

Date: February 25, 2010
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c: *Central Files*
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Project No./Name: 135-12562-09001 (Task 0600) Pt. Hadlock Wastewater System
Subject: Researched Data and Team Recommendations for Development of Sewer System Policies and Sewer Ordinance

INTRODUCTION

This technical memorandum summarizes the project team's research and work for Task 600 – Policies and Ordinances. With the construction of the Pt. Hadlock Wastewater System, Jefferson County will need to develop sewer policies and ordinances necessary to effectively manage the new system. This technical memorandum provides a summary of topics and key issues for the County to consider when writing the sewer policies and ordinances.

In order to develop the recommended sewer policies and ordinance considerations, background research was conducted by reviewing the sewer codes of more than 20 Western Washington Sewer Utilities. Four relevant jurisdictions were identified to make a detailed comparison of the policy and ordinance topics. A Sewer Advisory Group (SAG) was established by Jefferson County and the Tetra Tech Team facilitated four SAG meetings to present and discuss the detailed policy issues. The recommendations and background research are summarized in this technical memorandum and should be used as a reference when writing the sewer ordinance and sewer policies for the Pt. Hadlock Wastewater System.

The contents of this technical memorandum include the following:

- A research summary of the policies and ordinances of relevant jurisdictions.
- A summary of the Sewer Advisory Group's (SAG's) findings and recommendations developed through a series of four facilitated meetings.
- Meeting summaries from each of the four SAG meetings.
- A recommended model county sewer code to be used as a starting point for drafting a sewer ordinance.

RESEARCH OF OTHER JURISDICTIONS

With the development of the Pt. Hadlock Wastewater System, Jefferson County will be entering into a new area of business and responsibility. This will require establishing sewer policies, drafting a sewer ordinance, receiving input from affected citizens and having it approved by the Board of County Commissioners. While establishing a sewer utility is new to Jefferson County government, there are numerous functioning sewer utilities operated by local jurisdictions throughout the State of Washington and beyond.

Background research was conducted by reviewing the sewer codes of more than 20 Western Washington Sewer Utilities. Sewer ordinances are typically codified in the county or city code under Chapter 13 and often available online. The review considered such issues as organization of the code, a stand-alone sewer system compared to a combined water/sewer system, operation of both the collection and treatment sides of a sewer utility, type of jurisdiction such as county or city, type of rate structure, clarity and simplicity of the code. The counties included Clallam, Jefferson, Kitsap, Mason and Pierce. Cities included Anacortes, Bainbridge Island, Blaine, Burlington, Carnation, DuPont, Forks, Langley, Mount Vernon, Oak Harbor, Port Angeles, Port Townsend, Poulsbo, Sequim, Shelton and Sultan. Other cities were added with new or upgraded facilities or stand-alone sewer utilities such as Arlington, Marysville and Sedro-Woolley. Jefferson County Public Utility District (PUD) was also included since the PUD provides water service to the anticipated sewer customers.

After reviewing the long list of sewer codes, a summary of sewer policy issues to be addressed in the policies and ordinance was developed. A short list of four utilities was then selected for detailed review and comparison. The list of sewer policies and detailed comparison would be used as resources for the Sewer Advisory Group policy discussions. The four utilities were selected based on their similarities to the Pt. Hadlock Wastewater System, serving the same customer base, a good example of a county utility, and a neighboring system. Factors considered when selecting whether or not to research the policies and ordinances of a similar utility included the following:

- The utility was in Western Washington State – This reduced the possibility of having policies and ordinances which might conflict with Washington State law.
- Type of local government – A county example was selected to ensure a similar governmental structure to Jefferson County. The county example selected should own and operate both sewer collection and treatment facilities and have a clear and understandable code that is not overly complicated.
- Similar Size – This may provide features amenable to the size and scope of the Pt. Hadlock system.
- Degree of flexibility – Do the policies and ordinances have some features which provide flexibility in the methods of managing, growing, administering, and recovering costs?
- Cost Recovery Methods – Does the jurisdiction have means and methods for assigning capital and operating costs to the users which seem to be in-line with the methods identified within the *Pt. Hadlock UGA Sewer Facility Plan*?
- Similar Customers – Since this is a new sewer utility and many of the sewer customers are already receiving water service, it is an opportunity to develop policies that are consistent where possible and attempt to avoid conflict for the customers seeking both water and sewer service. For example, specifying either gallons or cubic feet for water usage data that may be used from the PUD for determining sewer bills.
- Neighboring Area – In order to broaden the exposure for potential future knowledge sharing, a neighboring utility was included to learn from their experience and expertise.
- Demonstrates variety in policy choices – Do the detailed examples demonstrate variety in the policy issues to be presented to the SAG for discussion?

