

ORDINANCE NO. 2014-942

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, AMENDING CHAPTER 13.05 OF THE DEER PARK MUNICIPAL CODE REVISING REGULATIONS RELATED TO WATER SYSTEM INSTALLATION AND IMPROVEMENTS; CONTAINING A SEVERABILITY PROVISION; AND SETTING AN EFFECTIVE DATE.

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WHEREAS, City staff have reviewed the provisions of Chapter 13.05 of the Deer Park Municipal Code and recommend the revisions to the same, as set forth in this Ordinance, to amend provisions in said Chapter which may conflict with state law and existing City practices; and

WHEREAS, the City Council has reviewed the provisions of this Ordinance and determined that adoption of this Ordinance is in the best interest of the citizens of the City of Deer Park; now, therefore,

**THE CITY COUNCIL OF THE CITY OF DEER PARK, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** Chapter 13.05 of the Deer Park Municipal Code is hereby amended to read as follows:

**Chapter 13.05  
WATER SYSTEM INSTALLATION AND MODIFICATION**

**Sections:**

- 13.05.010** Definitions.
- 13.05.015** Extension requirement - Cost responsibility generally.
- 13.05.020** Materials and specifications generally.
- 13.05.030** Compliance with authorities.
- 13.05.040** Application for Water Main extension - Water Main specifications - Plan Approval - Inspection Fees - Warranties.
- 13.05.045** Utility Reimbursement Agreements.
- 13.05.050** Fire flows.
- 13.05.060** Fire storage volumes and pressure.

- 13.05.070 Utility placement.
- 13.05.080 Pipe cover.
- 13.05.090 Fire hydrants.
- 13.05.100 Valves and fittings.
- 13.05.110 Valve location.
- 13.05.120 Water meter installation.
- 13.05.130 Source wells.
- 13.05.140 Variances.
- 13.05.150 Applicability – Scope of provisions.
- 13.05.160 Adjustment of fees.

**13.05.010 Definitions**

A. Unless otherwise specifically set forth herein, the definitions set forth in Chapter 13.04 DPMC apply to this Chapter.

B. Unless otherwise specifically set forth herein, the following terms used in this Chapter shall have the following meanings:

1. “Water Distribution Main” or “Water Main” means a pipeline that provides water service to more than one Customer.
2. “APWA” means the American Public Works Association.
3. “AWWA” means the American Water Works Association.
4. “Developer” means an individual, firm, corporation, limited liability company or partnership who proposes to construct City owned Utility Improvements in association with improvement of real property within the City limits or its urban growth area.
5. “DOH” means the Washington State Department of Health.
6. “DOE” means the Washington State Department of Ecology.
7. “Reimbursement Area” means and includes the properties that did not contribute to the original cost of the Utility Improvements and who may subsequently tap into or use the same (either through connecting directly or to laterals or branches), and that are subject to a Reimbursement Assessment established pursuant to a Utility Reimbursement Agreement.
8. “Reimbursement Assessment” or “Assessment” means an assessment established pursuant to a Utility Reimbursement Agreement and applied to property within the Reimbursement Area to reimburse the Developer for the costs of constructing the Utility Improvements.
9. “Utility Improvements” means municipal water, wastewater or storm drain

improvements, including but not limited to any Water Main, transmission pipelines, storage facilities, pumping plants, distribution mains, and any appurtenances thereto, constructed by a developer.

10. "Utility Reimbursement Agreement" shall mean a written contract or agreement between the City and one or more developers providing for construction of Utility Improvement and for partial reimbursement to the party causing such improvements to be made of a portion of the costs of such improvements, as more specifically described in Chapter 35.91 RCW, as the same now exists or as it may hereafter be amended.

**13.05.015 Extension requirement - Cost responsibility generally.**

A. A Water Main extension shall be required whenever more than one Customer is provided service, and the Premises to be served do not abut a Water Main, or the existing Water Main is not adequate to provide the necessary water pressure for low characteristics.

