting or other public right-of-way in the city of Woodland without written permission from the enforcing authority.

B. Requirement for Removal. The stumps and roots of trees or shrubs shall be removed to a point at least one foot below the top of the adjacent curb or proposed curb grade, as well as treating the remaining roots with a suitable compound to prevent future sprouting or growth. Any roots which have disrupted or broken the adjacent street, existing utilities, curb or sidewalk shall be removed and said street, sidewalk, or curb shall be repaired.

C. Street Closures for Street Tree Removal. The director may, with concurrence of the chief of police and fire chief, permit a street to be blocked for a short period of time where suitable detours can be arranged and the public will not be unnecessarily inconvenienced.

(Ord. 1116 § 1 (part), 2007)

12.28.060 Property owner responsibilities.

Property owners shall have the following responsibilities regarding street trees fronting their property:

A. Dead and Severely-Damaged Street Trees. Dead or severely-damaged street trees shall be removed, and if replaced it shall be replaced with an approved street tree species.

B. Hazardous Street Trees. Street trees deemed to be hazardous shall be removed or reduced, such that the hazard is eliminated. In the event of removal, the street tree shall be replaced with an approved street tree species.

C. Right-of-Way Obstructions. Street trees shall be maintained so that they do not obstruct the free use of the right-of-way, including, but not limited to, clearance for sight visibility, traffic signage and signals, as well as pedestrian and vehicular use of streets and sidewalks. Maintenance procedures and requirements shall be as set by policies and procedures adopted pursuant to adoption of the ordinance codified in this chapter.

D. Protection of Utilities, Streets and Sidewalks. Street trees must be planted and maintained so that they do not damage utilities, streets or sidewalks.

E. Standard for Right-of-Way Maintenance. The right-of-way between the curb or edge of pavement and the private property line must be kept reasonably clean from street tree debris, including, but not limited to, branches, leaves, flowers, and fruit.

F. Trimming Authorized within the Right-of-Way. The city is authorized to trim existing trees and shrubs within the right-of-way as needed to provide safe passage or visibility, according to procedures developed pursuant to adoption of the ordinance codified in this chapter.

G. Disease or Insect Infestations. Street trees must be maintained free of disease or insect infestation. Street trees that are infected with disease or insects may be replaced, if deemed necessary by the enforcing authority, with an approved street tree species.

(Ord. 1116 § 1 (part), 2007)

12.28.070 Utility maintenance responsibilities.

In addition to the requirements contained in WMC Section 12.28.060, utilities shall maintain their utility system in the right-of-way to prevent any light, pole, wire, cable, appliance or apparatus, used in connection with or as a part of the utility system, from unduly interfering with any street tree.

(Ord. 1116 § 1 (part), 2007)

12.28.080 Street tree protection.

A. All street trees that may be adversely impacted by any excavation, demolition, construction or utility work must be sufficiently guarded and protected by those responsible for such work to minimize potential injury to street trees. Any work which requires a city permit and which may adversely impact street trees requires approval by the enforcing authority. In order to protect street trees, the enforcing authority may require protective measures consistent with National Arborist Organizations Standards.

B. No person may destroy, injure, or deface any street tree by any means, including, but not limited to, the following methods:

   1. By impeding the free passage of water, air, or fertilizer to the roots of any street tree by depositing concrete, asphalt, plastic sheeting, or other material on the ground immediately surrounding any street tree;

   2. By pouring any toxic material on any street tree or on the ground near any street tree;

   3. By causing or encouraging any fire near or around any street tree;

   4. By severely reducing a street tree's crown by removing more than twenty-five percent of the tree's foliage, except when pruning under utility wires or when eliminating obstructions of the right-of-way, as required by this chapter. Removal and replacement is preferred to severe crown reduction; or

   5. By carving, attaching any sign, poster, notice, or other object, on any street tree, or by fastening any rope, wire, cable, nail, screw, staple or other device to any street tree, except as used to support a young or broken tree. Nothing in this section shall be construed in such a manner that forbids lighting of a decorative or seasonal nature, provided that such lighting is draped or wrapped around a street tree and maintained without causing permanent damage to the street tree; or by using equipment that is not generally accepted by the tree care industry.

(Ord. 1116 § 1 (part), 2007)

12.28.090 Safety provisions.

No person may work on street trees in such a manner that may result in serious bodily injury to any individual.

(Ord. 1116 § 1 (part), 2007)

12.28.100 Prohibited trees.

It shall be unlawful to plant in any public planting strip the following trees: Alder, Big leaf maple, Black locust Cottonwoods, Lombardy poplar, Oregon maple, Silver maple, Willow, and any other nonrecommended street trees, including fruit trees (except ornamental types) such as Apples, Cherries and Black Walnut; Ash (Mountain ash), Birch (White birch, etc.), Elm (American elm, etc.), Hawthorn, London Plane, Oak (Pin oak), Pagoda tree, Poplars, Sycamore. Street trees not mentioned may be determined to be subject to discretion of the director.

