

ORDINANCE NO. 826

**AN ORDINANCE RELATING TO PUBLIC UTILITIES,
AUTHORIZING THE USE OF CERTAIN METHODOLOGIES
UNDER CONDITIONS, ADDING A NEW SECTION TO
ARTICLE IV, CHAPTER 13.12.020, PROVIDING AN
EFFECTIVE DATE AND FOR SEVERABILITY.**

R E C I T A L S:

1. The City maintains a wastewater collection and treatment system to serve its citizens and those of the surrounding area.

2. The Council and Mayor have received the recommendations of City Staff to allow the use of an alternative means of collection and transfer to the City's main gravity system, specifically a low pressure sewer system using grinder pumps commonly referred to as a "grinder system."

3. They have determined it appropriate to allow such utilization under certain terms and conditions when it is found not feasible to utilize the gravity system for collection and transmission.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

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100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557*

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SECTION I: There shall be added to Article IV of Chapter 13.12 of the Municipal Code a new section to read as follows:

Authorization of Use of Grinder Pump Sewer Systems and Conditions Related Thereto:

Grinder pump sewer systems, as defined in Section 13.12.020[29], as now existing or hereafter amended or succeeded, shall not be installed and used in lieu of the orderly extension of gravity sewers unless such installation and utilization is approved by action of the City Council as being in the best interests of the City and subject to compliance with the the following provisions.

A. Grinder pump installation and use shall be subject to the following requirements and/or limitations:

1. New individual grinder pump system authorization and use is limited to situations where:

a. A public gravity sewer line is contiguous to the property, but terrain, natural features, or other physical barriers prohibit a gravity connection; or

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b. For the conversion of onsite sewage systems to public sewer or for infill development only where it is specifically found by the City Council, after review of information provided by the applicant and the Director of Public Works, hereinafter the Director, as being in the best interest of the City or

c. The nearest public gravity sewer line capable of providing service to the property is more than two hundred (200) feet from the boundaries of the property.

2. Grinder pumps and side sewers which are installed as part of a grinder pump sewer system shall be purchased, owned, maintained and operated by the property owner. At all times they are connected to the City's system, such installations shall be in compliance with such rules and regulations as may be adopted by action of the Council or issued by the Director after approval by the Council.

3. Grinder pump force mains receiving effluent from one or more properties shall be publicly owned and maintained. Publicly-owned grinder pump force mains shall be permitted only where the City Council, after review of recommendations received

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from the Director of Public Works, determines it to be in the best interest of the City and construction of a gravity and lift station sewer system is not a reasonable alternative, whether for physical or fiscal reasons.

When such approval is given, upon approval of the plans and specifications by the Director, the installation of the public grinder pump force mains shall be carried out by the applicant and all costs, including permit and inspection fees, shall be borne by the applicant. As indicated, any such installation shall be in accordance with the applicable Engineering Design and Development Standards of the City.

4. Any applicant requesting authorization to connect a grinder system to the City's system shall execute such agreement as may be required by the City. Such agreement shall include confirmation of the following and such other elements as may from time to time be deemed necessary:

a. recognition of the responsibility of the applicant and the applicant's successors to maintain the system in compliance with the City's requirements as they from time to time exist;

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b. that the City may terminate access to the City's system in the event of a failure to comply with the requirements, as then existing or thereafter implemented; and

c. the responsibility to reimburse the City for any costs resulting from the failure to comply, including any expense incurred by the City to obtain compliance.

C. In the event that any time the City approves the utilization of Septic Tank Effluent Pump (STEP) systems, as defined in Section 13.12.020[29], as now existing or hereafter amended or succeeded, grinder pump side sewers and force mains shall not be permitted to discharge to designated STEP force mains unless it is determined by the Director or his/her designee to be in the best interest of the City.

SECTION II: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared

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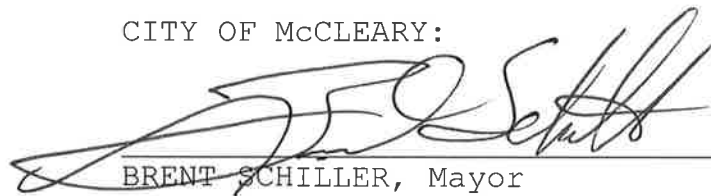
invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION III: This Ordinance shall take effect upon the fifth day following date of publication.

SECTION IV: Corrections by the Clerk-treasurer or Code Reviser. Upon approval of the Mayor and City Attorney, the Clerk-treasurer and the Code Reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors, references to other local, state, or federal laws, codes, rules, or regulations, or ordinance number and section/subsection numbering.

PASSED THIS 9th DAY OF NOVEMBER, 2016, by the City Council of the City of McCleary, and signed in approval therewith this 9th day of November, 2016.

CITY OF McCLEARY:


BRENT SCHILLER, Mayor

ATTEST:



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WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)
 : ss.
GRAYS HARBOR COUNTY)

I, WENDY COLLINS, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance Number 826 and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number 826, as it was published, is on file in the appropriate records of the City of McCleary.

Wendy Collins
WENDY COLLINS

SIGNED AND SWORN to before me this 15th day of November, 2016, by WENDY COLLINS.



Lindsay Blumberg

NOTARY PUBLIC IN AND FOR THE STATE OF
WASHINGTON, Residing at: Grays Harbor
My appointment expires: May 6, 2017

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SYNOPSIS OF ORDINANCE NO. 826

**AN ORDINANCE RELATING TO PUBLIC UTILITIES,
AUTHORIZING THE USE OF CERTAIN
METHODOLOGIES UNDER CONDITIONS, ADDING A
NEW SECTION TO ARTICLE IV, CHAPTER
13.12.020, PROVIDING AN EFFECTIVE DATE AND
FOR SEVERABILITY.**

On November 9, 2016, the City Council of the City of McCleary adopted Ordinance Number 826. The intent and purpose of the Ordinance was establish provisions under which the solid waste disposal system known as "grinder pump" would be allowed to be utilized and connected with the City's sewer collection system. Specific conditions and requirements are set out including provisions relating to management, authorization, penalties for non-compliance established, rule making authority provided, and all associated matters.

A complete copy of this Ordinance is available during regular business hours at the Office of the Clerk-Treasurer, City Hall, McCleary, Washington. The Ordinance will be made available for review without cost; a copy will be provided upon request without cost if such request is timely made. This Synopsis is published pursuant to the laws of the State of Washington.

DATED this 14th day of November, 2016.

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WENDY COLLINS, Clerk-Treasurer

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