



Legislation Text

File #: CB 119963, Version: 1

CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to Seattle Public Utilities; updating water regulations to conform to current standards; making technical corrections; amending Sections 21.04.010, 21.04.020, 21.04.050, 21.04.060, 21.04.080, 21.04.150, 21.04.210, 21.04.300, 21.04.460, 21.04.530, 21.04.580, 21.08.010, and 21.12.020 of the Seattle Municipal Code; repealing Section 21.04.590 of the Seattle Municipal Code; and adding new Sections 21.04.025, 21.04.061, and 21.04.062 to the Seattle Municipal Code.

WHEREAS, portions of the City’s water code, Subtitle I of Title 21 of the Seattle Municipal Code, were originally adopted in 1893 and 1935 and have become outdated and inconsistent; and

WHEREAS, it serves the public interest for the City to update provisions of the City’s code to be consistent with current terminology and practices; NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 21.04.010 of the Seattle Municipal Code, last amended by Ordinance 118396, is amended as follows:

**21.04.010 Definitions (~~(--Number and gender--)~~)**

The word "Director" (~~(wherever used)~~) in this (~~(chapter,)~~) Chapter 21.04 means the Director of Seattle Public Utilities(~~(, and any act in this chapter required or authorized to be done by the Director, may be done on behalf of the Director by an authorized officer or employee of the Seattle Public Utilities)~~). The word "person" (~~(wherever used)~~) in this (~~(chapter)~~) Chapter 21.04 means and includes natural persons of either sex, associations, copartnerships, and corporations whether acting by themselves or by a servant, agent, or employee(~~(; the singular number includes the plural and the masculine pronoun includes the feminine)~~).

Section 2. Section 21.04.020 of the Seattle Municipal Code, last amended by Ordinance 124919, is

amended as follows:

**21.04.020 Connection to water supply system - Application((-))**

Any person desiring ~~((to have premises connected with))~~ connection to the water supply system of the City shall ~~((present at the office of the))~~ make application to Seattle Public Utilities. ~~((a copy of a building permit or a regular certified copy from the Director of the Seattle Department of Construction and Inspections, containing the applicant's name, description of the lot, block, and addition, and the official house number of the premises~~ ~~on))~~ The application, provided by Seattle Public Utilities, shall require, at a minimum, the legal property owner's name, the address(es) as assigned by the permitting agency for which water is desired, and ~~((shall make application therefor upon a printed form to be furnished for that purpose. The application shall contain the description of the premises where such water is desired, specify the size of service pipe required, state fully the purposes for which water is to be used, be signed by the))~~ a site plan. The legal owner of the ~~((premises))~~ parcel to be served or the owner's ~~((duly))~~ authorized ~~((agent, and be filed in))~~ representative shall sign and file the application with the office of the Director. At the time of filing ~~((such))~~ the application the applicant shall pay to the Director ~~((of Finance and Administrative Services, and make receipt therefor,))~~ the fees for installation of water services ~~((provided in this Chapter 21.04)).~~

Section 3. A new Section 21.04.025 is added to the Seattle Municipal Code as follows:

**21.04.025 Domestic connection requirements**

No permit exempt well, as provided for under RCW 90.44.050, shall be allowed in lieu of a connection to the water supply system of the City for domestic water use.

Section 4. Section 21.04.050 of the Seattle Municipal Code, last amended by Ordinance 123361, is amended as follows:

**21.04.050 Connection - City responsibility((-))**

Upon the presentation at the office of the Director of Finance and Administrative Services' receipt for the

installation fees and the execution of the contract provided for in Section 21.04.030, the Director shall cause the premises described in the application, if the same abut upon a street in which there is a City water main, to be connected with the City's water main by a service pipe extending at right angles from the main to the property line, except as provided in Sections 21.04.060, 21.04.061, 21.04.062, 21.04.070 and 21.04.080. The City connection, which shall include a union placed at the end of pipe, and a stopcock placed within the curblin, shall be maintained by and kept within the exclusive control of the City.

