

**APPENDIX G**  
**SEWER RATES AND USE POLICIES**

**CITY OF WOODLAND POLICY NO. 98-01****ALLOCATION OF SEWER CAPACITY  
IMPLEMENTATION GUIDELINE**

**WHEREAS**, The Washington State Department of Ecology (DOE) issued Administrative Order DE 98 WQ-S122 (Order) dated February 28, 1998 pursuant to RCW 90.48.120 (C) limiting the authority of the City of Woodland (CITY) to authorize new sewer extensions, connections and waste load increases from industrial or commercial sources until such time as new capacity has been created; and

**WHEREAS**, said Order was amended by DOE by amendment dated April 7, 1998 to clarify certain ambiguities regarding the service limitation requirements contained in the February 28, 1998 order; and

**WHEREAS**, the Woodland City Council finds that the best interests of the City would be served if both City staff and property owners within the City's sewer service area affected by said Order were provided with more detailed direction in the form of a guideline to assist with the implementation of said Order.

**FOR** the purposes of this guideline, the pertinent provisions of said Order are as follows: "Until such time as adequate capacity has been approved by the Department, the City must cease authorization of:

- (A) New projects and proposals which involve sewer extensions into currently unserved areas;\*
- (B) Projects which involve industrial or commercial wasteloads.\*\*"

\* The area included in the Pre-Annexation Agreement dated July 21, 1994, shall be exempt from this provision.

\*\* Projects that involve commercial or industrial connections shall not exceed two equivalent residential units (ERU) per acre.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND HEREBY ADOPTS THE FOLLOWING GUIDELINE TO ASSIST STAFF AND INFORM THE PUBLIC REGARDING THE IMPLEMENTATION OF SAID ORDER:**

**Definitions:**

(1) "Equivalent Residential Unit" "(ERU)" means the amount of waste generated by an equivalent residential unit. For purposes of this policy, a typical single family home with 2.8 persons produces 300 gallons a day of sewage. To determine the discharge of proposed developments, the Public Works Director will make a determination using: a) information from Table 2 in the "Criteria for Sewage Works Design" by the Washington State Department of Ecology; b) other textbooks on waste flow design such as "Wastewater Engineering" by Metcalf and Eddy or "Water and Wastewater Technology" by Mark J. Hammer. c) verifiable results of like projects in similar locations.

(2) "Served"; A property is served if it has a sewer main along an entire property frontage.

(3) "Sewer Extension" means a main sewer extension serving more than one property, lot or parcel.

(4) "Main Sewer Extension" means a sewer pipe installed as a part of the City's collection system.

Relevant Facts:

(1) At the date this guideline takes effect, the City estimates that without creation of additional plant capacity, approximately two hundred fifty (250) ERU's of sewer capacity remain for allocation.

(2) While it is unknown whether this remaining capacity will be sufficient to accommodate all requests for connection permits prior to the availability of new capacity, for the purpose of this Guideline, it is assumed that this remaining capacity will be fully depleted prior to the availability of new capacity.

Specific Declarations of Procedures:

(1) A lot or parcel shall be deemed served if an existing sewer main with sufficient remaining capacity to serve the development can be directly connected to a side sewer without further extension of the sewer main. A development proposal for a "served" lot or parcel shall not be issued a Sewer Connection Permit if the remaining capacity described in Relevant Facts (1) above has been expended.

(2) Authorization to use sewer capacity is assured only when the city issues a sewer connection permit, and not through the platting approval process, building site plan approval or other similar pre-construction development approvals. Further, sewer connection permits shall not be issued until complete applications for building and plumbing permits have been submitted. Therefore, remaining capacity will be allocated on a first come, first serve basis dependent upon when sewer connection permits are issued, irrespective of when the plat, binding site plan or pre-construction development approval was obtained.

(3) While vesting through the submission of pre-construction development applications does not guarantee the user of sewer capacity, it does guarantee that the development proposal will be considered in accordance with the development regulations in effect at the time a fully complete application was accepted by the City.

(4) Because of the limited remaining sewer capacity, for the immediate future applications for short plats, long plats, binding site plans, and PURD's involving any main sewer extension will not be accepted; provided however, pre-construction development applications

may be processed for projects proposed within the area of the City described in the City/Landowner Pre-Annexation Agreement dated July 21, 1994.

