

ORDINANCE 1495

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, ADOPTING A NEW NORTH BEND MUNICIPAL CODE SECTION 13.36.420 RELATING TO THE OWNERSHIP AND RESPONSIBILITY FOR BUILDING SEWER CONNECTIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, RCW 35.67.020 provides that every city has the authority to manage, regulate and control systems of sewerage; and

WHEREAS, NBMC 13.36 establishes regulations for such systems of sewerage, including public sewer lines and building sewer lines, commonly known as side sewers, extending from public sewer lines to private property; and

WHEREAS, the City Council wishes to clarify in these regulations the responsibility of private property owners for the development, maintenance and operation of building sewer lines extending from the main terminal of a public sewer to private property;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. New NBMC Section 13.36.420 Adopted. A new North Bend Municipal Code Section 13.36.420 (to be entitled “Building Sewer Ownership and Responsibility”) is hereby adopted to read as follows:

13.36.420 Building Sewer Ownership and Responsibility.

It shall be the responsibility of the property owner to own and maintain the building sewer and appurtenances, including but not limited to check valves, cleanouts, and pumps, from the connection at the main of the public sewer to the building. In the event that more than one property is served by a single building sewer, it shall be the responsibility of all property owners using the building sewer to jointly maintain that portion of the building sewer serving more than one property.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by

state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This ordinance shall take effect five (5) days after its publication or publication of a summary of its intent and contents.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 6TH DAY OF AUGUST, 2013.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: August 14, 2013
Effective: August 19, 2013

Susie Oppedal, City Clerk