Section 5. Section 21.04.060 of the Seattle Municipal Code, last amended by Ordinance 123538, is amended as follows:

**21.04.060 (~~Connection Where permanent structure erected Premises not abutting street with water main Limitations.~~) Permanent structures and relocating water connections**

~~((A.))~~ Whenever it has been ascertained that a retaining wall, ornamental wall, ~~((or))~~ landscape rockery, or any other form of permanent structure is to be, or has been, erected upon any portion of a City street or public place in which a water service connection has been installed, the Director may cause the relocation or readjustment of such water service connection or any portion thereof. The cost of such relocation or readjustment shall be charged ~~((against))~~ to the property ~~((at))~~ owner upon which the ~~((erection of the permanent))~~ structure ~~((, as hereinabove referred to,))~~ is ~~((to be))~~ or has been ~~((done, and to the property owner thereof))~~. In no case shall the City be required to maintain or repair any portion of the service connection between the union and property line.

**21.04.061 Water mains required before connections**

~~((B.))~~ A. In case of application ~~((for water service))~~ to supply ~~((premises))~~ water service to a parcel not abutting ~~((upon))~~ a street(s) in which there is a standard or suitable City distribution water main to the extent of the parcel boundary, the Director will require construction of a standard distribution water main abutting the property before a connection is made ~~((; provided that, under certain conditions, a temporary connection may be provided for the property, or a service to the property of the applicant may be placed along and beneath any~~

~~public street or avenue.))~~ , unless otherwise approved by the Director. The standard distribution water main shall be constructed in the abutting street to the extent of the parcel boundary, as required by the utility for the orderly extension or efficient gridding of the public water system. The standard distribution water main shall be constructed in accordance with the City's Standard Plans and Specifications and other applicable design standards and guidelines. The Director, pursuant to ~~((the Administrative Code))~~ Chapter 3.02~~(( ))~~, shall establish criteria, rules, and procedures ~~((for making the aforementioned exceptions.))~~ to implement this subsection 21.04.061.A.

~~((C.))~~ B. Where water main construction is required and the applicant and/or other property owners jointly wish to construct the required water mains and appurtenances, the Director is authorized to enter into a water main addition or extension agreement as set forth in ~~((the))~~ application and agreement forms ~~((attached as Exhibit "A" to Ordinance 65877 or such revised forms as approved by the City Attorney and adopted by Rule))~~ provided by Seattle Public Utilities.

#### **21.04.062 Service connection limitations**

~~((D.))~~ The Director may limit the size and number of service connections ~~((which))~~ that may be allowed for any separate property. No service connection will be allowed from the City mains to any property supplied by water from any other source unless special permission is given by the Director, which special permission may be terminated at any time, if in the judgment of the Director the public interest would be best served.

Section 6. Section 21.04.080 of the Seattle Municipal Code, last amended by Ordinance 118396, is amended as follows:

#### **21.04.080 Separate service connections for each house-Exceptions(( ))**

Where there is a water main in front of any premises, the owner of each ~~((house))~~ parcel supplied by City water must install ~~((his own))~~ a separate service connection with the City main, and the premises so supplied will not be allowed to supply water to any other premises, except:

A. ~~((temporarily))~~ Temporarily where there are no mains in the street~~((, provided that such restrictions~~

~~shall not apply to~~) ; or

B. When services for such supply are already installed (~~unless (in the judgment of)~~) the Director (~~(it is found)~~) finds it necessary to enforce such provisions as to connections already made (~~(- Provided, further, where)~~) ; or

C. Where two ((2)) or more buildings are supplied by one ((1)) metered service, in which case not less than the minimum rate for premises supplied by meters(~~(, hereinafter provided for,)) shall be assessed for each separate building or premises~~ (~~(so supplied)~~).

Section 7. Section 21.04.150 of the Seattle Municipal Code, enacted by Ordinance 72857, is amended as follows:

**21.04.150 Unused connections(~~(-)~~)**

On all inactive water service connections (~~(unused for a period fifteen (15) years, or more, from date of installation, the City reserves the right: (A) to consider)~~) (i.e., without a meter), the Director may determine the (~~((same))~~) water service to be obsolete or substandard based on age, material, size, location, or other relevant factors, and (~~(remove the service, at the City's option; or (B) to require payment for)~~) require the retirement of the inactive service and installation of a new service.