(5) Development proposals that have received site plan approval or have received special use or conditional use approval shall be deemed eligible for issuance of sewer connection permits in accordance with (2) above.

(6) Existing buildings served by an approved septic system and lots upon which a previously existing structure was served but was subsequently removed or destroyed are eligible for issuance of sewer connection permits in accordance with (2) above.

(7) Applications for plats that were submitted and fully complete at the effective date of the amended DOE Order shall be allowed to proceed to consideration for Preliminary Plat Approval.

(8) No individual application for service to residential property will be accepted for projects which will require more than fifteen (15) equivalent residential connections of sewer capacity.

Procedures Related to the ongoing Monitoring of Remaining Sewer Capacity and its Allocation:

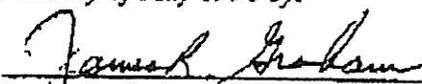
(1) The Public Works Director shall keep an accounting of sewer capacity allocation from the date of this Guideline and report monthly to the Public Utilities Committee of the Council regarding allocation of capacity and the state of remaining capacity based on such allocation and the operation of the treatment plant.

(2) The Public Utilities Committee shall be responsible for interpreting and clarifying this guideline from time to time should such clarification or interpretation be necessary.

(3) The Public Utilities Committee may from time to time adjust projections of remaining capacity based on recommendations from the Public Works Director.

(4) A denial for services based on the above criteria may be appealed by the proponent to the City Council.

*This Policy is approved and adopted this 4th day of May 1998 by:*

  
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James R. Graham, Mayor

### RESOLUTION NO. 401

A RESOLUTION of the City Council of the City of Woodland amending Resolution 400 by adding a rate schedule for certain rates, charges and fees relating to the city's sewer service.

WHEREAS, Ordinance No. 798 provides that rates, charges and fees relating to the city's sewer service will be established by resolution of the city council; and

WHEREAS, following a duly advertised public hearing the city council directed staff to prepare documents modifying sewer rates as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND that Resolution 400 be amended by adding thereto rates, charges and fees relating to the city's sewer service as set forth below, and providing that said rates and charges be fixed and imposed effective February 1<sup>st</sup>, 1998. mml

#### Sewer Service Rates and Charges (Chapter 13.08)

- (1) Assessment Charge (Application for Sewer Service - WMC 13.08.030):

<u>Water Meter Size</u>	<u>Assessment</u>
5/8" or 3/4"	\$ 2,000
1"	2,800
1½"	5,000
2"	8,100
3"	17,000
4"	29,500

- (2) Assessment Charge - Nonprofit Organization Maintaining a Historical Site (WMC 13.08.030C):

\$200.00

- (3) Inspection Charges for Sewer Service Installation or Repair (WMC 13.08.070):

A. New Sewer	\$70.00
B. Repair Sewer	\$30.00

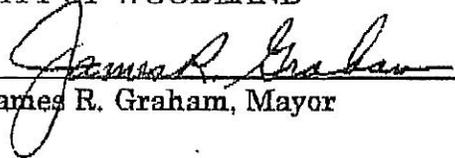
## (4) Sewer Rates for Monthly Service (WMC 13.08.120 A-D)

	<u>Rate</u>
A. Residential (for each unit)	\$16.00
B. Motels (for each unit)	\$16.00
C. Commercial/Industrial Schools/Churches (for first 600 cu. ft. of water use)	\$16.00
For each successive 100 cu. Ft. of water	1.25
For each additional business establishment within the primary commercial or industrial building	16.00
D. Excess Sewage Discharge Rates for large or one-time discharges	
Flow-per million gallons	\$1250.00
BOD-per pound	0.60
SS-per pound	0.35

This resolution and the above rates and charges shall be fixed and imposed effective February 16, 1998.

PASSED this <sup>17<sup>th</sup></sup> 2<sup>nd</sup> day of February, 1998.