B. Any Water Main or other improvements connected to the Water System must comply with the City's standards and specifications. The cost of installing or extending Water Mains or other Water System improvements into new areas or within plats will be borne by the Owner/Operator or developer requesting such installation or extension. This includes the cost of storage, fire protection, and pressure reduction or booster pumping if the elevation is such that the City's normal pumping head cannot furnish the required pressure.

**13.05.020 Materials and specifications generally.**

Installation of any Water System in the Department shall conform, at a minimum, to the most current APWA Standard Specifications for Municipal Public Works Construction, to the most current Specifications of the AWWA, and to the recommendations of the manufacturer of the material or equipment concerned.

**13.05.030 Compliance with authorities.**

All Water System improvements shall comply, at a minimum, with the requirements of Chapter 246-290 WAC, Rules and Regulations of the DOH Regarding Public Water Systems, as existing or hereafter amended, Chapter 246-293 WAC, Water System Coordination Act: Fire Flow Requirements, as existing or hereafter amended, and all other applicable local, county, state and federal rules and regulations.

**13.05.040 Application for Water Main extension -Water Main specifications- Plan Approval - Inspection Fees - Warranties.**

A. Any Person, including Owner/Operator, contractor or developer (hereafter "Petitioner"), desiring to extend the Water Main or construct other Water System improvements, must submit an application for such extension or improvements to the Director. The Director may deny any application or request for Water Main extension or Water System improvements if the proposed extension is deemed to be an improper extension of the City Water System. Upon

receipt of the Water System design requirements from the Department, the Petitioner shall cause plans and specifications to be submitted in accordance with APWA and/or AWWA standards adopted by the Department as now exist or may hereafter be amended.

B. All new or replacement Water Mains shall, at a minimum, meet the criteria of AWWA (C900) Class 165 for twelve inch (12") diameter and smaller piping, and C905, Class 165 for piping larger than twelve inch (12") diameter. The size of each Water Main must be established by a hydraulic analysis using the appropriate land use to develop both domestic and fire flow requirements. The minimum Water Main size shall be eight inches (8") in diameter.

C. Plans and specifications for all Water Mains or other Water System improvements must be prepared or approved by a qualified, licensed engineer and submitted for approval to the City and DOH.

D. Upon the City's receipt of approval by the appropriate engineers and agencies, and after the City's approval, which approval shall not be provided until the City is in receipt of all fees required to be paid or deposited, including the fees identified in subsection E, installation or construction of the proposed Water Main or Water System improvements may commence. The City shall have the authority to stop work on any installation, construction, or extension of any Water Main or Water System improvement if such installation, construction or extension is not being carried out in accordance with the plans and specifications approved by the City. The Petitioner will be responsible for obtaining all easements, permits, approvals, and bonds required by agencies having jurisdiction over the installation, construction, or extension work.

E. The Petitioner shall be solely responsible for all construction and administrative costs associated with any Water Main extension or Water System improvements. Following approval of the plans and specifications by the Department, the Department shall provide the Petitioner with an estimate of the construction document review and construction inspection fees, which fees shall be established from time to time by resolution of the City Council, required to complete the project. The City shall issue a permit for construction of the proposed extension or improvements after the estimated document review fees and inspection fees have been deposited with the Clerk for the Department. In the event the Director determines the funds on deposit with the Clerk are not adequate to provide necessary inspections for project completion, the Petitioner shall be notified of such and an estimate of additional inspection fees required will be provided. The additional fees shall be deposited with the Clerk prior to depletion of the funds on deposit. All unused funds remaining in the deposit account upon completion and final acceptance of the extension or improvement project shall be remitted to the Petitioner.