Section 8. Section 21.04.210 of the Seattle Municipal Code, last amended by Ordinance 118396, is amended as follows:

**21.04.210 Discontinuance of service (~~(-Reinstallation application-Temporary service.)~~)**

~~((A-))~~ Unless otherwise approved by the Director, ((W)) whenever the owner of any premises connected with the City's water supply system desires to discontinue the use of water, (~~(he)~~) the owner shall make written application to have the (~~(meter removed from the service.)~~) water service retired. The actual cost of (~~(removing meter)~~) retiring the water service shall be charged to the property owner, except that the Director may establish standard charges based on a review of prevailing actual costs (~~(of removal of meters. The same rate shall apply~~

for reinstatement)).

~~((B. When it is desired to have a meter reinstalled the owner of the premises to be supplied by such meter shall file an application at the office of the Director on forms provided for the purpose, and shall pay the cost in full for such reinstallation.~~

~~C. The Director shall cause the reinstallation of meters within twenty-four (24) hours after the receipt of application for same. In the event of emergency the Director may, at his discretion, permit the temporary use of unmetered water, such temporary use to be limited to the time of the placing of the meter on the service connection.~~

~~D. In all cases of the City furnishing temporary service within the meaning of this section a charge to be determined by the Director of Seattle Public Utilities based on the actual cost of furnishing the temporary service shall be added to and made a part of the regular meter charges.))~~

Section 9. Section 21.04.300 of the Seattle Municipal Code, enacted by Ordinance 65877, is amended as follows:

**21.04.300 City right to shut off water((;))**

The City reserves the right ~~((at any time, without notice,))~~ to shut off the water supply for repairs, extensions, nonpayment of ~~((rates))~~ bills, or any other reason, and the City shall not be responsible for any damage, such as bursting of boilers supplied by direct pressure~~((;))~~, the breaking of any pipes or fixtures, stoppage or interruption of water supply, or any other damage resulting from the shutting off of water.

Section 10. Section 21.04.460 of the Seattle Municipal Code, enacted by Ordinance 65877, is amended as follows:

**21.04.460 Separate meters on same service-Rounding off of rates((;))**

A. In all cases where water is furnished for purposes other than manufactories, laundries, and elevators on the same service, separate meters must be provided and the water consumer charged at schedule rates, and such consumers must pay for all service connections as provided in this ~~((chapter))~~ Chapter 21.04.

B. In computing meter rates as provided (~~((hereinbefore))~~) in this Chapter 21.04, results (~~((ending in One or Two Cents (\$.01 or .02) will be counted "0" ; results ending in Three (\$.03), Four (\$.04), Six (\$.06), or Seven Cents (\$.07) will be counted "5" ; results ending in Eight (\$.08) or Nine Cents (\$.09) will be counted "10."))~~) will be rounded to the nearest five cents.

Section 11. Section 21.04.530 of the Seattle Municipal Code, last amended by Ordinance 118396, is amended as follows:

**21.04.530 Use of fire hydrants((-))**

A. It shall be unlawful for any person, ~~except ((when duly))~~ a Fire Department employee or anyone authorized by the Director, ((or who shall be a member of the Fire Department,)) to open, operate, close, turn on, turn off, interfere with, attach any pipe or hose to, or connect anything ~~((with))~~ to any fire hydrant((-, stop valve or stopcock)) belonging to the City.

B. Any person, ~~((other than employees of the))~~ except a Fire Department employee, requiring the use of any hydrant~~((, stopcock or valve))~~ belonging to the City must ~~((make written application for the same in advance))~~ submit an application to the Director for a permit. Approved use of a hydrant shall conform to the conditions of the permit and comply with City and State cross-connection control codes and regulations. ((The Director shall then send a hydrant inspector to open such hydrant, stopcock or valve, and the time of such inspector shall be charged to the person making application for the use of such hydrant, stopcock or valve. Should it be necessary for the inspector to remain at the hydrant, stopcock or valve until the person using the same has secured the necessary supply of water, the full time consumed by the inspector shall be charged to the person securing such service, but in no case shall the charge be less than One Dollar (\$1.00). The Director may require a deposit in advance as a condition for supplying such water.))

