



CITY OF MERCER ISLAND

CITY COUNCIL MEETING AGENDA

Monday
March 3, 2014
6:00 PM

Mayor Bruce Bassett
Deputy Mayor Dan Grausz

**Councilmembers Debbie Bertlin, Jane Brahm,
Mike Cero, Tana Senn, and Benson Wong**

Contact: 206.275.7793, council@mercergov.org
www.mercergov.org/council

All meetings are held in the City Hall Council Chambers at
9611 SE 36th Street, Mercer Island, WA unless otherwise noticed

“Appearances” is the time set aside for members of the public to speak to the City Council
about any issues of concern. If you wish to speak, please consider the following points:

(1) speak audibly into the podium microphone, (2) state your name and address for
the record, and (3) limit your comments to three minutes.

Please note: the Council does not usually respond to comments during the meeting.

REGULAR MEETING

STUDY SESSION, 6:00 PM

- (1) AB 4930 Joint Study Session with Planning Commission Regarding P-Zone Code Changes

CALL TO ORDER & ROLL CALL, 7:00 PM

APPEARANCES

CONSENT CALENDAR

- (2) Payables: \$125,712.46 (02/20/14)

REGULAR BUSINESS

- (3) AB 4929 Growing Transit Communities Regional Compact
(4) AB 4925 Sewer Utility Code Amendments (2nd Reading & Adoption)

OTHER BUSINESS

Councilmember Absences
Planning Schedule
Board Appointments
Councilmember Reports

ADJOURNMENT



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4930
March 3, 2014
Study Session**

**JOINT STUDY SESSION WITH PLANNING
COMMISSION ON PROPOSED P ZONE
REZONES AND ZONING CODE TEXT
AMENDMENTS**

Proposed Council Action:

Provide general input and questions regarding proposed rezones and zoning code text amendments.

DEPARTMENT OF

Development Services Group (Scott Greenberg)

COUNCIL LIAISON

n/a

EXHIBITS

1. Proposed Rezones
2. Proposed Zoning Code Text Amendments
3. Comparison With Current Code
4. School Project Designs Related to Proposed Code Amendments
5. Open House Postcard
6. Tentative Review Schedule

APPROVED BY CITY MANAGER

AMOUNT OF EXPENDITURE	\$	n/a
AMOUNT BUDGETED	\$	n/a
APPROPRIATION REQUIRED	\$	n/a

SUMMARY

The purpose of this joint study session is to provide the Mercer Island City Council and Planning Commission an early opportunity to offer general input and ask questions regarding proposed rezones and zoning code text amendments to facilitate permitting and construction of bond funded projects on certain Mercer Island School District ("District") properties.

On February 11, 2014, Mercer Island School District Proposition 1 was approved by a 74% to 26% margin. This proposition authorizes the District to issue \$98.8 million in general obligation bonds to construct a new elementary school on the "North Mercer" campus; rebuild and modernize a portion of islander Middle School; and expand Mercer Island High School by adding four science labs and six general purpose classrooms.

School sites are currently zoned Single-Family Residential (R9.6 and R15). According to District staff and their design teams, the current zoning standards for schools in the R9.6 and R15 zones do not allow the flexibility needed to carry out the projects approved by voters.

District staff has been working with the City on proposals to rezone District properties from their current R9.6 and R15 zones to the Public Institution (P) zone. This change would facilitate development of the projects funded by Proposition 1 and would render the zoning more consistent with the Public Institution

Comprehensive Plan land use designation for District-owned properties. A zoning code text amendment is also proposed to create a set of new regulations tailored to public schools.

Rezones

While the February 2014 bond vote funds three projects on two properties, the proposed rezones affect five District-owned school sites: West Mercer Elementary, the North Mercer “Mega-Block”, Island Park Elementary, Islander Middle School/South Mercer Playfields, and Lakeridge Elementary. See Exhibit 1. The rezone of all five properties has been requested by the District and is consistent with the Comprehensive Plan’s treatment of school properties.

Also included in the rezone proposal is a small portion of a privately-owned parcel. The eastern 25 foot wide portion of the property at 4198 West Mercer Way, at the southwest corner of the West Mercer Elementary site, is currently zoned R9.6—the same zoning as the adjacent portion of the West Mercer Elementary site. The remainder of the property at 4198 West Mercer Way is currently zoned R15—the same as adjacent land on the other three sides of the property. Rezoning West Mercer Elementary to the P zone would leave a 25 foot wide sliver of property zoned R9.6, between the existing R15 zone and the new P zone. This rezone will not affect existing or future use of the property, but will simply clean up the zoning map. See Exhibit 1, Map #1. Staff will further explain this proposal at the study session.

Zoning Code Text Amendments

Exhibit 2 shows the proposed new MICC provisions applicable to the public school sites. Underlined text shows proposed language to be added and ~~strikeout~~ text shows proposed sections to be deleted. All other text will remain without any changes. Proposed amendments to the MICC section for the P zone (MICC 19.05.010) include clarifying language related to permitted uses; new regulations for public schools in the P zone related to setbacks, height limits, impervious surface limitation, green building standard and permit review process; and changes to parking requirements. Proposed amendments to MICC Chapter 19.12—Design Standards for Zones Outside of Town Center—include amendments to landscaping requirements, and sign standards.

Exhibit 3 contains a side-by-side summary and comparison of existing and proposed code standards applying to public schools. This exhibit will help the City Council and Planning Commission understand the differences between the development standards that public schools must comply with today and how these standards would change under the proposed new regulations (if adopted).

District staff has provided an analysis of how the proposed school construction projects comply with the proposed new code amendments. See Exhibit 4. District staff will attend the study session to provide information about the projects and the need for the proposed rezones and Zoning Code text amendments.

Public Process and Next Steps

On February 24, 2014, the legal notice of the applications and public hearing date were mailed to property owners within 600 feet of all District-owned properties, published in the Weekly Permit Bulletin, and posted at all District-owned properties (and the one private parcel proposed for rezoning). Notice was published in the Mercer Island Reporter on February 26, 2014.

In addition, to provide more opportunities for public comment, three informational open houses have been scheduled for the public to receive information about the proposed rezones and zoning code text amendments as well as proposed school project designs. See Exhibit 5.

Consistent with the MICC, the Planning Commission will conduct a formal review and recommendation to City Council on the rezones and zoning code text amendments. An open record public hearing before the

Planning Commission has been scheduled for April 2, 2014. Following the Planning Commission's recommendation, the City Council will review the Planning Commission's recommendation and issue decisions on the rezones and zoning code text amendments. A tentative schedule for this process is attached. See Exhibit 6.

RECOMMENDATION

Development Services Director

Provide general input and questions regarding proposed rezones and zoning code text amendments.

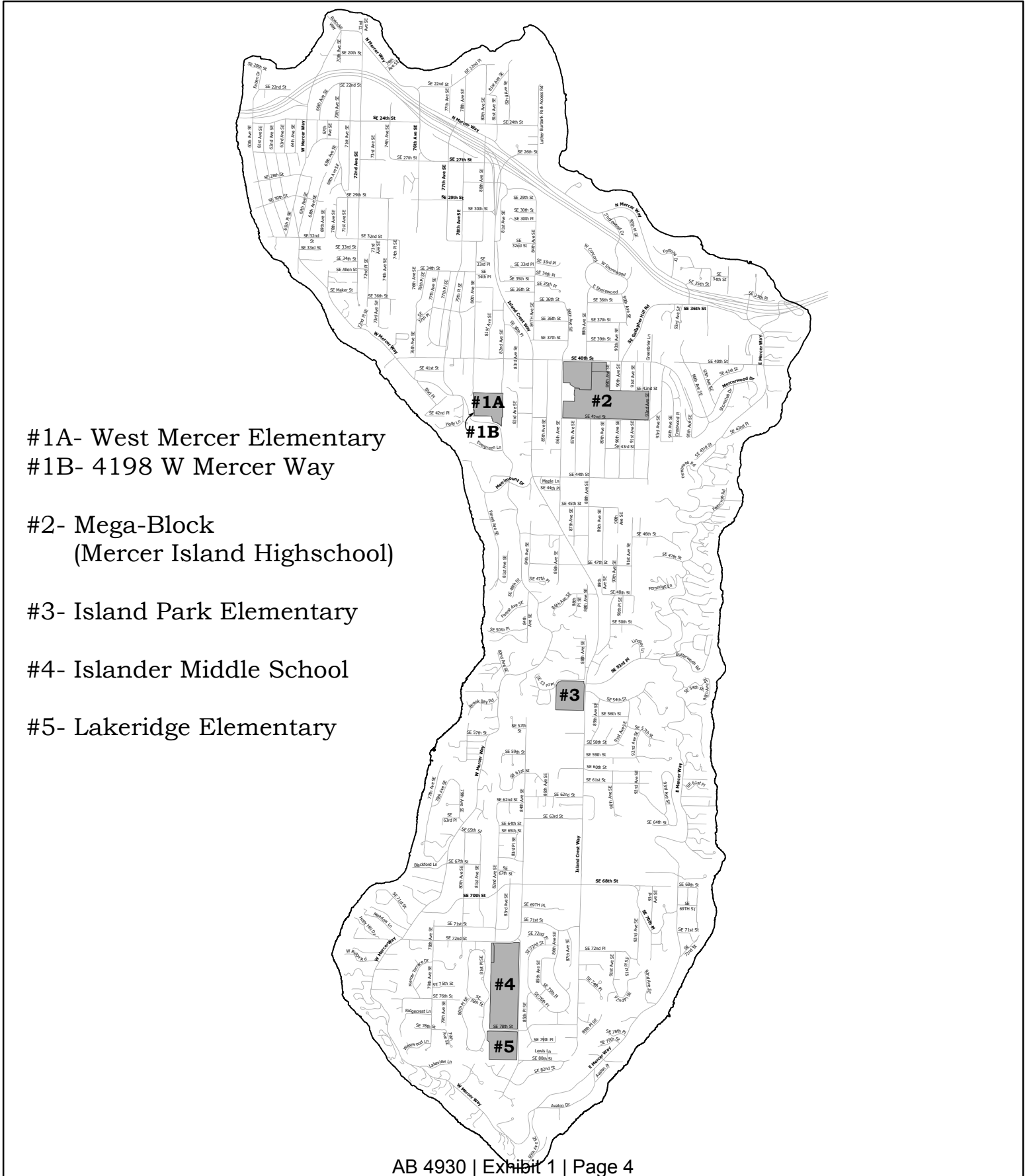
Properties Proposed for Rezone



AllSchools.mxd
Map Version: 2/25/2014

■ Properties proposed for rezoning

— Streets



#1A- West Mercer Elementary

#1B- 4198 W Mercer Way

#2- Mega-Block
(Mercer Island Highschool)

#3- Island Park Elementary

#4- Islander Middle School

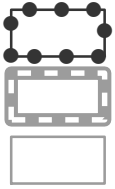
#5- Lakeridge Elementary

#1A- West Mercer Elementary

#1B- 4198 W Mercer Way



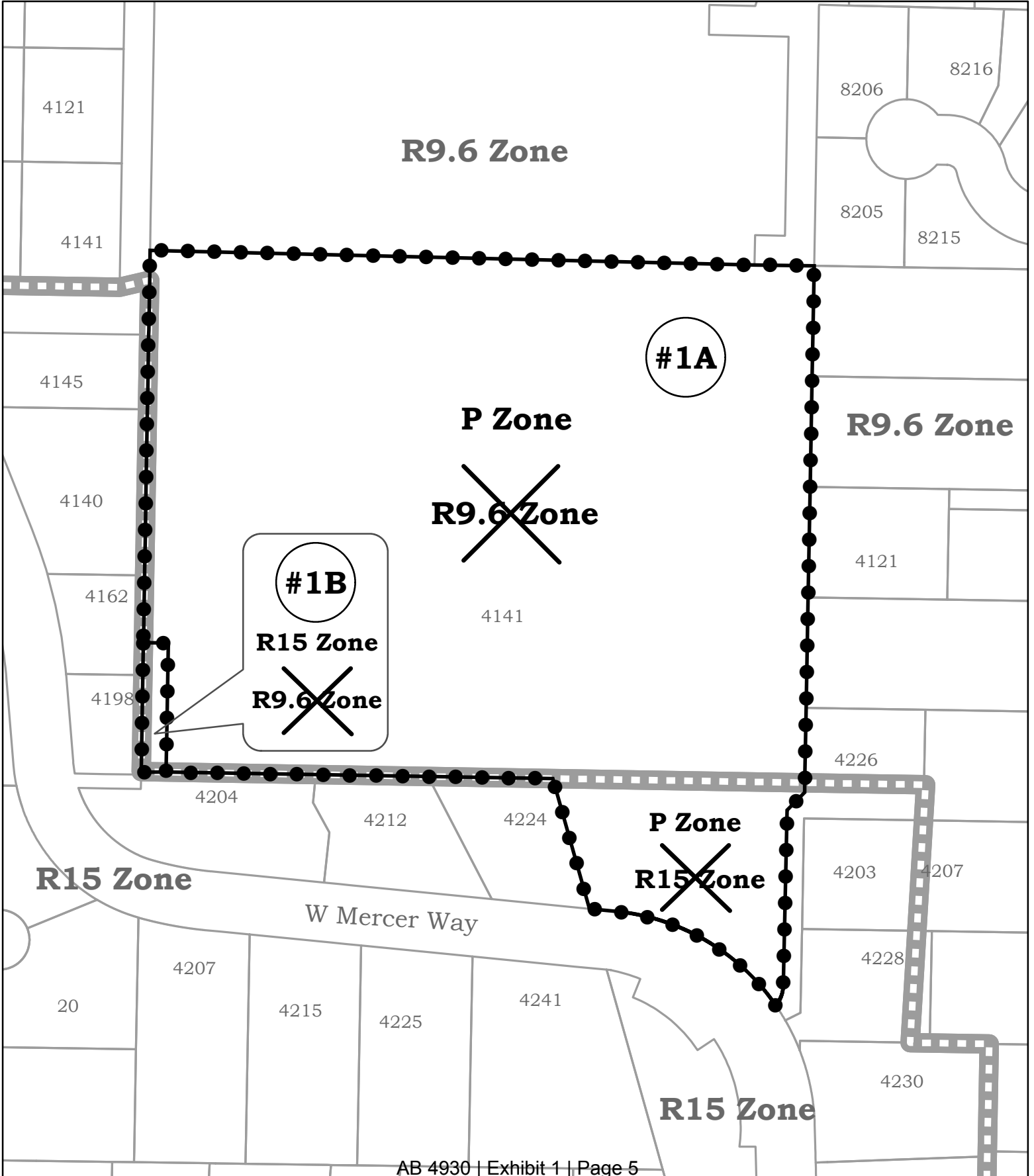
WestMercerElementary.mxd
Map Version: 2/25/2014



Zone Change

Existing Zoning Line

Property Lines

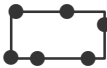




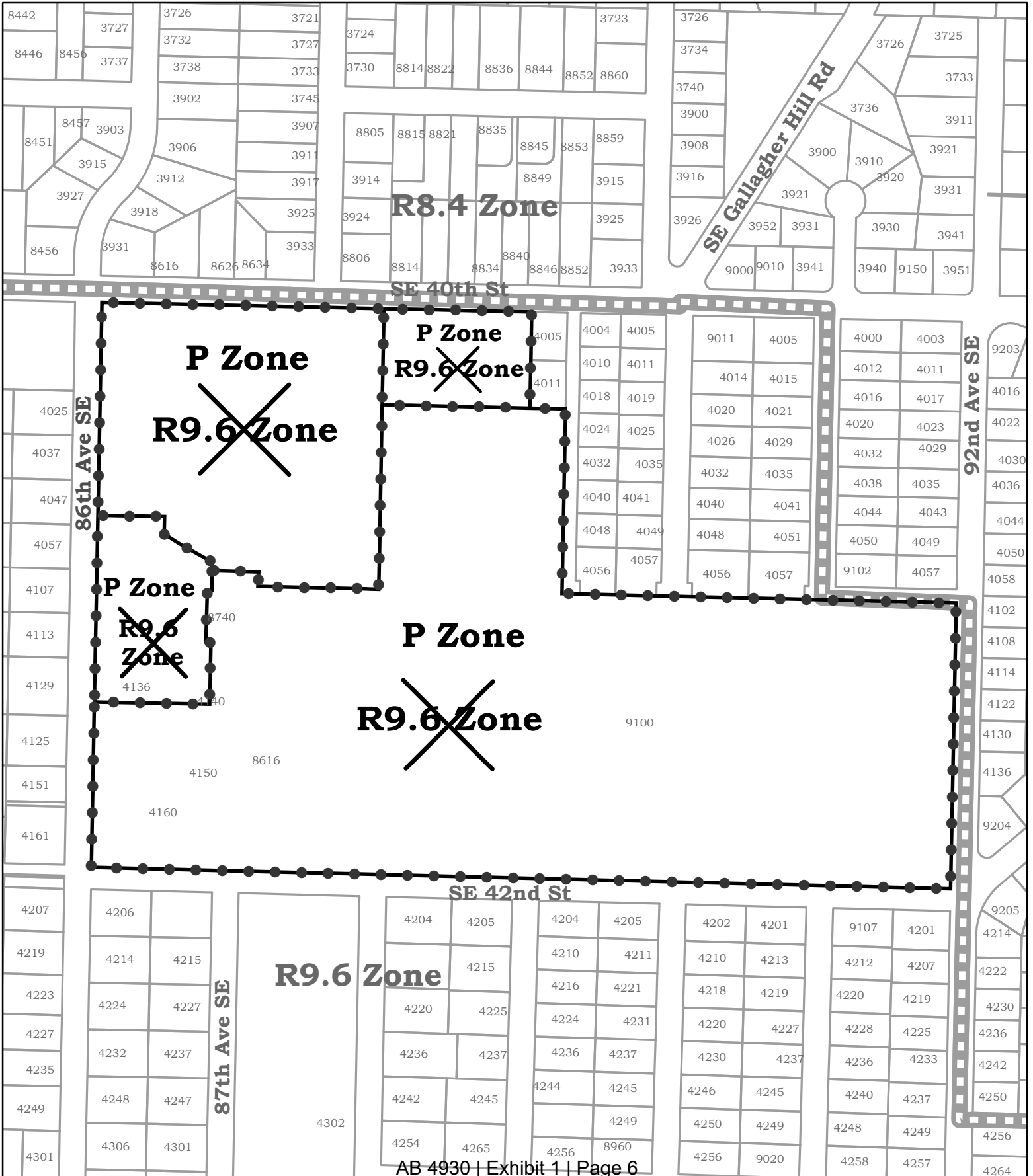
#2 Mega-Block

(Mercer Island High School)



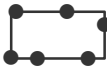


MegaBlock.mxd
Map Version: 2/7/2014

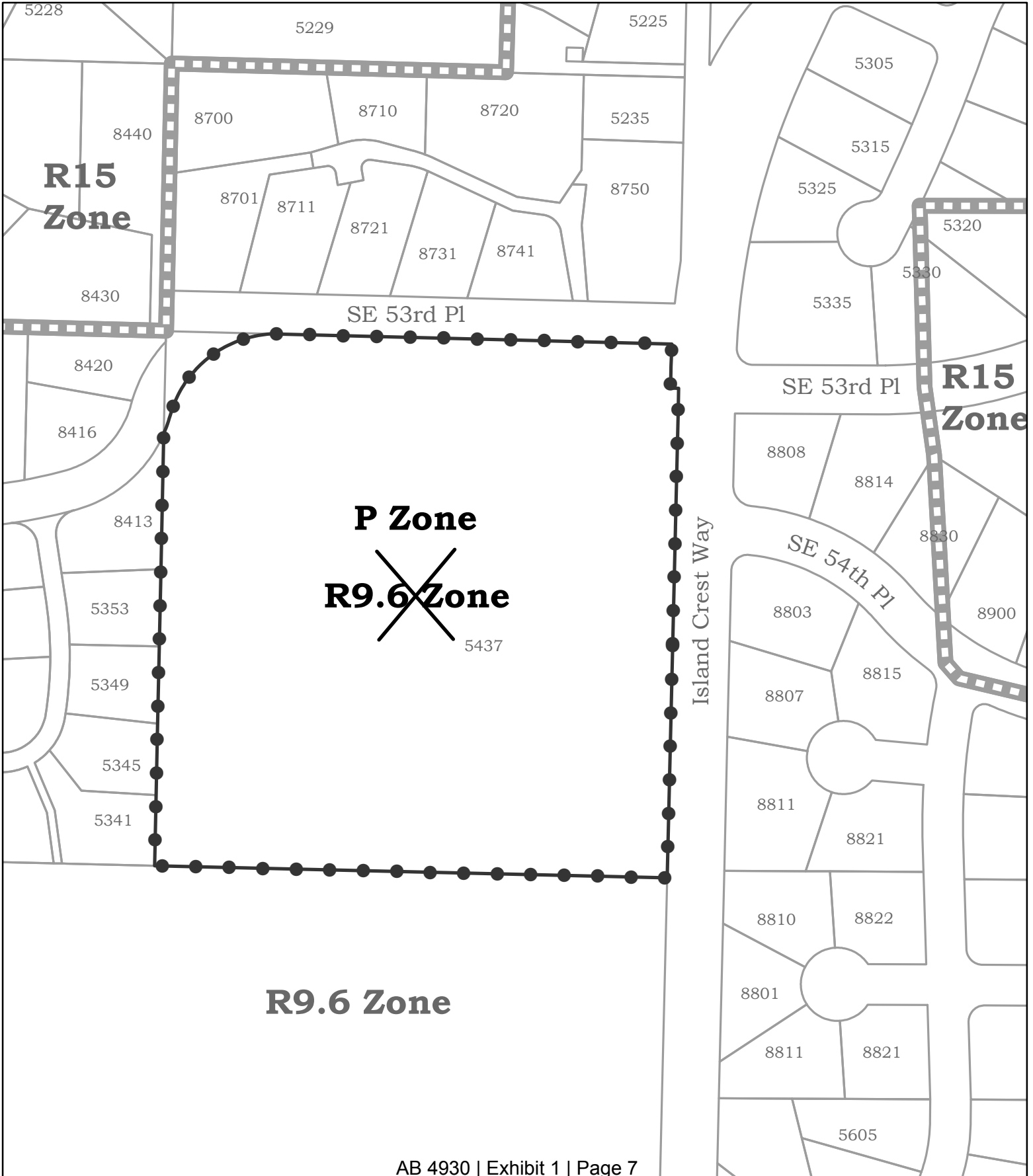
-  Zone Change
-  Existing Zoning Line
-  Property Lines



#3 Island Park Elementary



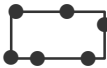


-  Zone Change
-  Existing Zoning Line
-  Property Lines

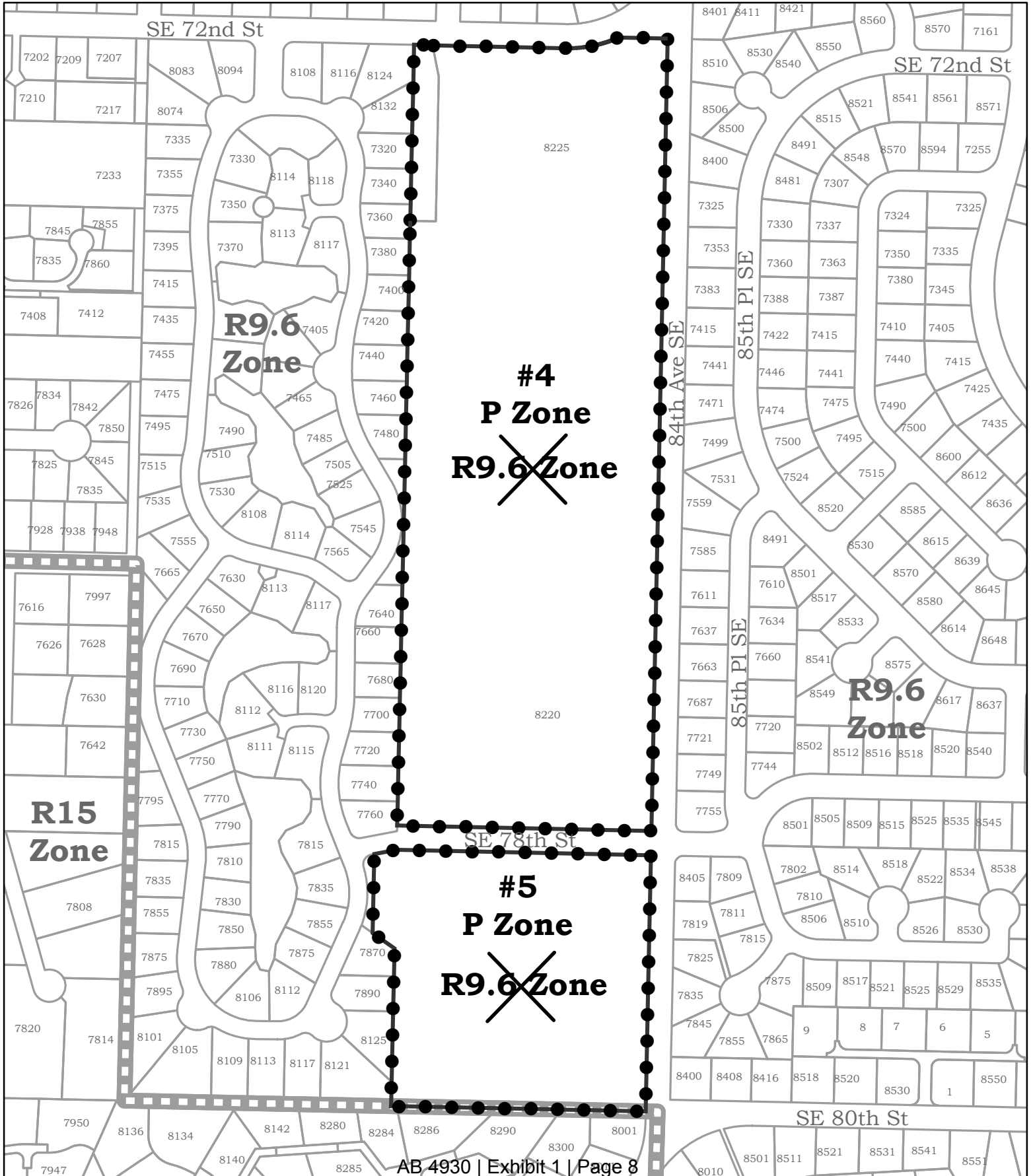


#4 Islander Middle School & #5 Lakeridge Elementary



Lakeridge&Islander.mxd
Map Version: 2/25/2014

-  Zone Change
-  Existing Zoning Line
-  Property Lines



SITES PROPOSED FOR REZONING

MAP NUMBER	PARCEL NUMBER/LEGAL DESCRIPTION/PARCEL SIZE	EXISTING USE	ADDRESSES	REZONE PROPOSAL
#1A	<p>#9365700100 -WHITES HARRY PLAT E SEATTLE AC TR LESS W 25 FT OF S 1/2 OF LOT 9 AND TRACT 12 LESS THAT POR LY SWLY OF NELY RW LN OF W MERCER WAY ALL IN HARRY WHITES EAST SEATTLE ACRE TRACTS - LESS THAT POR DAF BEG AT SW COR OF LOT 7 BLK 3 ISLAND RIDGE TRACTS TH S 00-05-56 E ALG E LN OF SD TR 12 A DIST OF 59.42 FT TAP ON NELY R/W LN OF W MERCER WAY BEING APT ON CRV THE CENTER OF WCH BEARS S 81-26-16 W A DIST OF 220.99 FT TH NWLY ALG SD 220.99 FT RAD CRV AN ARC DIST OF 94 FT TAP ON A CRV THE CEBTER WCH BEARS N 32-56-01 W A DIST OF 32.55 FT TH NELY ALG SD 32.55 FT RAD CRV AN ARC DIST OF 32.47 FT TAP OF TANGENCY TH N 00-05-56 W ALG A LN 18 FT W OF & PLT W LN OF SD BLK 3 WCH LN IS ALSO E LN OF SD TRACT 12 A DIST OF 188.08 FT TH N 60-50-47 E 20.59 FT TH S 00-05-56 E 30 FT TO SW COR OF LOT 5 SD BLK 3 TH CONT S 00-05-56 E 223.31 FT TO POB - A AKA PARCEL A MERCER ISLAND LOT LN REVISION NO MI 90-07-16 (D-3) REC NO 9103059012</p> <p align="center">Size: 8.85 acres</p>	West Mercer Elementary	4141 81 st Avenue SE	R9.6 and R15 to P
#1B	<p>Portion of #3623500185 – THE WEST 25 FEET OF THE SOUTH HALF OF TRACT 9, HARRY WHITE'S PLOT OF EAST SEATTLE ACRE TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 3 OF PLATS, PAGE 36, IN KING COUNTY, WASHINGTON, AND THE NORTH HALF OF SOUTHEAST 42ND STREET (FORMERLY "E" STREET), AS DELINEATED ON SAID PLAT, INCLUDED THEREIN OR ABUTTING THEREON AND LYING BETWEEN THE SOUTHERLY EXTENSION OF THE EAST AND WEST LINES OF THE WEST 25 FEET OF SAID TRACT 9.</p> <p align="center">Size: 3,242 square feet</p>	House under construction	4198 West Mercer Way	R9.6 to R15