Table 1 summarizes the policy issues and the detailed comparison of the four utilities, including Jefferson County PUD, Kitsap County, Bainbridge Island and Port Townsend.

**TABLE 1.
COMPARISON OF RESEARCHED SEWER AGENCIES POLICIES**

Policy Issue <i>Draft 7/7/09</i>	Jeff Co PUD Water	Kitsap County Sewer <i>County Treatment Plant</i>	Bainbridge Island <i>City Treatment + Sd#7 Plant</i>	Port Townsend <i>City Treatment Plant</i>	Pt Had Sewer Sag Comments
CONNECTION REQUIRED		Situated within 200 feet of a public sewer, no such connection shall be required or allowed without the capacity	Within sewer service area, no new septic systems if property is within 300 feet of sewer main. Over 300 feet, may extend sewer main	All new development within 260 feet of a wastewater collection line	JCC 18.18 specifies 200 feet of a public sewer
Connection of Existing Buildings		Existing buildings within 60 days of notice of availability, or if septic fails	Existing buildings issued a notice, not more than 60 days to connect, or if septic fails	Existing development with on-site septic, within 2 years of notice that sewer is within 260 ft, or if septic fails	
Sewer Availability/Feasibility		County to review, may be required to connect to public sewer instead of installing a septic system	Apply for sewer availability: non-binding or binding commitment (limited or unlimited reservation)	Application for sewer service is required	
Connection to sewer		With permit, valid for 60 days, licensed contractor or owner, requires inspection and approval	With permit, licensed contractor or owner along with inspection and approval, may have city connect		
Disposal of Prohibited Wastes		Long section in code	Industrial Waste - long section	High-strength waste, pre-treatment have long section and charges	

**TABLE 1 (CONTINUED).
COMPARISON OF RESEARCHED SEWER AGENCIES POLICIES**

Compare Other Jurisdictions Draft 7/7/09	Jeff Co PUD Water	Kitsap County Sewer County Treatment Plant	Bainbridge Island City Treatment Plant – Sd#7 Plant	Port Townsend City Treatment Plant	Pt Had Sewer Sag Comments
Discharge from Mobile Tanks		Waste generated within Co, prior approval, written manifest			
Stormwater, roof drains prohibited			Shall not discharge stormwater or connect roof drains into sanitary sewer		
Abandonment of septic systems			Existing septic systems to be abandoned at owners expense upon connection to city's system		
Side Sewer		Piping from a public sewer to the property line of the parcel served and to which a building sewer is connected	Side sewer within street right-of-way or easement to be maintained & controlled by city. Beyond r-o-w or easement by abutting property owner		
EXTENSION OF SYSTEM	District provides facilities for general distribution of water, but shall not extend facilities at the expense of existing customers for the sole purpose of serving others.				
Local Improvement District	Yes, Local Utility District (LUD)	Yes, Utility Local Improvement District (ULID)	Yes, Local Improvement District (LID)	Yes, Local Improvement District	