C. Any person making application for use of a hydrant as part of a master filming permit pursuant to Section 15.35.010 ~~((of this Code))~~ shall pay only the applicable fee set forth in the Master Filming Permit Fee Schedule.

Section 12. Section 21.04.580 of the Seattle Municipal Code, enacted by Ordinance 65877, is amended as follows:

**21.04.580 Violation-Penalty((;))**

Any person violating any of the provisions of this ((chapter)) Chapter 21.04 shall be ((deemed)) guilty of a gross misdemeanor((;)) and upon conviction ((thereof,)) shall be punished by a fine ((in any sum)) not exceeding ((One Hundred Dollars (\$100.00),)) \$5,000, or imprisonment for a term not exceeding ((thirty (30) days,)) 364 days, or by both such fine and imprisonment.

Section 13. Section 21.04.590 of the Seattle Municipal Code, last amended by Ordinance 118396, is repealed:

**~~((21.04.590 Violation – Reward for securing conviction.~~**

~~The Director shall cause a reward not to exceed One Hundred Dollars (\$100.00) to be paid to any person securing the conviction of any person for violation of any of the provisions of this chapter.))~~

Section 14. Section 21.08.010 of the Seattle Municipal Code, last amended by Ordinance 123668, is amended as follows:

**21.08.010 Definitions((;))**

A. The following words and terms used in this ((chapter)) Chapter 21.08 shall have the meanings set forth in this ((section)) Section 21.08.010 unless otherwise indicated by their context:

((1-)) "Anticorrosion chemical feeding equipment" means any apparatus designed or used to introduce measured quantities of chemicals into the potable hot water supply ((in order)) to prevent or control corrosion.

((2-)) "Backflow prevention device" means equipment designed or used to counteract pressures or prevent back siphonage.

((3-)) "Cross-connection" means a physical arrangement whereby a public water supply is connected, directly or indirectly, to a device ((which)) that meters, injects, or otherwise applies chemical



substances thereto.

((4.)) "Director of Public Health" means the Director of Public Health-Seattle & King County or ((his authorized representative)) designee.

((5.)) "Licensed steam engineer" means a person holding a currently valid license as a steam engineer, grade III, or superior grade, issued in accordance with ((Ordinance 94595)) Chapter 6.420.

((6.)) "Professional engineer" means a person holding a currently valid license from the state to practice engineering in its sanitary, civil, or mechanical branches, and a corporation qualified to perform such professional services through licensed professional engineers.

((7. "Director of Seattle Public Utilities" means the Director of the Seattle Public Utilities or his or her authorized representative.))

B. Time periods measured by a specified number of days, are computed by excluding the day of the act or default from which the time period begins to run, and including Saturdays, Sundays, holidays, and the last day of the period so computed, but if the last day is a Sunday or legal holiday, performance may be accomplished the following day.

Section 15. Section 21.12.020 of the Seattle Municipal Code, last amended by Ordinance 118396, is amended as follows:

**21.12.020 Notice of ~~((cut-off))~~ shut off of water supply~~((Publication in official newspaper.))~~**

Before allowing the water supply to be ~~((cut))~~ shut off ~~((from))~~ to any portion of the City, the Director of Seattle Public Utilities shall give at least ~~((twenty-four (24)))~~ 24 hours' notice of the intended ~~((cutting off by publishing notice thereof in the City official newspapers, designating the portions of the City affected by such cutting off and the))~~ water shut off to impacted customers. The notice shall include the date and time of outage and probable length of time ~~((that the same will continue, and no cutting off of water))~~ for the water shut off. No water shut off shall be made except after such notice is provided. ~~((; provided, that in the case of))~~ If an accident or emergency ~~((which will))~~ does not permit such notice, the water may be ~~((cut))~~ shut off

immediately without notice(~~(, that if the same is not turned on within twenty-four (24) hours, a notice shall be published in the City official newspapers stating the portions of the City affected by such cutting off and the probable length of time that the same will continue))~~).

Section 16. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

\_\_\_\_\_ by me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)