CITY OF WOODLAND

  
James R. Graham, Mayor

ATTEST:

Mari E. Ripp  
Mari E. Ripp, Clerk/Treasurer

APPROVED AS TO FORM:

Patrick L. Brock  
Patrick L. Brock, City Attorney

## Chapter 13.08

## SEWER SERVICE RATES AND REGULATIONS

## Sections:

13.08.010	Permit—Established.
13.08.020	Permit—Issuance.
13.08.030	Establishment of fees.
13.08.040	Damage to streets and sidewalks.
13.08.050	Permit—Fees—Payment.
13.08.060	Sewer connection—Required.
13.08.065	Standby sewer charges.
13.08.070	Sewer connection—Inspection required.
13.08.075	Sewer lateral/service line—Responsibility.
13.08.080	Specifications for construction.
13.08.090	Withholding of water service.
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13.08.115	Enforcement of liens.
13.08.120	Rates—Designated.
13.08.130	Rates—Outside corporate limits.
13.08.140	Rates—Residential—Low income, senior citizens' discount.
13.08.150	Rates—Unspecified property.
13.08.160	Extensions—Standards—Operation and maintenance.
13.08.170	Extensions—Owner reimbursement—Late-comer fee—Contract.
13.08.180	Extensions—City reimbursement—Late-comer fee.
13.08.190	Cross-referencing fees and charges.
13.08.200	Notice of rate change.

## 13.08.010 Permit—Established.

There is established a permit to be known as "sewer connection permit." (Ord. 376 § 1, 1973)

## 13.08.020 Permit—Issuance.

Sewer connection permits shall be issued by the city building inspector five days after an application therefor is filed with the city building inspector by the owner of the property where any connection to the sanitary sewer system of the city is proposed to be made. The application for a sewer connection permit shall be in writing and shall contain the name and address of the property, the legal description of the property where the proposed connection is to be made, and a detailed drawing of the proposed sewer installation as specified by the supervisor of public works. Such application shall be made at the

time of request for a building permit and must be approved prior to start of connection. In the event the connection pertains to work on city right-of-way, an application to perform work on city right-of-way must be completed and the work performed by a bonded, licensed, contractor. (Ord. 523 § 2, 1981; Ord. 357 § 1, 1978; Ord. 376 § 2, 1973)

## 13.08.030 Establishment of fees.

A. Assessment Charge. Upon application for sewer service, for property which has not been previously assessed, an assessment charge shall be made as follows:

For all applications the charge shall be based on the water meter size according to the schedule adopted by the city council by resolution.

For any meter size not included above, the charge shall be established by the city council based on a study by the director of public works. Such study shall assess the contributions of the proposed user to the sewer system.

- B. A separate service shall be required for each individual business unit of a building or individual user of a building if use is for other than construction, and the appropriate assessment shall be charged pursuant to the schedule listed in subsection A of this section.
- C. The assessment charge shall be paid to the city at the time application is made to the city for furnishing of sewer service to the property; provided, upon request by any nonprofit corporation and/or organization, which operates and maintains a historical site, the assessment charge as provided in this section shall be one hundred dollars. Historical sites shall be defined as any place listed in the National Register of Historic Places and/or the Washington State Register of Historic Places.

All amounts received under this section shall be placed in a reserve fund designated for water/sewer capital improvements, only.

- D. If the application for service is for property serviced by lines constructed through city ULID No. 1, the assessment amount shall not be less than it would have been had the property to be served been included in ULID No. 1.
- E. When a larger meter service is requested for a sewer service previously assessed, the assessment charge shall be the amount for the larger meter service less the amount previously assessed.

(Ord. 798 § 1, 1995; Ord. 677 § 2, 1989; Ord. 669 §§ 3, 5, 1988; Ord. 652 § 3, 1987; Ord. 609 § 2, 1985; Ord. 539 § 5, 1982; Ord. 523 § 3, 1981; Ord. 478 § 2, 1979;

**13.08.090 Withholding of water service.**

Water service shall be withheld from any property if any connections are made in violation of this chapter. (Ord. 376 § 9, 1973)

**13.08.110 Charges a lien.**

All charges for connections and installations, together with the penalties and interest thereof as provided in this chapter, shall be lien on the property upon which such connection is made or sewerage service rendered, superior to all other liens or encumbrances except those for general taxes and special assessments. Enforcement of such lien or liens shall be in the manner provided by law for the enforcement of the same. (Ord. 376 § 11, 1973)

**13.08.115 Enforcement of liens.**

Enforcements of all liens described in Section 13.08.100 and foreclosure proceedings subsequent thereto may be commenced at any time after two installments of any local improvement assessment are delinquent or after the final installments thereof have been delinquent for more than one year at any time throughout the calendar year. Upon failure to pay any two installments, the entire assessment shall become due and payable and the collection thereof enforced by suit or foreclosure. (Ord. 533 § 1, 1981; Ord. 518 § 1, 1981)

**13.08.120 Rates—Designated.**

Sewer rates shall be as follows:

- A. Residential: As established by resolution of the city council;
- B. Motels: As established by resolution of the city council;
- C. Commercial, Industrial, Schools and Churches: As established by resolution of the city council.