SITES PROPOSED FOR REZONING

MAP NUMBER	PARCEL NUMBER/LEGAL DESCRIPTION	EXISTING USE	ADDRESSES	REZONE PROPOSAL	
#2	#1824059045 - LOT 2 MERCER ISLAND LLR#SUB07-008 REC #20090506900003 SD SP BEING POR N 1/2 OF NW 1/4 Size: 2.29 acres	PEAK	4120 86 th Avenue SE	R9.6 to P	
		North Mercer Campus	4030 86 th Avenue SE 8805 SE 40 th Street	R9.6 to P	
	#1824059043 - LOT 4 MERCER ISLAND LLR#SUB07-008 REC #20090506900003 SD SP BEING POR N 1/2 OF NW 1/4 Size: 1.64 acres	Mary Wayte Pool	8815 SE 40 th Street	R9.6 to P	
		Mercer Island High School	9100 SE 42 nd Street	R9.6 to P	
	#1824059005 - LOT 1 MERCER ISLAND LLR#SUB07-008 REC #20090506900003 SD SP BEING POR N 1/2 OF NW 1/4 Size: 30.87 acres	Maintenance Building	8740 SE 42 nd Street		
		Transportation Building	8616 SE 42 nd Street		
		School District Administration	4160 86 th Avenue SE		
		Crest Building	4150 86 th Avenue SE		
			M.O.T Building	4140 86 th Avenue SE	

SITES PROPOSED FOR REZONING

MAP NUMBER	PARCEL NUMBER/LEGAL DESCRIPTION	EXISTING USE	ADDRESSES	REZONE PROPOSAL
#3	#1924059040 - SE 1/4 OF SW 1/4 OF NW 1/4 LESS CO RD LESS BEG NW COR TH S 88-31-54 E 139 FT TH SWLY ALG CURVE LFT RAD 135 FT ARC DIST 180.03 FT & AN INITIAL TANGENT BEARING OF N 88-31-54 W TH ALG CURVE RGT RAD 165 FT ARC DIST 23.87 FT TO W LN SD SUBD TH N 01-13-54 E 125.99 FT TO POB Size: 9.37 acres	Island Park Elementary	5437 Island Crest Way	R9.6 to P
#4	#2524049144 - E 1/2 OF NE 1/4 OF SE 1/4 & NE 1/4 OF SE 1/4 OF SE 1/4 LESS CO RDS AND LESS POR DAF - COMM AT EAST 1/4 COR SD SEC 25 TH N88-41-03W ALG NORTH LN OF SD SE 1/4 657.29 FT TO WEST LN SD SUBD TH S01-14-26W ALG SD WEST LN 30.00 FT TO SLY MGN OF SE 72ND ST & POB TH CONT S01-14-26W 435.72 FT TH S88-45-34E 63.00 FT TH N 01-14-26 E 357.94 FT TH N 11-01-25 W 79.54 FT TO SLY MGN OF SE 72ND ST TH N 88-41-03 W ALG SD MGN 46.11 FT TO POB Size: 27.36 acres	Islander Middle School South Mercer Playfields	8225 SE 72 nd Street	R9.6 to P
#5	#2524049320 - POR OF NE 1/4 OF NE 1/4 OF SE 1/4 STR 25-24-04 DAF - COMM AT EAST 1/4 COR SD SEC 25 TH N 88-41-03 W ALG NORTH LN OF SD SE 1/4 657.29 FT TO WEST LN SD SUBD TH S01-14-26W ALG SD WEST LN 30.00 FT TO SLY MGN OF SE 72ND ST & POB TH CONT S 01-14-26 W 435.72 FT TH S88-45-34E 63.00 FT TH N 01-14-26 E 357.94 FT TH N 11-01-25 W 79.54 FT TO SLY MGN OF SE 72ND ST TH N 88-41-03 W ALG SD MGN 46.11 FT TO POB Size: 26,791 square feet	Storm Drainage Detention for Islander Middle School	No address per King County Parcel Viewer	R9.6 to P
#5	2524049015 - SE 1/4 OF SE 1/4 OF SE 1/4 LESS N 30 FT LESS E 30 FT FOR ST TGW POR OF W 1/2 OF E 1/2 OF SE 1/4 SD SEC BEG AT NW COR OF SE 1/4 OF SE 1/4 OF SE 1/4 TH S 01-14-26 W ALG E LN OF SD W 1/2 30 FT TO TPOB TH S 79-16-21 W 56.22 FT TH S 01-14-26 W 195.35 FT TH S 54-50 E 66.29 FT TH N 01-14-26 E 244 FT TO TPOB AKA PARCEL B M I L L A NO 84-07-23 REC NO 8408099009 REV BY L L A NO 850408 Size: 9.48 acres	Lakeridge Elementary	8215 SE 78 th Street	R9.6 to P

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19.05.010 Public institution – P

A. Uses Permitted.

1. Government services.
2. Public schools under the administration of Mercer Island School District No. 400 subject to the requirements in Section F below. Sections B, C and E below do not apply to public schools.
3. Public park.
4. Transit facilities including transit stops and associated parking lots.
5. On-site hazardous waste treatment and storage facilities are allowed as accessory uses to a use permitted in this zone. These facilities shall comply with the state siting criteria as set forth in Chapter 173-303 WAC.
6. Wireless communications facilities subject to the conditions set out in MICC 19.06.040.

B. Mercer Island I-90 Right-of-Way Added to Public Institution Zone. The entire area within the Mercer Island I-90 right-of-way, including, but not limited to, the roadway, street overcrossings, lids, open space, recreation areas, linear greenbelts and the park-and ride lot area as approved by the city on November 14, 1983, and incorporated in the right-of-way plan approved by WSDOT on May 1, 1987, shall be part of the public institution zone. All uses within the I-90 right-of-way shall be maintained as set forth in city approved I-90 related documents.

C. Design Requirements. Any development within the public institution zone shall comply with the applicable sections of Chapter 19.11 MICC, Town Center Development and Design Standards.

D. Parking Requirements. All uses permitted in this zone shall comply with the parking requirements set out in MICC 19.05.020.

E. Structures, excluding stacks, shall not exceed 36 feet or three stories in height, whichever is less; provided, the height of buildings located on sites exceeding five acres may be increased by 12 feet or one story, whichever is less, for each additional two and one-half acres of area when specifically approved by the city council upon recommendation of the design commission in accordance with the following conditions:

1. Approval by the ~~Civil Aeronautical~~ Federal Aviation Administration.
2. Adequate provision for ultimate off street parking needs.

F. Public Schools. The following requirements apply to public schools:

1. Structure Setback Requirement. All structures shall provide minimum setbacks as follows:

- a. Front Yard: 20 feet
- b. Rear Yard: 25 feet
- c. Side yard: 15 feet

2. Height Limit:

- a. Elementary, Middle and Junior Schools: Maximum two story buildings with pitched or low-slope roofs, not to exceed 48 feet above average building elevation. An additional 10 feet above average building elevation is allowed for mechanical equipment and associated screening, fly-lofts and gymnasiums; provided that the minimum required setback for that portion of the building exceeding 48 feet above average building elevation is increased 1.5 feet for each foot of height above 48 feet.

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b. High Schools: Maximum three story buildings with pitched or low-slope roofs, not to exceed 58 feet above average building elevation. An additional 10 feet above average building elevation is allowed for mechanical equipment and associated screening, fly-lofts and gymnasiums; provided that the minimum required setback for that portion of the building exceeding 58 feet above average building elevation is increased 1.5 feet for each foot of height above 58 feet.

3. Impervious Surface: Maximum allowable coverage with impervious surface is 75%. Coverage may exceed 75% if all currently untreated storm drainage runoff is treated. For the purposes of impervious surface calculations only, pervious pavement, pervious concrete, pervious pavers, including pervious driveways, walkways and parking areas, shall be considered 100% pervious.

4. Green Building. New, expanded and remodeled school facilities shall comply with RCW 39.35d—High Performance Public Buildings.

5. Review process

a. Major New Construction (except portable classrooms) requires Design Commission review pursuant to MICC 19.15.040.

b. Minor Exterior Modification requires Administrative Design Review pursuant to MICC 19.15.040.

c. Portable classrooms and Minor Modification to Site Plan do not require design review; however, the standards of MICC 19.12 must be met.

19.05.020 Parking requirements.

C. Minimum Parking Requirements for Specific Uses.

1. Government buildings shall provide one parking space per 200 square feet of gross floor area.
2. Public elementary, middle and junior high schools shall provide a minimum of two parking spaces per classroom. Public high schools shall provide a minimum of one parking space per classroom with high schools providing plus an additional one parking space per 10 students. The Code Official may allow a reduction in minimum parking requirements with the approval of the City Engineer and the design commission, for projects reviewable by the design commission.

19.12.040.B.7 Landscaping.

B.7. Perimeter Screen Types and Widths by Use and Location.

a. Required Screen Types and Widths. The following screen types and widths should be used:

Use	Adjacent to	Screen Type and Width		
		Full	Partial	Filtered
Institutional Use or Public Facility	Public Way		20 feet ^{1,2}	
Public Schools	Public Way			20 feet
	Single-Family Residential			20 feet
Utility Development	Public Way		10 feet	

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Commercial or Multifamily outside of C-O Zone	Public Way			10 feet
All uses inside of C-O Zone	Public Way		20 feet	
Commercial, Institutional, Utility or Public Facility	Residential (Single or Multifamily)	20 feet ¹		
	Institutional, Commercial, Utility, Public Facility		10 feet	
	Public Park	20 feet		
Multifamily Development	Single-Family Residential		20 feet	
	Multifamily Residential		10 feet	
	Institutional, Commercial, Utility, or Public Facility		10 feet	
	Public Park	20 feet		
All other private uses	Public Park	20 feet		

¹Breaks in full or partial screen planting may be allowed for institutional and public facilities to create focal points, preserve views, and highlight the prominence of important buildings.

²Perimeter landscape requirements may be modified if necessary to enable an existing public facility to make safety-related improvements to a legally nonconforming parking lot.

b. Perimeter Width Averaging. Averaging of screen widths may be allowed, if the objectives of this section, the minimum landscape area requirements set forth in MICC [19.12.040\(B\)\(4\)](#) and the following criteria are met:

- i. Plant material is clustered to more effectively screen parking areas and structures; and
- ii. Significant trees are retained.

c. Clustering of landscape materials may be allowed for public schools to achieve a non-uniform look.

d. Rain gardens and bio-retention areas may be allowed within the required landscape strips for public schools.

8. Perimeter Landscape Screens. Perimeter landscape screens should be consistent with the following definitions of screen types. Where existing undergrowth will be retained, the shrub and ground cover requirements for all screen types may be adjusted, provided the objectives of this section are met.

a. Full Screen. A full screen provides a dense vegetated separation between dissimilar uses on adjacent properties. A full screen should block views from adjacent properties as seen at the pedestrian eye level in all

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seasons within three years of installation. The number of trees provided shall be proportionate to one tree for every 10 feet of landscape perimeter length.

b. Partial Screen. A partial screen provides a moderate vegetated separation between uses on adjacent properties and intermittent views to adjacent properties. A partial screen shall provide the desired screening function as seen at the pedestrian eye level in all seasons within three years of installation. The number of trees provided shall be proportionate to one tree for every 20 feet of landscape perimeter length.

c. Filtered Screen. A filtered screen should provide in all seasons and within three years of installation (five years for public schools) a lightly vegetated visual separation between uses on adjacent properties and allow visual access to adjacent properties. When compared to the other screen types, a filtered screen should be characterized by more open spaces, light filtration and transparency through the plant material forming the screen.

19.12.080 Signs.

B. Standards.

10. Electronic Readerboards. A public school may have no more than one (1) electronic readerboard. This electronic readerboard shall count as the sign allowed by MICC 19.12.080.B.1 or MICC 19.12.080.B.2. Electronic readerboards shall comply with the following:

a. Electronic readerboards shall be designed and placed to minimize light and glare from being visible to adjacent residential properties;

b. Electronic readerboards shall dim during twilight and night hours to reduce glare.

c. Electronic readerboards shall be turned off between 10:00 pm and 7:00 am.

d. The display shall include only static text and/or static graphics. No moving graphics, animations such as flying or fading, video, or blinking/pulsing/strobe effects are allowed.

e. Each message and/or graphic shall be displayed for at least ten (10) seconds. The change from one message/graphic to the next may utilize a scrolling or wipe effect, but the effect shall take no more than one (1) second to complete.

f. Electronic readerboards shall display any message deemed necessary by the City of Mercer Island Emergency Operations Center (EOC) upon written request by the EOC. The display of any such message shall be exempt from the requirements of subsections 10.c and 10.e of this section.

Summary Comparison of Current and Proposed School Standards

Code Standard	Current Requirements in Residential Zone	Proposed P Zone Requirements
Permitted Uses	Public schools are a permitted use	Public schools are a permitted use
Building Setbacks	45' from public right-of-way 35' from property line (19.02.010.A.4.a)	Front-20', Rear 25', Side 15' Additional setback required for increased height (see Height section)
Height Limit	30' above the Average Building Elevation (19.02.010.D)	Elementary, Middle and Junior High Schools: <ul style="list-style-type: none"> • Maximum 2 story buildings • Maximum 48 feet above average building elevation • Additional 10 feet (up to 58 feet) allowed for mechanical equipment/screening, fly-lofts, and gymnasiums; additional 1.5' of setback required for each additional 1' in height for these elements. High Schools: <ul style="list-style-type: none"> • Maximum 3 story buildings • Maximum 58 feet above average building elevation • Additional 10 feet (up to 68 feet) allowed for mechanical equipment/screening, fly-lofts, and gymnasiums; additional 1.5' of setback required for each additional 1' in height for these elements.
Impervious Surface	40% if lot is less than 15% grade (19.02.020.D.4) 60% with a variance from Hearing Examiner ¹	Maximum 75%. Can exceed 75% if all currently untreated runoff is treated. Pervious pavement, concrete and pavers, including driveways will be considered @ 100% pervious (for impervious surface calcs only, not for storm water calcs).
Green Building/ Sustainability	WSSP required by RCW 39.35d	WSSP required by RCW 39.35d
Review Process	Design Commission typically required	Major new construction—Design Commission review. Minor Exterior Modification: Administrative Design Review Portables and minor modification to site plan—exempt from design review, but MICC 19.12 must be met.
Parking	One stall per classroom, plus one stall per 10 students for high schools (19.02.010.A.4.b)	Elementary, Middle and Junior High Schools: Two stalls per classroom. High School: One stall per classroom, plus one stall per 10 students for high schools (19.02.010.A.4.b) Code official can allow reduction.

Code Standard	Current Requirements in Residential Zone	Proposed P Zone Requirements
Landscaping and Tree Retention	<p>20' wide full screen adjacent to public park and residential use; 20' wide partial screen adjacent to public way (19.12.040.B.7.a)</p> <p>35% of lot to be landscaped (19.12.040.B.4.a.i)</p>	<p>Adjacent to public way: 20' of filtered screen landscaping including 10' of filtered screening, clustered in groupings</p> <p>Adjacent to single-family residential use: 20' wide filtered screen</p> <p>Clustering of landscape materials may be allowed to achieve non-uniform look.</p> <p>Rain gardens, bio-retention areas allowed in all landscape strips.</p> <p>Five-year establishment period for filtered screen.</p>
Gross Floor Area	45% of the lot area (19.02.010.E.1)	Not proposed
Play Area	A ¼ acre or larger playfield shall be provided in one usable unit abutting or adjacent to the site (19.02.010.A.4.c)	Not proposed

From: [Brandy Fox](#)
To: [Scott Greenberg](#)
Cc: dean.mack@mercerislandschools.org
Subject: RE: MI School District - P-Zone/Current Projects
Date: Monday, February 24, 2014 3:00:30 PM

Hello Scott,

Per our conversation on Thursday, below is a summary of where the current design of our projects are in relation to the proposed P-Zone:

High School Addition: Project is being designed to current zoning standards. We have applied for a variance to allow a 25' setback that would be allowed as a maximum under the revised P-Zone (F.1).

New Elementary #4:

Height: with a 3:12 roof pitch, our height would be 45'-6" on two-story classroom wing and 48'6" on the gym. We may choose to go with a lower slope roof but will have to weigh cost and maintenance implications. P-Zone would allow us to exceed the 48' maximum for an elementary school by 10' with properly screened mechanical units or 1' in height for every additional 1-1/2' of setback which we could meet.

Lot Coverage: When the High School and the Elementary are complete, we expect the Mega-block lot coverage will be approximately 61% impervious area.

Parking: We will meet current and proposed code.

Landscape: We have not developed our designs far enough yet to address this item. The only issue we see at this point is how to address the east and south property lines of the Elementary School lot which join other District parcels. We will not want to provide buffers from these properties.

Islander Middle School – Phase I Replacement:

Height: The Gym, Academic Wing, and Commons roofs are currently designed with a 1-1/2 : 12 slope putting the heights of the buildings at 44'-9", 50'-8", and 49'-0" above grade respectively which includes mechanical screening. We may choose to go with a slightly lower slope roof but will have to weigh costs and maintenance implications. P-Zone would allow us to exceed the 48' maximum for properly screened mechanical units with 1-1/2' increased setback for every foot in height.

Impervious Area: 47% (based on entire parcel which includes the fields).

Parking: We will meet current and proposed code.

Landscape: We have not developed our designs far enough yet to address this item.

Please feel free to contact me with any questions.

Kindest Regards,
Brandy Fox

C P M
Construction Planning & Management
206.949.4135
PO Box 94131
Seattle, Washington 98124
CPMSeattle.com

Public input opportunity

WE WANT YOUR INPUT

The school bond passed! Now what?

In February, Mercer Island voters approved a school bond proposition that included three targeted construction projects to address overcrowding in Mercer Island public schools, including:

- building a fourth elementary school;
- an expansion of Islander Middle School; and
- an addition at Mercer Island High School.

In March, get design updates, learn about proposed zoning changes for all school properties and have questions answered by staff from the district, city and architects at one of three public events.



Let's talk!

Mercer Island School District
4160 86th AVE SE
Mercer Island, WA 98040

Non-Profit Org.
US Postage
PAID
Permit # 19
Mercer Island, WA
ECRWSS

Public input schedule

March 6, 1:00 - 2:30 p.m.
PEAK

Multipurpose Room
4120 86th Avenue SE

March 10, 7:00 - 8:30 p.m.

Islander Middle School
Library
8225 SE 72nd Street

March 11, 7:00 - 8:30 p.m.

Mercer Island High School
Library
9100 SE 42nd Street

Residential Customer

TENTATIVE SCHEDULE FOR P ZONE CODE TEXT AMENDMENT AND REZONES

ACTIVITY	DATE
Joint City Council/Planning Commission Study Session	3/3/14
School District/City Open House	3/6/14
School District/City Open House	3/10/14
School District/City Open House	3/11/14
End of Written Comment Period	3/12/14
Planning Commission Public Hearing	4/2/14
Planning Commission Recommendation	4/16/14
City Council Discussion of Planning Commission Recommendation	4/21/14
City Council 1 st Reading of proposed Ordinance	5/5/14
City Council 2 nd Reading of proposed Ordinance	5/19/14
Notice of City Council Decision	5/27/14
Design Commission—Preliminary Review of projects	5/28/14
Effective Date for Code amendment	6/26/14
Design Commission—hearing & possible decision on projects	7/9/14

CERTIFICATION OF CLAIMS

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.



Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

Mayor

Date

<u>Report</u>	<u>Warrants</u>	<u>Date</u>	<u>Amount</u>
Check Register	168497-168588	02/20/14	\$ 125,712.46
			\$ 125,712.46

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00168497	02/13/2014	INGALLINA'S BOX LUNCH INC Food for Coaching Classes	P81089	01150845/1152/14	01/23/2015	519.14
00168498	02/13/2014	SUNGARD PUBLIC SECTOR INC OneSolution Upgrade - Consulti	P78026	76847/74851/7486	11/27/2014	30,135.54
00168499	02/20/2014	AMERIGAS-KENT 200 GAL PROPANE DELIVERY	P81133	3025930692	01/31/2014	814.38
00168500	02/20/2014	APPELMAN, ESTATE OF BERTHA REFUND 6213 83RD PL SE		OH002364	02/14/2014	200.00
00168501	02/20/2014	ATTORNEY'S TITLE REFUND 4815 E MERCER WAY		OH002360	02/18/2014	2,638.41
00168502	02/20/2014	BAKER, DENNIS L MILEAGE EXPENSE		OH002348	02/18/2014	29.12
00168503	02/20/2014	BERESKY, RYAN & JOHANA REFUND 3640 86TH AVE SE		OH002355	02/14/2014	188.26
00168504	02/20/2014	BLUMENTHAL UNIFORMS Duty Boots/Munro	P81167	46745	01/31/2014	289.08
00168505	02/20/2014	BRAKE AND CLUTCH SUPPLY NORTH Misc. Apparatus Parts - 6602	P81179	36626	01/24/2014	352.24
00168506	02/20/2014	CARLSON, LARRY RET MEDI REIMB MAR-MAY 2014		OH002347	02/19/2014	314.70
00168507	02/20/2014	CESSCO INVENTORY PURCHASES	P81045	2270	01/29/2014	82.07
00168508	02/20/2014	CHAN, JASON REFUND WATER METER INST 2748 7		1305208	02/13/2014	2,454.67
00168509	02/20/2014	CHIEF SUPPLY CORP Batteries for patrol	P81137	388751	02/04/2014	409.85
00168510	02/20/2014	CONSOLIDATED PRESS Postage expenses for Recreatio	P81188	OH002329	02/13/2014	1,445.70
00168511	02/20/2014	COSTCO MEMBERSHIP 2014 Membership Dues for Costc	P81193	OH002328	02/13/2014	110.00
00168512	02/20/2014	CURRY, WILLIAM N REFUND 7254 91ST AVE SE		OH002362	02/14/2014	178.26
00168513	02/20/2014	DATAQUEST LLC EMAC vol backgrounds	P81118	CMIYOUTH201401	01/31/2014	280.00
00168514	02/20/2014	DROLL LANDSCAPE ARCH, ROBERT W Mercer Island Parks & Recreati	P77184	OH002338	01/25/2014	1,750.00
00168515	02/20/2014	DRUSCHBA, JOHN F MILEAGE EXPENSE		OH002368	02/13/2014	114.24
00168516	02/20/2014	EPSCA MONTHLY RADIO ACCESS FEES 44 R	P80645	7697	02/01/2014	3,730.13
00168517	02/20/2014	FITZWILSON, KEVIN & ANDREA REFUND 001136001		OH002359	02/18/2014	327.54
00168518	02/20/2014	FORSMAN, LOWELL RET MEDI REIMB MAR-MAY 2014		OH002346	02/14/2014	314.70
00168519	02/20/2014	GAVIGLIO, MIKE MILEAGE EXPENSE		OH002369	02/13/2014	87.36
00168520	02/20/2014	GET Program PAYROLL EARLY WARRANTS		OH002342	02/21/2014	1,034.50
00168521	02/20/2014	GRAINGER INVENTORY PURCHASES	P81129	9356160334	02/03/2014	583.69
00168522	02/20/2014	GRAUSZ, DANIEL SCA NETWORKING DINNER		OH002366	02/13/2014	45.00