(Ord. 1116 § 1 (part), 2007)

12.28.110 Penalties.

Violation of or failure to comply with any of the provisions of this chapter shall constitute a civil infraction, the penalty for which shall be a fine in the amount of five hundred dollars. Washington State Court Rules governing infractions and the appeals thereof shall control.

(Ord. 1116 § 1 (part), 2007)

12.28.120 Remedies not exclusive.

The remedies prescribed in this chapter are in addition to all other remedies provided or authorized by law.

(Ord. 1116 § 1 (part), 2007)

Chapter 13.12 SEWER CONSTRUCTION AND USE

Sections:

13.12.010 Title.

13.12.020 Purpose.

13.12.030 Definitions.

13.12.040 Sewage deposited on property prohibited.

13.12.050 Discharging into natural outlet prohibited.

13.12.060 Toilet facilities required.

13.12.070 Premises unfit for human habitation.

13.12.080 Privies, cesspools prohibited when.

13.12.090 Private system—Allowed when.

13.12.100 Private system—Plans and application for permit.

13.12.110 Private system—Work inspection.

13.12.120 Private system—Compliance with specifications.

13.12.130 Private system—Abandoned when.

13.12.140 Private system—Owner expenses.

13.12.150 Additional state requirements.

13.12.160 Construction permit required.

13.12.170 Building sewer—Permit classes.

13.12.180 Building sewer—Separate for each building.

13.12.190 Building sewer—Materials.

13.12.200 Building sewer—Size and slope.

13.12.210 Building sewer—Building drain connection.

13.12.220 Building sewer—Gas and water-tight connections.

13.12.230 Public sewer—Prohibited discharges.

13.12.240 Public sewer—Storm water and unpolluted drainage.

13.12.250 Public sewer—Unlawful substances.

13.12.260 Pretreatment facilities.

13.12.265 Reserved.

13.12.270 Reserved.

13.12.280 Public sewer—Approval for certain discharges.

13.12.290 Preliminary treatment facility maintenance.

13.12.300 Control manholes required when.

13.12.310 Testing and analysis from control manhole.

13.12.320 Special exceptions not accepted.

13.12.330 Damage—Repair by person causing.

13.12.340 Damage—Malicious vandalism.

13.12.350 Penalty for violation.

13.12.360 Correction or abatement by city.

13.12.010 Title.

This chapter shall be known and may be officially designated as the "sewage disposal ordinance" of the city.

(Ord. 409 Ch. I § 1, 1975)

13.12.020 Purpose.

Purpose of this chapter is to protect the public health by providing standards for the collection, treatment and disposal of sewage within the city.

(Ord. 409 Ch. II § 1, 1975)

13.12.030 Definitions.

For the purpose of this chapter, certain words and terms are defined as follows:

"Approved," as applied to a material, device, fixture or mode of installation, means approved by the supervisor of public works of the city, under the standards specified in this chapter or those recommended by nationally recognized technical organizations or laboratories such as the United States Bureau of Standards, The American Standards Association, Inc., Federation of Sewage Works Associations, or American Society for Testing Materials, and Standard Specifications for Municipal Public Works Construction as prepared by the Washington Chapter of the American Public Works Association.

"B.O.D." (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees centigrade expressed in parts per million by weight.

"Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning two and one-half feet outside the outer face of the building wall.

"Building inspector" or "inspector" means the building inspector of the city or his authorized deputy, agent or representative.

"Building sewer" means the extension from the building drain to the public sewer or other place of disposal.

"Garbage" means solid waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

"Industrial wastes" means the liquid wastes from industrial processes as distinct from sanitary sewage.

"Natural outlet" means any outlet into a watercourse, pond, lake, ditch or other body of surface or ground water.

"Person" means an individual, firm, company, association, society, corporation or group.

"pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"Properly shredded garbage" means the waste from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

"Public sewer" means a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

"Sanitary sewer" means a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

"Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.

"Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

"Sewage works" means all facilities for collection, pumping, treating and disposing of sewage.

"Sewer" means a pipe or conduit for carrying sewage.

"Shall," when used in this chapter, is mandatory; "may" is permissive.

"Storm sewer" means a sewer which carries storm and surface waters and drainage but excludes sewage and polluted industrial wastes.

"Public Works Director~~Supervisor of public works~~" means the Public Works Director ~~supervisor of public works~~ of the city or his authorized deputy, agent or representative.

"Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage or other liquids; and which are removable by laboratory filtering.

"Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

(Ord. 409 Ch. III §§ 1—23, 1975)

13.12.040 Sewage deposited on property prohibited.

It is unlawful for any person to place, deposit or permit to be deposited upon public or private property within the city, any human excrement, garbage, domestic wastewater or other objectionable waste, except as permitted by other ordinances of the city.

(Ord. 409 Ch. IV § 1, 1975)

13.12.050 Discharging into natural outlet prohibited.

It is unlawful to discharge to any natural outlet within the city, any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(Ord. 409 Ch. IV § 2, 1975)

13.12.060 Toilet facilities required.

The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, business or where people congregate, situated within the city and abutting on any street, alley or right-of-way in which there is now located a public sanitary sewer of the city, is required at his expense to install suitable toilet facilities therein, and to connect such facilities directly to the public sanitary sewer

in accordance with the provisions of this chapter, within sixty days after date of official notice to do so, provided that the public sewer is within three hundred feet of the property line.

(Ord. 409 Ch. IV § 3, 1975)

13.12.070 Premises unfit for human habitation.

Whenever upon inspection any building or premises, or part thereof, is found unfit for human habitation by reason of defective plumbing, lack of sanitary plumbing or toilet facilities, drainage system, building sewer or private sewage disposal system, the building inspector shall require the vacation of such building, premises or part thereof, within ten days after date of official notice to do so, and the building inspector shall take action as outlined in the Uniform Code for the Abatement of Dangerous Buildings.

(Ord. 409 Ch. IV § 4, 1975)

13.12.080 Privies, cesspools prohibited when.

Except as hereinafter provided, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(Ord. 409 Ch. IV § 5, 1975)

13.12.090 Private system—Allowed when.

Where a public sanitary sewer is not available, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this chapter. Such private sewage disposal systems shall be only approved septic tanks or cesspools. Cesspools shall be permitted only for temporary use in areas approved by the Cowlitz-Wahkiakum health district.

(Ord. 409 Ch. V § 1, 1975)

13.12.100 Private system—Plans and application for permit.

Before commencement of construction of a private sewage disposal system, the owner or his contractor shall first obtain a written permit from the office of the Cowlitz-Wahkiakum health district. The application for such permit shall be made on a form furnished by the Cowlitz-Wahkiakum health district, which the applicant shall supplement by such plans, specifications and other information as are deemed necessary by the Cowlitz-Wahkiakum health district.

(Ord. 409 Ch. V § 2, 1975)

13.12.110 Private system—Work inspection.

A permit for a private sewage disposal system shall not become final until the installation is completed to the satisfaction of the building inspector. The building inspector shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the inspector when the work is ready for final inspection, and before any work is covered. The inspection shall be made within twenty-four hours of the receipt of notice by the building inspector.

(Ord. 409 Ch. V § 3, 1975)

13.12.120 Private system—Compliance with specifications.

The type, location and layout of a private sewage disposal system shall comply with specifications on file in the office of the Cowlitz-Wahkiakum health district and all recommendations of the Department of Social and Health Services, state of Washington. No septic tank or cesspool shall be permitted to discharge to any public sewer, natural outlet or to the ground surface.

(Ord. 409 Ch. V § 4, 1975)

13.12.130 Private system—Abandoned when.

At such times as a public sanitary sewer becomes available to a private sewage disposal system, a direct connection shall be made to the public sanitary sewer in compliance with the terms of this chapter, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with sand, gravel or soil or any combination thereof.

(Ord. 409 Ch. V § 5, 1975)

13.12.140 Private system—Owner expenses.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at his own expense.

(Ord. 409 Ch. V § 6, 1975)

13.12.150 Additional state requirements.

No statement contained in this chapter shall be construed to interfere with any additional requirements that may be imposed by the Washington State Department of Social and Health Services.

(Ord. 409 Ch. V § 7, 1975)

13.12.160 Construction permit required.

No person shall install, uncover, make connections with or openings into, use, alter or disturb any public sewer, building sewer or appurtenance thereof without first obtaining a written permit from the Public Works Department ~~office of the clerk-treasurer~~.

(Ord. 409 Ch. VI § 1, 1975)

13.12.170 Building sewer—Permit classes.

There shall be two classes of building sewer permits: (1) for residential and commercial service, and (2) for service to establishments producing industrial wastes. For either class, the owner or his contractor shall make application on a special form furnished at the office of the clerk-treasurer. The permit application shall be supplemented by such plans, specifications or other information considered necessary in the judgment of the supervisor of public works to insure compliance with the provisions of this chapter.