F. All Water System (including Water Main) construction, installations, improvements, or extensions shall be guaranteed for at least one year from the date of project completion. Said guarantee shall cover material and workmanship by the contractor, Owner/Operator, or developer. Upon completion of the work, the contractor, Owner/Operator, or developer shall furnish the City with a letter indicating that the Water System is paid for and that no liens or state industrial claims are outstanding before service will be made available. The Department will then make a final inspection and notify the Owner/Operator, developer, or installing contractor that the Water System has been accepted or of any discrepancies existing

that may preclude acceptance of the Water System improvements. Upon formal acceptance of the Water System, in writing, the City will assume ownership and responsibility for maintenance of the Water System, except those items covered by the above warranty. The City reserves the right to reject any Water System construction, installation, improvement, or extension not inspected and/or approved by the Department.

#### **13.05.045 Utility Reimbursement Agreements.**

##### **A. Utility Reimbursement Agreement Application Eligibility.**

1. Whenever a Developer is required by DPMC Titles 13, 15, 16, 17, 18 and/or 19, or by other regulations, or an order of the Director or City Council, to construct Utility Improvements that benefit nonparticipating properties, the Developer may apply for a Utility Reimbursement Agreement to establish a Reimbursement Area that includes other properties benefiting from the improvements. Such application shall be filed with the Director within sixty (60) days of the date of completion and final acceptance of the Utility Improvements by the City.

2. In order to be eligible for a Utility Reimbursement Agreement, the cost to construct the Utility Improvements must not be less than ten thousand dollars. The cost of the Utility Improvements shall be determined, based upon a review of the actual construction costs for the project, as certified by the Developer's engineer.

##### **B. Utility Reimbursement Agreement Application Contents.**

1. Applications for establishment of a Reimbursement Area through a Utility Reimbursement Agreement shall be accompanied by a nonrefundable application fee, in an amount set by resolution of the City Council, to reimburse the City for expenses incurred by the City in processing the application.

2. An application shall be considered complete upon submission of the fee to the Director along with a written application that includes all of the following items:

a. Legal description of the applicant's property.

b. Detailed "as-built" construction plans and drawings of the entire project prepared and stamped by a licensed civil engineer, which plans and drawings must be consistent with City ordinances, standards, and/or adopted design manuals (as identified by the applicable development review process).

c. Itemization of all costs of construction of the project. Such construction costs shall be signed and stamped by a licensed civil engineer.

d. Scaled and clearly reproducible vicinity drawings, stamped by a licensed civil engineer or licensed land surveyor depicting the improvements, their location, the proposed benefit area (Reimbursement Area) including dimensions and county assessor's numbers for each tax parcel, size of parcels, and proposed method and evaluation for determining benefit.

e. A proposed assessment roll containing the county auditor's tax lot numbers, a certified list of record owners, legal descriptions and proposed Reimbursement Assessment for each separate parcel within the proposed Reimbursement Area as determined as set forth in Subsection C.

f. Such other information as the Director determines is necessary to properly review the application.

C. Determination of Reimbursement Area Boundaries and Assessments.

1. A Reimbursement Area shall be based upon a determination of which parcels did not contribute to the original cost of the Utility Improvements and who may subsequently tap into or use the same, including not only those who may connect directly thereto, but also those who may connect to laterals or branches connecting thereto.

2. The amount of the Reimbursement Assessment shall be established by the City using procedures to ensure that each property in the Reimbursement Area will be assessed an equitable share of the cost of the construction of the Utility Improvements. In determining the Reimbursement Assessment for Utility Improvements, the City may consider the total project cost of the Utility Improvements including all costs to design, engineer, construct, administrate, acquire additional easements or rights-of-way, and install the Utility Improvements within a specific geographic area to be served by the Utility Improvements, and any other equitable factors to be determined by the City at the time of application.

3. Following recording of the Utility Reimbursement Agreement, Reimbursement Assessments shall apply to all connections made to the Utility Improvements for a period not to exceed 20 years after the date the City makes final acceptance of the Utility Improvements.

D. Duration of Reimbursement Agreement. No Utility Reimbursement Agreement shall provide for reimbursement for a period longer than twenty years from the date of final acceptance of the Utility Improvements by the City.