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00168523	02/20/2014	HARRIS, STUART REFUND 8380 SE 30TH PL		OH002357	02/18/2014	377.76
00168524	02/20/2014	HARTVIGSON, BRIAN W MILEAGE EXPENSE		OH002371	02/13/2014	26.22
00168525	02/20/2014	HDR ENGINEERING INC 2015 WATER SYSTEM PLAN UPDATES	P80918	00406969H	02/11/2014	2,504.81
00168526	02/20/2014	HONEYWELL, MATTHEW V Public Defender	P81195	782	02/11/2014	400.00
00168527	02/20/2014	IBSEN TOWING CO BELLEVUE Tow patrol car	P81214	B103810	01/19/2014	194.91
00168528	02/20/2014	INDUSTRY SIGN & GRAPHICS Logo decals	P81198	31831	02/13/2014	177.04
00168529	02/20/2014	J T NEWS 2 x 4 Recreation Ad	P81181	11086	01/24/2014	204.80
00168530	02/20/2014	JAYMARC HOLDINGS LLC REFUND 2410 63RD AVE SE		OH002352	02/18/2014	1,028.88
00168531	02/20/2014	KAMINS CONSTRUCTION RETAINAGE	P78179	OH002332	02/13/2014	12,394.04
00168532	02/20/2014	KANGLEY ROCK & RECYCLING DUMP FEE FOR ASPHALT	P81153	817524	01/31/2014	210.00
00168533	02/20/2014	KC PET LICENSES KC PET LICENSE FEES COLLECTED	P81205	OH002330	02/18/2014	75.00
00168534	02/20/2014	KCFTOA 2014 Membership	P81176	5632	01/30/2014	100.00
00168535	02/20/2014	KING CO PROSECUTING ATTORNEY COURT REMITTANCE KC CRIME VICT	P81204	OH002331	02/18/2014	302.37
00168536	02/20/2014	KOENIG, LEE REFUND 7632 SE 72ND ST		OH002356	02/14/2014	456.00
00168537	02/20/2014	KRONOS Telestaff 2014 Support Service	P81166	10826721	01/31/2014	3,591.85
00168538	02/20/2014	LANGUAGE LINE SERVICES language line services	P81125	3311182	01/31/2014	16.94
00168539	02/20/2014	LEXISNEXIS Library Subscription	P81212	1401985231	01/31/2014	222.22
00168540	02/20/2014	LEYDE, CASEY MILEAGE EXPENSE		OH002350	02/19/2014	120.96
00168541	02/20/2014	LOU, GEORGE REFUND 8039 W MERCER WAY		OH002358	02/18/2014	320.09
00168542	02/20/2014	LUND, MARK MILEAGE EXPENSE		OH002372	02/08/2014	33.06
00168543	02/20/2014	M & M BALLOON CO 2014 Helium refills for MICEC	P81101	20726	01/30/2014	220.10
00168544	02/20/2014	MAESER, ESTATE OF SHERWIN M REFUND 8938 SE 56TH ST		OH002363	02/14/2014	82.93
00168545	02/20/2014	MARINE LUMBER SERVICES INC TREATED BOLLARDS-MILLED PER	P81150	M10132	01/23/2014	3,265.29
00168546	02/20/2014	MI EMPLOYEES ASSOC PAYROLL EARLY WARRANTS		OH002341	02/21/2014	142.50
00168547	02/20/2014	MI UTILITY BILLS PAYMENT OF UTILITY BILLS FOR W	P81197	OH002333	01/31/2014	10,351.39
00168548	02/20/2014	MICHELS, ROBERT & LORI REFUND 4821 84TH AVE SE		OH002365	02/14/2014	301.28

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00168549	02/20/2014	MILLER, ESTATE OF HOWARD REFUND 4848 E MERCER WAY		OH002361	02/14/2014	275.69
00168550	02/20/2014	MOBERLY AND ROBERTS Contract Prosecutor	P81196	432	02/01/2014	5,000.00
00168551	02/20/2014	MOLTZ, ERIC MILEAGE EXPENSE		OH002370	02/13/2014	29.12
00168552	02/20/2014	MORGAN SOUND REPLACE WARRANT 168146		MSI76435CORR	02/19/2014	226.29
00168553	02/20/2014	NITTROUER, DEBORAH A Instruction services for Pre-B	P81185	14314	02/13/2014	722.97
00168554	02/20/2014	OWEN EQUIPMENT CO REPAIR PART FOR FL-0395	P81097	00070439	01/31/2014	1,040.60
00168555	02/20/2014	PACIFIC NW CONSTRUXION INC RETAINAGE	P79658	OH002335	02/13/2014	3,273.83
00168556	02/20/2014	PACIFIC POWER PRODUCTS Misc. Apparatus Parts	P81076	529936000	01/30/2014	48.80
00168557	02/20/2014	PARENTMAP Summer display ad	P81104	214793/214489	02/02/2014	1,946.00
00168558	02/20/2014	PAULETTO, MAUDE Instruction services for Yoga	P81186	14265/66/68/70	02/13/2014	1,317.59
00168559	02/20/2014	PETTIGREW, KEVIN REFUND 9014 SE 50TH ST		OH002354	02/14/2014	65.51
00168560	02/20/2014	POLICE ASSOCIATION PAYROLL EARLY WARRANTS		OH002343	02/21/2014	2,666.01
00168561	02/20/2014	POT O' GOLD INC COFFEE SUPPLIES	P81217	241096	02/13/2014	174.58
00168562	02/20/2014	PROJECT A INC 2014 SSL key fee for mercergov	P81064	14706	02/03/2014	119.00
00168563	02/20/2014	PUGET SOUND ENERGY ENERGY USE FEB 2014		OH002367	02/03/2014	1,163.26
00168564	02/20/2014	PURIFIED WATER TO GO Bottled water for Records	P80627	0102114	01/31/2014	63.76
00168565	02/20/2014	QUICKSTART IT Training classes for Brenda	P81207	QSM102692	02/17/2014	7,376.60
00168566	02/20/2014	RENTON FISH & GAME CLUB INC Range Memberships	P81058	OH002325	02/06/2014	600.00
00168567	02/20/2014	RKK CONSTRUCTION SIGN DEPOSIT REFUND		DEV14004	02/13/2014	400.00
00168568	02/20/2014	ROCK, R BRIAN MILEAGE EXPENSE		OH002373	02/13/2014	52.08
00168569	02/20/2014	SCORE 2 days at SCORE jail	P81215	638	02/10/2014	270.00
00168570	02/20/2014	SIRENNET.COM Misc. Apparatus Parts	P81078	0165438IN	01/30/2014	25.15
00168571	02/20/2014	SOUND PUBLISHING INC Ntc: Ord #14C-01 966930 01/15	P81144	614633	01/31/2014	252.52
00168572	02/20/2014	STAGERIGHT CORP replacement spacers for stage	P81199	189652	02/06/2014	35.04
00168573	02/20/2014	STERICYCLE INC On-Call Charges/Fire	P81169	3002528163	01/31/2014	10.36
00168574	02/20/2014	STONEWAY CONSTRUCTION SUPPLY ECOLOGY BLOCKS	P81068	156165	01/31/2014	345.54

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00168575	02/20/2014	STORM LAKE GROWERS INC Plants	P81111	1475	02/04/2014	353.70
00168576	02/20/2014	STRATEGIES 360 I-90 Tolling Lobbying Jan 2014	P81108	77210850	02/07/2014	4,000.00
00168577	02/20/2014	SUCKERMAN, SIVIE CONFERENCE EXPENSES		OH002374	02/01/2014	400.00
00168578	02/20/2014	SUNDSTROM, ROBERT Instruction services for Bird	P81203	OH002339	02/18/2014	497.44
00168579	02/20/2014	TAWNEY, LAURA COMMUTE TRIP REDU PRG		OH002375	02/17/2014	475.00
00168580	02/20/2014	TEXAS CHILD SUPPORT SDU 70060312518910521S/JAMES BLAIR		OH002345	02/21/2014	225.00
00168581	02/20/2014	THOMSON REUTERS - WEST CIS Intel database	P81218	828755336	01/01/2014	316.06
00168582	02/20/2014	UNITED WAY OF KING CO PAYROLL EARLY WARRANTS		OH002344	02/21/2014	151.00
00168583	02/20/2014	VU, CHAU NGOC REFUND 7801 W MERCER WAY		OH002353	02/14/2014	313.38
00168584	02/20/2014	VULCAN INC PERMIT REFUND		1304120	01/29/2014	411.56
00168585	02/20/2014	WACD PLANT MATERIAL CENTER Plants	P78253	14028FINAL	02/03/2014	1,378.68
00168586	02/20/2014	WALTER E NELSON CO Station Household Supplies	P81090	431193	01/29/2014	56.94
00168587	02/20/2014	WSCCCE AFSCME AFL-CIO PAYROLL EARLY WARRANTS		OH002340	02/21/2014	1,921.68
00168588	02/20/2014	XEROX CORPORATION 2014 Lease Charges for Color X	P80808	072448677	02/01/2014	2,162.70
					Total	<u>125,712.46</u>

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 001000 - General Fund-Admin Key</i>				
P81204	00168535	KING CO PROSECUTING ATTORNEY	COURT REMITTANCE KC CRIME VICT	302.37
P81205	00168533	KC PET LICENSES	KC PET LICENSE FEES COLLECTED	75.00
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
	00168501	ATTORNEY'S TITLE	REFUND 4815 E MERCER WAY	2,638.41
	00168508	CHAN, JASON	REFUND WATER METER INST 2748 7	2,454.67
	00168530	JAYMARC HOLDINGS LLC	REFUND 00193460001	867.60
	00168536	KOENIG, LEE	REFUND 7632 SE 72ND ST	456.00
	00168523	HARRIS, STUART	REFUND 8380 SE 30TH PL	377.76
	00168517	FITZWILSON, KEVIN & ANDREA	REFUND 001136001	327.54
	00168541	LOU, GEORGE	REFUND 8039 W MERCER WAY	320.09
	00168583	VU, CHAU NGOC	REFUND 7801 W MERCER WAY	313.38
	00168548	MICHEL, ROBERT & LORI	REFUND 4821 84TH AVE SE	301.28
	00168549	MILLER, ESTATE OF HOWARD	REFUND 4848 E MERCER WAY	275.69
P81130	00168521	GRAINGER	INVENTORY PURCHASES	282.97
	00168500	APPELMAN, ESTATE OF BERTHA	REFUND 6213 83RD PL SE	200.00
	00168503	BERESKY, RYAN & JOHANA	REFUND 3640 86TH AVE SE	188.26
	00168512	CURRY, WILLIAM N	REFUND 7254 91ST AVE SE	178.26
	00168530	JAYMARC HOLDINGS LLC	REFUND 2410 63RD AVE SE	161.28
	00168544	MAESER, ESTATE OF SHERWIN M	REFUND 8938 SE 56TH ST	82.93
P81045	00168507	CESSCO	INVENTORY PURCHASES	82.07
	00168559	PETTIGREW, KEVIN	REFUND 9014 SE 50TH ST	65.51
<i>Org Key: 814072 - United Way</i>				
	00168582	UNITED WAY OF KING CO	PAYROLL EARLY WARRANTS	151.00
<i>Org Key: 814074 - Garnishments</i>				
	00168580	TEXAS CHILD SUPPORT SDU	70060312518910521S/JAMES BLAIR	225.00
<i>Org Key: 814075 - Mercer Island Emp Association</i>				
	00168546	MI EMPLOYEES ASSOC	PAYROLL EARLY WARRANTS	142.50
<i>Org Key: 814076 - City & Counties Local 21M</i>				
	00168587	WSCCCE AFSCME AFL-CIO	PAYROLL EARLY WARRANTS	1,921.68
<i>Org Key: 814077 - Police Association</i>				
	00168560	POLICE ASSOCIATION	PAYROLL EARLY WARRANTS	2,666.01
<i>Org Key: 814085 - GET Program Deductions</i>				
	00168520	GET Program	PAYROLL EARLY WARRANTS	1,034.50
<i>Org Key: CA1100 - Administration (CA)</i>				
P81212	00168539	LEXISNEXIS	Library Subscription	222.22
<i>Org Key: CA1200 - Prosecution & Criminal Mngmnt</i>				
P81196	00168550	MOBERLY AND ROBERTS	Contract Prosecutor	5,000.00
P81195	00168526	HONEYWELL, MATTHEW V	Public Defender	400.00
<i>Org Key: CM11SP - Special Projects-City Mgr</i>				
P81108	00168576	STRATEGIES 360	I-90 Tolling Lobbying Jan 2014	4,000.00
<i>Org Key: CM1200 - City Clerk</i>				
P81144	00168571	SOUND PUBLISHING INC	Ntc: Council Annl Plan Session	67.67

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P81144	00168571	SOUND PUBLISHING INC	Ntc: Ord #14C-01 966930 01/15	57.30
<i>Org Key: CO6100 - City Council</i>				
	00168522	GRAUSZ, DANIEL	SCA NETWORKING DINNER	45.00
<i>Org Key: CR1100 - CORe Admin and Human Resources</i>				
	00168579	TAWNEY, LAURA	COMMUTE TRIP REDU PRG	475.00
<i>Org Key: CT1100 - Municipal Court</i>				
P81124	00168588	XEROX CORPORATION	January Copier Costs	143.06
P81125	00168538	LANGUAGE LINE SERVICES	language line services	16.94
<i>Org Key: DS0000 - Development Services-Revenue</i>				
	00168584	VULCAN INC	PERMIT REFUND	411.56
	00168567	RKK CONSTRUCTION	SIGN DEPOSIT REFUND	200.00
	00168567	RKK CONSTRUCTION	SIGN DEPOSIT REFUND	200.00
<i>Org Key: DS1100 - Administration (DS)</i>				
P81144	00168571	SOUND PUBLISHING INC	Ntc: Comp Plan Amendments 9701	75.44
P81144	00168571	SOUND PUBLISHING INC	Ntc: Spec Mtg Plann Comm 97014	52.11
<i>Org Key: FN1100 - Administration (FN)</i>				
P80627	00168564	PURIFIED WATER TO GO	MONTHLY WATER SERVICE JAN-DEC	38.76
<i>Org Key: FR1100 - Administration (FR)</i>				
P81166	00168537	KRONOS	Telestaff 2014 Support Service	3,591.85
P81089	00168497	INGALLINA'S BOX LUNCH INC	Food for Coaching Classes	417.41
P81089	00168497	INGALLINA'S BOX LUNCH INC	Food for KCFAP Meeting	101.73
P81090	00168586	WALTER E NELSON CO	Station Household Supplies	56.94
<i>Org Key: FR2100 - Fire Operations</i>				
P80645	00168516	EPSCA	MONTHLY RADIO ACCESS FEES 44 R	1,452.44
P81179	00168505	BRAKE AND CLUTCH SUPPLY NORTH	Misc. Apparatus Parts - 6602	352.24
P81167	00168504	BLUMENTHAL UNIFORMS	Duty Boots/Munro	289.08
P81076	00168556	PACIFIC POWER PRODUCTS	Misc. Apparatus Parts	48.80
P81078	00168570	SIRENNET.COM	Misc. Apparatus Parts	25.15
<i>Org Key: FR2500 - Fire Emergency Medical Svcs</i>				
P81169	00168573	STERICYCLE INC	On-Call Charges/Fire	10.36
<i>Org Key: FR4100 - Training</i>				
P81176	00168534	KCFTOA	2014 Membership	100.00
<i>Org Key: GGM001 - General Government-Misc</i>				
P81217	00168561	POT O' GOLD INC	COFFEE SUPPLIES	174.58
P81064	00168562	PROJECT A INC	2014 SSL key fee for mercergov	119.00
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
	00168506	CARLSON, LARRY	RET MEDI REIMB MAR-MAY 2014	314.70
	00168518	FORSMAN, LOWELL	RET MEDI REIMB MAR-MAY 2014	314.70
<i>Org Key: IS2100 - IGS Network Administration</i>				
P81207	00168565	QUICKSTART	IT Training classes for Brenda	7,376.60
<i>Org Key: MT2100 - Roadway Maintenance</i>				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
	00168540	LEYDE, CASEY	MILEAGE EXPENSE	40.32
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
P81197	00168547	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	332.59
<i>Org Key: MT2500 - ROW Administration</i>				
	00168568	ROCK, R BRIAN	MILEAGE EXPENSE	52.08
	00168515	DRUSCHBA, JOHN F	MILEAGE EXPENSE	38.08
	00168542	LUND, MARK	MILEAGE EXPENSE	33.06
	00168519	GAVIGLIO, MIKE	MILEAGE EXPENSE	29.12
	00168524	HARTVIGSON, BRIAN W	MILEAGE EXPENSE	26.22
<i>Org Key: MT3100 - Water Distribution</i>				
P81197	00168547	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	718.08
P81129	00168521	GRAINGER	PIPE WRENCHES	300.72
P81067	00168574	STONEWAY CONSTRUCTION SUPPLY	ECOLOGY BLOCKS	96.36
<i>Org Key: MT3300 - Water Associated Costs</i>				
P81153	00168532	KANGLEY ROCK & RECYCLING	DUMP FEE FOR ASPHALT	210.00
	00168515	DRUSCHBA, JOHN F	MILEAGE EXPENSE	76.16
	00168519	GAVIGLIO, MIKE	MILEAGE EXPENSE	58.24
	00168540	LEYDE, CASEY	MILEAGE EXPENSE	40.32
	00168551	MOLTZ, ERIC	MILEAGE EXPENSE	29.12
<i>Org Key: MT3400 - Sewer Collection</i>				
P81197	00168547	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	617.15
P81068	00168574	STONEWAY CONSTRUCTION SUPPLY	6' HANDLES & ADAPTERS	249.18
<i>Org Key: MT3600 - Sewer Associated Costs</i>				
	00168540	LEYDE, CASEY	MILEAGE EXPENSE	40.32
	00168502	BAKER, DENNIS L	MILEAGE EXPENSE	29.12
<i>Org Key: MT3800 - Storm Drainage</i>				
P81197	00168547	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	106.41
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P81095	00168588	XEROX CORPORATION	BASE AND METER COPIER CHARGES	302.18
P80645	00168516	EPSCA	MONTHLY RADIO ACCESS FEES 1 RA	33.01
<i>Org Key: MT4200 - Building Services</i>				
P81197	00168547	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	5,032.02
	00168563	PUGET SOUND ENERGY	ENERGY USE FEB 2014	1,163.26
<i>Org Key: MT4300 - Fleet Services</i>				
P81097	00168554	OWEN EQUIPMENT CO	REPAIR PARTS FL-0388	818.53
P81133	00168499	AMERIGAS-KENT	200 GAL PROPANE DELIVERY	814.38
P81203	00168578	SUNDSTROM, ROBERT	Instruction services for Bird	160.82
P81096	00168554	OWEN EQUIPMENT CO	REPAIR PART FOR FL-0395	135.87
P81096	00168554	OWEN EQUIPMENT CO	REPAIR PARTS FOR FL-0395	86.20
<i>Org Key: MTBE01 - Maint of Medians & Planters</i>				
P81197	00168547	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	123.18
<i>Org Key: PO1350 - Police Emergency Management</i>				
P80645	00168516	EPSCA	MONTHLY RADIO ACCESS FEES 13 R	429.13

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P81141	00168513	DATAQUEST LLC	EMAC vol backgrounds	150.50
<i>Org Key: PO1600 - Regional Radio Operations (CJ)</i>				
P80645	00168516	EPSCA	MONTHLY RADIO ACCESS FEES 55 R	1,815.55
<i>Org Key: PO1700 - Records and Property</i>				
P81142	00168564	PURIFIED WATER TO GO	Bottled water for Records	25.00
<i>Org Key: PO1900 - Jail/Home Monitoring</i>				
P81215	00168569	SCORE	2 days at SCORE jail	270.00
<i>Org Key: PO2100 - Patrol Division</i>				
P81137	00168509	CHIEF SUPPLY CORP	Batteries for patrol	409.85
P81214	00168527	IBSEN TOWING CO BELLEVUE	Tow patrol car	194.91
<i>Org Key: PO3100 - Investigation Division</i>				
P81213	00168581	THOMSON REUTERS - WEST	CIS Intel database	158.03
P81218	00168581	THOMSON REUTERS - WEST	CIS intel database (Dec)	158.03
<i>Org Key: PO4100 - Training</i>				
P81058	00168566	RENTON FISH & GAME CLUB INC	Range Memberships	600.00
<i>Org Key: PR1100 - Administration (PR)</i>				
P81188	00168510	CONSOLIDATED PRESS	Postage expenses for Recreation	1,445.70
P81183	00168588	XEROX CORPORATION	Use charges for 12/21/13 to 1/	229.74
P81183	00168588	XEROX CORPORATION	2014 Lease Charges for Color X	160.26
P81100	00168588	XEROX CORPORATION	2014 Lease Charges for Upstair	143.64
P81193	00168511	COSTCO MEMBERSHIP	2014 Membership Dues for Costc	36.66
P81100	00168588	XEROX CORPORATION	Use charges for 12/21/13 to 1/	17.94
<i>Org Key: PR2100 - Recreation Programs</i>				
P81104	00168557	PARENTMAP	Summer display ad	1,196.00
P81104	00168557	PARENTMAP	Camp fair east sponsorship	750.00
P81203	00168578	SUNDSTROM, ROBERT	Instruction services for Bird	336.62
P81181	00168529	J T NEWS	2 x 4 Recreation Ad	204.80
<i>Org Key: PR2104 - Special Events</i>				
P81101	00168543	M & M BALLOON CO	Helium and delivery charges	201.48
P81151	00168543	M & M BALLOON CO	2014 Helium refills for MICEC	18.62
<i>Org Key: PR2108 - Health and Fitness</i>				
P81185	00168553	NITTROUER, DEBORAH A	Instruction services for Pre-B	722.97
P81186	00168558	PAULETTO, MAUDE	Instruction services for Yoga	664.13
P81186	00168558	PAULETTO, MAUDE	Instruction services for Yoga	321.13
P81186	00168558	PAULETTO, MAUDE	Instruction services for Yoga	256.73
P81186	00168558	PAULETTO, MAUDE	Instruction services for Yoga	75.60
P81102	00168513	DATAQUEST LLC	Background check for MD	21.50
<i>Org Key: PR3500 - Senior Services</i>				
P81105	00168588	XEROX CORPORATION	Use charges for 12/21/13 to 1/	20.73
<i>Org Key: PR4100 - Community Center</i>				
P81197	00168547	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	2,997.35
P81105	00168588	XEROX CORPORATION	2014 Lease Charges for Copier	311.12
P81105	00168588	XEROX CORPORATION	Use charges for 12/21/13 to 1/	230.92

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P81198	00168528	INDUSTRY SIGN & GRAPHICS	Logo decals	177.04
P81193	00168511	COSTCO MEMBERSHIP	2014 Membership Dues for Costc	36.67
P81199	00168572	STAGERIGHT CORP	replacement spacers for stage	35.04
<i>Org Key: PR6100 - Park Maintenance</i>				
P81102	00168513	DATAQUEST LLC	Background check for BS	25.00
<i>Org Key: PR6200 - Athletic Field Maintenance</i>				
P81102	00168513	DATAQUEST LLC	Background check for SH	5.00
<i>Org Key: PR6600 - Park Maint-School Related</i>				
P81102	00168513	DATAQUEST LLC	Background check for SH	5.00
<i>Org Key: WD101C - Neighborhood Stmwtr Improvemnt</i>				
P79666	00168555	PACIFIC NW CONSTRUXION INC	RETAINAGE	188.85
<i>Org Key: WD120V - East Seattle Storm Improvmts</i>				
P79759	00168555	PACIFIC NW CONSTRUXION INC	RETAINAGE	964.67
P79759	00168555	PACIFIC NW CONSTRUXION INC	RETAINAGE	666.90
P80617	00168555	PACIFIC NW CONSTRUXION INC	RETAINAGE	325.45
<i>Org Key: WD310C - Sub Basin 4 Watercourse</i>				
P81112	00168585	WACD PLANT MATERIAL CENTER	Plants	636.90
P78253	00168585	WACD PLANT MATERIAL CENTER	Plants	277.34
<i>Org Key: WG113T - Financial System Enhancement</i>				
P78026	00168498	SUNGARD PUBLIC SECTOR INC	OneSolution Upgrade - Custom D	16,040.00
P78026	00168498	SUNGARD PUBLIC SECTOR INC	OneSolution Upgrade - Installa	11,899.00
P78026	00168498	SUNGARD PUBLIC SECTOR INC	OneSolution Upgrade - Consulti	2,196.54
<i>Org Key: WPI22R - Vegetation Management</i>				
P78253	00168585	WACD PLANT MATERIAL CENTER	Plants	464.44
P81111	00168575	STORM LAKE GROWERS INC	Plants	353.70
<i>Org Key: WP310C - Str Ends / Parks Comp Plan</i>				
P77184	00168514	DROLL LANDSCAPE ARCH, ROBERT W	Mercer Island Parks & Recreati	1,750.00
<i>Org Key: WP720R - Recurring Park Projects</i>				
P81150	00168545	MARINE LUMBER SERVICES INC	TREATED BOLLARDS-MILLED PER	3,265.29
<i>Org Key: WW101P - Water System Plan</i>				
P80918	00168525	HDR ENGINEERING INC	2015 WATER SYSTEM PLAN UPDATES	2,504.81
<i>Org Key: XD312C - Street Related Drainage</i>				
P79658	00168555	PACIFIC NW CONSTRUXION INC	RETAINAGE	1,127.96
<i>Org Key: XG150T - Small Tech/Equipment</i>				
	00168552	MORGAN SOUND	REPLACE WARRANT 168146	226.29
<i>Org Key: XR310R - EMW Shoulders - Ph 8-10</i>				
P78179	00168531	KAMINS CONSTRUCTION	RETAINAGE	12,394.04
<i>Org Key: YF1100 - YFS General Services</i>				
P81183	00168588	XEROX CORPORATION	Use charges for 12/21/13 to 1/	261.62
P80808	00168588	XEROX CORPORATION	Month lease charges and usage	181.23
P81183	00168588	XEROX CORPORATION	2014 Lease Charges for Color X	160.26

Accounts Payable Report by GL Key


PO #	Check #	Vendor:	Transaction Description	Check Amount
P81118	00168513	DATAQUEST LLC	Background checks for vols/stu	73.00
P81193	00168511	COSTCO MEMBERSHIP	2014 Membership Dues for Costc	36.67
<i>Org Key: YF1200 - Thrift Shop</i>				
P81197	00168547	MI UTILITY BILLS	PAYMENT OF UTILITY BILLS FOR W	424.61
<i>Org Key: YF2100 - School/City Partnership</i>				
	00168577	SUCKERMAN, SIVIE	CONFERENCE EXPENSES	400.00
Total				125,712.46



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4929
March 3, 2014
Regular Business**

GROWING TRANSIT COMMUNITIES REGIONAL COMPACT	Proposed Council Action: Adopt Resolution No. 1479 supporting the Growing Transit Communities regional compact
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DEPARTMENT OF	Development Services Group (Scott Greenberg)
COUNCIL LIAISON	n/a
EXHIBITS	1. AB 4916 (2/3/2014) 2. Resolution No. 1479 supporting the Growing Transit Communities regional compact
APPROVED BY CITY MANAGER	

AMOUNT OF EXPENDITURE	\$	n/a
AMOUNT BUDGETED	\$	n/a
APPROPRIATION REQUIRED	\$	n/a

SUMMARY

On February 3, 2014, the City Council received a presentation on the Puget Sound Regional Council's (PSRC) Growing Transit Communities (GTC) project (see Exhibit 1). Following the presentation and discussion, the City Council directed staff to prepare a Resolution supporting the GTC regional compact (see Exhibit 2).

Regional Compact

The Regional Compact is a statement of continued commitment for its signatories to work collaboratively to implement the region's adopted plans for growth (see Exhibit 2). The Regional Compact does not obligate partners to implement all recommendations developed as part of the GTC Strategy, but rather to consider and adopt tools that fit best with community or organizational needs and available resources. The compact recognizes that cities and counties will require new resources to create the critical physical and social infrastructure that will support growth, including transportation, utilities, recreation, and public services. The following organizations have already signed the compact:

- City of Everett
- City of Kirkland
- City of Mountlake Terrace
- City of Redmond
- City of SeaTac
- City of Seattle
- Snohomish County
- City of Tacoma
- City of Tukwila
- Bellwether
- Enterprise Community Partners
- Forterra
- Futurewise
- HomeSight
- Housing Consortium - Everett and Snohomish County
- Housing Development Consortium - Seattle and King County
- Impact Capital
- Puget Sound SAGE
- Quality Growth Alliance
- University of Washington

Work plans will be developed by individual local governments, agencies, or organizations defining short- and medium-term actions that can implement relevant elements of the Strategy. City staff is proposing to review the GTC Strategies and Actions as part of the Comprehensive Plan Update work program.

