

ORDINANCE NO. 1231
AN ORDINANCE OF THE CITY OF OKANOGAN, WASHINGTON AMENDING
SECTION 13.04.040 OF THE OKANOGAN MUNICIPAL CODE

WHEREAS, the City Council of the City of Okanogan desires to amend language in the City's water 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 water connection application fees.

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

Section 1: Amendment.

Section 13.04.040 of the Okanogan Municipal Code which reads:

A. All applications for the use of water must be made at the clerk-treasurer's office on printed forms to be furnished by the public works department for that purpose; such application must be made by the owner or authorized agent of the property to which the water is to be furnished; the applicant shall state fully all the purposes for which the water may be required and must agree to conform to the rules and regulations, and any modification thereof, that may be established from time to time, as a condition for the use of water.

B. Each 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. 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. Water connection applications may only be approved without concurrent sewer application where alternate sewerage systems have been reviewed and accepted by the public works department, and where physical connection to the city's sewer system has been confirmed by the city to be unavailable or impractical.

C. Each sewer connection application for an existing structure or use within the sewer service area shall make application for water service if water service is

available as provided elsewhere in this code, except if said structure or use is served by an approved existing water source.

Is hereby amended to read as follows:

A. All applications for the use of water must be made at the clerk-treasurer's office on printed forms to be furnished by the public works department for that purpose; such application must be made by the owner or authorized agent of the property to which the water is to be furnished; the applicant shall state fully all the purposes for which the water may be required and must agree to conform to the rules and regulations, and any modification thereof, that may be established from time to time, as a condition for the use of water.

B. Each 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. 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. Water connection applications may only be approved without concurrent sewer application where alternate sewerage systems have been reviewed and accepted by the public works department, and where physical connection to the city's sewer system has been confirmed by the city to be unavailable or impractical.

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

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 water 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 water 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 2 ; 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