

Introduced: 2/20/24
Adopted: 2/20/24

CODE

**CITY OF REDMOND
ORDINANCE NO. 3149**

AN ORDINANCE OF THE CITY OF REDMOND,
WASHINGTON; AMENDING REDMOND MUNICIPAL CODE
CHAPTER 13.04 SEWAGE AND DRAINAGE; PROVIDING
FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE
DATE

WHEREAS, the City of Redmond periodically updates the Redmond Municipal Code (RMC) to correct non-substantive errors such as those resulting from outdated or incorrect references, to reflect changes to names and terminology, and to ensure the code is clear; and

WHEREAS, RMC 13.04 originally became effective in 1957; and

WHEREAS, the current language reflects a previous version of King County Wastewater code that has since been revised; and

WHEREAS, conditions of sewer pipes can be measured in the field by using a sewer pipe camera; and

WHEREAS, the revisions to RMC 13.04 will align this chapter of the RMC with thresholds that are similar to those used by neighboring jurisdictions; and

WHEREAS, state agencies received 60-day notice of the proposed amendments on August 18, 2023; and

WHEREAS, a State Environmental Policy Act (SEPA) checklist was prepared, and a Determination of SEPA Exemption was issued on August 1, 2023, for the proposed amendments; and

WHEREAS, the Technical Committee reviewed and approved the proposed amendments and on August 30, 2023, made a recommendation for approval of the amendments; and

WHEREAS, the City Council held public meetings on December 5, 2023; January 16, 2024; January 23, 2024; and February 20, 2024, to consider the proposed amendments; and

WHEREAS, the City Council, in addition to recommended refinements, requested clarification to code portions referencing both the owner and occupant, for accurate implementation and enforcement of the respective code; and

WHEREAS, notice of the City Council action on this proposed amendment was provided on January 30, 2024; and

WHEREAS, the City of Redmond desires to amend portions of the Redmond Municipal Code as set forth in this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Redmond Municipal Code.

Section 2. Amendments to Redmond Municipal Code (RMC) Chapter 13.04 Sewage and Drainage. The provisions of RMC chapter 13.04 Sewage and Drainage are hereby amended to read as follows:
RMC 13.04 Sewage [~~AND DRAINAGE~~].

...

13.04.020 Definitions.

Words and phrases used in this chapter, unless the same shall be contrary to or inconsistent with the context, shall mean as follows:

...

"Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground, surface and storm waters as may be present.

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

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

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

"Sewer plat" means a plat issued by the City Engineer in conjunction with any permit. The plat shall serve as his record of all matters pertaining to the permit.

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

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

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

"Sidewalk" means the walkway in the public area lying parallel or generally parallel to the roadway. If the walk is not yet paved, all measurements shall be based

on location and elevation established by the City Engineer.

"Side Sewer" means the sewer pipe from the building or residence to the sewer main, including the connection to the sewer main.

"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 filtering.

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

13.04.030 Owner to connect to sewer system.

The owner [~~OR OCCUPANT~~] of any lands or premises shall connect all buildings located thereon and used as a receptacle or drainage with the nearest accessible public sewer whenever there is a public sewer within two hundred feet thereof. The City Engineer shall prescribe the manner in which such connections shall be made.

No drain or sewer shall be constructed so as to discharge upon the surface of any public area.

13.04.040 Notice to connect - Connection by city.

Whenever any land, buildings or premises is required to be connected with a public sewer or otherwise drained, as provided in Section 13.04.030, the Health Officer shall serve upon the owner[~~, AGENT OR OCCUPANT~~] of the lands, buildings or premises a notice in writing, specifying the time within which such connection must be made, which time shall not be more than sixty days from the date of delivery of the notice.

If the owner[~~, AGENT OR OCCUPANT~~] fails and neglects or refuses to connect his lands, buildings or premises with the public sewer within the time specified, the Health Officer shall notify the City Engineer, whereupon the City Engineer may make such connection. The cost thereof shall be charged to the owner[~~, AGENT OR OCCUPANT~~], and a bill showing the amount thereof mailed or delivered to him, or posted upon the premises, whereupon the amount shall immediately be paid to the City Treasurer.