RECOMMENDATION

Development Services Director

MOVE TO: Adopt Resolution No. 1479 supporting the Growing Transit Communities regional compact.



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4916
February 3, 2014
Study Session**

**PRESENTATION AND DISCUSSION OF DRAFT
GROWING TRANSIT COMMUNITIES
STRATEGY**

Proposed Council Action:

No action necessary. Receive presentation from PSRC staff.

DEPARTMENT OF

Development Services Group (Scott Greenberg)

COUNCIL LIAISON

n/a

EXHIBITS

1. Growing Transit Communities Strategy Executive Summary
2. Regional Compact
3. Toolkit of Recommended Strategies and Actions

APPROVED BY CITY MANAGER

AMOUNT OF EXPENDITURE	\$	n/a
AMOUNT BUDGETED	\$	n/a
APPROPRIATION REQUIRED	\$	n/a

SUMMARY

Background

The Growing Transit Communities Partnership (GTC) is a broad coalition of over forty stakeholders from the public, private and nonprofit sectors that was formed in 2010. The GTC effort was led by the Puget Sound Regional Council (PSRC) and was funded by the U.S. Department of Housing and Urban Development Sustainable Communities Regional Planning Grant Program. PSRC staff will attend the Study Session to present the work of the GTC.

The GTC's purpose was to develop best practices and recommendations to leverage nearly \$25 billion in high-capacity transit investments, secure equitable outcomes for all of the region's communities, and address some of the greatest barriers to implementing the region's framework growth plans—VISION 2040, Transportation 2040, and the Regional Economic Strategy.

During a collaborative, eighteen-month process involving monthly task force meetings, consultant support, and continuous public review and comment, the GTC focused on three overarching goals to advance regional goals and implement adopted regional plans:

- Attract more of the region's residential and employment growth near high-capacity transit
- Provide housing choices affordable to a full range of incomes near high-capacity transit
- Improve equitable access to education, employment, mobility, health and neighborhood services and amenities for existing and future community members in transit communities

Growing Transit Communities Strategy

On July 12, 2013, the GTC Oversight Committee approved the GTC's major deliverable: the Growing Transit Communities Strategy (GTC Strategy). An Executive Summary of the document is attached. See Exhibit 1. The full GTC Strategy is available at <http://www.psrc.org/assets/9539/GTCStrategyReport2013-10-03.pdf>. The key elements of the Strategy are in three component parts:

- A Regional Compact
- A Toolkit of Recommended Strategies and Actions
- Individual Work Plans

Regional Compact

The Regional Compact is a statement of continued commitment for its signatories to work collaboratively to implement the region's adopted plans for growth. See Exhibit 2. The Regional Compact does not obligate partners to implement all recommendations developed as part of the GTC Strategy, but rather to consider and adopt tools that fit best with community or organizational needs and available resources. The compact recognizes that cities and counties will require new resources to create the critical physical and social infrastructure that will support growth, including transportation, utilities, recreation, and public services. The following organizations have already signed the compact:

- | | | | |
|-----------------------------|---------------------------------|--|----------------------------|
| • City of Everett | • City of Tacoma | • HomeSight | • Impact Capital |
| • City of Kirkland | • City of Tukwila | • Housing Consortium - Everett and Snohomish County | • Puget Sound SAGE |
| • City of Mountlake Terrace | • Bellwether | • Housing Development Consortium - Seattle and King County | • Quality Growth Alliance |
| • City of Redmond | • Enterprise Community Partners | | • University of Washington |
| • City of SeaTac | • Forterra | | |
| • City of Seattle | • Futurewise | | |
| • Snohomish County | | | |

Toolkit of Recommended Strategies and Actions

The GTC developed a toolkit of Recommended Strategies and Actions to respond to each of the three regional goals identified above. See Exhibit 3. The toolkit includes 24 strategies and over 200 detailed recommendations that identify potential actions for public, private, nonprofit, and other partners to consider and implement over time. Among the project partners there is mutual understanding that some tools may work in some locations, and that each partner retains flexibility and discretion in pursuing the strategies that will work best in specific locations.

Work Plans

Work plans will be developed by individual local governments, agencies, or organizations defining short- and medium-term actions that can implement relevant elements of the Strategy. City staff is proposing to review the GTC Strategies and Actions as part of the Comprehensive Plan Update work program (see AB 4919).

Next Steps

If the City Council would like to be a partner in this regional effort, the next step is to pass a Resolution authorizing the Mayor to sign the Regional Compact. If directed by the City Council, staff will prepare a Resolution for consideration at the February 24, 2014 City Council meeting.

RECOMMENDATION

Development Services Director

No action necessary, receive report.

**CITY OF MERCER ISLAND
RESOLUTION NO. 1479**

**A RESOLUTION SUPPORTING THE GROWING TRANSIT
COMMUNITIES REGIONAL COMPACT**

WHEREAS, the central Puget Sound region has adopted VISION 2040, a long-range plan to integrate land use, economic and transportation decisions in order to meet the needs of current and future generations, achieve economic prosperity with social equity, and support a healthy environment; and

WHEREAS, VISION 2040 includes among its goals (1) maintaining a prosperous and sustainable regional economy by supporting businesses and job creation, investing in all people, sustaining environmental quality, and creating great central places, diverse communities, and a high quality of life; and (2) focusing growth within already-urbanized areas to create walkable, compact, and transit oriented communities; and (3) meeting housing needs through preservation and expansion of a range of affordable, healthy and safe housing choices; and

WHEREAS, the voters of the central Puget Sound region have committed to a \$25 billion investment in light rail, commuter rail, bus rapid transit and local streetcar service that creates a once-in-a lifetime opportunity to plan for and support the growth of communities near high-capacity transit; and

WHEREAS, transit-oriented development is a land-use pattern with many social, economic, and environmental benefits, including more sustainable and efficient use of urban land, support for regional and local economies, reduced combined housing and transportation costs per household, and improved access and mobility for residents; and

WHEREAS, the Growing Transit Communities Partnership was formed as a diverse coalition of governmental and nongovernmental partners that was funded by a grant from the federal Partnership for Sustainable Communities for the express purpose of leveraging regional transit investments to create thriving and equitable transit communities around light rail and other high-capacity transit stations; and

WHEREAS, progress toward creating equitable transit communities will depend on active participation from a full range of partners over the long term, including transit agencies, businesses, non-profit organizations, as well as local jurisdictions and the Puget Sound Regional Council; and

WHEREAS, the Growing Transit Communities Partnership has developed the Growing Transit Communities Strategy that recommends adoption of specific actions and tools by regional and local governments, by both public and private stakeholders, in order to create, grow, and enhance equitable transit communities throughout the region; and

WHEREAS, it is in the interest of elected officials; public agencies; leaders of and for affordable housing, communities and neighborhoods, business, education, the environment, philanthropy,

finance, real estate, and transportation to cooperatively engage in the work related to the Growing Transit Communities Strategy for its successful completion; and

WHEREAS, the Growing Transit Communities Strategy will be managed by the Puget Sound Regional Council, but one specific local action recommended in the Strategy is the adoption of the Growing Transit Communities Compact by local jurisdictions; and

WHEREAS, the City of Mercer Island's Comprehensive Plan focuses growth within the Town Center which is adjacent to a future light rail station;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AS FOLLOWS:

Section 1. The Mercer Island City Council supports the the Growing Transit Communities Regional Compact substantially in the form attached as Exhibit A.

Section 2. This resolution shall take effect and be in force on and after March 3, 2014.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS REGULAR MEETING ON THE 3RD DAY OF MARCH 2014.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

ATTEST:

Allison Spietz, City Clerk



Growing Transit Communities Compact

Preamble

VISION 2040 was approved as the central Puget Sound region's plan for sustainable development following a broad-based, collaborative planning process. Central Puget Sound region voters also approved a series of high-capacity light rail and transit projects—a commitment of approximately \$15 billion—that will serve the region's most densely populated and diverse communities for decades to come. These investments present a once-in-a-lifetime opportunity to shape the region's urban form and ensure that transportation improvements support sustainable development and foster vibrant, healthy neighborhoods for all.

Recognizing what this unprecedented opportunity means for the region and its residents, a broad coalition of stakeholders came together to identify what will be needed to create the sustainable, equitable communities envisioned in the region's plans. The result was the Growing Transit Communities Partnership.

The Growing Transit Communities Partnership produced the Growing Transit Communities Strategy as a tool to implement VISION 2040 and local comprehensive plans adopted under the state Growth Management Act, and which is supported by this Compact. Its goals and recommendations are wide-ranging, developed with the recognition that some tools and approaches may work in some locations but not in others, and that each partner retains flexibility and discretion in pursuing the strategies most appropriate to local needs and conditions. However, the envisioned outcomes, consistent with VISION 2040, require an ongoing dedicated partnership of many interests, including cities, counties, transit agencies, businesses and employers, housing authorities, public health agencies, affordable housing providers, educational institutions, community-based organizations, and development interests.

And while the Compact is not legally binding and does not mandate adoption of any particular policies or actions, it expresses the need for many and diverse partners to work together over time to achieve its goals, recognizing that opportunities for success cannot be achieved unless we work together.

Therefore, as signatories to the Compact, we commit ourselves to working in partnership to achieve the goals and strategies in this Compact, while respecting the diversity of interests, perspectives, and responsibilities throughout the region.

Whereas the central Puget Sound region has adopted VISION 2040, with the following vision statement:

Our vision for the future advances the ideals of our people, our prosperity, and our planet. As we work toward achieving the region's vision, we must protect the environment, support and create vibrant, livable, and healthy communities, offer economic opportunities for all, provide safe and efficient mobility, and use our resources wisely and efficiently. Land use, economic, and transportation decisions will be integrated in a manner that supports a healthy environment, addresses global climate change, achieves social equity, and is attentive to the needs of future generations.

and;

Whereas the central Puget Sound region is expected to add 1.3 million people and 1.1 million jobs by the year 2040; and

Whereas VISION 2040 includes among its goals (1) maintaining a prosperous and sustainable regional economy by supporting businesses and job creation, investing in all people, sustaining environmental quality, and creating great central places, diverse communities, and a high quality of life, and (2) focusing growth within already urbanized areas to create walkable, compact, and transit oriented communities, and (3) meeting housing needs through preservation and expansion of a range of affordable, healthy and safe housing choices; and

Whereas the voters of the central Puget Sound region have committed to a \$15 billion investment in light rail, commuter rail, bus rapid transit and local streetcar service that creates a once-in-a-lifetime opportunity to plan for and support the growth of communities near high capacity transit; and

Whereas in 2010 the region adopted Transportation 2040, a long-range transportation plan designed to implement VISION 2040 that calls for implementation of an aggressive transit strategy to keep up with increasing population and employment growth, including completion of Sound Transit 2 projects, additional Link light rail extensions to Everett, Tacoma, and Redmond, and local transit service increases of more than 100 percent in peak periods and over 80 percent in off-peak periods; and

Whereas The Regional Economic Strategy recognizes that transportation investments must address the diverse needs of the region's economy and support key employment sectors, provide more convenient and varied transportation options, and improve travel reliability to maintain and enhance quality of life in the region for workers and support local businesses; and

Whereas approximately 45% of households currently residing in proximity to existing and planned light rail corridors are moderately or severely housing cost burdened; and

Whereas current income distribution for the region shows 13% of households earn between 0-30% of the area median income, 12% of households earn between 30-50% of the area median income, and 18% of households earn between 50-80% of the area median income; and

Whereas new market-rate housing trends and subsidized housing resources are not providing sufficient housing choices in transit communities for households earning under 80% of the area median income; and

Whereas the combined cost burden of housing plus transportation can be substantially reduced by locating affordable housing opportunities in proximity to transit; and

Whereas the report “Equity, Opportunity, and Sustainability in the Central Puget Sound Region” identifies a widespread pattern within the region of unequal household access to educational, economic, transportation, environmental health, and neighborhood resources; and

Whereas many communities that are now or may be served by high-capacity transit are home to low-income and minority households and small locally- and minority-owned businesses that are at a potentially higher risk of displacement due to a range of factors; and

Whereas transit-oriented development is a land use pattern with many social, economic, and environmental benefits, including more sustainable and efficient use of urban land, support for regional and local economies, reduced combined housing and transportation costs per household, and improved access and mobility for residents; and

Whereas the Growing Transit Communities Partnership, a diverse coalition of governmental and nongovernmental partners, was funded by a grant from the federal Partnership for Sustainable Communities for the express purpose of helping to implement VISION 2040 by leveraging regional transit investments to create thriving and equitable transit communities around light rail and other high-capacity transit stations; and

Whereas the Equity Network Steering Committee has defined equity to mean that all people can attain the resources and opportunities that improve their quality of life and enable them to reach their full potential; and

Whereas the Growing Transit Communities Partnership defines equitable transit communities as follows:

Equitable transit communities are mixed-use, transit-served neighborhoods that provide housing and transportation choices, and greater social and economic opportunity for current and future residents. Although defined by a half-mile walking distance around high-capacity transit stations, they exist within the context of larger neighborhoods with existing residents and businesses.

These communities promote local community and economic development by providing housing types at a range of densities and affordability levels, commercial and retail spaces, community services and other amenities integrated into safe, walkable neighborhoods.

Successful equitable transit communities are created through inclusive planning and decision-making processes, resulting in development outcomes that accommodate future residential and employment growth, increase opportunity and mobility for existing communities, and enhance public health for socially and economically diverse populations

Whereas Growing Transit Communities Partners recognize that transit communities throughout the region will have unique roles, functions, and opportunities, and will develop with different uses at varying intensities; and

Whereas creating vibrant transit-oriented communities can be substantially advanced through the development of additional tools and funding for infrastructure improvements in communities along transit corridors; and

Whereas *Growing Transit Communities Partners believe that progress toward creating equitable transit communities will depend on active participation from a full range of partners over the long term, including transit agencies, businesses, non-profit organizations, as well as local jurisdictions and the Puget Sound Regional Council; and*

Whereas *the Growing Transit Communities Partnership has developed a Toolkit of Strategies and Actions that recommend adoption of specific actions and tools by regional and local governments, by both public and private stakeholders, in order to create, grow, and enhance equitable transit communities throughout the region; and*

Whereas *updates to local comprehensive plans and development regulations, transit agency plans, and the refinement of regional growth and transportation plans present continuing opportunities to implement the Toolkit of Strategies and Actions;*

Now, therefore, the signatories to this Regional Compact:

Agree that the region's long-range growth management, economic, environmental, and transportation goals depend heavily on continued investment in more and better public transportation services ; and

Acknowledge the acute need for additional resources and tools to create and preserve affordable housing throughout the region; and

Recognize that cities and counties will require new resources to create the critical physical and social infrastructure that will support growth, including transportation, utilities, recreation, and public services; and

Agree that progress toward equitable transit communities requires a cooperative, regional approach with diverse partners across governmental and nongovernmental sectors that supports and builds upon existing and ongoing planning efforts by regional and local governments and transit agencies; and

Commit to build upon the work of the Growing Transit Communities Partnership through the promotion of equitable transit communities in light rail station areas and transit nodes located within the region's three long-range light rail transit corridors, and around transit nodes outside these corridors in other parts of the region; and

Recognize that each corridor is at a different stage of high-capacity transit system development, and that future stations may be identified and sited that should also be considered under this Compact; and

Understand that this Compact is designed to express the intent of diverse partners to work together toward common goals, with specific actions identified by partners appropriate to their roles and responsibilities; and

Recognize that the policies and programs promoted by the Growing Transit Communities Partnership may also benefit community development around other transit investments and corridors, including but not limited to bus rapid transit, streetcar, commuter rail, intercity express bus, and ferries; and

Support a continuing process of collaboration and coordinated action to advance the development of equitable transit communities, as guided by the following goals, signatories to this Compact will strive to:

Attract more of the region's residential and employment growth to high capacity transit communities.

VISION 2040 calls for a compact pattern of growth within the Urban Growth Area, particularly in regional and subregional centers served by high capacity transit. The Growing Transit Communities work program has demonstrated that the region's light rail corridors alone have the potential to support this vision by attracting at least 25% of the housing growth and 35% of the employment growth expected in the region through the year 2040. Attracting additional TOD market demand to other regional corridors that are served by other types of high capacity transit is also essential. To advance the Regional Growth Strategy adopted in VISION 2040, promote economic development, and realize the multiple public benefits of compact growth around rapid transit investments, the signatories to this Compact will strive to:

- Use a full range of tools, investments, and economic development strategies, to attract the potential demand for residential and commercial transit oriented development within transit communities consistent with and in furtherance of regional policies and plans, and
- Plan for and promote residential and employment densities within transit communities that support ridership potential and contribute to accommodating growth needs within each high-capacity transit corridor.

Additional transit communities along the region's other high-capacity transit mode corridors will also attract significant portions of future residential and employment growth.

Provide housing choices affordable to a full range of incomes near high-capacity transit.

Adopted regional policy recognizes housing as a basic human need and calls for local policies and tools that provide for an adequate supply of housing affordable at all income levels, to meet the diverse needs of both current and future residents. Region-wide, affordable housing need is defined by current household incomes, where 18% of households earn between 50% and 80% of AMI, 12% earn between 30% and 50% of AMI, and 13% earn less than 30% of AMI. In transit communities, projected need for affordable housing is higher, especially for households in the lowest income range due to their greater reliance on transit. Depending on local market conditions, efforts to meet that need will focus on new housing, housing preservation, or combined strategies.

In order to meet a substantial portion of this need within walking distance of rapid transit services, the signatories to this Compact will strive to:

- Use a full range of housing preservation tools to maintain the existing level of affordable housing within each transit community, and
- Use a full range of housing production tools and incentives to provide sufficient affordable housing choices for all economic and demographic groups within transit corridors, including-new housing in the region's transit communities collectively that is proportional to region-wide need or greater to serve transit-dependent households.

These goals apply to the region's transit corridors collectively, and do not suggest a specific desired outcome for any individual transit community. Further, fully attaining these goals will require new tools, resources, and subsidies beyond those that exist today.

Increase access to opportunity for existing and future residents of transit communities.

Adopted regional policy recognizes the need to address the diverse housing, transportation and economic needs of current and future residents so that all people may prosper as the region grows. This requires special attention to communities that lack access to transportation choices, quality schools, and other social and physical neighborhood components that allow community members to thrive and succeed.

In order to more equitably meet the needs of all residents of the region, the signatories to this Compact will strive to:

- Improve access to opportunity in the transit corridors through targeted investments that meet the needs of residents and businesses in communities with limited access to opportunity, targeted affordable housing investments in communities with good access to opportunity, and transit connections linking areas with good access to opportunity and areas with limited access to opportunity.
- Use a full range of community engagement strategies to increase the involvement of diverse and historically under-represented groups in transit community development, empower communities to influence decisions at all levels of government, and ensure opportunities for participation throughout decision-making processes.

In order to maximize this historic opportunity, show regional leadership, and act as a national model of how diverse stakeholders can make transformative decisions that advance a region's goals for its people, its prosperity, and the planet, the signatories to this Compact pledge to work individually and collaboratively toward the goals described above, and toward the implementation of the Growing Transit Communities Strategy, as appropriate to each jurisdiction and organization. PSRC will periodically convene representatives of Compact signatories as an Advisory Committee to evaluate the region's progress over time toward achieving equitable transit communities. PSRC's regional monitoring program will track progress of implementing and achieving the goals described in this compact.



For more information on the Growing Transit Communities Partnership, please contact Program Manager Ben Bakkenta (bbakkenta@psrc.org or 206-971-3286) or visit the Growing Transit Communities website at <http://www.psrc.org/growth/growing-transit-communities/>



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4925
March 3, 2014
Regular Business**

SEWER UTILITY CODE AMENDMENTS	Proposed Council Action: Conduct second reading of Ordinance No. 14C-03, repealing MICC 15.08 Sewer Rates and Regulations and adopting new chapter MICC 15.06 Sewer Utility Regulations
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DEPARTMENT OF	Maintenance (Glenn Boettcher)
COUNCIL LIAISON	n/a
EXHIBITS	<ol style="list-style-type: none"> 1. Comparison of Proposed Code to Old Code 2. Ordinance No. 14C-03 adopting new chapter MICC 15.06 Sewer Utility Regulations 3. MICC Chapter 15.08 Sewer Rates and Regulations 4. Mercer Island Sewer District Administrative Code
APPROVED BY CITY MANAGER	

AMOUNT OF EXPENDITURE	\$	n/a
AMOUNT BUDGETED	\$	n/a
APPROPRIATION REQUIRED	\$	n/a

SUMMARY

Chapter 15.08 of the Mercer Island City Code (MICC), which contains rules and regulations for the management and collection of Mercer Island’s wastewater (sewer utility), has needed a comprehensive update for some time. Many portions are outdated and no longer applicable to the Island’s sewer system, while other provisions are not enforceable. For instance, Chapter 15.08 relies on the old Mercer Island Sewer District Administrative Code for the standards by which sewer mains and side sewers must be built. The District’s code was written in 1960, and the Sewer District has not existed since 1975.

These provisions have been combined and redrafted with the goal of providing language that is clear, streamlined and meets the needs of a contemporary sewer utility. Ordinance No. 14C-03 repeals MICC 15.08 Sewer Rates and Regulations and adopts a new Chapter 15.06 Sewer Utility Regulations (the numbering is changed to provide historical code tracking).

At the first reading of the proposed ordinance last summer, Council indicated an interest in getting a deeper understanding of the changes being proposed and the implications.

Identifying What’s Changed

In light of the need for a whole-sale update, the proposed sewer code is a new document rather than a series of revisions, so it is not possible to provide a strike-through version that illustrates the changes.

Instead, to aid Council review, Exhibit 1 identifies sections in the proposed new code that were taken from the current MICC (Exhibit 3), sections taken from the Sewer District Administrative Code (Exhibit 4), and provisions that are completely new.

Key Provisions

A primary focus of the proposed new Sewer Utility Code, which was created in a collaborative effort that involved several City departments, is to clarify when the City should reasonably bear liability and when it should not. The proposed new code:

- Creates a comprehensive definitions section that is consistent with other sections of the MICC
- Updates engineering and design standards
- Expands and clarifies the requirements for side sewer construction
- Clarifies what private property owners are responsible for maintaining
- Prohibits the discharge of fats, oils and grease (FOG) in amounts that create problems in maintaining and operating the public system

Enforcement

The proposed new Sewer Utility Regulations will allow City officials to conduct inspections that are necessary to ensure compliance with requirements of the code. Enforcement will be handled as provided for in Chapter 19 MICC in order to provide consistency of application with the Development Code. Ultimately, the enforcement provisions of Chapter 19 MICC will also be updated with the intent to provide clear direction as to enforcement policies in one chapter, rather than numerous references and different processes in various places throughout the MICC. That update work will be introduced to the Council in the near future by the City Attorney.

RECOMMENDATION

Maintenance Director

MOVE TO: Adopt Ordinance 14C-03, repealing MICC 15.08 Sewer Rates and Regulations and adopting new chapter MICC 15.06 Sewer Utility Regulations.

Chapter 15.08
SEWER RATES AND REGULATIONS

Sections:

- 15.08.010 Purpose
- 15.06.020 Definitions
- 15.06.030 Application
- 15.06.040 Permits
- 15.06.050 Ownership
- 15.06.060 Required Connections
- 15.06.070 Engineering and Design Standards
- 15.06.080 Construction Requirements
- 15.06.090 Inspections and Tests
- 15.06.100 Sewer System Maintenance
- 15.06.110 Rates, Fees and Charges
- 15.06.120 Dispute Resolution of Fees, Costs and Charges
- 15.06.130 Industrial Waste Discharge
- 15.06.140 Other Prohibited Discharges
- 15.06.150 Easements
- 15.06.160 Trees and Shrubs
- 15.06.170 Right of Entry for Inspection
- 15.06.180 Enforcement
- 15.06.190 City Liability
- 15.06.200 Conflict of Provisions
- 15.06.210 Severability

15.06.010 Purpose

These provisions are set forth pursuant to the City of Mercer Island's police power to protect, promote and preserve the public health, safety and welfare. The purpose of this code shall be liberally construed to provide for the planning, security, design, construction, use, maintenance, repair and inspection of public and private sanitary sewer systems; to establish programs and regulations to provide for the appropriate use of public and private sanitary sewer systems;

New language added to clarify chapter purpose

15.06.020 Definitions

For purposes of this Chapter, the following terms shall have the following meanings.

Definitions have been added to clarify current terms used this chapter.

A

"As-built" means a final drawing of the actual installation of the structures, materials and equipment in a form required by the City Engineer.

The majority of the definitions in the MISD/AC are obsolete.

B

"Backwater Valve" means a device that is privately owned and installed on the resident's side sewer and prevents sewage from backing up into the structure.

"Building" means a structure having a roof and entirely enclosed on all sides, but excluding trailers, mobile homes, and all other forms of vehicles even though immobilized.

C

"Capital recovery charge" means a monthly charge imposed on

improvements, developments, redevelopments or existing structures that place additional demand on the sewer system. The capital recovery charge shall be based on an allocation of the utility plant in-service costs plus interest and the number of single-family equivalents served by the sewer system.

“City” means the City of Mercer Island.

“City Engineer” means the City of Mercer Island’s city engineer or designee.

“Connection charges” means charges imposed as a condition of providing utility service so that each connecting property bears its equitable share of the costs of the public sewer system and the utility’s share of the cost of any regional sewer collection system and of the costs of facilities that benefit the property. Connection charges can include latecomer charges, capital recovery charges and direct facilities charges.

E

“Engineering standards” means the City’s utility engineering standards, as established by the City code and/or the City Engineer, which include minimum standards for the design and construction of water, storm and surface water drainage and sanitary sewer facilities.

“Easement” means a grant of one or more of the property rights or privileges by the property owner to and/or for use or protection of a portion of land, by the public, a corporation or another person or entity that runs with the land.

F

“Finance Director” means the City of Mercer Island’s director of finance or designee.

“FOG” means fats, oils and grease.

I

“Industrial waste” means any liquid, solid or gaseous substance or combination thereof, resulting from any process of industry, manufacturing, commercial food processing, business, trade or research, including development, recovering or processing of natural resources.

This definition has been updated

L

“Licensed side sewer contractor” means any person, partnership, corporation or association duly qualified and competent to do work incident to the construction or repair of side sewers under permits issued under this code and who shall have been duly licensed.

This definition has been updated

“LID”, means Local Improvement District, which permits the City to finance capital improvements that provide benefit to public properties within its boundaries. It is a method by which a group of property owners can share in the cost of sanitary sewer infrastructure.

P

“Pretreatment device” means any approved device, structure, system or method used and maintained for the purpose of bringing a waste stream

within acceptable limits and standards of quality prior to its discharge to the public sewer system.