(Ord. 409 Ch. VI § 2, 1975)

13.12.180 Building sewer—Separate for each building.

The owner of each lot or parcel of real property within the area to be served by the sewage disposal system of the city as it now exists and as it may be improved and extended in the future, upon which such lot or parcel of real property there is situated any building or structure for human occupation or use for any purpose, shall cause a connection to be made between the sewerage system and each such building or structure. A separate and independent building sewer shall be provided for every building; except that where one building stands at the rear of another building on the same lot, the building sewer may be extended from one building to the other and the whole considered as one building sewer; and except that several buildings on one property, where by nature of usage, later subdivision into separate ownerships is not likely, may be connected to a single building sewer.

(Ord. 409 Ch. VI § 3, 1975)

13.12.190 Building sewer—Materials.

The building sewer shall be of cast iron pipe, ABS (plastic), vitrified clay pipe or PVC pipe as specified in the municipal public works code.

(Ord. 688 § 2, 1989: Ord. 409 Ch. VI § 4, 1975)

13.12.200 Building sewer—Size and slope.

The size and slope of the building sewer shall be subject to the approval of the supervisor of public works, but in no event shall the diameter of the sewer be less than four inches, The slope of the sewer pipe shall be not less than one-quarter inch per foot unless otherwise approved by the inspector in cases where it is impractical or impossible to lay the sewer to the most desirable slope of one-quarter inch per foot.

(Ord. 409 Ch. VI § 5, 1975)

13.12.210 Building sewer—Building drain connection.

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.

(Ord. 409 Ch. VI § 6, 1975)

13.12.220 Building sewer—Gas and water-tight connections.

All joints and connections in building sewers shall be made gas-tight and watertight. All sewer pipe construction, jointing and testing shall be done in accordance with the City of Woodland Public Works Engineering Standards for Construction ~~Standard Specifications for Municipal Public Works Construction~~ as required in Woodland Municipal Code, Chapter 14.12.

(Ord. 409 Ch. VI § 7, 1975)

13.12.230 Public sewer—Prohibited discharges.

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer, except refrigeration water as permitted by other ordinances of the city.

(Ord. 409 Ch. VII § 1, 1975)

13.12.240 Public sewer—Storm water and unpolluted drainage.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the city council and Department of Ecology, upon recommendation of the supervisor of public works. Industrial cooling water or unpolluted process waters may be discharged to a storm sewer, or natural outlet, with the approval of the city council and Department of Ecology upon recommendation of the supervisor of public works.

(Ord. 409 Ch. VII § 2, 1975)

13.12.250 Public sewer—Unlawful substances.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

A. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit;

B. Any water or waste which may contain more than one hundred parts per million by weight of animal or vegetable fat, oil or grease;

C. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;

D. Any garbage that has not been properly shredded;

E. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with proper operation of the sewage works;

F. Any waters or wastes having a pH lower than five and five-tenths or higher than nine, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;

G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, which constitutes a hazard to humans or animals, or creates any hazard in the receiving waters of the sewage treatment plant;

H. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant;

I. Any noxious or malodorous gas or substance capable of creating a public nuisance.

(Ord. 409 Ch. VII § 3, 1975)

13.12.260 Pretreatment facilities.

A. Review and Acceptance of Pretreatment Facilities. Users shall provide wastewater treatment as required to comply with this chapter and shall achieve compliance with all applicable pretreatment standards and requirements set out in this chapter within the time limitations specified by the EPA, the state or the director, whichever is shorter. All pretreatment facilities shall be provided, operated, and maintained at the user's expense. Detailed plans showing proposed pretreatment facilities and operating procedures shall be submitted to the city for review and approval before construction of the facility. All pretreatment facilities shall be located in an accessible location for the ease of inspection and maintenance. The review of such plans and operating procedures shall not relieve the user from the responsibility of modifying pretreatment facilities as necessary to produce an acceptable discharge under the provisions of this chapter. The user shall obtain all necessary construction and operating permits from the city.

B. Standard of Pretreatment. Users shall provide all known, available and reasonable methods of treatment, prevention and control, including best management practices, as required to comply with this chapter and state and federal regulations.

C. Requirement for Proper Operation. All pretreatment facilities shall be operated and maintained at the user's expense. Prior to operation of the pretreatment facility, the user shall submit a copy of the proposed operations and maintenance procedures to the city for review and approval. Such pretreatment facilities shall be at all times under the control and direction of a person qualified to operate such facilities. Food service users shall submit required plans and/or operation maintenance procedures to the city sewer maintenance department. All other users shall submit such procedures to the director. The use of hot water, enzymes, bacteria, chemicals or other agents or devices for the purpose of causing the contents of a pretreatment device to be discharged into the sanitary sewer system is prohibited.