E. Resolution of Preliminary Determination - Public Hearing.

1. The Director shall examine applications submitted in accordance with this Chapter and make recommendations to the City Council at a public meeting. The public meeting before the City Council shall be held within thirty (30) days of receipt of the Developer's complete application by the Director. The Director shall provide ten (10) days written notice to the Developer of the date, time and place of the public meeting. The City Council may accept, modify or deny the Developer's proposal. Any action to accept or modify the Developer's proposal shall require the adoption of a resolution of preliminary determination and shall be based upon a finding that the properties within the Reimbursement Areas are benefited from the Utility Improvements, and that the method of assessment equitably distributes the cost of installation between all benefited parties. The resolution of preliminary determination shall include the following:

- a. A map showing the geographical boundaries of the Reimbursement Area.
- b. The Reimbursement Assessments for the Reimbursement Area property.
- c. Notification to property owners within the Reimbursement Area of a public hearing to be held to consider final adoption of the preliminary determination within forty (40) days of the date of the passage of the preliminary determination resolution.
- d. Notification to property owners within the Reimbursement Area that the City Council at the public hearing may reduce the size of the Reimbursement Area, increase or decrease the final Assessments to Reimbursement Area property owners, or otherwise modify the terms of the

preliminary determination resolution without further notification to the Reimbursement Area property owners; provided that any increase in the Assessment to an individual Reimbursement Area parcel shall not modify the amount set forth in the resolution of preliminary determination by more than ten percent.

e. Notification that the City Council's decision following the public hearing is determinative and final.

f. Notification that the City Council may enter into a Utility Reimbursement Agreement with the Developer to carry out the preliminary determination resolution provisions or any modification thereof consistent with the terms of this Chapter made at the public hearing on the preliminary determination resolution and such Utility Reimbursement Agreement shall be binding on all Reimbursement Area property owners.

2. In reviewing the Director's recommendations, the City Council shall apply the criteria set forth in this Chapter and Chapter 35.91 RCW as it now exists or as it may be hereafter amended. The City Council may adopt, reject or modify the Director's determination.

F. Notification to Reimbursement Area Property Owners. Within ten (10) days of adoption of a resolution making a preliminary determination as provided in Subsection E, the Director shall send, by certified mail, a copy of the resolution to all property owners of record within the Reimbursement Area.

G. Public Hearing. The City Council's determination to approve a Utility Reimbursement Agreement following the public hearing shall be based upon a finding that the properties within the Reimbursement Area are benefited from the Utility Improvements, and that the method of establishing the Reimbursement Assessment equitably distributes the costs of installation between all benefited properties. The City Council may adopt, reject, or modify the preliminary determination resolution. The determination of the City Council following any such hearing is final.

H. Final Determination Ordinance - Written Agreement. Following the final determination of the City Council after the public hearing, a Utility Reimbursement Agreement in a form prepared by the City attorney and signed by the Developer shall be presented to the City Council containing the final determination of the Reimbursement Assessments for the Reimbursement Area. The Utility Reimbursement Agreement shall contain a provision that the City shall not be responsible for the costs of enforcement of the Utility Reimbursement Agreement and shall not under any circumstances be liable to the Developer or its successors for any of the costs of constructing the Utility Improvements that are the subject of the Utility Reimbursement Agreement. Upon approval by the City Council, the Mayor shall sign on behalf of the City and the Director shall record the Utility Reimbursement Agreement with the Spokane County Auditor and provide a recorded conformed copy to the Developer. The Utility Reimbursement Agreement shall be enforceable following recording with the Spokane County Auditor.

I. Costs and Fees - Developer Responsibility.

1. Developers petitioning the City Council to establish a Reimbursement Area shall pay all of the City's costs and fees for professional services incurred in establishing or attempting to establish a Utility Reimbursement Agreement with the Developer. The City's costs and fees for professional services shall include, but shall not be limited to, the costs for mailing notices, auditor's recording fees, fees for the City's professional engineering services or other consultant services, and reasonable attorney's fees incurred by the City.