“Private sewer system” means any part of the sewer system that is not part of the public sewer system.

This definition has been updated

“Property owner” or “Owner” means any individual, company, partnership, joint venture, corporation, association, society, group or entity that owns or has a contractual interest in the subject property or has been authorized by the owner to act on his/her behalf, including but not limited to an agent, contractor, applicant, or developer.

“Public sewer system” means the sewer system owned and operated by the City.

This definition has been updated

S

“Sewage” means waste discharged from the sanitary facilities of buildings and includes industrial wastes.

This definition has been updated

“Sewer facility” means any facility for the conveyance or storage of sewage, whether part of the public sewer system or a private sewer system, which is connected to or intended to be connected to the public sewer system.

“Sewer main” means any pipe designed or used to transport sewage, owned by the City, excluding side sewers.

This definition has been updated

“Sewer pretreatment” means the treatment of industrial waste before discharge to the public sewer system.

“Sewer service” means providing for the disposal of sewage from a structure into the public sewer system.

“Sewer plan” or “General Sewer Plan” means the comprehensive wastewater plan for the utility, as adopted by the City.

“Side sewer” means a private pipe and related appurtenances extending from the sewer main to the connection with a building.

This definition has been updated

“Side sewer stub” means that portion of the side sewer connected to the right of way or easement extending from the sewer main.

“Standard plans and specifications” means any rules, regulations, policies and procedures issued by the City’s Engineer, including, but not limited to, water systems, sewer systems, storm drainage systems, road construction and street improvements, traffic control, and erosion control plans.

“Storm water” means runoff during and following precipitation and snowmelt events, including surface runoff and drainage.

“Structure” means a combination of materials constructed and erected permanently on, in or under the ground or attached to something having permanent location on, in or under the ground.

U

“ULID” means Utility Local Improvement District, which permits a City to finance capital improvements that provide benefit to public properties within its boundaries. It is a method by which a group of property owners can share in the cost of sewer infrastructure.

15.06.030 Application

A. Applicant. An application for a side sewer permit shall be signed and made by the owner of the property to be served or by a licensed side sewer contractor representing the owner of the property.

B. Easements. Copies of all executed easements associated with the side sewer application must accompany the application. Where a side sewer is to be installed across a separate legally established lot from which the side sewer will serve, the applicant for the side sewer permit must first show proof that a duly executed easement has been obtained from the owner of the lot and recorded with the King County Recorder’s Office. The property owners shall have all easement(s) recorded with King County before a permit will be issued for construction, in a format approved by the City Engineer.

C. Required Information. In making application for a side sewer permit, the applicant shall furnish an approved drawing showing the size and location of structures on the property, the owner’s name, address and legal description of the property to be served, and the location of any easements. The full course of the proposed side sewer from the public sewer in the street to the structure shall be shown on the drawing. The City Engineer may request other information as deemed necessary for the proper evaluation of the application.

D. Contractor Credentials. An applicant for a side sewer permit must present evidence, acceptable to the City Engineer, of a valid WA State Contractor’s license and City business license for the contractor who will be performing the work, and such other credentials as required by the City Engineer to establish competence to perform the work proposed.

15.06.040 Permits

A. Applicant must obtain all necessary and required permit approvals prior to commencing any construction of a side sewer or any modification of any existing side sewer.

B. No permit will be issued for side sewer construction before the public or private sewer main is accepted by the City. Prior to the issuance of a side sewer permit, the City Engineer shall establish that a sewer main of sufficient size and suitable type and condition is available for the connection. A permit, which includes side sewer work in a right of way or public sewer easement, will only be issued to a licensed side sewer contractor. A permit that includes side sewer work only on private property may be issued to the owner or to a licensed side sewer contractor. Other than a licensed side sewer contractor, the owner is the only person authorized to install and repair side sewers on private property.

By accepting the side sewer permit, the property owner acknowledges that

*New language
regarding side sewer
permit applications*

*New language
regarding side sewer
permits*

the inspector or authorized representatives shall be permitted to enter upon all and any premises at all reasonable times for the purpose of inspection, observation, measuring, sampling, testing of sewers and sewage waste, and performing all other acts or duties as they relate to the side sewer permit.

C. The contractor's side sewer permit shall be available on the project site and must be readily accessible to the City Engineer.

D. Permits expire two years from the date of issuance. The property owner may petition the City for an extension of the permit for up to one year, provided the City receives payment for any applicable fees. Open applications for permits shall be canceled by the City within one year from the date of submittal if the applicant fails to submit any of requisite or additional information requested by the City.

E. If an application for a permit is denied, the property owner may appeal the City Engineer's decision by submitting a written application for appeal, together with the applicable fees, within fourteen (14) days of the date of denial. The appeal will be heard before the City's Hearing Examiner.

15.06.050 Ownership

A. City Ownership of Sewer Facilities. The sewer system is owned and operated by the City, except to the extent that private ownership is otherwise indicated as a matter of record. Such public facilities typically include mains, pump stations or manholes.

B. Private Ownership of Area Sewers. Side sewers are owned by the property owner. Property owners shall be responsible for the development, maintenance, and repairs of side sewers and their appurtenances. Side sewers, whether located in a public or private place, shall be owned, installed, operated, and maintained by the owner or occupant of the property or premises served unless otherwise described in an easement, maintenance agreement or other legal document. This includes the pipe system up to, but not including, manufactured tees/wyes, or mechanical connections to the public main.

15.06.060 Required Connections

All structures which contain facilities for the disposal of sewage shall be connected to the public sewer system.

15.06.070 Engineering and Design Standards

A. General. The property owner is responsible for providing an adequate and qualified design for the installation of all sewer facilities required by this code.

B. Sewer Facility Requirements. Whenever property is developed or redeveloped, sewer mains shall be extended through and to the extremes of the property being developed, as required by the City, when needed for the orderly extension of the public sewer system. Whenever property is developed or redeveloped in any way such that sewage discharge is changed in content or volume, new sewer facilities shall be required whenever necessary to:

1. Meet hydraulic capacity requirements; or

New language regarding property owner responsibility

New language regarding connections

New language regarding engineering and design

- 2. Replace or relocate existing facilities as required or authorized by the City; or
- 3. Meet industrial waste pretreatment requirements

C. Side Sewer Design.

1. A maximum of six (6) residential properties may be connected to a single side sewer. When a side sewer serves more than one property, all of the following shall be required:

- a. A cleanout immediately upstream of the connection between the shared side sewer and individual side sewer;
- b. Installation of a backwater valve on each side sewer;
- c. Connection to the public sewer system shall be made with manhole with minimum inside diameter of 48 inches.

2. Where physical conditions render compliance with City side sewer requirements impracticable, the City may require compliance insofar as is reasonably possible; provided, that the property owner(s) execute and deliver to the City an instrument, in a form furnished by the City, agreeing to hold harmless and indemnify the City for any damage or injury resulting from such installation. The City may require that such instrument be recorded against the property with the King County Recorder's Office.

15.06.080 Construction Requirements

A. Standards. Construction standards shall be as described in this chapter and the City's standard drawings. The City Engineer may designate the manner and place where the side sewer shall connect to the public sewer system, specify the material, size and grade of the side sewer, and determine whether or not a permit is needed.

B. Side Sewer Construction

1. Side sewers shall be constructed as described in this chapter and the City's standard drawings. All side sewers shall be laid on a minimum slope of 1/4" of fall per linear foot for 4 inch diameter pipe and a minimum of 1/8 inch of fall per linear foot for 6 inch diameter pipe or greater. The City Engineer may waive this requirement only if the following circumstances have been met:

- a. A backwater valve is installed on all side sewers; and
- b. The property owner of the side sewer shall assume all responsibility for the effective operation of any backwater valve; and
- c. The property owner submits a release in a form approved by the City Engineer in which the property owner agrees to hold the City harmless from any and all damage resulting there from.

This section is from the MISD/AC Section 6.11. The language has been updated for current standards

New language regarding engineering and design

New language regarding sewer construction standards

This section is from the MISD/AC Article VI. The language has been updated for current standards

2. The property owner shall be responsible for determining the available grade between building drain and sewer tee or stub.
3. In any case where the building 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.
4. All connections shall be made to the wye or stub out assigned at the time the permit is issued, and no side sewer belonging to another owner shall be used unless written permission for such use is obtained and presented with the side sewer application.
5. If a building sewer is to serve more than one property, all property owners shall execute and record a valid easement and maintenance agreement which include assurances that all the properties involved have perpetual use of the side sewer, and provisions for maintenance and access for repair purposes.
6. If a side sewer is to serve two or more, residential units, the use of a 6-inch diameter pipe shall be specified. A 6-inch cleanout extending to within 12 inches of the ground surface will be required at the wye where the upper-grade connections are made.
7. All side sewers servicing a single residential unit shall be of a 4 inch diameter pipe or larger. All side sewers servicing multiple dwellings, commercial establishments, schools, or any building other than single family residences shall be of a 6 inch diameter pipe or larger and the City Engineer may require a manhole connection at the sewer main.
8. Any existing connections to a septic tank, cesspool or privy vault will be removed and direct connection made to the building. In all cases, such cesspool or septic tank shall be properly disinfected and filled with suitable material or removed.
9. The City Engineer may allow the use of any existing side sewer, if it conforms to all existing Codes and standard drawings in cases where a new or converted building replaces an existing building.
10. All water front side sewers, or any other side sewers within the hydraulic gradient area shall include a cleanout at a point two feet above the lake front sewer maximum hydraulic gradient. The cleanout shall consist of a wye and a riser, both of the same size as the side sewer located in the hydraulic gradient area. The riser shall be extended to within 12 inches of finished grade and capped with an approved mechanical plug.
11. Whenever a side sewer is to be abandoned, said sewer shall be capped at the connection to the public sewer system with a mechanical plug or other means acceptable to the City Engineer.

C. Pipe Materials

1. The following types are acceptable for standard side sewer

This section is from the MISD/AC Section 7.01. The language

installations:

- a. Plain Concrete.
- b. Reinforced Concrete
- c. Solid Wall Polyvinyl Chloride (PVC)
- d. Ductile Iron, cement mortar lined, push-on joint, or mechanical joint, class 50 (minimum).
- e. Solid Wall High Density Polyethylene (HDPE)

has been updated for current standards

2. Side sewers on lake front lines, or areas within the hydraulic gradient area, shall be 6 inch ductile iron pipe for that area located between the lake front connection and a point two feet above the maximum hydraulic gradient as determined under emergency overflow conditions. Joints shall be rubber gasket, either mechanical or restrained. Between the point two feet above the hydraulic gradient and house connection, the installation will be standard.

This section is from the MISD/AC Section 6.21. The language has been updated for current standards

15.06.090 Inspections and Tests

A. Service Sewer Test. Side sewers shall be tested for leakage in the presence of the City Engineer in accordance with the standard drawings and current version of the Washington State Department of Transportation Standard Specifications for Road, Bridge and Municipal construction.

New language regarding inspections and tests.

B. Tentative Test. The property owner may conduct a tentative test prior to backfilling the trench at the time of inspection of the pipe-laying. However, the final acceptance test for leakage shall be made following backfill of all but the inspection tee, so that the complete backfill load will be on the pipe.

15.06.100 Sewer System Maintenance

The City is responsible for the maintenance of the public sewer system. Owners of private sewer systems, side sewers, and backwater valves, are solely responsible for maintenance and operation of such.

New language regarding property owner responsibility

15.06.110 Rates, Fees and Charges

A. Establishment. The City shall establish rates, charges and fees for sewer use and related services; such rates, are in addition to connection charges and fees for specific services. The City may establish classifications of customers or service, using any method or methods authorized by law.

These sections are from MICC 15.08.010(A). The language has been updated.

B. Adjustments. The rates, fees and charges shall be evaluated periodically as part of the review and adoption of the biennial budget. The Finance Director may recommend adjustments as necessary and justified to meet revenue requirements, and the City shall adjust the schedule for said rates, fees and charges accordingly.

C. Computation, Meters Required. Rates and charges for all property owners shall be measured by water consumed on the premises, whatever the source of such water, and the same shall be metered by a public utility meter.

This section is from MICC 15.08.030.

Charges against all property to which service is available shall begin upon connection or occupancy. Charges against property having new construction shall begin ninety (90) days after connection, occupancy following the valid issuance of a occupancy permit, or measured water consumption, whichever occurs earliest. Sewage disposal service charges shall be computed and billed separately and shall become due and payable by the due date. The Director of Finance may suspend sewer charges after commencement of construction or extensive reconstruction where water service has previously been installed, when the premises are incapable of being occupied due to such construction or reconstruction.

This section is from MICC 15.08.070.

D. Water Leakage. Upon receipt of satisfactory evidence of hidden or underground water leakage, the Director of Finance may adjust the sewage charge to the premises for water so lost; provided, that no such adjustment shall be made for leakage occurring more than four months prior to the date of application.

This section is from MICC 15.08.030(D).

E. Delinquency. All charges unpaid before the first day of the next succeeding bimonthly billing charge shall be deemed delinquent. Delinquent charges may accrue interest and penalties. Delinquent charges, penalties and interest thereon so certified shall be a lien against the property to which such sewage disposal service charges are applicable. As an additional and concurrent method of the collection of any such sewerage rate or charge, the City may cut off the water service or supply from the property to which such rate or charge for sewerage has attached until such rates and charges are paid in full.

This section is from MICC 15.08.070.

F. Sprinkling or Irrigation. Water metered exclusively for irrigation sprinkling or fire service by premises will not be charged correspondingly for sewer. If a property owner can provide proof, which shows that a portion of all water used is lost by evaporation, irrigation, sprinkling or other cause, and has a "deduct" meter or comparable measuring device to enable measurement of the amount of water so used or lost, no charge shall be made for sewerage because of water so used or lost, except that in no case will the minimum charge be adjusted or reduced. The proof provided, and the deduct meter or comparable measuring device must be approved by the Finance Director.

This section is from MICC 15.08.030(C) & MICC 15.08.030(A)

G. Liability for sewage disposal charges. The City's sanitary sewer collection system operates on a ready-to-serve or availability-to-serve basis and, therefore, all structures are subject to sewage disposal service charges whether or not occupied or connected. Liability for sewage disposal charges shall only be terminated when structures are condemned or razed and the water meter has been certified by the City as being removed. If a property owner wishes to terminate service and relieve his property from liability for future sewage disposal charges, the property owner shall notify the City not less than thirty (30) days prior to the proposed termination date.

This section is from MICC 15.08.040

H. Installation and Permit Costs. The property owner shall be responsible for all installation costs and fees and charges for all requisite permits as set by the City, regardless of whether the work is done by the City or by the owner.

New language regarding property owner responsibility

I. Connection Charges.

New language

1. The City shall collect connection charges, in order that each connecting property shall bear its equitable share of the cost of the public sewer system. The connection charge is the property owner's equitable share of the established costs of the facilities that the owner benefits from.
2. Connection charges shall be paid before a property is allowed to connect to the public sewer system. Connection charges not previously paid, such as charges for new facilities that directly benefit the property, shall be paid when the property undergoes, either at one time or cumulatively through more than one project, a substantial remodeling or more substantial improvement or if an improvement or cumulative improvements significantly impact downstream system capacity.
3. Facilities costs that may be covered in a connection charge include, but are not limited to, stubs built from the sewer main to the property line, pump stations and mains.
4. Connection charges that have been paid as a result of development activities on the property or through participation in an LID or ULID shall not be reassessed.
5. The Finance Director is authorized to adjust the connection charges as needed.

regarding property owner responsibility

15.06.120 Dispute Resolution of Fees, Costs and Charges

If a property owner or customer wishes to dispute any rate, fees or charges assessed under this section, the property owner shall file a written request within fourteen (14) days of the date of the bill to the Finance Director, together with any proof in support thereof. The Finance Director shall review the request submitted and respond via a written decision within thirty (30) days.

New language regarding dispute resolution

15.06.130 Industrial Waste Discharge

A. General. The City has established a program intended to prevent, control and correct the discharge of fats, oils and greases, and industrial waste within the public sewer system or could cause blockages, operational failures or premature degradation of the public sewer system.

New language regarding FOG

B. Pretreatment of Discharges. The City shall require the pretreatment of discharges to the public sewer system, except single-family residences, if necessary to prevent and/or correct hazardous, dangerous, or explosive conditions or blockage, operational failure or premature degradation of the public sewer system. Notwithstanding the above, all restaurants and food-processing businesses shall install pretreatment methods, such as grease interceptors, oil-water separators, and other best available technology, to reduce or eliminate FOG discharges.

New language regarding FOG

C. Sampling and Inspection Tees and Manholes. Sampling and/or inspection tees or manholes in the side sewer connection(s) to the public sewer system may be required in all connections except single-family residential connections. Inspection tees and manholes enable the City to monitor and test

New language regarding FOG

the discharge for compliance with City requirements or to allow monitoring and testing in accordance with the rules and regulations of other federal, state or local agency having governmental or contractual jurisdiction within the City service area.

D. Authority. The City Engineer is authorized to:

1. Determine when waste pretreatment is required and establish standards regarding prohibited discharge of fat, oil or grease (FOG) in amounts that may inhibit or interfere with the performance of the city sewer system;
2. Establish criteria for acceptable interceptors or other pretreatment devices.

This section is from MICC 15.08.100(A). The language has been amended

E. Discharge Prohibited.

1. General Prohibition. No FOG in amounts that may inhibit or interfere with the performance of the city sewer system shall be discharged into the City sewer system without the installation of a pretreatment device of a type and capacity to be approved by the city engineer, and located as to be readily accessible for cleaning and inspection.
2. Specific Prohibition. It is unlawful to discharge or cause to be discharged into the City sewer system any unacceptable levels of water or waste as determined by the City Engineer.
3. Pretreatment Devices, such as grease interceptors or other devices approved by the City Engineer, shall be installed in commercial kitchens where FOG in amounts that may inhibit or interfere with the performance of the city sewer system may be discharged into the City sewer system.
4. Interceptors or other pretreatment devices must comply at a minimum, with the Uniform Plumbing Code, as now existing or hereafter amended.

This section is from MICC 15.08.100(B)

F. New Construction of Commercial Kitchens. New construction for commercial kitchens that may discharge FOG in amounts that may inhibit or interfere with the performance of the City sewer system, and particularly any commercial kitchen that will be required to install a Type I hood pursuant to the International Mechanical Code, Section 507, requires installation of a pretreatment device approved by the City Engineer.

This section is from MICC 15.08.100(C)

G. Retrofit in Existing Buildings.

1. Ongoing Businesses.

a. Compliance with Discharge Prohibitions Required. Any commercial kitchen that may discharge FOG in amounts that may inhibit or interfere with the performance of the city sewer system, and particularly any commercial kitchen required to install a Type I hood pursuant to the International Mechanical Code, Section 507, that is conducting an ongoing business in an existing building or facility that does not have an effective pretreatment device

This section is from MICC 15.08.100(D)

as of the date of passage of the ordinance codified in this section shall take measures to ensure that it is not in violation of the discharge prohibitions of this section by no later than 12 months from such date.

b. Methods. An ongoing business may comply with the requirement of subsection (D)(1)(a) of this section by either installing a pretreatment device approved by the city engineer, or developing and implementing a discharge management plan acceptable to the city engineer which shall specify effective disposal practices and require proof of adherence to those practices that shall be made readily available to the city engineer for inspection.

2. Change of Owner or Operator of Ongoing Business or Commencement of New Business in Existing, Renovated or Remodeled Facility. Any change of owner or operator of an ongoing business or any new business using a commercial kitchen that may discharge FOG in amounts that may inhibit or interfere with the performance of the city sewer system, and particularly any commercial kitchen required to install a Type I hood pursuant to the International Mechanical Code, Section 507, commencing business in an existing, renovated or remodeled building or facility shall install a pretreatment device approved by the city engineer prior to commencement of business.

3. Cost. All costs incurred in retrofitting an ongoing or new business in an existing, renovated or remodeled facility shall be the sole responsibility of the owner or operator, unless otherwise determined by the City Engineer.

H. Responsibility for Installation, Operation and Maintenance.

1. Responsibility for Expense. All pretreatment devices shall be installed, operated, and maintained at the owner expense.

2. Maintenance Required. Pretreatment devices shall be kept in continuous, efficient and effective operation. Regular maintenance shall include periodic removal of the accumulated waste material in accordance with best management practices (BMPs) developed by the city engineer. No such collected discharge shall be introduced into the public sewer system and shall be disposed of in accordance with all local, state and federal regulations.

3. Records Required. Records of disposal and proper maintenance shall be kept by the owner or operator in accordance with best management practices (BMPs) and submitted to the City Engineer annually on or before December 31.

*This section is from
MICC 15.08.100(E)*

15.06.140 Other Prohibited Discharges

No person shall discharge or cause the discharge of any of the following wastes into the public sewer system, by direct or indirect means:

*New language
regarding other
prohibited discharges*

A. Flammable liquids, solids or gases capable of causing or contributing to an explosion or supporting combustion in any public sewer facility or side sewer connection to the public sewer system, such as, but not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides

- and sulfides, or any other substances that the City, King County, any state agency or the Environmental Protection Agency have identified as a fire hazard or a hazard to the system;
- B. Any solid or viscous substance or particles in a quantity, either by itself or in combination with other wastes, that is capable of obstructing flow or interfering with the operation or performance of the public sewer system;
 - C. Any gas or substance that, either by itself or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry by authorized personnel to pump stations and other sewer facilities;
 - D. Any gas or substance that, either by itself or by interaction with other wastes, may cause corrosive structural damage to the public sewer system;
 - E. Heated substances in amounts that prevent entry into public sewer facilities by authorized personnel or that adversely impact facilities;
 - F. Food waste that cannot pass through a one-fourth-inch sieve;
 - G. Any radioactive wastes or isotopes that exceed such concentration limitations as established by applicable Washington State Department of Health regulations;
 - H. Trucked and hauled wastes, except as approved by the City, and discharged at designated locations;
 - I. Storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, unpolluted waste water and/or any water or wastes generated during construction activities, unless specifically authorized by the City;
 - J. Substances that may cause excessive foaming in the public sewer system;
 - K. Any wastes or substances which exceed local discharge limits of, or are prohibited by, any other federal, state or local agency having governmental or contractual jurisdiction within the sewer service area.
 - L. Any other products which may cause a backup in the City's sewer system, such as cleaning cloths, heavy paper products, mop heads, pet pads, personal care and hygiene products.

15.06.150 Easements

An easement, in a form approved by the City Engineer, is required whenever:

- A. A public sewer facility will be built on private property; or
- B. A private sewer facility will be built over two or more legally established lots; or

*New language
regarding easements*

C. A side sewer will serve two or more properties.

15.06.160 Trees and Shrubs

A. No person shall plant within thirty-five (35) feet of any public 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 sewers.

This section is from the MISD/AC Article XII. The language has been updated for current standards

B. The property owner is responsible for preventing any vegetation, including trees and shrubs from extending from within the owner’s property into any right of way or public sewer easement where the trees, shrubs or roots thereof obstruct or has the potential to obstruct a public sewer.

New language regarding property owner responsibility

C. Notwithstanding, MICC 19.10, the City Engineer may require, at the owner’s expense, the removal of any trees and shrubs from such area or public easement, or the roots of any trees and shrubs which extend into any such area or public easement when such trees and shrubs or the roots thereof are obstructing or has the potential to obstruct any public sewer.

This section is from the MISD/AC Article XII. The language has been updated for current standards

15.06.170 Right of Entry for Inspection

Any designated City official may enter the private property at all reasonable times to conduct inspections, tests or to carry out other duties imposed by this code. If entry is refused, the City official shall have recourse to every remedy provided by law to secure entry.

This section is from MICC 15.08.100(F). The language has been amended.

15.06.180 Enforcement

Failure to comply with any applicable provisions under this Chapter shall be deemed a violation. Each day that any violation or failure to comply exists may be construed as a separate offense. Enforcement proceeds under this Chapter shall follow the processes and procedures set forth in MICC 19.15.030(C), (D), (E), (F), (G) and (H).

This section is from MICC 15.08.100(F). The language has been amended.

15.06.190 City Liability

A. Nothing contained in this chapter is intended to or shall be construed to create or form the basis for any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from the failure of property owners or responsible parties to comply with the provisions of this chapter, engineering standards, or related manuals, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized or issued in connection with the application or enforcement of this chapter, engineering standards, or related manuals, or by reason of any action or inaction on the part of the city related in any manner to the application or enforcement of this chapter, engineering standards, or related manuals by the city, its officers, employees, or agents.

New language regarding city liability.

B. Nothing in this chapter, engineering standards, or related manuals shall impose any liability on the City or any of its officers, employees, or agents for cleanup or any harm relating to sites containing hazardous materials, wastes or contaminated soil.

C. Nothing contained in this chapter, engineering standards, or related manuals shall require city involvement or enforcement of this chapter for private disputes occurring between property owners.

D. If sewer service becomes temporarily unavailable due to a system failure, emergency, construction or maintenance or other unforeseen circumstance, the City is not responsible for costs or damages incurred by property owner, tenant or customer due to an interruption in service, whether planned or unplanned.

15.06.200 Conflict of Provisions

Should a conflict occur between the provisions of this chapter, the engineering standards or manuals adopted by the City, or between this chapter, the engineering standards and related manuals with laws, regulations, codes or rules promulgated by other authority having jurisdiction within the city, the most restrictive requirements shall be applied, except when constrained by federal or state law, or where specifically provided otherwise in this chapter.

*New language
regarding conflict of
provisions*

15.06.210 Severability.

If any provision of this chapter, engineering standards, or related manuals, or its application to any person or circumstance, is held invalid by a court of competent jurisdiction, the remainder of this chapter, engineering standards, or related manuals, or the application of the provision to other persons or circumstances is not affected, and to this end the provisions of this chapter are declared to be severable.

*New language
regarding severability*

**CITY OF MERCER ISLAND
ORDINANCE NO. 14C-03**

AN ORDINANCE REPEALING MICC 15.08, SEWER RATES AND REGULATIONS AND ADOPTING NEW CHAPTER MICC 15.06, SEWER UTILITY REGULATIONS

WHEREAS, the Mercer Island Sewer District has previously been dissolved, and the Mercer Island City Code currently includes Section 15.08.090 which adopts the Mercer Island Sewer District Administrative Code and incorporates it by reference; and

WHEREAS, there is now a void in the City of Mercer Island Code regarding sewer system rules, regulations and enforcement; and

WHEREAS, the City of Mercer Island recognizes the need for establishing rules and regulations for appropriate use of the sewer utility; and

WHEREAS, the City of Mercer Island desires to protect, promote and preserve the public health, safety and welfare of its citizens; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. **Repeal MICC Chapter 15.08.** MICC Chapter 15.08, which adopts and incorporates by reference, the Mercer Island Sewer District Administrative Code is hereby repealed.

