

ORDINANCE NO. 1232
AN ORDINANCE OF THE CITY OF OKANOGAN, WASHINGTON AMENDING
AND ADDING PORTIONS OF SECTION 13.08 OF THE OKANOGAN
MUNICIPAL CODE

WHEREAS, the City Council of the City of Okanogan desires to amend language in the City’s sewer policy for application of service; and

WHEREAS, the City Council of the City of Okanogan desires to adopt by ordinance a comprehensive policy to allow for refunds of sewer connection application fees; and

WHEREAS, the City Council of the City of Okanogan desires to amend employee job titles and outdated language.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OKANOGAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: Repealer.

Section 13.08.210 – “Superintendent” is hereby repealed.

Section 2: Addition.

Section 13.08.055 is hereby added.

“13.08.055” Director. “Director” means the director of public works of the city or their authorized representative.

Section 3: Amendment.

Section 13.08.290 of the Okanogan Municipal Code which reads:

“13.08.290” Permit Required. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the superintendent. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the superintendent. A permit and inspection fee as per OMC 13.08.370 shall be paid to the city at the time the application is filed.

Is hereby amended to read as follows:

“13.08.290” Permit Required. Before commencement of construction of a private sewage disposal system the owner shall first obtain a written permit signed by the **director**. The application for such permit shall be made on a form

furnished by the city, which the applicant shall supplement by any plans, specifications and other information as deemed necessary by the **director**. A permit and inspection fee as per OMC 13.08.370 shall be paid to the city at the time the application is filed.

Section 13.08.300 of the Okanogan Municipal Code which reads:

“13.08.300” Inspection. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of notice by the superintendent.

Is hereby amended to read as follows:

“13.08.300” Inspection. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the **director**. **They** shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the **city** when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 24 hours of the receipt of notice by the **city**.

Section 13.08.360 of the Okanogan Municipal Code which reads:

“13.08.360” Permit - Required.

A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the superintendent.

B. Each sewer connection application for a new structure or expansion of use thereof within the municipal limits of the city of Okanogan shall require application for a sanitary sewer and/or water connection permit upon the application forms as provided by the city. Such sanitary sewer or water connection approval shall only be issued by the city if such applications are made together and concurrently with or subsequent to the issuance of a building permit for the construction of a single- or multiple-family residential, commercial business or establishment, industrial business or establishment, or public use, hereinafter “building permit,” requiring sanitary sewer or water service from the city of Okanogan. Such actual sewer and water connections shall be made within the time limits established under such building permit, or extensions thereof, and shall expire on the expiration date of such building permit.

C. Each water connection application for an existing structure or use within the water service area shall make application for sewer service if sewer service is available as provided elsewhere in this code.

Is hereby amended to read as follows:

“13.08.360” Permit - Required.

A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the **director**.

B. Each sewer connection application for a new structure or expansion of use thereof within the municipal limits of the city of Okanogan shall require application for a sanitary sewer and/or water connection permit upon the application forms as provided by the city. Such sanitary sewer or water connection approval shall only be issued by the city if such applications are made together and concurrently with or subsequent to the issuance of a building permit for the construction of a single- or multiple-family residential, commercial business or establishment, industrial business or establishment, or public use, hereinafter “building permit,” requiring sanitary sewer or water service from the city of Okanogan. Such actual sewer and water connections shall be made within the time limits established under such building permit, or extensions thereof, and shall expire on the expiration date of such building permit.

C. Each water connection application for an existing structure or use within the water service area shall make application for sewer service if sewer service is available as provided elsewhere in this code.

D. An applicant may request a refund of application fees when the owner or authorized agent does not proceed with the development activity for which sewer connection fees were paid, and the applicant shows that no impact has or will result, and the city has not yet spent or encumbered the fees; however, the connection fee shall not be refunded if the city has spent or encumbered the fees.

E. If sewer connection fees must be refunded for any reason, the city council may authorize the refund of not more than 80% of the fees collected. The refund will be issued to the owners as they appear of record with the Okanogan County assessor at the time of refund.

Section 13.08.370 of the Okanogan Municipal Code which reads:

“13.08.370” Permit – Classes - Application There shall be two classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner

or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the superintendent. A permit and inspection fee to be established by ordinance for a residential or commercial building sewer permit shall be paid to the city at the time the application is filed.