2. In the event that costs incurred by the City as set forth in Subsection I(1) exceed the amount of the application fee established pursuant to Subsection B, the Director shall so advise the City Council and the City Council's approval of the Utility Reimbursement Agreement shall be conditioned upon the prior receipt of payment by the Developer of an amount sufficient to compensate the City for its costs in excess of the application fee.

J. Collection of Assessments.

1. Subsequent to the recording of a Utility Reimbursement Agreement, the City shall not permit connection of a Reimbursement Area property to any Utility Improvements constructed pursuant to the Utility Reimbursement Agreement, unless the Reimbursement Assessment applicable to the property is first paid to the Developer.

2. Upon receipt of any Reimbursement Assessment, the City shall deduct a six percent administrative fee and remit the balance of the Reimbursement Assessment to the Developer or its successor. In the event that, through error, the City fails to collect a required Reimbursement Assessment prior to approval of connection to a Utility Improvement, the City shall make diligent efforts to collect such Assessment, but shall under no circumstances be obligated to make payment to the Developer or its successor, or in any other way be liable to such party.

3. Throughout the term of the Utility Reimbursement Agreement the Developer shall notify the City, in writing, of any change of its name or address. Absent such notice, the City is not responsible for locating any Developer or successor entitled to benefits under the Utility Reimbursement Agreement. The Developer may not assign any rights under the Utility Reimbursement Agreement without written notification to the City. Absent such notification, any assignment of rights under the Utility Reimbursement Agreement shall have no effect on the obligations of the City under the Utility Reimbursement Agreement.

4. Notwithstanding any contrary provision above in this Section, each Utility Reimbursement Agreement approved by the City shall include a provision requiring that every two years from the date the Agreement is executed a Developer or its successor shall provide the City with information regarding the current name, address and telephone number of the Developer or its successor. If the Developer or its successor fails to comply with the notification requirements of this subsection within sixty (60) days of the specified time, then the City may collect any Reimbursement Assessments owed to the Developer or its successor under the Utility Reimbursement Agreement. Such Assessments shall be deposited by the City in the general fund of the City.

5. Any Reimbursement Assessments collected by the City and not claimed by the Developer (or successor) within one hundred-eighty (180) days from the date collected shall become the property of the City. Before the expiration of the one hundred-eighty (180) days, the City shall send to the Developer (or successor), by certified mail, return receipt

requested, a final notice of the City's intent to deposit the Reimbursement Assessments in the general fund of the City. If the City does not receive a response in writing by the expiration of the 180 days, the City shall deposit the revenue to the City general fund.

6. In the event the City becomes a party to any litigation arising out of a City attempted enforcement of a Utility Reimbursement Agreement against a Reimbursement Area property owner, the City shall be entitled to recover from the Developer or its successor its reasonable attorneys' fees and costs, which fees and costs shall constitute a lien upon all funds due the Developer or its successor pursuant to the Utility Reimbursement Agreement.

K. City - Not Liable. The City reserves the right to refuse to enter into any Utility Reimbursement Agreement or to reject any application therefore. The City shall not be liable under a Utility Reimbursement Agreement or otherwise to pay for any of the costs of the Utility Improvements constructed by a Developer.

L. Release of Assessments. When the Reimbursement Assessment is received by the Developer or its successor for a property subject to the Utility Reimbursement Agreement, the Developer or its successor shall record a certificate of payment and release of the Reimbursement Assessment as to the applicable property within sixty (60) days of payment of the Reimbursement Assessment.

**13.05.050 Fire flows.**

Minimum fire flow capacities for Water Systems are set forth as follows:

<b>Development Classification</b>	<b>Minimum Fire Flow Requirements<sup>1</sup></b>
Residential medium and low density: less than 1/4 acre	500 gpm for 2 hours
Residential suburban: 1/4 acre – 1 acre	500 gpm for 1 hour
Rural residential: greater than 1 acre – 2 acres	500 gpm for 30 min.
Rural: greater than 2 acres	None
Commercial/industrial and multifamily <sup>2</sup>	Chapter 246-293 WAC (DOH) fire marshal

<sup>1</sup>Minimum flows are in addition to requirements for normal Domestic maximum usage.