**TABLE 1 (CONTINUED).
COMPARISON OF RESEARCHED SEWER AGENCIES POLICIES**

Compare Other Jurisdictions Draft 7/7/09	Jeff Co PUD Water	Kitsap County Sewer County Treatment Plant	Bainbridge Island City Treatment Plant – Sd#7 Plant	Port Townsend City Treatment Plant	Pt Had Sewer Sag Comments
Developers Extension	Yes with payback, latecomers	Yes with payback, valid 10 yrs, less co. admin cost of 15%	Yes, main or utility extensions, latecomers as approved, 15 yr reimbursement, less 10% city admin	Tiering or phasing of development for best use of public funds - may not grant permit or may allow developer to bear the cost of facilities with LID or latecomers. 15 yrs, city to add 10% for cost	
Oversizing	If required, may receive District contribution or credit or payback as others connect		If required, shall reimburse the differential cost within 60 days of final acceptance of main extension	Depends on phasing Tier 1-3, city reimburse now, within 6 yrs or all cost on developer	
NEW CONNECTION FEES & CHARGES					
Sewer Availability Fee		Upon requesting sewer avail, sign agreement, pay sewer avail fee = \$18.11/mo (6/2009)	Required application for sewer avail. \$50 for information, \$50 single family, \$75 multi family, \$100 commercial use		
Sewer Permit		Permit fee: \$50. Stub fee: \$150.		Sewer connection permit required	
		Plan review, admin & legal: \$0.50 per LF of sewer main (min. \$225) + \$270 per pump station.			

**TABLE 1 (CONTINUED).
COMPARISON OF RESEARCHED SEWER AGENCIES POLICIES**

Compare Other Jurisdictions Draft 7/7/09	Jeff Co PUD Water	Kitsap County Sewer County Treatment Plant	Bainbridge Island City Treatment Plant – Sd#7 Plant	Port Townsend City Treatment Plant	Pt Had Sewer Sag Comments
Inspection Fee	Plan review, contract service, contract engineering service, support assistance, developer extension, inspection, meter installation by meter size	Gravity sewer (incl. 1 TV inspection): \$1.25 per LF of sewer main (min. \$380) + \$400 per pump station. Force Mains: \$0.85 per LF of sewer main. Additional TV Inspection: \$0.40 per LF of sewer main.	\$100 per dwelling unit or 20 fixture units, \$100 re-inspection, \$250 dig up fee for re-inspection	Must be inspected and paid for by developer.	
System Development Charge (SDC) / Newcomers Assessment / System Participation Fee	System Development Charge, per ERU	Newcomer's Assessment per ERU - within ULID or outside ULID. Represents newcomers share of future expansion of major components trunk lines, pump stations, treatment plant and outfall. Shall not be used for O&M or replacement.		SDC charged per ERU, due at time building permit is issued or sewer permit for existing buildings.	
Current SDC/Newcomers/System Participation Fees	By area, \$2,000 - \$7,400	By system \$3,075-\$7,775 per ERU	System Participation Fee: \$5,123 sing family, \$3,178 multi unit, \$5,123 per ERU	SDC by meter size: 3/4" meter = \$4,434, 1" meter = \$7,405, etc. (<i>per rate study, need to verify</i>)	
Deferral of SDC		Phased development, may develop property in phases and pay as approved		SDC deferral for low-income housing units - after 10-yr SDC is waived, if sold check eligibility. May defer for 2 yrs, add'l private sector jobs or investment	

**TABLE 1 (CONTINUED).
COMPARISON OF RESEARCHED SEWER AGENCIES POLICIES**

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Installment Payment program		Yes, financial hardship, 5 yrs			
Annual Adjustment		Newcomers adjusted annually based on Construction Cost Index until bonds issued, then bond rate of interest		SDC adjusted annually on ENR or based on cost of general facilities	
Latecomers Assessment	Yes, as approved	Yes, as approved	Yes, as approved	Yes, as approved	
Special Assessment	by LUD	by LID or ULID	by LID	by LID	
Front Footage Fee	Front Footage Fee when pay-back is required				
DEFINITION OF ERU	ERU = 300 gallons per day or 1000 cubic feet per month	Sewage service unit substantially equivalent to single family residential in sewage output and function	ERU = per living unit or per 20 fixture units for multiple res and commercial	ERU = A water service connection with 5/8 x 3/4" meter, or as calculated with ERU factor by meter size. Can adjust for irrigation.	Facility Plan: Residential = per dwelling unit, Commercial/Industrial= 4,000 gallons/mo (535 cubic feet/mo @ 7.48 gal per cu ft) 132 gpd (60*2.2)
Single Family Residential ERU	Single family unit, incl mobile home not in established mh park = 1 ERU	Each dwelling unit, rental space in mobile home park or trailer court, every church and every auto service station = 1 ERU	Single family residences		

