

ORDINANCE NO. 2006-08-082

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON, AMENDING VARIOUS SECTIONS OF THE BELLINGHAM MUNICIPAL CODE CHAPTER 15.12 REGARDING ADMINISTRATION OF THE SEWER UTILITY.

WHEREAS Bellingham Municipal Code Title 15 sets forth the rules and regulations governing the provision of utility services; and,

WHEREAS BMC Chapter 15.12 includes rules and regulations regarding sewer service; and,

WHEREAS certain provisions of this Chapter should be updated to reflect new services, best practices, and revised service provision; and,

WHEREAS these revisions are in the best interests of the City of Bellingham and its utility customers and residents;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1: Bellingham Municipal Code Section 15.12.040 is hereby amended as follows:

15.12.040 - Sewer Service Connections

A. When the premises fully abuts upon a street or City-owned utility easement through which there is a City sewer main, the premises' owner may apply for service. Upon approval of the service application by the Director of Public Works and upon such conditions as required by the Director, the Department of Public Works shall issue a permit authorizing the premises to be connected to the system.

B. Any person desiring to have a premises connected with the city sewer system shall make application to the Public Works Department on printed forms furnished for that purpose. Every such application shall be made by the owner or the purchaser under a real estate contract of the premises to be benefited, or by his authorized agent. The application must describe the property to be served, state fully the purposes for which the sewer service is required, and indicate that by signing the form, the applicant agrees to conform to the ordinances, rules, and regulations established as conditions for use of sewer services, and further agrees, as a condition to the furnishing of sewer services, that the city has the right to shut off the sewer service as required for such things as, by way of example, non-payment, repairs, extensions, or doing other necessary work.

C. When the premises within the city limits for which service is sought does not fully abut upon a street or city-owned utility easement through which there is a city sewer main, the application for service shall be rejected, except when the property being served is the last developable lot that can be served upon the street, in which case the Director of Public Works is authorized to make this determination administratively and grant service under this exception. However, when the City of Bellingham has begun constructing a City sewer main that will allow an applicant's premises to abut upon a street or City-owned utility easement through which there will be a City sewer main and the applicant has a commercial, multi-family or industrial project on the premises, the Department of

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Public Works may, in its sole discretion, accept the application and issue a permit authorizing the premises to be connected to the system; PROVIDED, a Certificate of Occupancy shall not be issued for the premises until the sewer connection is functioning and providing sewer service to the premises.

D. When the premises for which service is sought is within a critical service area under Section 15.12.020, the application shall be rejected.

E. When the premises for which service is sought will discharge more waste than the available capacity of the sewer main, as determined by the Department of Public Works, the application for service shall be rejected.

Section 2: Bellingham Municipal Code Section 15.12.120 is hereby amended as follows:

15.12.120 - Record Construction Drawings Required

A. Upon completion of a main extension, the petitioner shall provide the Department of Public Works a reproducible mylar drawing that accurately indicates the main extension and appurtenances as actually installed, in plan and profile ("Record Construction Drawing").

B. No main extension will be accepted until satisfactory Record Construction Drawings are provided to and approved by the Director of Public Works or his designee.

Section 3: Bellingham Municipal Code Section 15.12.150 is hereby amended as follows:

15.12.150 - Sewer--Sewer Fund.

A. All accounts for sewers shall be kept by the finance director by reference to the address, or if necessary, the legal description of the property to which water service is provided.

B. Accounts are due upon receipt of billing and are delinquent if not paid prior to the next regular billing period.

C. Delinquent accounts are assessed a late -charge penalty, and said penalty shall be imposed for each billing period until all arrearages are paid.

Section 4: Bellingham Municipal Code Section 15.12.165 is hereby amended as follows:

15.12.165 - Abandoned Service.

A. An abandoned service is any sewer service that has not been used for a period of 3 years or longer except for services installed as part of a main extension and not put into service, which will not be considered abandoned. Additionally, an abandoned water service under BMC 15.08.200 shall also mean the sewer service is abandoned. Abandonment under this section shall not relieve the property owner or other responsible party of any financial responsibility for charges incurred at the premises for sewer service.

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B. A new sewer service for a premises where an abandoned service exists may use the existing abandoned sewer service if it is determined to be in satisfactory condition in writing by a licensed plumber, a copy of which shall be provided to the Department of Public Works. All fees and charges shall be the same as for a new service.

Section 5: Bellingham Municipal Code Section 15.12.195 is hereby repealed in its entirety:

Section 6: Bellingham Municipal Code Section 15.12.210 is hereby amended as follows:

15.12.210 - Septage Wastes - Use Rate For Dumping.

A. Septage wastes may only be discharged at the wastewater treatment plant, under supervision of the plant operator.

B. The use rate for dumping septage tank wastes shall be computed and paid as follows:

1. \$15.75 per delivery to the treatment plant; plus
2. \$0.003 for each gallon of vehicle capacity with a strength of 0-10mg/L of either Total Suspended Solids (TSS) or Biological Oxygen Demand (BOD);
3. \$0.03 for each gallon of vehicle capacity with a strength of 10-1,000mg/L of either Total Suspended Solids (TSS) or Biological Oxygen Demand (BOD);
4. \$0.06 for each gallon of vehicle capacity with a strength of 1,000-10,000mg/L of either Total Suspended Solids (TSS) or Biological Oxygen Demand (BOD);
5. \$0.013 for each gallon of vehicle capacity with a strength of 10,000-100,000mg/L of either Total Suspended Solids (TSS) or Biological Oxygen Demand (BOD).

Section 7: Bellingham Municipal Code Section 15.12.215 is hereby amended as follows:

15.12.215 - Tampering With Sewer Service After Suspension.

A. Should any person reconnect a sewer service without authorization after it has been shut off by the city, the account shall be assessed the tampering fee for the first occurrence. If additional incidents of tampering occur, the account shall be assessed twice the tampering fee for each additional occurrence. This fee shall be in addition to any tampering fee that may be changed in regards to tampering with a water service.

B. The tampering fee is \$75 for the first occurrence.

C. Owners or purchasers under a real estate contract of the premises who do not occupy the premises will, if possible, be notified of the imposition of a tampering fee.

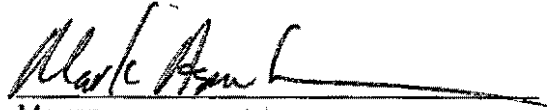
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PASSED by the Council this 14th day of August, 2006.


Council President

APPROVED by me this 29th day of August, 2006.


Mayor

Attest: 
Finance Director

Approved as to form: 
Office of the City Attorney

Published: August 18, 2006

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