D. New Construction. Any subsequent proposal for significant changes in the user's operation or maintenance of existing pretreatment facilities shall be submitted to the city for review and approval prior to the user's initiation of such changes. Prior to any new construction or other modification of existing pretreatment facilities, the user shall submit detailed plans showing such proposed new construction or modifications. The user shall obtain any necessary construction permits before new construction or modification of an existing facility. If applicable, the user shall obtain a wastewater discharge permit or other control document. The review of such plans by the city shall not relieve the user from the responsibility of modifying its facility as necessary to comply with the provisions of this chapter.

E. Submission of Plans and Reports. Engineering reports for pretreatment facilities shall comply with the requirements of Chapter 173-240 and Section 173-216-050(3) of the WAC, RCW 90.48.010 as amended, and shall be submitted in accordance with the director's pretreatment program procedures.

F. Grease and Oil Separators.

1. Food Service Users. Users, who operate restaurants, cafes, lunch counters, cafeterias, bars or clubs, or hotel, hospital, sanitariums, factory or school kitchens, butcher shops, or other establishments where food (polar) grease may be introduced to the sewer system, shall have pretreatment facilities to prevent the discharge of fat waste, oil and grease. Such pretreatment facilities shall be either a grease interceptor or grease trap as determined by the jurisdiction located outside the building, and installed in the wastewater line leading from sinks, drains or other fixtures where grease may be discharged. Grease interceptors shall be required on all new construction projects that have a Type 1 hood exhaust system. New grease interceptors or grease traps shall be in accordance with the Uniform Plumbing Code, and any other requirements by the city as set forth herein. Grease interceptors that include dishwasher effluent shall be sized to allow sufficient detention time to allow for cooling of the effluent. No more than four fixtures shall connect to an individual grease interceptor, and no sanitary facilities will be allowed to connect upstream of any grease interceptor. Subject to the director's approval, dishwater effluent may be excluded from pretreatment. Grease traps inside the kitchen area will only be allowed under special circumstances and shall only be approved by the director on a case-by-case basis.

2. Industrial/Commercial User. Users who operate automobile or truck repair facilities, steam cleaning facilities for motorized equipment, air compressor(s), or any other establishments or equipment where petroleum based (non-polar) grease and oil may be introduced to the sewer system, shall have pretreatment facilities to prevent the discharge of oil and grease. These pretreatment facilities shall be oil/water separators or interceptors located to collect such mixture of grease, oil and water. Such facilities shall be in accordance with city and state standards.

3. Retrofit of User Facilities. Users may be required to retrofit facilities which were constructed prior to the adoption of the ordinance codified in this chapter. The requirement to retrofit shall be on a case-by-case basis, as determined by the director for compliance with city, state and federal regulations. The director may require installation of grease interceptors, grease traps or other pretreatment facilities for those facilities that violate discharge prohibitions and supplemental limitations as set forth in this chapter. In all cases, existing food service users that have a Type 1 hood exhaust system shall be required to retrofit with an approved grease trap or

interceptor that is sized in accordance with the current Uniform Plumbing Code and its appendices. In deciding whether to require a user to retrofit their facilities, the director shall take into account all relevant circumstances, including but not limited to, the extent of potential harm caused by the discharge, the magnitude and duration of the discharge, economic detriment to the user, corrective actions by the user, the compliance history of the user, and any other relevant factors. Grease interceptor or grease trap size shall be determined in accordance with the Uniform Plumbing Code and any other requirements by the city as set forth herein at the time the user is notified that facility modifications are required. Sizing of grease traps or interceptors will be reviewed and may be modified at the request of the local sewer jurisdiction. All costs incurred in retrofitting a user's facility shall be the sole responsibility of the user.

4. Construction of Grease Traps and/or Grease Interceptors. Trap/interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which when bolted in place shall be gastight, and vented.

5. Maintenance of Grease Traps and/or Grease Interceptors. Users shall maintain, at their sole expense, grease interceptors and/or grease traps and/or other pretreatment equipment in a manner that shall prevent fat waste, oil or grease from being carried into the sewer system at all times. Authorized city employees shall be allowed access to grease traps and interceptors for the purpose of inspection and/or to verify compliance with this chapter. Fat waste, oil or grease removed from such a facility shall not be disposed of in the sanitary or storm sewer. A record of disposal shall be maintained for review by the Southwest Washington Health District and the local sewer jurisdiction.

G. Provisions for the Implementation of Pretreatment Facilities.

1. If upon inspection the pretreatment facility in place is deemed inadequate by the public works director or if no pretreatment facility is in place and is deemed necessary by the public works director, a new pretreatment facility complying with the terms of the current Plumbing Code is required and shall be installed within thirty days of notice by the city of such deficiency. Failure to comply with these provisions shall result in the discontinuance of sewer service to the premises by the city shutting off the city water service.