**TABLE 1 (CONTINUED).
COMPARISON OF RESEARCHED SEWER AGENCIES POLICIES**

Compare Other Jurisdictions Draft 7/7/09	Jeff Co PUD Water	Kitsap County Sewer County Treatment Plant	Bainbridge Island City Treatment Plant – Sd#7 Plant	Port Townsend City Treatment Plant	Pt Had Sewer Sag Comments
Multi-Family Residential ERU	Multi-family dwellings and mobile homes in established mh park = 0.6 ERU		Multiple dwellings - apt house, condo, mobile home court, by dwelling unit		
Multiple Use ERU	Multiple use = combination of component ERUs	Multiple use = combined sum of units for each use			
Commercial / Non-residential ERU	Non-residential based on water industry standards, modified when appropriate for historical usage from similar services in District systems	For those not specified above, 800 cf of water consumed per mo based on avg. mo. Metered water use for prev. calendar yr. Can adjust for irrigation with evidence. Non-metered or no history, use evidence or table.	ERU = per living unit or per 20 fixture units for multiple res and commercial		
Minimum ERU Charge	A minimum of 1 ERU will be assigned for an individual service	In no event shall any use have less than one unit.			
Adjust/Monitor ERU's for Capacity	The estimate will be checked against the actual use each year and the ERU value modified if significantly different		Multi Res/Commercial shall not install add'l fixtures without prior approval	Upon upgrade or expansion of connection, may receive credit for previous SDC in determining new amount	

**TABLE 1 (CONTINUED).
COMPARISON OF RESEARCHED SEWER AGENCIES POLICIES**

Compare Other Jurisdictions Draft 7/7/09	Jeff Co PUD Water	Kitsap County Sewer County Treatment Plant	Bainbridge Island City Treatment Plant – Sd#7 Plant	Port Townsend City Treatment Plant	Pt Had Sewer Sag Comments
MONTHLY BILLING OF CUSTOMERS					
Charges and billing		Residential billed bi-monthly, others monthly, begin upon occupancy or 60 days after sewer permit	Billed monthly for services received the prior month, begin when connection is complete	Monthly billings begin when in-use, sewer connection is made	
Customer Classes:					CUSTOMER CLASSES
Residential	Residential	Sing fam Res = A structure designed to house one family, including mobile homes, townhouses and condos	Single family residences, per dwelling unit	Res = Single family or duplex, per dwelling unit	Residential: Single
		Multi family Residential = Any structure designed for more than one family, including duplex, apt, and any other type of multi family housing structure generally occupied on a rental or lease basis.	Multiple dwellings - apt house, condo, mobile home court, by dwelling unit	Multi-family = triplex, fourplex, apt buildings, condo, mobile home part, trailer court, similar type dwelling on single premises	Others in Residential
Commercial	Commercial	Commercial/Industrial = Structures designed for business or other commercial ventures.	Commercial includes retail sales, personal and professional services, entertainment, repair, restaurants. Per water meter	Commercial includes sale or manufacture of commodity or service, hotel, motel, institutional establishment (hospital, nursing home, place of worship, school), mixed use res & commercial	Commercial

**TABLE 1 (CONTINUED).
COMPARISON OF RESEARCHED SEWER AGENCIES POLICIES**

Compare Other Jurisdictions Draft 7/7/09	Jeff Co PUD Water	Kitsap County Sewer County Treatment Plant	Bainbridge Island City Treatment Plant – Sd#7 Plant	Port Townsend City Treatment Plant	Pt Had Sewer Sag Comments
		Restaurant = Any structure whose primary purpose is food preparation and sales.			
Type of Rate Structure	Residential = Base + Inclining Block volume	Non-commercial or industrial = Flat rate per unit	City Treatment Plant = Base + Volume (Residential summer volume is avg Dec - May)	Res = Single family or duplex, per dwelling unit, flat rate for over or under 3,000 gallons per month	
	Commercial = Base + Constant volume	Commercial or industrial, including restaurants = Constant Volume rate	City Treatment Plant without water service = flat rate per unit/ERU	Multi family, Comm = Base by meter size + volume charge by user class	
			SD #7 Treatment Plant = flat rate per ERU, grinder pumps higher		
Water Usage for Billing	Metered water usage	Actual water usage from water provider	Average Dec - May used for June - Sept residential billings	Per metered water usage	
MONTHLY RATE: RESIDENTIAL		Single Family: \$50.21/ unit per mo. (6/2009)	City: \$30.42/unit + \$5.19 per 100cf for single, \$26.64/unit + \$5.19 per 100cf for multiple res.	\$33.85/unit under 3,000 gal/mo, or \$41.85/unit over 3,000 gal/mo	
		Multi Family: \$42.02 / unit per mo. (6/2009)	SD#7: \$54.01/ERU or \$64.34/ERU with grinder pump		