In addition to the charge above-mentioned, each business, school and church shall pay an amount established by resolution per hundred cubic feet or major fraction thereof for all water used in excess of six hundred cubic feet per month; provided, where a commercial or industrial building houses more than one business establishment, in addition to the charges above described, an amount established by resolution will be charged per month for each additional business establishment shall be applied; provided, further, that in such instances, such commercial or industrial building shall be entitled to an amount of water equal to the number of business establishments housed within the building multiplied by the minimum allowance per business before the charge referenced in this subsection is applied.

D. Excess Sewage Discharge. Instead of the rate listed in subsection (C) of this section, the rate for any customer who discharges more than twenty-five thousand gallons per day (GPD) or the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in twenty-five thousand GPD of sanitary waste shall be as set forth by resolution of the city council.

E. When a residential, commercial, industrial, school or church water user chooses to install a separate water meter for the purpose of measuring water use when such use does not contribute to the sewer system, or the city sewer lines are not available to property served by the meter, the rates specified in subsections (A), (B), (C) or (D) of this section shall not apply. (Ord. 798 § 3, 1995; Ord. 666 §§ 10—16, 18, 1988; Ord. 612 §§ 6—10, 1985; Ord. 539 § 6, 1982; Ord. 498 § 5, 1980; Ord. 467 § 2, 1979)

**13.08.130 Rates—Outside corporate limits.**

All customers outside the corporate limits of the city shall pay one hundred fifty percent of the rates as set forth in subsections (A), (B) and (C) of Section 13.08.120. (Ord. 666 § 17, 1988; Ord. 467 § 3, 1979)

**13.08.140 Rates—Residential—Low-income, senior citizens' discount.**

An eligible low-income, senior citizen may receive a discount based on the following:

- A. Eligibility. A low-income, senior citizens' sewer rate is available within the city to individuals who occupy residential dwellings, not federally subsidized, and meet the following conditions:
  1. The individual shall be or exceed sixty-two years of age at the time of application;
  2. The income for a household of a single individual shall not exceed seven thousand five hundred dollars from all sources. Income shall include:
    - a. Railroad retirement and social security benefits;
    - b. Investment income such as dividends from stock, interest on savings accounts and bonds, capital gains, gifts and inheritances, net rental income from real estate and also disability payments, retirement pay and annuities. Reimbursement for losses are not to be considered as income. Easily convertible assets shall not exceed seven thousand five hundred dollars.

addition to any and all assessments and installation charges required to be paid by city ordinances.

(Ord. 609 § 5 (part), 1985)

**13.08.190 Cross-referencing fees and charges.**

Sections of this chapter referencing other code sections of this chapter as providing a charge or fee shall mean the applicable fee or charge set forth in the fee resolution of the city in the event such fee or charge has been reestablished or modified by fee resolution of the city council. (Ord. 798 § 5, 1995)

**13.08.200 Notice of rate change.**

As a condition precedent to council's adoption of a resolution modifying any of the rates and charges identified in this chapter, a public hearing shall be held and the clerk-treasurer shall give notice of such to the city's affected utility customers by newspaper publication and by notice in the utility billing statements. (Ord. 798 § 6, 1995)

## Chapter 13.12

## SEWER CONSTRUCTION AND USE

## Sections:

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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.
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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.
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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	Public sewer—Interceptors constructed.
13.12.270	Public sewer—Interceptor maintenance.
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.

**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 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)

type and capacity approved by the supervisor of public works and building inspector, and shall be located as to be readily and easily accessible for cleaning and inspection. Grease, oil and sand interceptors shall be inspected by the city sewer department on a semi-annual basis.

- B. Grease and oil 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 watertight.