Is hereby amended to read as follows:

“13.08.370” Permit – Classes - Application There shall be two classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the **director**. A permit and inspection fee to be established by ordinance for a residential or commercial building sewer permit shall be paid to the city at the time the application is filed.

Section 13.08.380 of the Okanogan Municipal Code which reads:

“13.08.380” Connection Fee. When an application for sewer service is made and the charge prescribed for the service has been paid to the city clerk-treasurer, the service will be installed as soon as it is practicable for the city to do so. The charge for connection to the city sewer system, which will include stub to the property line, will be established by ordinance. All costs and expenses incident to the installation and connection of the building sewer on the property of the application shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Is hereby amended to read as follows:

“13.08.380” Connection Fee. When an application for sewer service is made and the charge prescribed for the service has been paid to the city clerk-treasurer, the service **shall be installed by the owners licensed and bonded contractor with the connection being made at the public sewer**. All costs and expenses incident to the installation and connection of the building sewer on the property of the application shall be borne by the owner. The owner **and their agent** shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 13.08.400 of the Okanogan Municipal Code which reads:

“13.08.400” Old building sewers with new buildings. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent, to meet all requirements of this chapter.

Is hereby amended to read as follows:

“13.08.400” Old building sewers with new buildings. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the **director**, to meet all requirements of this chapter.

Section 13.08.440 of the Okanogan Municipal Code which reads:

“13.08.440” Connection specifications. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. or W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the superintendent before installation.

Is hereby amended to read as follows:

“13.08.440” Connection specifications. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications of the A.S.T.M. or W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the **director** before installation.

Section 13.08.450 of the Okanogan Municipal Code which reads:

“13.08.450” Inspection at connection. The applicant for the building sewer permit shall notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the superintendent or his representative.

Is hereby amended to read as follows:

“13.08.450” Inspection at connection. The applicant for the building sewer permit shall notify the **city** when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the **director**.

Section 13.08.480 of the Okanogan Municipal Code which reads:

“13.08.480” Unpolluted waters – Proper discharge. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the superintendent, to a storm sewer, combined sewer or natural outlet.

Is hereby amended to read as follows:

“13.08.480” Unpolluted waters – Proper discharge. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the **director**. Industrial cooling water or unpolluted process waters may be discharged, on approval of the **director**, to a storm sewer, combined sewer or natural outlet.

Section 13.08.500 of the Okanogan Municipal Code which reads:

“13.08.500” Restricted discharges - Designated. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as the acceptability of these wastes, the superintendent will give consideration to such factors as to quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

A. Any liquid or vapor having a temperature higher than 150 Fahrenheit (65 degrees C);

B. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 milligrams per liter, or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (0 and 65 degrees C);

C. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths

horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the superintendent;

D. Any waters or wastes containing strong acid iron-pickling wastes, or concentrated plating solutions, whether neutralized or not;

E. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the superintendent for such materials;

F. Any waters or wastes containing phenyls or other taste-producing or odor-producing substances, in such concentrations exceeding limits which may be established by the superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters;

G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state and federal regulations;

H. Any waters or wastes having a pH in excess of 9.5;

I. Materials which exert or cause:

1. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate),
2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions),
3. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works,
4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined in this chapter;

J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Is hereby amended to read as follows:

“13.08.500” Restricted discharges - Designated. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the **director** that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming their opinion as the acceptability of these wastes, the **director** will give consideration to such factors as to quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

A. Any liquid or vapor having a temperature higher than 150 Fahrenheit (65 degrees C);

B. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 milligrams per liter, or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (0 and 65 degrees C);

C. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the **director**;

D. Any waters or wastes containing strong acid iron-pickling wastes, or concentrated plating solutions, whether neutralized or not;

E. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the **director** for such materials;

F. Any waters or wastes containing phenyls or other taste-producing or odor-producing substances, in such concentrations exceeding limits which may be established by the director as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters;

G. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the director in compliance with applicable state and federal regulations;

H. Any waters or wastes having a pH in excess of 9.5;

I. Materials which exert or cause:

1. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate),
2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions),
3. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works,
4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined in this chapter;

J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 13.08.510 of the Okanogan Municipal Code which reads:

"13.08.510" Restricted discharges – Options of superintendent. A. If any wastes or waters are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substances or possess the characteristics enumerated in OMC 13.08.500, and which in the judgment of the superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the superintendent may:

1. Reject the wastes;
2. Require pretreatment to an acceptable condition for discharge to the public sewers;
3. Require control over the quantities and rates of discharge; and/or
4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of OMC 13.08.560.