<sup>2</sup>Multifamily structures greater than 4,000 square feet may be subject to greater flow requirements.

<sup>3</sup>Commercial and industrial buildings may be subject to more stringent flow requirements when evaluated on an individual basis by the fire marshal, or authorized designee, within incorporated areas.

It should be noted that the fire marshal, or authorized designee, may impose more stringent fire flow or other requirements needed to provide additional protection required by structures, complexes, development, or projects which have increased fire risk hazards.

#### **13.05.060 Fire storage volumes and pressure.**

Minimum fire storage volumes shall be sized to be compatible with the DOH fire flow, standby storage, and equalizing storage requirements. Water Systems should be hydraulically designed to provide a service pressure range of 40 to 90 psi. A minimum residual pressure of 20 psi under peak Domestic and fire flow conditions is required.

#### **13.05.070 Utility placement.**

All Water Mains or other Water System facilities or improvements must be installed in accordance with a utility locating system established by the City. The placement of all Water Mains, fire hydrants, and other Water System facilities or improvements should be located in public rights-of-way. Where public rights-of-way are not available, permanent utility easements shall be obtained with a 15-foot minimum width. Piping or other facilities shall be installed no closer than five feet from the easement's edge, unless approved, in writing, by the City.

#### **13.05.080 Pipe cover.**

A five-foot minimum cover is required from the finished or existing ground surface, whichever is lower, to the top of the pipe for all installed transmission, distribution, and service piping.

#### **13.05.090 Fire hydrants.**

A. Fire hydrants shall be of a model approved by the fire marshal, or City or District fire chief, and conform to AWWA Standard 502 for post-type, dry-barrel, self-draining hydrants suitable for at least a sixty inch (60") depth. Each hydrant shall have a five-and-one-quarter-inch (5¼") minimum barrel diameter, two two-and-one-half-inch (2½") hose connections, and one four-and-one-half-inch pumper port with a five inch (5") Storz adapter. All ports shall have national standard threads or other connection devices consistent with the requirements of the fire marshal or City or District fire chief. All valves and caps shall open counterclockwise and have flat point pentagon operation and cap nuts.

B. A minimum six-inch (6") diameter lateral pipe and isolation valve is required for connecting hydrants to any Main Line. Where hydrants are located more than 50 feet from a Main Line, a minimum eight-inch (8") diameter lateral pipe and isolation valve is required. A

soft seated check valve may also be required if the lateral only serves a fire hydrant.

C. Fire hydrant installation shall conform to AWWA Standard C600 provisions. Fire hydrants must stand plumb and be set to the finish grade. The bottom of the lowest outlet of the hydrant shall be no less than eighteen inches (18") above the finished grade. In addition, all hydrants shall be installed with a minimum of a thirty-six inch (36") unobstructed radius around the hydrant. Hydrants shall be aligned so that pumper ports face toward the road or most probable route of access of the fire truck.

D. Fire hydrant location shall be determined by the fire marshal or City or District fire chief. In general, hydrants shall be predicated on the location of street intersections wherever possible and located to minimize the hazard of damage by traffic. Hydrant spacing shall be as follows:

<b>Development Classification</b>	<b>Hydrant Spacing</b>
Urban residential: less than 1/4 acre	330 feet
Suburban/rural residential: 1/4 acre – 2 acres	660 feet
Rural: more than 2 acres	No requirements
Commercial/industrial and multifamily	Chapter 246-293WAC

Classification refers to county land use plan.

The City may enter into contracts with fire protection authorities to ensure proper maintenance of new and existing public fire hydrants. Said contracts shall assign responsibility to the appropriate fire protection authority for such items as inspection, flow testing, painting, visibility, and accessibility. The City shall be responsible for mechanical maintenance.

#### **13.05.100 Valves and fittings.**

All valves shall be rated and tested at 150 psi working pressure or greater. Standard fittings meeting AWWA C110, and all valves ten inches (10") and smaller, shall be resilient-seated gate valves conforming to AWWA C509. Valves twelve inches (12") and larger shall be butterfly valves conforming to AWWA C504 and meet manufacturer's recommendations for specific uses and installation.