(Ord. 409 Ch. VII § 4, 1975)

**13.12.270 Public sewer—Interceptor maintenance.**

Where installed, all grease, oil and sand interceptors shall be maintained by the owner in continuously efficient operation at all times, at his sole expense. (Ord. 409 Ch. VII § 5, 1975)

**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 three hundred parts per million by weight; or
- B. More than three hundred fifty parts per million by weight of suspended solids; or
- 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 sewage flow of the city,

shall be permitted only upon written approval of the supervisor of public works. Where necessary, in the opinion of the supervisor of public works, the owner shall provide, at his expense, such preliminary treatment as maybe necessary to:

- A. Reduce the biochemical oxygen demand to three hundred parts per million and the suspended solids to three hundred fifty parts per million by weight; or
- B. Reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 13.12.250; or
- C. 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 supervisor of public works and of 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)

**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 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 accessible and safely located, and shall be constructed in accordance with plans approved by the 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 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

## Chapter 13.16

### UTILITY SERVICE OUTSIDE THE CITY LIMITS

#### Sections:

- 13.16.010 Utility service application—Covenant.
- 13.16.020 Proposed LIDs—Covenant.
- 13.16.030 Proposed reimbursement contracts—Covenant.
- 13.16.040 Subdivisions—Covenant.
- 13.16.050 Expanded services defined.
- 13.16.060 Proposed annexation—Council approval.
- 13.16.070 Continuance of current service.
- 13.16.080 Denial of service.

#### 13.16.010 Utility service application—Covenant.

As is detailed in this chapter, any applicant for new utility service to any property outside the city limits, or for an expanded level of utility service to such property, if it requires a sanitary sewer plan application or water meter service order, and who is not exempted under Section 13.16.070, shall be required at time of such application, or of application for approval of construction plan, as a prerequisite to being furnished such new or expanded service, to sign a statement to be furnished him or her by the city and designated a covenant, substantially in the form as set out following this chapter. Such covenant shall contain a legal description of the property proposed to be served and a statement that the signatures on the covenant shall be taken as signatures to a petition to annex said property to the city, that the signer will in fact sign a formal petition to annex upon request by the city, and that he understands such annexation is intended to occur when the property and other properties in any designated area constitute an area which is contiguous to the city. Such covenant shall be filed with the city clerk and be filed by the city with the county auditor and shall be a covenant running with the land therein described and be binding upon the signer and his or her successors and/or assigns. Such covenant shall be signed by all parties having any right, title and interest in the property, and shall provide that the city may enforce it by an action for specific performance and/or withdrawal and termination of all city's utility services after thirty days' written notice and an opportunity to be heard. Further, said service shall not be made available to the applicant until after the covenant has been filed for record and a subsequent title examination report, prepared at the expense of

the applicant, has been furnished to the city clerk, showing that all parties in interest (other than holders of easements or similar such nonpossessory interests) have signed the covenants. (Ord. 514 § 1, 1981)

#### 13.16.020 Proposed LIDs—Covenant.

In the case of proposed LIDs, the petition for water or sewer construction, when filed with the city clerk, shall be accompanied by annexation covenants signed by signers of the petition requesting formation of the LID. If council decides in any case to proceed with an LID for which some property owners have not petitioned or have not signed the covenant, then the ordinance creating the district shall provide that such owners shall not be permitted to connect to the facility constructed until they have signed and filed such a covenant; provided, city council may make exceptions to such requirement based upon a showing of hardship or upon any declaration of health hazard by the health department that service is necessary for public health reasons. Ordinarily, council will not approve any LID unless property owners representing seventy-five percent of the assessed value of the area proposed for the LID have signed such a covenant. (Ord. 514 § 2, 1981)

#### 13.16.030 Proposed reimbursement contracts—Covenant.

In the case of proposed reimbursement contracts, the proposed contract between the city and developer shall be accompanied by a covenant to annex the developer's property, which covenant shall meet all requirements of Section 13.16.010, and shall be filed with the county auditor and shall run with the land. In addition, it will be the developer's responsibility to secure signed covenants to annex from owners of property which the city supervisor of public works finds will need to or probably want to connect to the facility constructed or proposed to be constructed under such agreement.