Section 2. **Adopt MICC Chapter 15.06 Sewer Rates and Regulations.** MICC Chapter 15.06, entitled “Sewer Utility Regulations” is hereby adopted as follows:

Sections:

- 15.08.010 Purpose
- 15.06.020 Definitions
- 15.06.030 Application
- 15.06.040 Permits
- 15.06.050 Ownership
- 15.06.060 Required Connections
- 15.06.070 Engineering and Design Standards
- 15.06.080 Construction Requirements
- 15.06.090 Inspections and Tests
- 15.06.100 Sewer System Maintenance
- 15.06.110 Rates, Fees and Charges
- 15.06.120 Dispute Resolution of Fees, Costs and Charges
- 15.06.130 Industrial Waste Discharge
- 15.06.140 Other Prohibited Discharges
- 15.06.150 Easements

- 15.06.160 Trees and Shrubs
- 15.06.170 Right of Entry for Inspection
- 15.06.180 Enforcement
- 15.06.190 City Liability
- 15.06.200 Conflict of Provisions
- 15.06.210 Severability

15.06.010 Purpose

These provisions are set forth pursuant to the City of Mercer Island's police power to protect, promote and preserve the public health, safety and welfare. The purpose of this code shall be liberally construed to provide for the planning, security, design, construction, use, maintenance, repair and inspection of public and private sanitary sewer systems; to establish programs and regulations to provide for the appropriate use of public and private sanitary sewer systems;

15.06.020 Definitions

For purposes of this Chapter, the following terms shall have the following meanings.

A

"As-built" means a final drawing of the actual installation of the structures, materials and equipment in a form required by the City Engineer.

B

"Backwater Valve" means a device that is privately owned and installed on the resident's side sewer and prevents sewage from backing up into the structure.

"Building" means a structure having a roof and entirely enclosed on all sides, but excluding trailers, mobile homes, and all other forms of vehicles even though immobilized.

C

"Capital recovery charge" means a monthly charge imposed on improvements, developments, redevelopments or existing structures that place additional demand on the sewer system. The capital recovery charge shall be based on an allocation of the utility plant in-service costs plus interest and the number of single-family equivalents served by the sewer system.

"City" means the City of Mercer Island.

"City Engineer" means the City of Mercer Island's city engineer or designee.

"Connection charges" means charges imposed as a condition of providing utility service so that each connecting property bears its equitable share of the costs of the public sewer system and the utility's share of the cost of any regional sewer collection system and of the costs of facilities that benefit the property. Connection charges can include latecomer charges, capital recovery charges and direct facilities charges.

E

“Engineering standards” means the City’s utility engineering standards, as established by the City code and/or the City Engineer, which include minimum standards for the design and construction of water, storm and surface water drainage and sanitary sewer facilities.

“Easement” means a grant of one or more of the property rights or privileges by the property owner to and/or for use or protection of a portion of land, by the public, a corporation or another person or entity that runs with the land.

F

“Finance Director” means the City of Mercer Island’s director of finance or designee.

“FOG” means fats, oils and grease.

I

“Industrial waste” means any liquid, solid or gaseous substance or combination thereof, resulting from any process of industry, manufacturing, commercial food processing, business, trade or research, including development, recovering or processing of natural resources.

L

“Licensed side sewer contractor” means any person, partnership, corporation or association duly qualified and competent to do work incident to the construction or repair of side sewers under permits issued under this code and who shall have been duly licensed.

“LID”, means Local Improvement District, which permits the City to finance capital improvements that provide benefit to public properties within its boundaries. It is a method by which a group of property owners can share in the cost of sanitary sewer infrastructure.

P

“Pretreatment device” means any approved device, structure, system or method used and maintained for the purpose of bringing a waste stream within acceptable limits and standards of quality prior to its discharge to the public sewer system.

“Private sewer system” means any part of the sewer system that is not part of the public sewer system.

“Property owner” or “Owner” means any individual, company, partnership, joint venture, corporation, association, society, group or entity that owns or has a contractual interest in the subject property or has been authorized by the owner to act on his/her behalf, including but not limited to an agent, contractor, applicant, or developer.

“Public sewer system” means the sewer system owned and operated by the City.

S

“Sewage” means waste discharged from the sanitary facilities of buildings and includes industrial wastes.

“Sewer facility” means any facility for the conveyance or storage of sewage, whether part of the public sewer system or a private sewer system, which is connected to or intended to be connected to the public sewer system.

“Sewer main” means any pipe designed or used to transport sewage, owned by the City, excluding side sewers.

“Sewer pretreatment” means the treatment of industrial waste before discharge to the public sewer system.

“Sewer service” means providing for the disposal of sewage from a structure into the public sewer system.

“Sewer plan” or “General Sewer Plan” means the comprehensive wastewater plan for the utility, as adopted by the City.

“Side sewer” means a private pipe and related appurtenances extending from the sewer main to the connection with a building.

“Side sewer stub” means that portion of the side sewer connected to the right of way or easement extending from the sewer main.

“Standard plans and specifications” means any rules, regulations, policies and procedures issued by the City’s Engineer, including, but not limited to, water systems, sewer systems, storm drainage systems, road construction and street improvements, traffic control, and erosion control plans.

“Storm water” means runoff during and following precipitation and snowmelt events, including surface runoff and drainage.

“Structure” means a combination of materials constructed and erected permanently on, in or under the ground or attached to something having permanent location on, in or under the ground.

U

“ULID” means Utility Local Improvement District, which permits a City to finance capital improvements that provide benefit to public properties within its boundaries. It is a method by which a group of property owners can share in the cost of sewer infrastructure.

15.06.030 Application

A. Applicant. An application for a side sewer permit shall be signed and made by the owner of the property to be served or by a licensed side sewer contractor representing the owner of the property.

B. Easements. Copies of all executed easements associated with the side sewer application must accompany the application. Where a side sewer is to be installed across a separate legally established lot from which the side sewer will serve, the applicant for the side sewer permit must

first show proof that a duly executed easement has been obtained from the owner of the lot and recorded with the King County Recorder's Office. The property owners shall have all easement(s) recorded with King County before a permit will be issued for construction, in a format approved by the City Engineer.

C. Required Information. In making application for a side sewer permit, the applicant shall furnish an approved drawing showing the size and location of structures on the property, the owner's name, address and legal description of the property to be served, and the location of any easements. The full course of the proposed side sewer from the public sewer in the street to the structure shall be shown on the drawing. The City Engineer may request other information as deemed necessary for the proper evaluation of the application.

D. Contractor Credentials. An applicant for a side sewer permit must present evidence, acceptable to the City Engineer, of a valid WA State Contractor's license and City business license for the contractor who will be performing the work, and such other credentials as required by the City Engineer to establish competence to perform the work proposed.

15.06.040 Permits

A. Applicant must obtain all necessary and required permit approvals prior to commencing any construction of a side sewer or any modification of any existing side sewer.

B. No permit will be issued for side sewer construction before the public or private sewer main is accepted by the City. Prior to the issuance of a side sewer permit, the City Engineer shall establish that a sewer main of sufficient size and suitable type and condition is available for the connection. A permit, which includes side sewer work in a right of way or public sewer easement, will only be issued to a licensed side sewer contractor. A permit that includes side sewer work only on private property may be issued to the owner or to a licensed side sewer contractor. Other than a licensed side sewer contractor, the owner is the only person authorized to install and repair side sewers on private property.

By accepting the side sewer permit, the property owner acknowledges that the inspector or authorized representatives shall be permitted to enter upon all and any premises at all reasonable times for the purpose of inspection, observation, measuring, sampling, testing of sewers and sewage waste, and performing all other acts or duties as they relate to the side sewer permit.

C. The contractor's side sewer permit shall be available on the project site and must be readily accessible to the City Engineer.

D. Permits expire two years from the date of issuance. The property owner may petition the City for an extension of the permit for up to one year, provided the City receives payment for any applicable fees. Open applications for permits shall be canceled by the City within one year from the date of submittal if the applicant fails to submit any of requisite or additional information requested by the City.

E. If an application for a permit is denied, the property owner may appeal the City Engineer's decision by submitting a written application for appeal, together with the applicable fees, within

fourteen (14) days of the date of denial. The appeal will be heard before the City's Hearing Examiner.

15.06.050 Ownership

A. City Ownership of Sewer Facilities. The sewer system is owned and operated by the City, except to the extent that private ownership is otherwise indicated as a matter of record. Such public facilities typically include mains, pump stations or manholes.

B. Private Ownership of Area Sewers. Side sewers are owned by the property owner. Property owners shall be responsible for the development, maintenance, and repairs of side sewers and their appurtenances. Side sewers, whether located in a public or private place, shall be owned, installed, operated, and maintained by the owner or occupant of the property or premises served unless otherwise described in an easement, maintenance agreement or other legal document. This includes the pipe system up to, but not including, manufactured tees/wyes, or mechanical connections to the public main.

15.06.060 Required Connections

All structures which contain facilities for the disposal of sewage shall be connected to the public sewer system.

15.06.070 Engineering and Design Standards

A. General. The property owner is responsible for providing an adequate and qualified design for the installation of all sewer facilities required by this code.

B. Sewer Facility Requirements. Whenever property is developed or redeveloped, sewer mains shall be extended through and to the extremes of the property being developed, as required by the City, when needed for the orderly extension of the public sewer system. Whenever property is developed or redeveloped in any way such that sewage discharge is changed in content or volume, new sewer facilities shall be required whenever necessary to:

1. Meet hydraulic capacity requirements; or
2. Replace or relocate existing facilities as required or authorized by the City; or
3. Meet industrial waste pretreatment requirements

C. Side Sewer Design.

1. A maximum of six (6) residential properties may be connected to a single side sewer. When a side sewer serves more than one property, all of the following shall be required:

- a. A cleanout immediately upstream of the connection between the shared side sewer and individual side sewer;
- b. Installation of a backwater valve on each side sewer;

c. Connection to the public sewer system shall be made with manhole with minimum inside diameter of 48 inches.

2. Where physical conditions render compliance with City side sewer requirements impracticable, the City may require compliance insofar as is reasonably possible; provided, that the property owner(s) execute and deliver to the City an instrument, in a form furnished by the City, agreeing to hold harmless and indemnify the City for any damage or injury resulting from such installation. The City may require that such instrument be recorded against the property with the King County Recorder's Office.

15.06.080 Construction Requirements

A. Standards. Construction standards shall be as described in this chapter and the City's standard drawings. The City Engineer may designate the manner and place where the side sewer shall connect to the public sewer system, specify the material, size and grade of the side sewer, and determine whether or not a permit is needed.

B. Side Sewer Construction

1. Side sewers shall be constructed as described in this chapter and the City's standard drawings. All side sewers shall be laid on a minimum slope of 1/4" of fall per linear foot for 4 inch diameter pipe and a minimum of 1/8 inch of fall per linear foot for 6 inch diameter pipe or greater. The City Engineer may waive this requirement only if the following circumstances have been met:

- a. A backwater valve is installed on all side sewers; and
- b. The property owner of the side sewer shall assume all responsibility for the effective operation of any backwater valve; and
- c. The property owner submits a release in a form approved by the City Engineer in which the property owner agrees to hold the City harmless from any and all damage resulting there from.

2. The property owner shall be responsible for determining the available grade between building drain and sewer tee or stub.

3. In any case where the building 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.

4. All connections shall be made to the wye or stub out assigned at the time the permit is issued, and no side sewer belonging to another owner shall be used unless written permission for such use is obtained and presented with the side sewer application.

5. If a building sewer is to serve more than one property, all property owners shall execute and record a valid easement and maintenance agreement which include assurances that all the

properties involved have perpetual use of the side sewer, and provisions for maintenance and access for repair purposes.

6. If a side sewer is to serve two or more, residential units, the use of a 6-inch diameter pipe shall be specified. A 6-inch cleanout extending to within 12 inches of the ground surface will be required at the wye where the upper-grade connections are made.

7. All side sewers servicing a single residential unit shall be of a 4 inch diameter pipe or larger. All side sewers servicing multiple dwellings, commercial establishments, schools, or any building other than single family residences shall be of a 6 inch diameter pipe or larger and the City Engineer may require a manhole connection at the sewer main.

8. Any existing connections to a septic tank, cesspool or privy vault will be removed and direct connection made to the building. In all cases, such cesspool or septic tank shall be properly disinfected and filled with suitable material or removed.

9. The City Engineer may allow the use of any existing side sewer, if it conforms to all existing Codes and standard drawings in cases where a new or converted building replaces an existing building.

10. All water front side sewers, or any other side sewers within the hydraulic gradient area shall include a cleanout at a point two feet above the lake front sewer maximum hydraulic gradient. The cleanout shall consist of a wye and a riser, both of the same size as the side sewer located in the hydraulic gradient area. The riser shall be extended to within 12 inches of finished grade and capped with an approved mechanical plug.

11. Whenever a side sewer is to be abandoned, said sewer shall be capped at the connection to the public sewer system with a mechanical plug or other means acceptable to the City Engineer.

C. Pipe Materials

1. The following types are acceptable for standard side sewer installations:
 - a. Plain Concrete.
 - b. Reinforced Concrete
 - c. Solid Wall Polyvinyl Chloride (PVC)
 - d. Ductile Iron, cement mortar lined, push-on joint, or mechanical joint, class 50 (minimum).
 - e. Solid Wall High Density Polyethylene (HDPE)

2. Side sewers on lake front lines, or areas within the hydraulic gradient area, shall be 6 inch ductile iron pipe for that area located between the lake front connection and a point two feet above the maximum hydraulic gradient as determined under emergency overflow conditions. Joints shall be rubber gasket, either mechanical or restrained. Between the point two feet above the hydraulic gradient and house connection, the installation will be standard.

15.06.090 Inspections and Tests

A. Service Sewer Test. Side sewers shall be tested for leakage in the presence of the City Engineer in accordance with the standard drawings and current version of the Washington State Department of Transportation Standard Specifications for Road, Bridge and Municipal construction.

B. Tentative Test. The property owner may conduct a tentative test prior to backfilling the trench at the time of inspection of the pipe-laying. However, the final acceptance test for leakage shall be made following backfill of all but the inspection tee, so that the complete backfill load will be on the pipe.

15.06.100 Sewer System Maintenance

The City is responsible for the maintenance of the public sewer system. Owners of private sewer systems, side sewers, and backwater valves, are solely responsible for maintenance and operation of such.

15.06.110 Rates, Fees and Charges

A. Establishment. The City shall establish rates, charges and fees for sewer use and related services; such rates, are in addition to connection charges and fees for specific services. The City may establish classifications of customers or service, using any method or methods authorized by law.

B. Adjustments. The rates, fees and charges shall be evaluated periodically as part of the review and adoption of the biennial budget. The Finance Director may recommend adjustments as necessary and justified to meet revenue requirements, and the City shall adjust the schedule for said rates, fees and charges accordingly.

C. Computation, Meters Required. Rates and charges for all property owners shall be measured by water consumed on the premises, whatever the source of such water, and the same shall be metered by a public utility meter.

Charges against all property to which service is available shall begin upon connection or occupancy. Charges against property having new construction shall begin ninety (90) days after connection, occupancy following the valid issuance of a occupancy permit, or measured water consumption, whichever occurs earliest. Sewage disposal service charges shall be computed and billed separately and shall become due and payable by the due date. The Director of Finance may suspend sewer charges after commencement of construction or extensive reconstruction where water service has previously been installed, when the premises are incapable of being occupied due to such construction or reconstruction.

D. Water Leakage. Upon receipt of satisfactory evidence of hidden or underground water leakage, the Director of Finance may adjust the sewage charge to the premises for water so lost; provided, that no such adjustment shall be made for leakage occurring more than four months prior to the date of application.

E. Delinquency. All charges unpaid before the first day of the next succeeding bimonthly billing charge shall be deemed delinquent. Delinquent charges may accrue interest and penalties. Delinquent charges, penalties and interest thereon so certified shall be a lien against the property to which such sewage disposal service charges are applicable. As an additional and concurrent method of the collection of any such sewerage rate or charge, the City may cut off the water service or supply from the property to which such rate or charge for sewerage has attached until such rates and charges are paid in full.

F. Sprinkling or Irrigation. Water metered exclusively for irrigation sprinkling or fire service by premises will not be charged correspondingly for sewer. If a property owner can provide proof, which shows that a portion of all water used is lost by evaporation, irrigation, sprinkling or other cause, and has a “deduct” meter or comparable measuring device to enable measurement of the amount of water so used or lost, no charge shall be made for sewerage because of water so used or lost, except that in no case will the minimum charge be adjusted or reduced. The proof provided, and the deduct meter or comparable measuring device must be approved by the Finance Director.

G. Liability for sewage disposal charges. The City’s sanitary sewer collection system operates on a ready-to-serve or availability-to-serve basis and, therefore, all structures are subject to sewage disposal service charges whether or not occupied or connected. Liability for sewage disposal charges shall only be terminated when structures are condemned or razed and the water meter has been certified by the City as being removed. If a property owner wishes to terminate service and relieve his property from liability for future sewage disposal charges, the property owner shall notify the City not less than thirty (30) days prior to the proposed termination date.

H. Installation and Permit Costs. The property owner shall be responsible for all installation costs and fees and charges for all requisite permits as set by the City, regardless of whether the work is done by the City or by the owner.

I. Connection Charges.

1. The City shall collect connection charges, in order that each connecting property shall bear its equitable share of the cost of the public sewer system. The connection charge is the property owner’s equitable share of the established costs of the facilities that the owner benefits from.

2. Connection charges shall be paid before a property is allowed to connect to the public sewer system. Connection charges not previously paid, such as charges for new facilities that directly benefit the property, shall be paid when the property undergoes, either at one time or cumulatively through more than one project, a substantial remodeling or more substantial

improvement or if an improvement or cumulative improvements significantly impact downstream system capacity.

3. Facilities costs that may be covered in a connection charge include, but are not limited to, stubs built from the sewer main to the property line, pump stations and mains.

4. Connection charges that have been paid as a result of development activities on the property or through participation in an LID or ULID shall not be reassessed.

5. The Finance Director is authorized to adjust the connection charges as needed.

15.06.120 Dispute Resolution of Fees, Costs and Charges

If a property owner or customer wishes to dispute any rate, fees or charges assessed under this section, the property owner shall file a written request within fourteen (14) days of the date of the bill to the Finance Director, together with any proof in support thereof. The Finance Director shall review the request submitted and respond via a written decision within thirty (30) days.

15.06.130 Industrial Waste Discharge

A. General. The City has established a program intended to prevent, control and correct the discharge of fats, oils and greases, and industrial waste within the public sewer system or could cause blockages, operational failures or premature degradation of the public sewer system.

B. Pretreatment of Discharges. The City shall require the pretreatment of discharges to the public sewer system, except single-family residences, if necessary to prevent and/or correct hazardous, dangerous, or explosive conditions or blockage, operational failure or premature degradation of the public sewer system. Notwithstanding the above, all restaurants and food-processing businesses shall install pretreatment methods, such as grease interceptors, oil-water separators, and other best available technology, to reduce or eliminate FOG discharges.

C. Sampling and Inspection Tees and Manholes. Sampling and/or inspection tees or manholes in the side sewer connection(s) to the public sewer system may be required in all connections except single-family residential connections. Inspection tees and manholes enable the City to monitor and test the discharge for compliance with City requirements or to allow monitoring and testing in accordance with the rules and regulations of other federal, state or local agency having governmental or contractual jurisdiction within the City service area.

D. Authority. The City Engineer is authorized to:

1. Determine when waste pretreatment is required and establish standards regarding prohibited discharge of fat, oil or grease (FOG) in amounts that may inhibit or interfere with the performance of the city sewer system;

2. Establish criteria for acceptable interceptors or other pretreatment devices.

E. Discharge Prohibited.

1. General Prohibition. No FOG in amounts that may inhibit or interfere with the performance of the city sewer system shall be discharged into the City sewer system without the installation of a pretreatment device of a type and capacity to be approved by the city engineer, and located as to be readily accessible for cleaning and inspection.

2. Specific Prohibition. It is unlawful to discharge or cause to be discharged into the City sewer system any unacceptable levels of water or waste as determined by the City Engineer.

3. Pretreatment Devices, such as grease interceptors or other devices approved by the City Engineer, shall be installed in commercial kitchens where FOG in amounts that may inhibit or interfere with the performance of the city sewer system may be discharged into the City sewer system.

4. Interceptors or other pretreatment devices must comply at a minimum, with the Uniform Plumbing Code, as now existing or hereafter amended.

F. New Construction of Commercial Kitchens. New construction for commercial kitchens that may discharge FOG in amounts that may inhibit or interfere with the performance of the City sewer system, and particularly any commercial kitchen that will be required to install a Type I hood pursuant to the International Mechanical Code, Section 507, requires installation of a pretreatment device approved by the City Engineer.

G. Retrofit in Existing Buildings.

1. Ongoing Businesses.

a. Compliance with Discharge Prohibitions Required. Any commercial kitchen that may discharge FOG in amounts that may inhibit or interfere with the performance of the city sewer system, and particularly any commercial kitchen required to install a Type I hood pursuant to the International Mechanical Code, Section 507, that is conducting an ongoing business in an existing building or facility that does not have an effective pretreatment device as of the date of passage of the ordinance codified in this section shall take measures to ensure that it is not in violation of the discharge prohibitions of this section by no later than 12 months from such date.

b. Methods. An ongoing business may comply with the requirement of subsection (D)(1)(a) of this section by either installing a pretreatment device approved by the city engineer, or developing and implementing a discharge management plan acceptable to the city engineer which shall specify effective disposal practices and require proof of adherence to those practices that shall be made readily available to the city engineer for inspection.

2. Change of Owner or Operator of Ongoing Business or Commencement of New Business in Existing, Renovated or Remodeled Facility. Any change of owner or operator of an ongoing business or any new business using a commercial kitchen that may discharge FOG in amounts that may inhibit or interfere with the performance of the city sewer system, and particularly any commercial kitchen required to install a Type I hood pursuant to the International Mechanical Code, Section 507, commencing business in an existing, renovated or remodeled building or

facility shall install a pretreatment device approved by the city engineer prior to commencement of business.

3. Cost. All costs incurred in retrofitting an ongoing or new business in an existing, renovated or remodeled facility shall be the sole responsibility of the owner or operator, unless otherwise determined by the City Engineer.

H. Responsibility for Installation, Operation and Maintenance.

1. Responsibility for Expense. All pretreatment devices shall be installed, operated, and maintained at the owner expense.

2. Maintenance Required. Pretreatment devices shall be kept in continuous, efficient and effective operation. Regular maintenance shall include periodic removal of the accumulated waste material in accordance with best management practices (BMPs) developed by the city engineer. No such collected discharge shall be introduced into the public sewer system and shall be disposed of in accordance with all local, state and federal regulations.

3. Records Required. Records of disposal and proper maintenance shall be kept by the owner or operator in accordance with best management practices (BMPs) and submitted to the City Engineer annually on or before December 31.

15.06.140 Other Prohibited Discharges

No person shall discharge or cause the discharge of any of the following wastes into the public sewer system, by direct or indirect means:

A. Flammable liquids, solids or gases capable of causing or contributing to an explosion or supporting combustion in any public sewer facility or side sewer connection to the public sewer system, such as, but not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, or any other substances that the City, King County, any state agency or the Environmental Protection Agency have identified as a fire hazard or a hazard to the system;

B. Any solid or viscous substance or particles in a quantity, either by itself or in combination with other wastes, that is capable of obstructing flow or interfering with the operation or performance of the public sewer system;

C. Any gas or substance that, either by itself or by interaction with other wastes, is capable of creating a public nuisance or hazard to life or of preventing entry by authorized personnel to pump stations and other sewer facilities;

D. Any gas or substance that, either by itself or by interaction with other wastes, may cause corrosive structural damage to the public sewer system;

E. Heated substances in amounts that prevent entry into public sewer facilities by authorized personnel or that adversely impact facilities;

- F. Food waste that cannot pass through a one-fourth-inch sieve;
- G. Any radioactive wastes or isotopes that exceed such concentration limitations as established by applicable Washington State Department of Health regulations;
- H. Trucked and hauled wastes, except as approved by the City, and discharged at designated locations;
- I. Storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water, unpolluted waste water and/or any water or wastes generated during construction activities, unless specifically authorized by the City;
- J. Substances that may cause excessive foaming in the public sewer system;
- K. Any wastes or substances which exceed local discharge limits of, or are prohibited by, any other federal, state or local agency having governmental or contractual jurisdiction within the sewer service area.
- L. Any other products which may cause a backup in the City's sewer system, such as cleaning cloths, heavy paper products, mop heads, pet pads, personal care and hygiene products.

15.06.150 Easements

An easement, in a form approved by the City Engineer, is required whenever:

- A. A public sewer facility will be built on private property; or
- B. A private sewer facility will be built over two or more legally established lots; or
- C. A side sewer will serve two or more properties.

15.06.160 Trees and Shrubs

- A. No person shall plant within thirty-five (35) feet of any public 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 sewers.
- B. The property owner is responsible for preventing any vegetation, including trees and shrubs from extending from within the owner's property into any right of way or public sewer easement where the trees, shrubs or roots thereof obstruct or has the potential to obstruct a public sewer.
- C. Notwithstanding, MICC 19.10, the City Engineer may require, at the owner's expense, the removal of any trees and shrubs from such area or public easement, or the roots of any trees and shrubs which extend into any such area or public easement when such trees and shrubs or the roots thereof are obstructing or has the potential to obstruct any public sewer.

15.06.170 Right of Entry for Inspection

Any designated City official may enter the private property at all reasonable times to conduct inspections, tests or to carry out other duties imposed by this code. If entry is refused, the City official shall have recourse to every remedy provided by law to secure entry.

15.06.180 Enforcement

Failure to comply with any applicable provisions under this Chapter shall be deemed a violation. Each day that any violation or failure to comply exists may be construed as a separate offense. Enforcement proceeds under this Chapter shall follow the processes and procedures set forth in MICC 19.15.030(C), (D), (E), (F), (G) and (H).

15.06.190 City Liability

A. Nothing contained in this chapter is intended to or shall be construed to create or form the basis for any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from the failure of property owners or responsible parties to comply with the provisions of this chapter, engineering standards, or related manuals, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized or issued in connection with the application or enforcement of this chapter, engineering standards, or related manuals, or by reason of any action or inaction on the part of the city related in any manner to the application or enforcement of this chapter, engineering standards, or related manuals by the city, its officers, employees, or agents.

B. Nothing in this chapter, engineering standards, or related manuals shall impose any liability on the City or any of its officers, employees, or agents for cleanup or any harm relating to sites containing hazardous materials, wastes or contaminated soil.

C. Nothing contained in this chapter, engineering standards, or related manuals shall require city involvement or enforcement of this chapter for private disputes occurring between property owners.

D. If sewer service becomes temporarily unavailable due to a system failure, emergency, construction or maintenance or other unforeseen circumstance, the City is not responsible for costs or damages incurred by property owner, tenant or customer due to an interruption in service, whether planned or unplanned.

15.06.200 Conflict of Provisions

Should a conflict occur between the provisions of this chapter, the engineering standards or manuals adopted by the City, or between this chapter, the engineering standards and related manuals with laws, regulations, codes or rules promulgated by other authority having jurisdiction within the city, the most restrictive requirements shall be applied, except when constrained by federal or state law, or where specifically provided otherwise in this chapter.