2. Owners/Users of such trap/interceptors shall perform regular maintenance upon such interceptors with such frequency as to insure their continued proper working condition. If upon inspection, the city determines that the ongoing maintenance by the owner/user is inadequate to insure proper operation of the interceptor, an order shall be issued declaring such deficiency and providing the owner/user fourteen calendar days to properly service the interceptor. If upon further inspection such maintenance has not been performed, a surcharge of one hundred dollars per day shall be imposed and added to the premises' sewer bill until such maintenance shall have been performed. Such surcharge shall continue until the owner/user calls for an inspection to determine compliance and compliance has been certified and an inspection fee of one hundred dollars shall also be assessed.

3. Any owner/user whose interceptor is declared to be improperly maintained a second time within twenty-four months of a prior determination shall be assessed the sewer surcharge of one hundred dollars per day from the date of the inspection.

(Ord. 409 Ch. VII § 4, 1975)

(Ord. No. 1161, § 1, 10-5-2009)

13.12.265 Reserved.

Editor's note—

Ord. No. 1161, § 2, adopted October 5, 2009, repealed § 13.12.265, which pertained to provisions for the implementation of Section 13.12.260. See also the Code Comparative Table and Disposition List.

13.12.270 Reserved.

Editor's note—

Ord. No. 1161, § 2, adopted October 5, 2009, repealed § 13.12.270, which pertained to public sewer—interceptor maintenance. See also the Code Comparative Table and Disposition List.

13.12.280 Public sewer—Approval for certain discharges.

The admission into the public sewers of any waters or wastes having:

A. A five-day biochemical oxygen demand greater than two hundred parts per million by weight;

B. More than two hundred parts per million by weight of suspended solids;

C. Any quantity of substances having the characteristics described in Section 13.12.250; or

D. An average daily flow greater than two percent of the average daily flow of the city, shall be permitted only upon written approval of the public works director and approval by the city council. A contract between the city and the discharger shall be required. Rates for these flows and high strength wastes shall be determined by the city. Where necessary, in the opinion of the public works director, the owner shall provide, at his expense, such preliminary treatment as maybe necessary to:

1. Reduce the biochemical oxygen demand to three hundred parts per million and the suspended solids to three hundred fifty parts per million by weight;

2. Reduce the objectionable characteristics or constituents to within the maximum limits provided for in Section 13.12.250; or

3. Control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the public works director and the Department of Ecology of the state of Washington, and no construction of such facilities shall be commenced until the approvals are obtained in writing.

(Ord. 409 Ch. VII § 6, 1975)

(Ord. No. 1183, § 1, 3-15-2010)

13.12.290 Preliminary treatment facility maintenance.

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.

(Ord. 409 Ch. VII § 7, 1975)

13.12.300 Control manholes required when.

A. When required by the Public Works Director ~~supervisor of public works~~, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole in the

building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Public Works Director~~supervisor of public works~~. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

B. If the Public Works Director ~~supervisor of public works~~ determines a need, the owner shall install an approved sewerage flow meter. Such flow meter shall be installed at the owner's expense.

(Ord. 409 Ch. VII § 8, 1975)

13.12.310 Testing and analysis from control manhole.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in Sections 13.12.250 and 13.12.280 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," current edition, and any and all subsequent editions thereof as published jointly by American Public Health Association, and other recognized authorities, and shall be determined at the control manhole provided for in Section 13.12.300, or upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

(Ord. 409 Ch. VII § 9, 1975)

13.12.320 Special exceptions not accepted.

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefor by the industrial concern.

(Ord. 409 Ch. VII § 10, 1975)

13.12.330 Damage—Repair by person causing.

In the event any person shall, through accident or neglect, break, destroy or in any way damage any structure, appurtenance or equipment which is a part of the municipal sewage works, such person shall pay the cost of repairing or replacing such damaged or destroyed property. It shall be the duty of the supervisor of public works to determine the extent of the damage and to have the property so damaged either replaced or repaired, according to the city's specifications by the person causing said damage, or by such person paying to the city the cost of the same, in which event the city will either do the work or have such work done.

(Ord. 409 Ch. VIII § 1, 1975)

13.12.340 Damage—Malicious vandalism.

No person shall maliciously or wilfully break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct as well as being liable for the damage done.