13.04.041 Connection required - When - How made - Warrant to fund.

The Director of Public Works is empowered to compel the owners [~~OR THE OCCUPANTS~~] of any lot or parcel of real property, the property line of which is located within 200 feet of a public sanitary sewer, to cause to be connected to such public sanitary sewer a sufficient sewer or drain pipe from all buildings and structures located thereon used for human occupancy or for use for any other purposes. It is intended to discontinue the use of septic tanks throughout the City in the interests of the public health and safety, and to carry out such purpose, all buildings on property situated within 200 feet of a public sanitary sewer shall be required to connect to the same within one year from January 1, 1973. No storm or drainage water shall be connected to the sanitary sewer; provided, further, that the Director of Public Works is empowered to compel the owners [~~or occupants~~] of any lot or parcel of real property, upon which pools, ditches, watercourses or waste water pipes are located, which are used as a receptacle or for drainage purposes, the property line of which is located

within 200 feet of a separate storm sewer, to cause to be connected a sufficient sewer or drain pipe from said pools, ditches, watercourses or waste water pipes to the storm sewer. It is unlawful for any person or persons or corporation to make or attempt to make more than one connection to any "Y" or to make more than two such connections at any one standpipe, and no "Y" or standpipe which already has one or two such connections, as the case may be, shall be considered as an accessible point in such sewer as the term is herein used. It is unlawful for any person to connect any basement with a city sewer without installing a back water sewage valve at the outlet.

Any person who fails to comply with the requirements of this section shall be guilty of a violation of this chapter and be subject to a civil infraction in an amount not to exceed \$500 per violation.

If any connection shall not be made within 30 days after written notice to the [~~OCCUPANT OR~~] owner of such lot or parcel of property, building or structure by the City,

the Director of Public Works is authorized to cause the connection to be made and to file a statement of the cost thereof with the City Clerk. Thereupon a warrant in the amount of such cost, payable to the Water and Sewer Department, shall be issued by the City Treasurer under the direction of the City Council and against the "City of Redmond Water and Sewer Revenue Fund." The amount of such warrant, plus interest at the rate of eight percent per year upon the total amount of such cost and penalty, shall be assessed against the property upon which the building or structure is situated, and shall become a lien thereon as herein provided. The total amount when collected shall be paid into the "City of Redmond Water and Sewer Revenue Fund."

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13.04.140 When permit required - Open excavations.

It is unlawful to construct, extend, relay, repair or to make connection to any sewer or drain inside the property line without obtaining a permit from the City Engineer as provided in Section 13.04.110. The City Engineer may

issue the permit to the owner [~~OR OCCUPANT~~] of any property to construct, extend, relay, repair or make connection to any private sewer or drain inside the property lines; provided, the owner [~~OR OCCUPANT~~] shall comply with the applicable provisions of this chapter, except that he need not employ a licensed side sewer contractor to do the work. Should the owner [~~OR OCCUPANT~~] employ a licensed side sewer contractor to do the work, the contractor shall take the permit in his own name and the owner, occupant or any other person shall lay no pipe on the contractor's permit.

It is unlawful to leave unguarded any excavation made in connection with the construction or repair of any side sewer or private drain within four feet of any public place or to fail to maintain the lateral support of any public place in connection with the construction, alteration or repair of any side sewer or drain.

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13.04.160 Temporary connections.

The City Engineer may, upon application containing such information as is required by him, issue a permit for a temporary connection to a public sewer, side sewer, drain or natural outlet. The permit may be revoked by the City Engineer at any time upon thirty days' notice posted upon the premises and directed to the owner [~~or occupant~~] of the premises. In event the side sewer or drains are not disconnected at the expiration of the thirty days, the City Engineer may disconnect the same and charge the cost thereof to the owner [~~OR OCCUPANT~~]. Such costs shall be immediately payable to the City Treasurer following a written notice of the amount thereof given to such owner [~~OR OCCUPANT~~] or posted on the premises. A temporary permit shall be issued only upon the applicant recording with the county auditor an acceptable instrument agreeing to save the City harmless from all damage resulting to the City by reason of such temporary connection or disconnection, and exhibiting to the City Engineer the recording number thereof.

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13.04.230 Noncompliance with standards - Notice.