15.06.210 Severability.

If any provision of this chapter, engineering standards, or related manuals, or its application to any person or circumstance, is held invalid by a court of competent jurisdiction, the remainder of this chapter, engineering standards, or related manuals, or the application of the provision to

other persons or circumstances is not affected, and to this end the provisions of this chapter are declared to be severable.

Section 3: **Severability.** If any section, sentence, clause or phrase of this ordinance or any municipal code section amended hereby 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 or the amended code section.

Section 4: **Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 5: **Effective Date.** This Ordinance shall take effect and be in force on 30 days after its passage and publication.

PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the ____ day of _____, 2013 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Bruce Bassett, Mayor

Approved as to Form:

ATTEST:

Katie Knight, City Attorney

Allison Spietz, City Clerk

Date of Publication: _____

Chapter 15.08**SEWER RATES AND REGULATIONS**

Sections:

- 15.08.010 Establishment of sewer rates and charges.
- 15.08.020 Metro charges.
- 15.08.030 Class 2 users – Meters required – Computation of charges.
- 15.08.040 Liability for sewage disposal charges.
- 15.08.050 Mailing of bills.
- 15.08.060 Charges payable concurrently with water bills.
- 15.08.070 Billing periods – Computation of charges – Penalties for delinquency – Property lien – Water shutoff for nonpayment.
- 15.08.080 Previous charges and penalties unaffected by chapter.
- 15.08.090 District’s administrative code adopted by reference.
- 15.08.100 Discharge of fat, oil or grease into city sewer system.

15.08.010 Establishment of sewer rates and charges.

A. The rates, charges and permit fees for sewage disposal services supplied by the city including a charge for storm and surface water drainage facilities operation and maintenance shall be established by the city council by resolution from time to time. A copy of said resolution shall be on file in the office of the city clerk.

B. All property, and the owners of that property, to which sewage disposal service of the city sanitary sewer system is available, whether or not connection to the sanitary sewer system of the city has been made, shall be subject to and liable for the payment of the rates and charges for sewage disposal service of the city as provided in this chapter.

C. For the purpose of subjecting persons and property to liability for sewage disposal service charges, property to which sewage disposal service is available shall be that property which is connected or is required to be con-

15.08.020

nected to the sewage system of the city under the regulations of the city or under the applicable laws of the state.

D. All property for which city sanitary sewer service is not available shall be subject to and liable for payment of a charge for storm and surface water drainage facilities operation and maintenance. (Ord. A-73 § 1, 1988; Ord. A-8 § 1, 1981; Ord. 433 § 1, 1977).

15.08.020 Metro charges.

In addition to those rates and charges otherwise set forth in this chapter and the monthly rates and charges for sewage disposal services which can be found on file in the city clerk's office, the following Metro charges to insure compliance with Section 204 of Public Law 92-500, 33 USC Section 1251 (et seq.) Code of Federal Register ("CFR") Part 35, Subpart E, are imposed:

A. A surcharge in an amount to be determined as provided in Metro Resolution Nos. 2315 and 2557, as now constituted or hereafter amended, which resolutions and any subsequent amendments thereto are incorporated by reference and made a part of this chapter, said charge to be added to the customer's regular bill.

B. An industrial cost recovery ("ICR") in an amount to be determined as provided in Metro Resolutions Nos. 2310 and 2556, as now constituted or hereafter amended, which resolutions and any subsequent amendments thereto are incorporated by reference and made a part of this chapter, said charge to be billed separately to qualifying industrial customers on an annual basis.

C. Three copies of the Municipality of Metropolitan Seattle Resolutions Nos. 2310, 2315, 2556 and 2557 are now and shall remain on file in the office of the clerk of the city. (Ord. 433 § 3, 1977).

15.08.030 Class 2 users – Meters required – Computation of charges.

Sewerage rates and charges for all Class 2 users shall be measured by water consumed on the premises, whatever the source of such water, and the same shall be metered either by a public utility meter or one installed and

maintained by the owner of the premises at his own expense and approved by the director of utilities. Water meter readings shall not be combined, and where two or more water meters serve the same premises, sewerage charges shall be computed and billed as though each such meter served separate premises.

A. Where the use of water is such that a portion of all water used is lost by evaporation, irrigation, sprinkling or other cause, or is used in manufactured goods and commodities, and the person in control provides proof thereof and installs an "exempt" meter or measuring device approved by the director of utilities to enable measurement of the amount of water so used or lost, no charge shall be made for sewerage because of water so used or lost, except that in no case will the minimum charge be adjusted or reduced.

B. Authorized personnel of the city utilities department shall have the right to enter private property of any user of the city sanitary sewer system to read regular and "exempt" water meters and/or measuring devices located within that property.

C. Water metered exclusively for fire service, sprinkling or irrigation use shall not be subject to any sewerage charge.

D. Upon receipt of satisfactory evidence of hidden or underground water leakage, the director of utilities shall adjust the sewerage charge to the premises for water so lost; provided, that no such adjustment shall be made for leakage occurring more than four months prior to the date of application therefor.

E. The director of utilities may upon written application therefor suspend sewerage charges after installation of water service for new construction, or after commencement of construction or extensive reconstruction where water service has previously been installed, when the premises are incapable of being occupied due to such construction or reconstruction.

F. It is the intent of this chapter that that portion of water used exclusively for irrigation or sprinkling by premises be not charged correspondingly for sewerage. Upon application prior to May 1st of any year by premises where it can be shown to the satisfaction of the direc-

tor of utilities that higher charges for sewerage during the summer months will be due to water used for sprinkling or irrigation, the sewerage charge for succeeding summer periods, June through September, inclusive, shall be adjusted to the winter average charges during a six-month recording period between October 1st and May 31st.

G. Any public or private school may submit evidence to the director of utilities that because of higher winter student enrollment the provisions of this section will not eliminate water used for irrigation and sprinkling from the sewerage rate base, and he is authorized in such cases to reduce sewerage charges in accordance with such evidence.

H. Public and private schools which are unoccupied during major portions of the months of June, July and August may upon written application to the director of utilities prior to May 1st of each year, be exempted from sewerage charges for such months. (Ord. 433 § 4, 1977).

15.08.040 Liability for sewage disposal charges.

The city's sanitary sewer collection system operates on a ready-to-serve or availability-to-serve basis and, therefore, all structures are subject to sewage disposal service charges whether or not occupied or connected. Liability for sewage disposal charges shall only be terminated when structures are condemned or razed and the water meter has been certified by the city water utility or other water supplier as being removed. If an owner desires to terminate service and relieve his property from liability for future sewage disposal charges, he shall notify the city sanitary sewer utility not less than 30 days in advance of the proposed termination date. (Ord. 433 § 5, 1977).

15.08.050 Mailing of bills.

Each property owner shall notify the city sanitary sewer utility of the name and address of the person to whom sewage disposal service charge bills should be mailed for his property. In absence of such notification, the utility shall mail such bills to the property owner, occupant, water user or such person as it may rea-

sonably determine to be the proper recipient of such bills. Property owners shall continue to be liable for payment of sewage disposal service charges in any instance where a tenant, agent or representative of the property owner allows the sewage disposal service charges to become delinquent, as well as in other cases. (Ord. 433 § 6, 1977).

15.08.060 Charges payable concurrently with water bills.

The sewerage charge provided for in this chapter shall be payable at the office of the city treasurer at the same time as the water bill for the premises is payable; and payment for water shall not be accepted unless payment of the sewerage charge is made at the same time. (Ord. 433 § 7, 1977).

15.08.070 Billing periods – Computation of charges – Penalties for delinquency – Property lien – Water shutoff for nonpayment.

There shall be one billing every two months for users and those properties to which service is available in Classes 1 and 2, except that the director of utilities, in his discretion, may cause bills to be rendered for a one-month period. Charges against all property to which service is available shall begin upon connection or occupancy. Charges against property having new construction shall begin 90 days after connection, occupancy or show water consumption, whichever occurs first. Sewage disposal service charges shall be computed and billed as a separate charge on the water bill and shall become due and payable within 10 days after statements are mailed. All charges unpaid before the first day of the next succeeding bimonthly billing charge shall be delinquent. At any time after charges become delinquent, the director of utilities may, pursuant to law, prepare a certificate of such delinquency. At the time of certifying such delinquency, the director of utilities shall also levy a penalty of 10 percent of the delinquent sewage disposal charges. Interest at the rate of eight percent per year shall be charged on all certified delinquent sewage disposal charges and penalties thereon from the day of such cer-

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tification. Delinquent charges, penalties and interest thereon so certified shall be a lien against the property to which such sewage disposal service charges are applicable. As an additional and concurrent method of the collection of any such sewerage rate or charge, the director of utilities may cut off the water service or supply from the premises to which such rate or charge for sewerage has attached until such rates and charges are paid in full. (Ord. 433 § 8, 1977).

15.08.080 Previous charges and penalties unaffected by chapter.

All charges and penalties based upon the authority of the Mercer Island sewer district resolutions accrued and/or made prior to January 1, 1975, are affirmed and shall remain unaffected by this chapter. (Ord. 433 § 10, 1977).

15.08.090 District's administrative code adopted by reference.

The policies of the Mercer Island sewer district for private sewer main construction and connections to the sewer system shall be continued in effect by the city for such reasonable period of time and to the extent necessary to insure equitable treatment of all users of the sewer system, and district resolutions Nos. 193, 196, 271, 306, 528 and 538, three copies of which are now and shall remain on file in the office of the clerk of the city and which together comprise and are known as the district's administrative code, are each adopted by this section and by this reference made a part of this chapter. (Ord. 433 § 11, 1977).

15.08.100 Discharge of fat, oil or grease into city sewer system.

A. Authority.

1. City Engineer. The city engineer, or his or her designee, is authorized to:

a. Determine when waste pretreatment is required and establish standards regarding prohibited discharge of fat, oil or grease (FOG) in amounts that may inhibit or interfere with the performance of the city sewer system;

b. Establish criteria for acceptable interceptors or other pretreatment devices;

c. Enforce the provisions of this chapter.

2. Designee. Whenever authority is granted to the city engineer throughout MICC 15.08.100, such authority may also be exercised by the city engineer's designee.

B. Discharge Prohibited.

1. General Prohibition. No FOG in amounts that may inhibit or interfere with the performance of the city sewer system shall be discharged into the city sewer system without the installation of a pretreatment device of a type and capacity to be approved by the city engineer, and located as to be readily accessible for cleaning and inspection.

2. Specific Prohibition. It is unlawful to discharge or cause to be discharged into the city sewer system any water or waste which contains more than 100 parts per million by weight of FOG.

3. Pretreatment Devices.

a. Required. Pretreatment devices, such as grease interceptors, or other devices approved by the city engineer, shall be installed in commercial kitchens where FOG in amounts that may inhibit or interfere with the performance of the city sewer system may be discharged into the city sewer system.

b. Uniform Plumbing Code. Interceptors or other pretreatment devices must comply, at a minimum, with the requirements of Chapter 10 and Appendix H of the Uniform Plumbing Code, as now existing or hereafter amended, and any other requirements by the city as set forth herein.

C. New Construction of Commercial Kitchens. New construction for commercial kitchens that may discharge FOG in amounts that may inhibit or interfere with the performance of the city sewer system, and particularly any commercial kitchen that will be required to install a Type I hood pursuant to the International Mechanical Code, Section 507, requires installation of a pretreatment device approved by the city engineer.

D. Retrofit in Existing Buildings.

1. Ongoing Businesses.

a. Compliance with Discharge Prohibitions Required. Any commercial kitchen that may discharge FOG in amounts that may inhibit or interfere with the performance of the city sewer system, and particularly any commercial kitchen required to install a Type I hood pursuant to the International Mechanical Code, Section 507, that is conducting an ongoing business in an existing building or facility that does not have an effective pretreatment device as of the date of passage of the ordinance codified in this section shall take measures to ensure that it is not in violation of the discharge prohibitions of this section by no later than 12 months from such date.

b. Methods. An ongoing business may comply with the requirement of subsection (D)(1)(a) of this section by either installing a pretreatment device approved by the city engineer, or developing and implementing a discharge management plan acceptable to the city engineer which shall specify effective disposal practices and require proof of adherence to those practices that shall be made readily available to the city engineer for inspection.

2. Change of Owner or Operator of Ongoing Business or Commencement of New Business in Existing, Renovated or Remodeled Facility. Any change of owner or operator of an ongoing business or any new business using a commercial kitchen that may discharge FOG in amounts that may inhibit or interfere with the performance of the city sewer system, and particularly any commercial kitchen required to install a Type I hood pursuant to the International Mechanical Code, Section 507, commencing business in an existing, renovated or remodeled building or facility shall install a pretreatment device approved by the city engineer prior to commencement of business.

3. Cost. All costs incurred in retrofitting an ongoing or new business in an existing, renovated or remodeled facility shall be the sole responsibility of the owner or operator, unless otherwise determined by the city engineer.

E. Responsibility for Installation, Operation and Maintenance.

1. Responsibility for Expense. All pretreatment devices shall be installed, operated, and maintained at the owner and/or operator's expense.

2. Maintenance Required. Pretreatment devices shall be kept in continuous, efficient and effective operation. Regular maintenance shall include periodic removal of the accumulated waste material in accordance with best management practices (BMPs) developed by the city engineer. No such collected discharge shall be introduced into the public sewer system and shall be disposed of in accordance with all local, state and federal regulations.

3. Records Required. Records of disposal and proper maintenance shall be kept by the owner or operator in accordance with best management practices (BMPs) and submitted to the city engineer annually on or before December 31.

F. Enforcement.

1. Civil Infraction. It is a violation of the Mercer Island City Code to fail to comply with the requirements of this section. Any violation of this section shall be considered a civil infraction.

2. Right of Entry. The city engineer is authorized to enter a building or premises when necessary to make an inspection to enforce any provision of this section, pursuant to MICC 1.16.030.

3. Procedure and Penalties. The enforcement of the provisions of this section shall be in conformance with the procedures set forth in MICC 19.15.030, Enforcement, subsections (C), (D), (E), (F) and (H) for enforcement of the development code. For purposes of enforcement of this section, the city engineer shall have all the authority given in MICC 19.15.030 to the director of the development services group and all references to the development code shall be deemed to refer to this section.

a. Additional Civil Penalty. In addition to the penalties set forth in MICC 19.15.030, a fine may be assessed in an amount equal to the value of services performed and costs incurred by the city or its

15.09.010

contractors to perform delinquent maintenance required of an owner or operator, and inspection, maintenance and repair of the sewer system resulting from a violation of this section. (Ord. 04C-12 § 7; Ord. 02C-08 § 1).

MERCER ISLAND SEWER DISTRICT

ADMINISTRATIVE CODE



RESOLUTION NO. 193 ADOPTED AUGUST 9, 1960

AND AMENDED BY

RESOLUTION NO. 196 ADOPTED SEPTEMBER 13, 1960

RESOLUTION NO. 271 ADOPTED JULY 7, 1964

RESOLUTION NO. 306 ADOPTED JUNE 15, 1965

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MERCER ISLAND SEWER DISTRICT
KING COUNTY, WASHINGTON

RESOLUTION NO. 193

A RESOLUTION of the Board of Sewer Commissioners of Mercer Island Sewer District, King County, Washington, establishing an administrative code regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers and the discharge of waters and wastes into the public sewer system of the district; providing penalties for violation; and repealing Resolutions Nos. 39, 47, 85, 147 and 178 of the Board of Sewer Commissioners of the District.

BE IT RESOLVED BY THE BOARD OF SEWER COMMISSIONERS OF MERCER ISLAND SEWER DISTRICT, KING COUNTY, WASHINGTON, that the following administrative code regulating the use of public and private sewers and drains in the District is hereby adopted, to-wit:

ARTICLE I.

Definition of Terms

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

Section 1.01: "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 20° Centigrade, expressed in parts per million by weight.

Section 1.02: "Cover" means the depth of material lying between the top of the sewer and the finished grade immediately above it.

Section 1.03: "Downspout" means the leader or pipe above ground which is installed to conduct water from the roof gutter.

Section 1.04: "Drain" means any conductor of liquids.

Section 1.05: "Garbage" means solid waste from the preparation, cooking and dispensing of food and from the handling, sale and storing of produce.

Section 1.06: "Health Officer" means the official responsible for the public health or his authorized representative.

Section 1.07: "House Drain" or "building drain" means the cast iron pipe used for conveying sewage from the building to a point 2-1/2 feet outside the foundation wall, and if there be no foundation wall, to a point 2-1/2 feet beyond the outer line of any footing, piling, building support or porch under which it may run; whether such drain consists of one line extending from the building or of two or more such lines.

Section 1.08: "Industrial Waste" means the wastes from industrial process as distinguished from sanitary sewage.

Section 1.09: "Licensed side sewer contractor" means a bonded and licensed person approved by the superintendent as qualified and competent to do work incidental to the construction or repair of side sewers under a permit issued under this ordinance.

Section 1.10: "Occupant" means any person or owner in physical possession of the building or structure to which sewer service is available.

Section 1.11: "Permit card" means a card issued in conjunction with any permit and such card shall be posted on the premises and shall be readily and safely accessible to the superintendent.

Section 1.12: "Person" or "Owner" means any individual, firm, company, association, society, corporation, or group.

Section 1.13: "PH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 1.14: "Private sewer" means the sewer line and disposal system constructed installed, or maintained where connection with the public sewer system is not required herein.

Section 1.15: "Properly shredded garbage" means garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than 3/8 inch in any dimension.

Section 1.16: "Public place" or "public area" means any space dedicated to or acquired for the use of the general public.

Section 1.17: "Public sewer" means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 1.18: "Secretary" means the secretary of the Board of Commissioners of the Mercer Island Sewer District.

Section 1.19: "Sewage" means the combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, which wastes contain polluted matter subject to treatment at the sewage treatment plant; i. e. sanitary sewage.

Section 1.20: "Sewer" means a pipe or conduit for carrying sewage.

Section 1.21: "Sewer plat" means a plat issued by the superintendent in conjunction with any permit and the plat shall serve as his record of all matters pertaining to said permit.

Section 1.22: "Side sewer" means the extension from the public sewer to the house or building drain.

Section 1.23: "Superintendent" means the superintendent of the Mercer Island Sewer District or his authorized deputy, agent or representative.

Section 1.24: "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.

ARTICLE II.

Use of Public Sewer

Section 2.01: It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the Mercer Island Sewer District, or in any area under the jurisdiction of the District, any human or animal excrement, garbage or other objectionable waste.

Section 2.02: Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended or used for the disposal of sewage.

Section 2.03: The owner of each lot or parcel of real property within Mercer Island Sewer District, upon which lot or parcel there is situated any building or structure for human occupancy or use for any other purpose, and whenever there is a public sewer line within 200 feet of the property line of such lot or parcel and said public sewer line is capable of serving the property, shall install suitable toilet facilities therein and shall connect such facilities, together with all other facilities therein the use of which results in the existence of sewage as defined herein, with the public sewer system at his own expense within 30 days after acceptance by the Sewer District of the public sewer line capable of serving such lot or parcel. All property shall be deemed capable of being served by sewer lines of the District if the first floor plumbing of any building or structure located thereon can be served into the District sewer lines by gravity flow, even though the basement drains of such building or structure cannot be served by gravity flow into the District sewer lines.

Section 2.04: Where a public sewer line is not available under the provisions of the foregoing section, a private sewer and sewage disposal system shall be constructed in accordance with provisions herein.

Section 2.05: Whenever a public sewer becomes available to a lot or parcel served by a private sewage disposal system as provided in the foregoing section, a direct connection shall be made to the public sewer in compliance with this ordinance and any

septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

Section 2.06: In the event the side sewer and connection to the public sewer are not made within the time herein provided, following notice as provided, the superintendent is hereby authorized and directed to cause the same to be made and file a statement thereof with the Secretary of the Sewer District, and thereupon a warrant shall issue under the direction of the Board of Sewer Commissioners for the payment of such costs. Such amount, together with a penalty of 10 per cent thereof, plus interest at the rate of 8 per cent per annum upon the total amount of the cost and the penalty, shall be assessed against the property upon which side sewer and connection has not been placed as required and shall become a lien thereon as herein provided.

Section 2.07: The type, capacities, location and layout of a private sewage system shall comply with all recommendations and regulations of the Department of Public Health of the State of Washington, and of the regulations of the Mercer Island Sewer District. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet or to ground surface. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the District.

Section 2.08: Any building hereafter constructed or made available for human occupation and use upon a lot or parcel or real estate capable of being served as defined in Section 2.03, shall, within ninety (90) days after an application for a side sewer permit shall have been made, or prior to occupancy of said premises, whichever event first occurs, be connected to the sewer system of the District.

ARTICLE III.

Side Sewer Permit Required

Section 3.01: It shall be unlawful for any person to make any connection with any public or side sewer without complying with all of the provisions of this resolution in relation thereto and having first procured a permit to do so from the superintendent.

Section 3.02: Application for the permit required by the foregoing section shall be filed in the Sewer District office, stating the name of the owner, the correct address and proper legal description of the property to be served, dimensions and locations of any buildings on the property, and the whole course of the side sewer from the public sewer to its connection with the building or property to be served. The application shall be submitted to the superintendent for approval, who may change or modify the same and designate the manner and place in which such sewers shall be connected with the public sewer, and shall endorse his approval upon the application if the same is acceptable to him. The superintendent may require the permittee to furnish him plans pertaining to the application and issuance of the permit.

Section 3.03: Upon approval of said application, the superintendent shall issue for his own records a sewer plat showing the size and location of the public sewer, the point of connection, the location of any buildings on the lot, the course of the side sewer to its connection with the house or other building, the grade of such side sewer, and such other information as may be deemed pertinent.

Section 3.04: Upon approval of the application and issuance of the permit, it shall be unlawful to alter said permit or to perform any work other than is provided for in said permit.

Section 3.05: The superintendent shall prepare and keep on file in his office all cards and records of sewer connections showing the information obtained in the course of inspection of completed work done under such permit.

Section 3.06: It shall be unlawful to construct, extend, relay, repair or to make connection to any side sewer inside the property line without obtaining a permit from the superintendent as hereinabove provided. The superintendent may issue such permit to the owner or occupant of any property to construct, extend, relay, repair or make connections to any side sewer inside the property lines; in such event, however, such owner or occupant shall comply with the applicable provisions of this resolution, except that he need not employ a licensed side sewer contractor to do the work if he make the installation himself. However, should the owner or occupant employ another person to make the installation of the side sewer, it must be a licensed side sewer contrac-

tor, and such contractor shall secure the permit, but in such event the owner, occupant or other person shall lay no pipe pursuant to such permit.

Section 3.07: It shall be unlawful to make any connection to any public sewer, or to lay, repair, alter or connect any side sewer in any public area except by the holder of a side sewer contractor's license issued by the superintendent.

Section 3.08: No licensed side sewer contractor shall break, alter, or tamper with any public sewer, except that he may connect a wye or tee which exists for that purpose, under the supervision of the superintendent.

Section 3.09: It shall be unlawful for any person, whether owner, occupant or side sewer contractor, to leave unguarded any excavation made in connection with the construction or repair of any side sewer within four feet of any public place or fail to maintain the lateral support of any public place in connection with the construction, alteration or repair of any side sewer.

Section 3.10: When a permit has been issued for a side sewer as herein provided, no work other than that covered by the permit shall be done without the approval of the superintendent; and he may, if he deems the additional work of sufficient consequence, require a new permit to cover the same.

Section 3.11: It shall be unlawful to disconnect any side sewer, or remove any portion of a side sewer without securing a permit from the superintendent to do so. The disconnected service shall be plugged at the property line to the satisfaction of the superintendent. There will be no charge made for a permit to disconnect or remove and service the sewer.

ARTICLE IV.

Obtaining Side Sewer Permit

Section 4.01: Application for such permit shall be made on a printed form furnished by the District and the applicable permit fee and connection charge shall be paid by each applicant, which shall include an inspection fee.

Section 4.02: The permit fee and connection charge, payable by each property owner seeking to connect to the District system of sewers, imposed pursuant to RCW 56.08.010, shall be as follows:

"Multiple dwellings, apartments and trailer courts: \$35.00 for each unit, apartment, or trailer stall.

"Single family residences: \$35.00

"Commercial buildings, including schools, churches and all other non-residential structures: \$35.00, plus \$0.01 per square foot of floor space, with a maximum fee of \$100.00 per separate structure.

"Revision Permit' for extension on modification of side sewers: \$5.00"

Section 4.03: No permit issued under this resolution shall be valid for a period longer than ninety (90) days unless extended or renewed by the superintendent upon application therefor prior to the expiration of same. Failure to renew said permit prior to the expiration thereof shall require the payment of a new permit fee.

Section 4.04: The permit card required by this resolution must at all times during the performance of the work, and until the completion thereof, and approval by the superintendent be posted in some conspicuous place at or near the work and must be readily and safely accessible to the superintendent.

ARTICLE V.

Inspection

Section 5.01: No side sewer trench shall be filled or any sewer covered until the work shall have been inspected and approved by the superintendent.

Section 5.02: Any person performing work under permit pursuant to the provisions of this resolution shall notify the superintendent when the work will be ready for inspection and shall

specify in such notification the location of the premises, address and the file number of the permit. The superintendent or a member of his staff shall make such inspection within forty-eight (48) hours after receipt of notice, excluding Saturday, Sunday or holidays.

Section 5.03: In the case of a licensed side sewer contractor, either the contractor or a competent representative shall be available to meet the superintendent on the premises when so directed.

Section 5.04: If the superintendent finds the work or materials used is not in accordance with this resolution, he shall notify the person doing the work and also the owner or occupant of the premises by posting a written notice on the permit card and such posted notice shall be all the notice required to be given of the defects in the work or materials found in such inspection.

Section 5.05: All work within the limits of any public area shall be prosecuted to completion with due diligence, and if any excavation is left open and beyond a time reasonably necessary to fill the same, the superintendent may cause the same to be back-filled and the public area restored forthwith.

Section 5.06: If any work done under a permit granted as provided herein is not done in accordance with the provisions of this resolution and the plan and specification as approved by the superintendent, or when any side sewer is constructed, laid, connected or repaired and does not comply with the provisions of this resolution, or where it is determined by the health officer or the superintendent that a side sewer is obstructed, broken, or inadequate and is a menace to health or is liable to cause damage to either public or private property, or Section 5.05 above is violated, then, after notice by the health officer or superintendent, the contractor, owner, or person doing the work, as the case may be, refuses to properly construct, repair or complete such work within the time specified in such notice, the superintendent may perform such work as may be necessary to comply with this resolution and the cost of such work so done shall be charged to the property owner, occupant or contractor, as the case may be, and

shall become immediately payable to the Sewer District upon written notice of such amount being delivered to such owner, occupant or contractor, or posted upon such premises.

ARTICLE VI,

Side Sewer Construction

Section 6.01: All side sewers shall be laid on a grade 3/16" per foot for four-inch pipe and 1/8" per foot for six-inch pipe or greater.

Section 6.02: The applicant for permit shall be responsible for determining the available grade between building drain and sewer tee or stub.