**13.05.110 Valve location.**

Valves shall be spaced and system pipelines looped so that no more than one block is deprived of service in the event of a shutdown of any pipeline segment to which Customers are directly connected. In addition, unvalved lengths of pipe should not exceed 500 feet in school, commercial, or multifamily areas, and 800 feet in residential areas, where Customers are being served. Valves shall be flange connected to intersection fittings.

**13.05.120 Water meter installation.**

A. All installed water meters shall conform with AWWA C700 standards.

B. Water service lines two inches (2") in diameter and smaller extending from the Water Main to the meter shall be composed or constructed of copper tubing, Type K. The minimum size for service lines shall be one-inch (1") diameter.

C. All service lines beyond the meter shall comply with the provisions of the Uniform Plumbing Code.

**13.05.130 Source wells.**

A. New sources must conform with the latest revisions to all standards regulated by DOE and the DOH. Specifically, this includes Chapter 246-290 WAC, Rules and Regulations of the State Board of Health Regarding Public Water Systems, as administered by the DOH.

B. All well bores for future source wells in the basalt aquifer shall be sealed through the gravel aquifer to prevent migration and mixing of different ground waters. In addition, all future source wells are to be equipped with air lines or other water level measuring devices and master flow meters which register the total quantity of water pumped.

**13.05.140 Variances.**

The fire marshal or City or District fire chief may require or allow, and shall approve, any variance in required fire flow and/or other requirements in consideration of factors not encompassed within these standards (e.g., large commercial complexes, large structures with exposure hazards, consideration of automatic sprinkler protection, etc.).

**13.05.150 Applicability – Scope of provisions.**

These minimum standards, as established for all Water Systems in the City, are considered the minimum standards permitted for new expanding Water Systems. It is within the discretion of the City to require more stringent standards if it deems it appropriate. It may not, however, reduce the requirements of these minimum standards for new facility construction.

**13.05.160 Adjustment of fees.**

The City Council of the City may, at its discretion, adjust certain fee structures for the approval and inspection of Water Systems in this chapter.

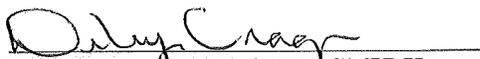
**Section 2.** If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 3.** This Ordinance shall take effect and be in full force five (5) days after this Ordinance or a summary thereof consisting of the title is published.

APPROVED:

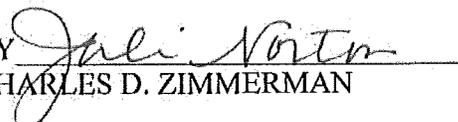
  
MAYOR ROBERT WHISMAN

ATTEST/AUTHENTICATED:

  
DEBY CRAGUN, CITY CLERK

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

for BY   
CHARLES D. ZIMMERMAN

FILED WITH THE CITY CLERK: 14 March 2014  
PASSED BY THE CITY COUNCIL: 02 April 2014  
PUBLISHED: 09 April 2014  
EFFECTIVE DATE: 16 April 2014  
ORDINANCE NO. 2014-942

SUMMARY OF ORDINANCE NO. 2014-942

of the City of Deer Park, Washington

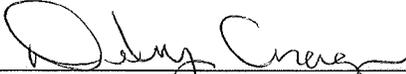
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On the 2<sup>nd</sup> day of April, 2014, the City Council of the City of Deer Park, Washington, passed Ordinance No. 2014-942. A summary of the content of said Ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF DEER PARK, WASHINGTON, AMENDING CHAPTER 13.05 OF THE DEER PARK MUNICIPAL CODE REVISING REGULATIONS RELATED TO WATER SYSTEM INSTALLATION AND IMPROVEMENTS; CONTAINING A SEVERABILITY PROVISION; AND SETTING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 3<sup>rd</sup> day of April, 2014.

  
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DEBY CRAGUN, CITY CLERK