If any work done under a permit granted is not done in accordance with the provisions of this chapter and the plans and specifications as approved by the City Engineer, and if the contractor or person doing the work shall refuse to properly construct and complete such work, notice of such failure or refusal shall be given to the owner [~~OR OCCUPANT~~] of the property for whom the work is being done. The City Engineer may cause the work to be completed and the sewer connected in the proper manner. The cost of such work and any materials necessary therefor shall be charged to the owner or contractor and be payable by the owner or contractor immediately upon the City Engineer giving written notice of the amount thereof or posting a notice thereof on the premises.

13.04.240 City repairs - Costs.

When any side sewer is constructed, laid, connected or repaired, and does not comply with the provisions of this chapter, or where it is determined by the Health Officer or the City Engineer that a side sewer, drain,

ditch, or natural watercourse is obstructed, broken, or inadequate and is a menace to health, or is liable to cause damage to public or private property, the Health Officer shall give notice to the owner [~~, AGENT OR OCCUPANT~~] of the property in which such condition exists. If he shall refuse to reconstruct, relay, reconnect, repair, or remove the obstruction of the side sewer, drain, ditch, or natural watercourse within the time specified in such notice, the Health Officer shall so notify the City Engineer and the City Engineer may perform such work as may be necessary to comply with this chapter. The cost of such work so done shall be charged to the property owner [~~or occupant~~] and shall become immediately payable to the Treasurer upon written notice of the amount being given to the property owner [~~OR OCCUPANT~~] or posted upon the premises.

13.04.250 Costs of installation borne by owner.

The Public Works Director or designee shall require the owner of a broken side sewer to repair the side sewer.

The owner of the side sewer shall perform repairs within the amount of time dictated by the City.

All costs and expense incidental to the installation, connection and maintenance of a side sewer shall be borne by the owner [~~or occupant~~] of the premises served by the side sewer.

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13.04.270 Backup remedies.

In any building, structure or premises in which the house drain or other drainage is too low to permit gravity flow to the public sewer, the same shall be lifted by artificial means and discharged into the public sewer. Whenever a situation exists involving an unusual danger of backups, the City Engineer may prescribe a minimum elevation at which the house drain may be discharged to the public sewer. Drains or sewers below the minimum elevation shall be lifted by artificial means; or, if approved by the City Engineer, a backwater sewage valve may be installed. The effective operation of the backwater sewage valve shall be the responsibility of

the owner of the sewer or drain. Approval of a backwater sewage valve shall be made only upon the applicant recording with the county auditor an acceptable instrument agreeing to save the City harmless from all damage resulting therefrom, and exhibiting to the City Engineer the recording number thereof.

In the event a side sewer backup has caused or will cause impact to the environment, or has or will cause a public health issue, the Public Works Director has the authority to shut off water to the residence or building until the side sewer is repaired.

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13.04.350 [~~STORM SEWERS.~~] REPEALED.

~~[STORM WATER AND ALL OTHER UNPOLLUTED DRAINAGE SHALL BE DISCHARGED TO SUCH SEWERS AS ARE SPECIFICALLY DESIGNATED AS STORM SEWERS TO A NATURAL OUTLET APPROVED BY THE CITY ENGINEER. INDUSTRIAL COOLING WATER OR UNPOLLUTED PROCESS WATER MAY BE DISCHARGED, UPON APPROVAL OF THE CITY ENGINEER TO A STORM SEWER, OR NATURAL OUTLET.]~~

13.04.360 Substances prohibited in sewers.

It is unlawful to discharge or cause to be discharged any of the following described waters or wastes in any public sewer, drain, ditch or natural outlets:

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

B. Any water or waste which contains [~~MORE THAN ONE HUNDRED PARTS PER MILLION BY WEIGHT OF FAT, OIL OR GREASE~~] visible accumulation of fats, oils, and grease in amounts that may cause obstruction or maintenance problems in the collection and conveyance system, or interference in public sewer facilities;

C. Any gasoline, benzene, naphtha, 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, hair, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substances capable of causing an

obstruction to the flow of sewers or other interference with the proper operation of the sewage works;

F. Any waters or wastes having a pH lower than five and five-tenths, or higher than eight and five-tenths, or having any other corrosive property capable of causing damage or hazard to structures, equipment or 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, constitute a hazard to humans, animals, fish or fowl, or create 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 obnoxious or malodorous gas or substance capable of creating a public nuisance;

J. Any hazardous material, unless prior approval is obtained from the City Engineer.

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13.04.400 Manholes.