If council approves any such contract without all potential users of the facility having signed an annexation covenant, then persons who have not so covenanted shall not be permitted to connect and the latecomer agreement shall so provide; provided, city council may make exceptions to such requirements based upon a showing of hardship or upon any recommendation of the health department that service is necessary for public health reasons. (Ord. 514 § 3, 1981)

#### 13.16.040 Subdivisions—Covenant.

In the case of any new subdivisions, the preliminary plat of which has not been preliminarily approved, the person or persons owning the property to be subdivided

so requested, sign any letter, notice, petition or other instrument addressed to the City under Ch. 35.13, RCW, initiating, furthering or accomplishing the annexation to the City of Woodland of the area contiguous to the City in which the above-described land is located. It is understood that the covenant will apply whether or not such an annexation involves the assumption by the area to be annexed of the existing City of Woodland indebtedness, and such other lawful conditions as the City shall lawfully impose.

Further, if the undersigned or any successor in interest to this covenant shall refuse to sign any such letter, notice or petition, the right of the City to withdraw sewer and/or water service on thirty (30) days' written notice, and/or to bring an action to specifically enforce this covenant, is hereby agreed to and recognized.

And further, upon the sale by the undersigned, or any successor in interest, of an interest in the above-described property, the signature of the grantee or donee to this covenant shall be first obtained prior to any such conveyance; provided, however, that any failure of performance by the undersigned or any successor in interest shall not affect the rights of the City of Woodland to enforce this covenant or any part hereof.

Nothing in this covenant shall be deemed to enlarge, diminish or qualify the exercise of rights and powers of the City of Woodland in the premises.

The undersigned further agree that this covenant shall run with their above-described land and may be, at City expense, filed by the City in the real estate records of the Auditor of \_\_\_\_\_ County.

This covenant is signed voluntarily and to secure the benefits of such City utility service.

DATED this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(acknowledgments)

**Chapter 13.24**

**SEWER AND WATER SYSTEM  
DEVELOPMENT CHARGES**

**Sections:**

13.24.010	<b>Purpose.</b>
13.24.020	<b>Assessment—Principal—Interest.</b>
13.24.030	<b>Payable when.</b>
13.24.040	<b>Disposition of funds.</b>

**13.24.010 Purpose.**

The city council has determined that it is reasonable, equitable and in the public interest to enact a sewer and water system development charge for the purpose of recovering the funds necessary to repay two C.E.R.B. loans obtained to construct certain sewer and water improvements in a portion of the city more fully described in Ordinance No. 770 establishing LID No. 94.02. The improvements being installed pursuant to the LID are for the benefit of the properties within the LID assessment area according to the benefit percentages established in the LID assessment roll for that LID. Further, the city finds that it is reasonable, equitable and in the public interest to include, in addition to the system development charge established in the ordinance codified in this chapter, interest accruing from the date the utilities are available to the property for connection until the date the system development charge is paid at a rate of four percent per year, simple interest. (Ord. 835 § 1, 1997; Ord. 783 § 1, 1994)

**13.24.020 Assessment—Principal—Interest.**

- A. Owners of the properties contained within the LID No. 94-02 assessment area as listed on the assessment roll for those LID's shall pay a sewer and water system development charge as a condition of and prior to connecting to those sewer and water improvements. The sewer and water system development charge to be paid by each property owner shall be based on the LID assessment percentages and payment amounts for each individual property within the LID as set forth in Exhibit "A" attached to the ordinance codified in this chapter and by this reference incorporated herein. Such assessment percentages and payment amounts being those established in conjunction with the ratification and approval of the assessment roll for LID 94-02.
- B. In addition to the principle amount of the system development charge identified in the table, the property owner shall also pay interest on that principle amount at the rate of four percent simple interest per

year, accruing from the date the utilities are available to the property for connection until the date the system development charge is paid.

(Ord. 835 § 2, 1997; Ord. 783 § 2, 1994)

**13.24.030 Payable when.**

These system development charges, together with any interest shall be paid at the time of connection to the sewer or water improvements. No connection to the improvements shall be allowed without prior payment of these system development charges. (Ord. 783 § 3, 1994)

**13.24.040 Disposition of funds.**

All funds derived from these system development charges are to be segregated by appropriate approved accounting practices from all other funds of the city. All funds collected on account of these sewer and water improvement system development charges shall be used to repay the two CERB loans, pursuant to the requirements of those loan agreements. (Ord. 783 § 4, 1994)