(Ord. 409 Ch. VIII § 2, 1975)

13.12.350 Penalty for violation.

Any person found to be in violation of any provision of this chapter, except Sections 13.12.230 through 13.12.320, may be served by the city with written notice stating the nature of the violation and allowing a reasonable time limit not to exceed thirty days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, make all corrections required by the notice. Failure to make correction within thirty days as herein provided is a misdemeanor and shall be punished pursuant to Woodland Municipal Code Chapter 1.12. Each day the violation continues shall be considered a separate offense.

(Ord. 409 Ch. X § 1, 1975)

13.12.360 Correction or abatement by city.

The imposition of the penalties herein prescribed shall not preclude the city attorney from instituting an appropriate action to restrain, correct or abate any violation of the terms of this chapter.

(Ord. 409 Ch. XI § 1, 1975)

Chapter 14.12 MUNICIPAL PUBLIC WORKS CODE

Sections:

14.12.010 Municipal Public Works Code adopted.

14.12.020 Compliance required.

14.12.010 Municipal Public Works Code adopted.

The 2014 City of Woodland Public Works Engineering Standards for Construction ~~1996 Standard Specifications for Road, Bridge and Municipal Construction~~ is hereby adopted as the Municipal Public Works Code for the city or the most recent code when published, later versions shall replace the 2014 Standards.~~1996 specifications~~.

(Ord. 857 § 7 (part), 1997: Ord. 422 § 1, 1976: Ord. 348 § 1, 1972)

14.12.020 Compliance required.

All streets and related work, sanitary sewers and storm drains, and water distribution construction or repair, done within the corporate limits of the city by any individual, firm, or corporation, shall be done and constructed both in design, material or otherwise as set forth and provided for in the City of Woodland Public Works Engineering Standards for Construction in ~~Standard Specifications for Municipal Public Works Construction described in~~ Section 14.12.010.

(Ord. 857 § 7 (part), 1997: Ord. 429 § 1, 1976: Ord. 348 § 2, 1972)

Staff Report: Repealing the Condominium Code

Date: May 2, 2014
To: Planning Commission
From: Amanda Smeller, Community Development Planner
Re: Repealing the Condo Code without Replacement

During the joint City Council/Planning Commission meeting in February, it was decided that WMC 16.20, Condominiums, would be repealed without replacement. The current Planned Unit Residential Development code covers any items removed from the condominium code.

The attached draft code simply removes the existing language and is shown as strike out.

~~Chapter 16.20 CONDOMINIUMS~~

~~**Sections:**~~

~~16.20.010 Applicability.~~
~~16.20.020 Vertical plane datum.~~
~~16.20.030 Dimensions.~~
~~16.20.040 Benchmarks.~~
~~16.20.050 Elevations.~~
~~16.20.060 Floor plans—Apartment boundaries.~~
~~16.20.070 Unit lines.~~
~~16.20.080 Unit numbers and names.~~
~~16.20.090 Certificates.~~
~~16.20.100 Percentage of unit interest.~~
~~16.20.110 Declaration.~~
~~16.20.120 Notice of bylaws.~~

~~16.20.010 Applicability.~~

~~This chapter shall apply to "horizontal property regimes" (condominium subdivisions), including the conversion of rental apartment buildings with five or more units to condominiums. Establishment of a condominium subdivision is also subject to RCW Chapter 64.32, zoning ordinance standards, and the application procedure and approval/disapproval regulations set forth in Chapters 16.06, 16.08 and 16.10. However, applicants for conversion of rental apartment buildings need submit only a proposed final plat.~~

~~*(Ord. 509 Art. VIII § 1, 1980)*~~

~~16.20.020 Vertical plane datum.~~

~~Plats for condominium subdivisions shall show three dimensions with elevation related to USGS and USC&GS datum.~~

~~*(Ord. 509 Art. VIII § 2(1), 1980)*~~

~~16.20.030 Dimensions.~~

~~Plat dimensions shall be in feet and inches conforming with architect's drawings and shall be at a scale of not more than five feet to the inch.~~

~~*(Ord. 509 Art. VIII § 2(2), 1980)*~~

~~16.20.040 Benchmarks.~~

~~Two permanent benchmarks must be set on or near the building at ground level for future reference in locating units in the subdivision.~~

~~*(Ord. 509 Art. VIII § 2(3), 1980)*~~

~~16.20.050 Elevations.~~

~~The vertical position or positions of the plan of each floor or ceiling in any space unit shall be referenced to its elevation above USGS or USC&GS datum and shown on the face of the subdivision plat as floor elevation. A note should appear on the plat denoting reference plane for elevations.~~

~~*(Ord. 509 Art. VIII § 2(4), 1980)*~~

~~16.20.060 Floor plans—Apartment boundaries.~~

~~Each floor plan of the permanent structure must be shown on the plat as well as basement and roof levels and area of subdivision plan. The dimensions and ties shown for each parcel must be definite enough with respect to both vertical and horizontal control so that the boundaries of each apartment may be accurately located by the use of standard survey methods.~~