In any property served by a side sewer carrying industrial wastes when required by the City Engineer, the owner [~~or occupant~~] shall install a control manhole in the side sewer to facilitate observation, sampling and measurement of the wastes. The manhole shall be accessibly and safely located and shall be constructed and installed in accordance with plans approved by the City Engineer. The manhole shall be installed and maintained by the owner [~~or occupant~~] at his sole expense.

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13.04.430 [~~DRAINAGE.~~] **REPEALED.**

~~[ALL HARD SURFACE OR GRADED AREAS SUCH AS PARKING LOTS AND SERVICE STATION YARDS SHALL BE DRAINED IN SUCH A MANNER AS WILL PROTECT ADJACENT PUBLIC AND PRIVATE PROPERTY FROM DAMAGE. DRAINAGE SHALL ENTER THE STORM~~

~~SEWER OR OTHER OUTLET BY WAY OF AN INTERCEPTOR OF SUCH DESIGN AS IS APPROVED BY THE CITY ENGINEER.]~~

13.04.440 Planting near sewers.

It is unlawful to plant within thirty feet of any public or private sewer any willow, poplar, cottonwood, soft maple, gum tree, or any other tree or shrub whose roots are likely to enter and obstruct the flow of said sewers. The City Engineer is authorized to remove any trees or shrubs from any public street or the roots of any trees or shrubs which extend into any public street when such trees, shrubs or the roots thereof are obstructing or are liable to obstruct any public or private sewer or drain. Before making any such removal, the City Engineer shall give ten days notice in writing to the owner [~~OR OCCUPANT~~] of the abutting property or the property on which such trees or shrubs are growing, requiring the owner [~~OR OCCUPANT~~] to remove the same. If the written notice cannot be given to the owner [~~OR OCCUPANT~~], the notice may be posted on the premises or in the street at the location of the trees or shrubs requiring such

removal. If the owner [~~OR OCCUPANT~~] fails or refuses to remove such trees or shrubs and roots within the time specified, the City Engineer is authorized to do so and the cost thereof shall be charged to the owner [~~OR OCCUPANT~~]. Upon giving such written notice of the amount thereof to the owner [~~OR OCCUPANT~~] or by posting such notice at the location of the trees or shrubs, the cost thereof shall be immediately payable to the City Treasurer by such owner [~~OR OCCUPANT~~].

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13.04.480 Penalty for violations.

~~[VIOLATION OF OR FAILURE TO COMPLY WITH THE PROVISIONS OF THIS CHAPTER SHALL SUBJECT THE OFFENDER TO PUNISHMENT AS PROVIDED IN SECTION 1.01.110. EACH DAY THAT ANY VIOLATION OR FAILURE TO COMPLY EXISTS SHALL CONSTITUTE A SEPARATE OFFENSE.]~~

Persons Subject to Penalty. Any person who violates or fails to comply with the requirements of this chapter or who fails to conform with the terms of an approval or order issued by the Mayor, the Public Works Director, or his or her designee,

shall be subject to a civil penalty as provided in RMC Chapter 1.14. Each day of continued violation shall constitute a separate violation for purposes of this penalty.

Procedure for Imposing Penalty. The procedure for notice of violation and imposition of penalties under this chapter shall be the same as other code violations as described in RMC Chapter 1.14; provided, that such procedures may be initiated by either the Public Works Director or his or her designee.

Section 5. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance.

Section 6. Effective Date. This ordinance shall become effective five days after its publication, or publication of a summary thereof, in the city's official newspaper, or as otherwise provided by law.

ADOPTED by the Redmond City Council this 20th day of February,
2024.

CITY OF REDMOND


ANGELA BIRNEY, MAYOR

ATTEST:


CHERYL XANTHOS, MMC, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

DocuSigned by:

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DANIEL P. KENNY, CITY ATTORNEY

FILED WITH THE CITY CLERK: February 6, 2024
PASSED BY THE CITY COUNCIL: February 20, 2024
SIGNED BY THE MAYOR: February 23, 2024
PUBLISHED: February 26, 2024
EFFECTIVE DATE: March 2, 2024
ORDINANCE NO. 3149

YES: ANDERSON, FIELDS, FORSYTHE, KRITZER, NUEVACAMINA, SALAHUDDIN,
STUART

NO: NONE