B. If the superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the superintendent, and subject to the requirements of all applicable codes, ordinances and laws.

Is hereby amended to read as follows:

“13.08.510” Restricted discharges – Options of director.

A. If any wastes or waters are discharged, or are proposed to be discharged, to the public sewers, which waters contain the substances or possess the characteristics enumerated in OMC 13.08.500, and which in the judgment of the **director**, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the director may:

1. Reject the wastes;
2. Require pretreatment to an acceptable condition for discharge to the public sewers;
3. Require control over the quantities and rates of discharge; and/or
4. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of OMC 13.08.560.

B. If the **director** permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the **director**, and subject to the requirements of all applicable codes, ordinances and laws.

Section 13.08.520 of the Okanogan Municipal Code which reads:

“13.08.520” Grease, oil and sand interceptors. Grease, oil and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except, that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

Is hereby amended to read as follows:

“13.08.520” Grease, oil, and sand interceptors. Grease, oil and sand interceptors shall be provided when, in the opinion of the **director**, they are

necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other harmful ingredients; except, that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the **director** and shall be located as to be readily and easily accessible for cleaning and inspection.

Section 13.08.540 of the Okanogan Municipal Code which reads:

“13.08.540” Control manhole. When required by the superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances 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 superintendent. 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.

Is hereby amended to read as follows:

“13.08.540” Control manhole. When required by the **director**, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances 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 **director**. 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.

Section 13.08.580 of the Okanogan Municipal Code which reads:

“13.08.580” Right of entry. The superintendent and other duly authorized employees of the city may enter all properties for the purpose of inspection, observation, measurement, sampling, testing and the making of necessary repairs in accordance with the provisions of this chapter; provided, that the employees shall first present proper credentials and obtain the consent of the owner or occupier of the premises to the inspection, observation, measurement, sampling, testing or repair. In the event that consent is not granted by the owner or occupier of the premises in question, inspection, observation, measurement, sampling, testing and/or the making of repairs shall not be conducted upon the premises except pursuant to warrant issued by the municipal court of the city upon a finding of reasonable cause for the requested entry upon the premises. The superintendent or his representative shall have no authority to inquire into any process, including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source

of discharge to the sewers or waterways or facilities for waste treatment of the city.

Is hereby amended to read as follows:

“13.08.580” Right of entry. The **director** and other duly authorized employees of the city may enter all properties for the purpose of inspection, observation, measurement, sampling, testing and the making of necessary repairs in accordance with the provisions of this chapter; provided, that the employees shall first present proper credentials and obtain the consent of the owner or occupier of the premises to the inspection, observation, measurement, sampling, testing or repair. In the event that consent is not granted by the owner or occupier of the premises in question, inspection, observation, measurement, sampling, testing and/or the making of repairs shall not be conducted upon the premises except pursuant to warrant issued by the municipal court of the city upon a finding of reasonable cause for the requested entry upon the premises. The **director** or his representative shall have no authority to inquire into any process, including metallurgical, chemical, oil, refining, ceramic, paper or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment of the city.

Section 13.08.590 of the Okanogan Municipal Code which reads:

“13.08.590” Conduct – Liability of companies. While performing the necessary work on private properties referred to in OMC 13.08.580, the superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in OMC 13.08.550.

Is hereby amended to read as follows:

“13.08.590” Conduct – Liability of companies. While performing the necessary work on private properties referred to in OMC 13.08.580, the **director** or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the city employees and the city shall indemnify the company against loss or damage to its property by city employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in OMC 13.08.550.

Section 13.08.600 of the Okanogan Municipal Code which reads:

“13.08.600” Easement access. The superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Is hereby amended to read as follows:

“13.08.600” Easement access. The **director** and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within the easement. All entry and subsequent work, if any, on the easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Section 4 ; Effective Date. This ordinance shall become effective from and after its passage by the Okanogan City Council as set forth above, approval by the Mayor and five (5) days after publication as required by law.

**PASSED BY THE OKANOGAN CITY COUNCIL OF OKANOGAN, AT A
REGULAR MEETING THEREOF THIS _____ DAY OF _____, 2024.**

APPROVED:

Wayne L. Turner, Mayor

ATTEST:

Jessica Blake, Clerk-Treasurer

Approved as to Form:

W. Scott DeTro, City Attorney