~~*(Ord. 509 Art. VIII § 2(5), 1980)*~~

~~16.20.070 Unit lines.~~

~~All units of apartment property lines shall be on the interior surfaces of the perimeter walls, floors, ceiling, windows and doors thereof.~~

~~*(Ord. 509 Art. VIII § 2(6), 1980)*~~

~~16.20.080 Unit numbers and names.~~

~~Apartment numbers and the subdivision unit numbers must be the same. The subdivision name and apartment building names must be the same.~~

~~*(Ord. 509 Art. VIII § 2(7), 1980)*~~

~~16.20.090 Certificates.~~

~~The condominium subdivision must contain all of the certifications and approvals required for any subdivision. Dedications of public areas and facilities and the grant to apartment owners of private easements in common areas and facilities shall be of sufficient quantity and quality to conform with minimum requirements and laws relating to fire, health and safety.~~

~~*(Ord. 509 Art. VIII § 2(8), 1980)*~~

~~16.20.100 Percentage of unit interest.~~

~~The percentage of undivided interest must be shown on the subdivision as well as in the declaration. The percentage should be expressed in decimal form. Any change of percentage interest shall be filed for record with the Cowlitz County auditor, and the auditor shall file a separate document of any such amendment with the date thereof.~~

~~*(Ord. 509 Art. VIII § 2(9), 1980)*~~

~~16.20.110 Declaration.~~

~~A declaration, the instrument by which the property is submitted to provision of the state law, must be filed at the time the plat is filed.~~

~~*(Ord. 509 Art. VIII § 2(10), 1980)*~~

~~16.20.120 Notice of bylaws.~~

~~The bylaws under which the building, constituted as a condominium, is administered should not be a part of the subdivision. The current bylaws shall be recorded in the office of the Cowlitz County auditor. Reference to the general index or receiving number and to volume and page where the bylaws are recorded shall be included in any instrument of transfer of any or all units as a restriction on the title of such units.~~

~~*(Ord. 509 Art. VIII § 2(11), 1980)*~~

Building & Planning Project Update
(As of April 30, 2014)

- AIMMCO: The proposed expansion received final civil approval at the end of April with the Public Works Director and Fire Marshal signing the plans.

- The City had three pre-application conferences in April. The first is a proposed convenience store/restaurant/gas station in the Belmont Loop area. The second is a proposed church in the heavy industrial district on Down River Drive, which requires a conditional use permit. The last is a proposed Taco Bell restaurant on a vacant pad adjacent to Walmart on Dike Access Road.

- Lilac Lane Subdivision: The public hearing for Lilac Lane Subdivision, a proposed 12 lot subdivision on South Pekin, was held on April 9, 2014. The applicant requested the record be held open to allow their attorney time to review the staff report and proposed conditions of approval. The Hearing Examiner agreed to keep the record open until April 23, 2014 for the applicant to submit a response, which was received on April 22, 2014. The City now has until May 7, 2014 to respond to the applicant, who will then have an additional week to respond. After that time, the record will be closed, and a decision will be made by the Hearing Examiner.

- Shoreline Management Program Update: I met with Dan Nichol of the Watershed Company, and Sara Morrissey of Parametrix at the end of April to get an update on the process. The Partnership had a meeting in March with the consultant and came up with a better plan for all the jurisdictions to get what each needs and get each back on track. The Department of Ecology has given the City an additional year to complete the process, now due in June 2015. Dan and Sara will be providing the City a new full draft by mid-July of this year. During the time between now and then, they will provide me documents for review to help shape what the City needs in the draft. We plan to take the draft to the Planning Commission in August and September, and they proposed to transmit the draft to Ecology in early fall.

- 502 Moratorium: During the April 14, 2014 Council Workshop, Council decided to go forward with another I-502 moratorium, which is up for first reading at the May 5, 2014 City Council meeting. The public hearing and final reading will be at the May 19, 2014 Council meeting.

- The City received a short plat application for the vacant parcel that Taco Bell is proposed for. The applicant is proposing to split the parcel into two lots.

- Safe Routes to School: This public hearing before the Hearing Examiner is scheduled for May 20, 2014. The project is to construct sidewalks in front of Hulda Klager Lilac Gardens and also between Twin Flower and Wind Flower streets. There is currently no connecting sidewalk in these locations. Completing these sidewalks will provide kids with a complete and safe route to walk to school. As part of the project, there will be crossing signals added and two flashing speed signs. The project needs to go before the Hearing Examiner as it is partially located within the shoreline of Horseshoe Lake.