Section 6.03: In any case where the house or building drain 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.

Section 6.04: The requirements of Section 6.01 may be waived by the superintendent in his discretion, but in such cases the following requirements will be adhered to:

- (a) Upon approval by the superintendent, a backwater valve shall be installed on all side sewers below grade as above prescribed unless the superintendent waives this requirement;
- (b) The effective operation of any backwater valve shall be the responsibility of the owner of the side sewer;
- (c) No installation of any side sewer below grade as above prescribed nor any installation of any backwater valve shall be approved by the superintendent until the application has been executed and a grade release in form prescribed by the superintendent agreeing to save the Mercer Island Sewer District harmless from all damage resulting therefrom, together with the fee to

cover the costs of recording same, have been delivered to the Mercer Island Sewer District.

Section 6.05: Side sewers shall be laid out not less than 30 inches from any foundation wall, outer lines of any footings, pilings or building supports.

Section 6.06: Except as provided in Section 7.05 hereof, minimum cover for side sewers shall be 3-1/2 feet in outside parking strip, two feet in inside parking strip, 2-1/2 feet in a public alley at the property, 2-1/2 feet where side sewer crosses under a ditch, and 18 inches on private property.

Section 6.07: All connections shall be made to the tee or stub out assigned at the time the permit is issued, and no side sewer belonging to another owner shall be used unless written permission for such use accompanies the side sewer application.

Section 6.08: If a building sewer is to serve more than one property, by joint agreement of the owners, an approved document insuring that all properties involved shall have perpetual use of the side sewer, and having provisions for maintenance and for access for repair purposes, shall be signed by the recorded owner. This document shall be notarized and recorded with the County Auditor and shall be referred to as an "Easement."

Section 6.09: Exploratory excavation should be made at the tee or stub-out location measurement given by the superintendent at the time the permit is issued, but the side sewer contractor shall prospect four feet in all directions from the distance and depth given for a tee location. Being that stub-outs do not necessarily extend at right angles from the sewer main, the extent of prospecting for the end of the stub-out shall be unlimited. When such prospecting does not disclose the connection point, the contractor shall immediately contact the superintendent for further assistance in location.

Section 6.10: If a side sewer is to serve two or more, limited to a maximum number of six houses, the use of 6" pipe shall be specified. A 6" cleanout extending to within 12 inches of the ground surface will be required at the wye where the upper-grade connections are made.

Section 6.11: If more than six buildings are to be connected to a single side sewer, the superintendent may require plans prepared by a registered professional engineer to be submitted to the District for approval, showing the size of pipe and grade proposed. Upon approval of these plans by the Board of Commissioners of the Sewer District, the superintendent may issue the permit.

Section 6.12: Except as provided in Section 7.04 hereof, all side sewers servicing a single house may be of 4" pipe or larger. All side sewers servicing multiple dwellings, commercial establishments, schools, or any building other than single family residences shall be of 6" pipe or larger.

Section 6.13: Any connections to a septic tank, cesspool, or privy vault will be removed and direct connection made to the house or building drain; provided, however, that connection may be made through existing septic tanks or cesspools, but in such event cast iron pipe shall be used through such cesspool or septic tank. In all cases, such cesspool or septic tank shall be properly disinfected and filled with suitable material.

Section 6.14: The use of any existing side sewer may be permitted by the superintendent if it conforms to all requirements of this resolution in cases where a new or converted building or new installation replaces an old one.

Section 6.15: No side sewer connection shall be made to the public sewer until that section of sewer main has been approved by the District for side sewer connections.

Section 6.16: The side sewer contractor or other persons doing the work shall prevent any damage to the sewer main, tee or stub out, and shall so conduct his trenching operations as to prevent the possibility of damage occurring. Undercutting of sewer main and wye is prohibited.

Section 6.17: In the event there is no suitable tee or stub out, a tap to the main may be made by a licensed side sewer contractor, under the direct supervision of the superintendent. The tap shall be made with the approved rubber joint saddle on all types of sewer main. Grouting in a tee or wye is not permitted. Great care shall be taken in cutting a neat hole into the sewer main, and

in the event of breakage of the sewer main, the broken section shall be removed and replaced at no cost to the Sewer District.

Section 6.18: The bottom of the trench must be smooth and free of large rocks which may injure the side sewer pipe. Where unsuitable bedding is found, as determined by the superintendent, the side sewer contractor or other persons doing the work, shall overexcavate and prepare a bedding as follows:

(a) Soft Foundation: Overexcavation as directed by the superintendent and install 1" to 2" washed rock or 1-1/2" maximum size concrete aggregate, properly graded, to a point 3" below the pipe. From this point to the pipe, install properly graded concrete sand bedding.

(b) Hard Foundation: Overexcavate a minimum of 3" and install a bedding of properly graded concrete sand.

Section 6.19: Any unauthorized overexcavation below the pipe grade shall be filled with bedding material as outlined in Section 6.18 b.

Section 6.20: The side sewer contractor or other persons doing the work shall carefully remove the plug from the tee or stub out and shall prevent the entrance of all foreign material into the pipe. The type of joint to be used for connecting the side sewer pipe to the tee or stub out shall be that for which the wye was designed. Rubber or plastic joint adapters shall be used as required to connect pipes and wyes of different materials or joint designs. Selected bedding material as outlined in Section 6.18 shall be hand-tamped in a moist condition under and around the wye and connection to the wye made so as to prevent any pressure on the wye.

Care shall be taken to prevent the dislodging of this hand-tamped material during the balance of the backfill and water settling operation. All sewers shall be laid true to grade with the bells up-grade. Pipe shall be firmly bedded for the full length of the barrel in the prepared trench bottom. Pipe shall be carefully centered prior to the joining. Joints shall be installed in strict compliance with the manufacturer's recommendations. Spigot ends shall be thoroughly cleaned before applying gasket cement and rubber gaskets. The interior surface of the bell previously laid

shall be thoroughly cleansed and coated with gasket cement or lubricant as recommended by the manufacturer. After the section being laid has been carefully aligned, the joint shall be completed.

Section 6.21: On side sewers other than lake front side sewers, the first length of pipe inside the property line shall be a tee with the branch installed upward. The tee connection shall be the same size as the service line between house and the property line. After testing the side sewer as outlined in Article VIII, the tee shall be capped and blocked to resist internal pressure. To facilitate location of the tee for future use, a 2' x 4' center stake shall be set vertically in the trench beside the tee with the top cut of 1'0" below the finished ground surface.

All water front side sewers, or any other side sewers within the hydraulic gradient area shall install a cleanout at a point two feet above the lake front sewer maximum hydraulic gradient. The cleanout shall consist of a wye and a sloping riser, both of the same size as the side sewer located in the hydraulic gradient area. The riser shall be extended to within 12" of finished grade and capped with an approved cast iron block. The block shall be machined to fit the pipe and gasket being used.

Section 6.22: The connection to the cast iron pipe at the building shall be suitable rubber gasket sleeve or adaptor. Grout joints will not be allowed. In exceptional cases, the superintendent may allow a connection using a hot pour jointing material JC-60 or approved equal.

Section 6.23: Backfill of the trench shall be done in a manner which will prevent damage to the pipe. All backfill between the sewer main and private property line, where applicable, shall be water settled or mechanically tamped in a manner approved by the superintendent.

Section 6.24: Parallel water and sewer lines, wherever possible, shall be laid at least 10 feet apart horizontally. Wherever it is necessary for sewer and water lines to cross each other, the crossing shall be made at an angle of approximately 90°, and the sewer shall be located three or more feet below the water line if possible.

Section 6.25: Where physical conditions render compliance with the foregoing provisions of this article impracticable, the

superintendent may issue a special permit for installation of side sewer requiring compliance with said provisions insofar as is reasonably possible, but such permit shall be issued only upon condition that the permittee execute and deliver to the Mercer Island Sewer District an instrument, in form furnished by the superintendent, agreeing to save harmless and indemnify the Mercer Island Sewer District from any damage or injury resulting from such sub-standard installation, together with fee to cover the cost of recording.

Section 6.26: The point of connection to the District's sewer line of any side sewer serving any multiple-family dwelling shall be as directed by the Board of Sewer Commissioners.

ARTICLE VII.

Pipe Materials

Section 7.01: Type of pipe acceptable for standard side sewer installations are as follows:

- (1) Cast Iron - Federal Spec. WW-P-421-b
ASA-A21.6 (AWWA C-106) Thin
cement lined, 18/40 strength,
thickness Class 22.
- (2) Asbestos Cement Pipe - A. S. T. M. Spec. C-428
Class 1500 (Class 2400 for portions of lake front
systems and all pipe located within
public right-of-way.)
- (3) Vitrified Clay Pipe - A. S. T. M. Spec. C-278

Both cast iron and asbestos cement pipe shall be furnished with flexible gasket joints. Clay pipe jointing shall be rubber of plastic conforming to A. S. T. M. specification C-425. Installation of all pipes shall be in accordance with manufacturer's recommendations and as further approved by the superintendent.

Section 7.02: Within the Sewer District areas of ULID's #2 and #3 any lines from the sewer main to the property line shall conform with Section 7.01, except that within ULID #1 all existing concrete stub-outs built during the original construction may be utilized. All new stub-outs installations, however, shall conform to Section 7.01 disallowing the use of concrete pipe.

ARTICLE VIII.

Testing

Section 7.03: On all side sewers between the property line and the building drain, the pipe and jointing shall conform to Section 7.01.

Section 7.04: Side sewers on lake front lines, or areas within the hydraulic gradient area, shall be either 6 inch cast iron pipe as specified in Section 7.01 or 6 inch Class 2400 asbestos cement pipe for that area located between the lake front connection and a point two feet above the maximum hydraulic gradient as determined under emergency overflow conditions. Joints shall be rubber gasket, either mechanical joint or stab joint of the pipe manufacturer's standard. Between the point two feet above the hydraulic gradient and the house connection, the installation will be standard as specified in Section 7.03.

Section 7.05: On steep bluffs, the superintendent may permit installation of the line above ground, properly supported to the satisfaction of the superintendent. In such cases, the pipe used shall be either mechanical joint cast iron pipe as specified under Section 7.01 or steel pipe, 10 gauge, asphalt dipped and wrapped. Four with steel pipe shall be 4-1/2" O. D., and six with steel pipe shall be 6-5/8" O. D. Both cast iron and steel pipe shall be rubber jointed and all joints shall be shackled with two bolts. Before any installation of this nature is made, the owner will be required to comply with the provisions of Section 6.25 concerning the agreement to save the Sewer District harmless from any damage or injury.

Section 7.06: Installation of fittings within side sewers shall conform to the following spacing, arrangements and size:

All changes in directions shall be made with 1/8 bends (45 degrees), 1/16 bends (22-1 1/2 degrees) or wye branches with the straight-through opening plugged for a cleanout. Not more than two bends shall be installed between cleanouts. Cleanouts, including those for commercial property, shall be installed at locations designated by the Sewer District but in no case will the distance between cleanouts exceed 100 feet. Suitable frames and covers of a type designated by the Sewer District shall be used for all cleanouts on commercial property and shall be cast concrete block flush with the final paving. Cleanouts which shall extend to within twelve inches of the ground surface shall be plugged to prevent entrance of dirt, roots or ground water.

Section 8.01: All service sewers shall be tested for leakage in the presence of the superintendent or his authorized representative.

Section 8.02: Service sewers shall be tested by plugging the line on the upstream side of the inspection tee and completely filling the system to the lowest fixture, drain, or clean-out within the building itself.

Section 8.03: The test shall be continued until the rate of leakage is stabilized and then the leakage shall be measured volumetrically by adding makeup water at the fixture drain or clean-out.

Section 8.04: The rate of leakage in the service sewer shall not exceed the following amounts per 100 feet of pipe:

4" pipe	1.6 gal/hr
6" pipe	2.4 gal/hr

Section 8.05: The rates of leakage given in Section 8.04 shall be used for a head of water at the low point of the system up to and including 15 feet. If a greater head would occur, due to the elevation of the building above the sewer, an additional tee or tees may be inserted in the line and the service sewer tested in sections. In this case, each section so tested shall meet the foregoing requirements.

Section 8.06: A tentative test may be made by the side sewer contractor or owner prior to backfilling the trench at the time of inspection of the pipe-laying; however, the final acceptance test for leakage shall be made following backfill of all but the inspection tee, so that the complete backfill load will be on the pipe.

ARTICLE IX.

Illegal Connections

Section 9.01: It shall be unlawful to divert or cause to be diverted any storm water, surface runoff, or underground drainage to any sewer, manhole or other appurtenant structure or portion of the sewer system.

Section 9.02: No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, sub-surface drainage, cooling water, or unpolluted industrial process water to any portion of the sewer system, and no roof drains, yard drains, or roofing drains of any type shall be connected to the sanitary sewers in any manner.

Section 9.03: At the time of inspection of the service sewer, it shall be visibly demonstrated to the superintendent or his representative that there is no illegal connection to the service sewer by running water into the roof drains and observing the flow at the inspection riser, or by such other measures as the superintendent may deem necessary.

Section 9.04: It shall be unlawful to drain large volumes of water directly into the sewer and thereby cause surcharging of sewer lines. Swimming pools, public or private, shall not be connected to the sewer by gravity drains, but may be dewatered by pumping the water from the pool with the pool's recirculation pump, which in most instances will not surcharge the public sewer.

ARTICLE X.

Unlawful to Tamper With System

Section 10.01: It shall be unlawful to break, damage, destroy, deface, alter or tamper with any structure, appurtenances, or equipment which is part of the sewer system of the Mercer Island Sewer District, or without authority from the superintendent, to break, damage, destroy, or deface any public walk, curb, or pavement, or to make openings or excavations in a public area for the purpose of connecting to any public sewer.

Section 10.02: All excavations made by any person in any public area shall be made and backfilled in accord with the standards and regulations promulgated by the superintendent.

ARTICLE XI.

Substances Prohibited in System

Section 11.01: It shall be unlawful to discharge or cause to be discharged any of the following described water or wastes in any public sewer, drain ditch or natural outlet:

- (a) Any liquid or vapor having a temperature of higher than 150° F.
- (b) Any water or waste which contains more than one hundred parts per million by weight of fat, oil or grease.
- (c) Any gasoline, benzene, naphtha oil, or other flammable or explosive liquids, solids or gas.
- (d) Any garbage that has not been properly shredded as herein defined.
- (e) Any ashes, cinders, sand, mud, straw, hair, shavings, metal, glass, rags, leathers, tar, plastic, wood, manure, or any other solid or viscous substance capable of causing 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 5.5 or higher than 8.5 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 noxious or malodorous gas or substance capable of creating a public nuisance.

Section 11.02: No grease, oil, sand, liquid or other waste containing grease or flammable material or other harmful ingredients in excessive amounts shall be discharged to any public sewer without the installation of interceptors of a type and capacity to be approved by the superintendent, and located so as to be readily accessible for cleaning and inspection. Such interceptors shall be maintained at the expense of the owner and shall be in continuously efficient operation at all times.

Section 11.03: Whenever preliminary treatment is necessary to reduce the B. O. D. to 300 parts per million by weight, or to reduce the objectionable character or constituents to within the maximum limits prescribed by Section 11.01 of this article, such preliminary treatment shall be at the sole expense of the owner of the premises and shall be installed when the superintendent determines that the same is necessary to comply with the standards prescribed. In such cases, all plans, specifications and other pertinent information relating to such proposed preliminary treatment facilities shall be submitted to the superintendent prior to commencement of construction, and no construction thereof shall be commenced until the superintendent's approval is noted on the plan. In the event of such installations, they shall be maintained continuously in efficient operation by the owner at his own expense.

Section 11.04: Where any property served by a side sewer carries industrial waste, the owner or occupant shall install a control manhole in the side sewer to facilitate observation, sampling and measurement of the wastes when the same may be required by the superintendent. Such manhole shall be accessibly and safely located and shall be constructed and installed in accordance with plans approved prior to installation by the superintendent, and shall be maintained and installed by the owner or occupant at his sole expense.

Section 11.05: All measurements, tests and analyses of the characteristics of waste and waters to which reference is made in this resolution shall be determined in accordance with the standards prescribed in "Standard Methods for the Examination of Water and Sewage" published jointly by the American Health Association and the American Waterworks Association.

Section 11.06: The superintendent shall make recommendations to the Board of Sewer Commissioners in regard to entering into any agreement whereby any waste of unusual character may be accepted by the District for treatment before passage into the public sewer, the payment for such treatment to be such as is fixed by the Board of Sewer Commissions.

ARTICLE XII.

Restrictions on Trees and Shrubs

Section 12.01: It shall be unlawful for any person to plant within thirty five (35) feet of any public sewer any willow, poplar, cottonwood, soft maple, gum tree, or any other tree or shrub and whose roots are likely to enter and obstruct the flow of sewers.

Section 12.02: The superintendent is authorized to cause the removal of any trees and shrubs from any public area, or the roots of any trees and shrubs which extend into any public area when such trees and shrubs or the roots thereof are obstructing or are liable to obstruct any public sewer. Before making any such removal, the superintendent shall give ten days' notice in writing to the owner or occupant of the abutting property upon which such trees or shrubs are located, requiring such owner or occupant to remove same, or such notice may be posted on the premises or on such trees or shrubs. If such owner or occupant fails to remove such trees or shrubs and roots within the time specified by such notice, the superintendent is authorized to do so, and the cost thereof shall be charged to the owner or occupant, and upon giving written notice of the amount thereof to the owner or occupant or by posting such notice on such person's property, the cost thereof shall be immediately payable to the Sewer District by such owner or occupant.

ARTICLE XIII.

Authority of Superintendent

Section 13.01: The superintendent or his representatives, bearing proper credentials and identification, shall be permitted to enter upon all and any premises at all reasonable times for the purpose of inspection, observation, measurements, samplings, testing of sewers and sewage waste and performing all other acts or duties required of him in accordance with the provisions of this resolution, and it is unlawful for any person to prevent or attempt to prevent any such entrance or obstruct or interfere with any such officer or employee while so engaged.

Section 13.02: The superintendent may make rules and regulations and amend the same from time to time, not consistent with the provisions of this resolution, as he shall deem necessary and convenient to carry out the provisions of this resolution.

ARTICLE XIV.

Licensing of Side Sewer Contractors

Section 14.01: As a condition precedent to entering into contracts with the property owners in the Mercer Island Sewer District for the installation of side sewers connecting with the sewers installed by the District and of soliciting said work, the contractors shall be accepted and licensed in writing as qualified side sewer contractors by the District.

Section 14.02: The licensed side sewer contractor shall execute and deliver a dual-obligee surety bond of the amount of Two Thousand Five Hundred Dollars (\$2,500.00) in favor of said Sewer District and any duly constituted towns and cities, all or partly within the area of the Sewer District, conditioned that he will perform all side sewer work in conformance with this Resolution.

Section 14.03: Before being issued a license, a side sewer contractor must comply with the requirements established from time to time by the superintendent. Upon fulfilling such requirements of the superintendent and delivering the bond required in

Section 14.02, the contractor will be issued a license the District upon payment of an annual fee of \$25.00.

Section 14.04: If the licensed side sewer contractor violates any provisions of this resolution, his license shall be drawn immediately by the superintendent and it shall only be reissued upon a review of the case by the Board of Commissioners. This cancellation of license shall not exempt the side sewer contractor from any other penalties provided elsewhere in this resolution.

ARTICLE XV.

Side Sewer Contract With Owner

Section 15.01: 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.

Section 15.02: Contracts between property owners and side sewer contractors shall provide that the side sewer contractor will comply with all Sewer District regulations.

Section 15.03: The contractor will furnish the property owner with a release of lien from both labor and material or an affidavit stating same has been paid before payment is accepted for side sewers.

ARTICLE XVI.

Safety Equipment

Section 16.01: The side sewer contractor before beginning in a public area shall have at the site sufficient barricades to properly protect the work. The barricades shall be illuminated during the night time hours with a minimum of four (4) flares or flashing signals.

Section 16.02: During the pipe laying operation, a ditch pump shall be available at the site. The contractor shall have stock piled, within the Mercer Island Sewer District and immediately

available for use, sufficient shoring to adequately protect workmen where unstable ground conditions are encountered.

Section 16.03: In addition to the foregoing provisions, the side sewer contractor shall comply with all laws, ordinances and regulations of the State, County or Town, relating to the safety and protection of the area affected. A flagman must be posted wherever work is underway within the public right-of-way.

ARTICLE XVII.

Restoration of Roadways

Section 17.01: It shall be the responsibility of the licensed side sewer contractor to cut the road surface, dig a trench, lay the pipe, make the connection to the wye, backfill the trench and restore the roadway surfacing within the limits of any public thoroughfare or right-of-way. Such work shall be conducted in strict accordance with the rules and regulations of the County, City or Town having jurisdiction of said thoroughfare or right-of-way. In the event that the County, City or Town does not have specific rules or regulations regarding restoration of roadways, restoration shall be performed as described elsewhere in this Resolution.

Section 17.02: On gravel roads, the compacted backfill shall be brought up to within 6 inches of the finished surface. A layer of 1-1/2 inches minus crushed stone shall then be applied to a compacted depth of 4 inches. A layer of 3/4" minus crushed stone shall then be applied to a compacted depth of 2 inches to bring the surface to finished grade.

Section 17.03: The compacted backfill shall be brought up to within 6 inches of the finished surface. A layer of 1-1/2" minus crushed stone shall then be applied to a compacted depth of 4 inches. Edges of the existing pavement shall be thoroughly cleaned and then primed with emulsified asphalt. Plant mix asphalt, Washington State Highway Department, asphaltic concrete, Class B, shall then be applied to a compacted depth of 2 inches to bring the surface to a finished grade.

Section 17.04: The edges of the concrete pavement shall be trimmed to a neat line. The compacted backfill shall be brought to within 12" of the finished grade. A hollow shall be excavated

under the existing concrete pavement to a depth and distance back from the edge thereof equal to the thickness of the concrete pavement. The center of the trench may be built up to the base of the original pavement with compacted 3/4" crushed stone. The pavement shall then be poured, using a five sack highway standard mix. Care shall be taken in pouring the concrete into the hollows under the edge of the existing pavement. The surface shall be carefully finished to match the existing concrete surface.

ARTICLE XVIII.

Penalties

Section 18.01: Any person who shall violate any provision of this resolution shall be liable to the District for any expense, loss, damage, cost of inspection or cost of correction incurred by the District by reason of such violation including any cost to the District incurred in collecting from such person said loss, damage, expense, cost of inspection or cost of correction.

Section 18.02: Any person found to be violating any provision of this resolution shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations and make all necessary corrections.


Section 18.03: Any person who shall continue any violation beyond the time limit provided for in Section 18.02, shall in addition to the items of expense provided in Section 18.01, become liable to the District for a penalty in the amount of 10% of such expense items, together with interest thereon at 8% per annum from the date of the time limit provided in Section 18.02.

ARTICLE XIX.

Validity

Section 19.01: If any section or portion of this resolution or any application thereof is adjudged to be invalid, such adjudication shall not affect the validity of the remaining portion of the resolution or other application thereof.

MERCER ISLAND SEWER DISTRICT



President and Commissioner



Commissioner



Secretary and Commissioner



CITY COUNCIL PLANNING SCHEDULE

All meetings are held in the City Hall Council Chambers unless otherwise noted.
 Special Meetings and Study Sessions begin at 6:00 pm. Regular Meetings begin at 7:00 pm.

MARCH 3		
Item Type	Topic/Presenter	Time
<i>Study Session</i>	Joint Study Session with Planning Commission Regarding P-Zone Code Changes —S. Greenberg	60
<i>Regular Business</i>	Growing Transit Communities Regional Compact Resolution – S. Greenberg	10
<i>Regular Business</i>	Sewer Utility Regulations Code Amendments (2nd Reading & Adoption)—G. Boettcher	60

MARCH 17		
Item Type	Topic/Presenter	Time
<i>Consent Calendar</i>	Resolution Sponsoring NORCOM’s Request to Join the Association of Washington Cities Employee Benefit Trust—C. Corder	--
<i>Regular Business</i>	2015-2020 Capital Improvement Program (CIP) Budget Kick-Off—C. Corder	60
<i>Regular Business</i>	Police Hire Ahead Position—E. Holmes	30

MARCH 31		
Item Type	Topic/Presenter	Time
<i>Regular Business</i>	4 th Quarter 2013 Financial Status Report & Budget Adjustments—C. Corder	60
<i>Regular Business</i>	Arts Council 2013 Report and 2014 Work Plan – A. Britton	30
<i>Regular Business</i>	Fire Alarm Code Amendments (1st Reading) – C. Schuck	30

APRIL 17 – SPECIAL JOINT MEETING - 5:00-7:00 PM		
	Joint Meeting with the Mercer Island School District Board (Council Chambers)	

APRIL 21		
Item Type	Topic/Presenter	Time
<i>Regular Business</i>	Thrift Shop Renovation/Expansion Project Decision—C. Corder	30
<i>Regular Business</i>	Fire Marshal – C. Tubbs	45
<i>Regular Business</i>	Recreation and Conservation Grant Resolutions (Calkin’s Point Restoration, Island Crest South Synthetic Turf, and Luther Burbank Hand Carry Boat Launch projects) – J. Kintner	30

MAY 5		
Item Type	Topic/Presenter	Time
<i>Regular Business</i>	Actuarial Valuation of City’s Firemen’s Pension Fund & LEOFF I Retiree Medical and Long-Term Care Benefits—L. Tuttle	45
<i>Regular Business</i>	Code Enforcement Provisions—K. Knight	45

MAY 19		
Item Type	Topic/Presenter	Time
<i>Consent Calendar</i>	Kiwanis Fireworks Sales Permit – C. Tubbs	--
<i>Regular Business</i>	1 st Quarter 2014 Financial Status Report & Budget Adjustments—C. Corder	30
<i>Regular Business</i>	Disposition of 2013 Year-End Revenue Surplus—C. Corder	30
<i>Public Hearing</i>	2015-2020 Transportation Improvement Program Preview & Public Hearing – P. Yamashita	90

JUNE 2		
Item Type	Topic/Presenter	Time
<i>Regular Business</i>	2013 Mercer Island Dashboard Report—C. Corder	60

JUNE 14 – (SATURDAY, 8:30 AM-5:00 PM)		
	2013 Mini-Planning Session (MICEC)	

JUNE 16		
Item Type	Topic/Presenter	Time
<i>Regular Business</i>	2015-2020 Capital Improvement Program (CIP) Budget “Preview”—C. Corder	120
<i>Regular Business</i>	2015-2020 Transportation Improvement Program Adoption – P. Yamashita	45

JULY 7		
Item Type	Topic/Presenter	Time

JULY 21		
Item Type	Topic/Presenter	Time

OTHER ITEMS TO BE SCHEDULED:

- 2014 Budget Hearings – C. Corder
- P Zone Text Amendments – S. Greenberg
- Comcast Franchise—K. Knight
- Conner Townhomes Long Plat – G. Steirer

COUNCILMEMBER ABSENCES:

Deputy Mayor Grausz: March 31