**TABLE 1 (CONTINUED).
COMPARISON OF RESEARCHED SEWER AGENCIES POLICIES**

Compare Other Jurisdictions Draft 7/7/09	Jeff Co PUD Water	Kitsap County Sewer County Treatment Plant	Bainbridge Island City Treatment Plant – Sd#7 Plant	Port Townsend City Treatment Plant	Pt Had Sewer Sag Comments
MONTHLY RATE: COMMERCIAL		Commercial/Industrial: \$0.055 per cf water Restaurant: \$0.070 per cf water	City: \$88.13/unit + \$5.19 per 100cf	Multi Family/Comm. = Base by meter size \$30 for 3/4x5/8" + volume charge per 1000 gal by class: Multi \$3.45, Comm \$4.65, Ft. Worden \$3.05, Government \$4.55	
MONTHLY MINIMUM		Minimum = \$50.21 per month		Payment of base rate for reservation of capacity	
WA State Utility Tax	Added to all charges & fees and passed thru to WA Dept of Rev	No mention in sewer code	No mention in sewer code	No mention in sewer code	
DISCOUNTS	Low income senior citizens, low income disabled = 30% discount on base charge	Those receiving tax exemption set by state, admin by assessor, RCW 84.36.381 (\$35,000 in 2008)	Low income senior citizen, 62 yrs or older (combined disposable income for exemption RCW84.36.381(5)(a)), low income disabled = 50% reduction of owner- occupied home	Low income, low income disabled, low income senior citizen, must apply annually = approx 30% discount (recipient or spouse receiving bills)	
Automatic Annual Adjustment			All fees & charges increased each Jan by CPI + 2%		

**TABLE 1 (CONTINUED).
COMPARISON OF RESEARCHED SEWER AGENCIES POLICIES**

Compare Other Jurisdictions Draft 7/7/09	Jeff Co PUD Water	Kitsap County Sewer County Treatment Plant	Bainbridge Island City Treatment Plant – Sd#7 Plant	Port Townsend City Treatment Plant	Pt Had Sewer Sag Comments
Delinquent		After 90 days, interest at 8%/yr on original sum + penalty and file a lien of delinquency, may foreclose after 60 days	Monthly penalty of 10% + 8% interest after 120 days delinquent. Lien for 1 yr before recording with auditor. May shut off water		
DISPUTES AND APPEALS		First meet informally with Director to discuss. If not satisfied, submit written explanation of position with engineering/supporting data. Director reply within 10 days. If still not satisfied, appeal to board. No new evidence or explanation at public meeting. Board decision.			
		Decisions concerning adjustment to monthly user fees shall be effective for the period following decision and in no event shall be retroactive.			
Penalty		Violations of sewer code guilty of a misdemeanor, separate offense for each day. Fine up to \$250, up to 90 days imprisonment, or both.			

RECOMMENDATIONS OF THE SEWER ADVISORY GROUP

The Sewer Advisory Group (SAG) was established and convened by Jefferson County Department of Community Development to provide guidance and recommendations to Jefferson County in the development of the new sewer utility. The project team organized and facilitated a series of four meetings with the SAG.

The purpose of these SAG meetings was not to make final decisions on any issue the group considered. The input of the group is critical to the County decision-making process, and the intent is to seriously consider the input, recommendations, and ideas presented by the SAG. While consensus recommendations were considered helpful throughout the discussion process, it was considered more important that the various perspectives and ideas be presented so that the County is able to see the range of thoughts and input from the SAG.

Table 2 summarizes the key policy topics discussed during the facilitated SAG meetings and the recommendations of the various stakeholder interests within the Sewer Advisory Group. The information in this table should be used to provide information and guidance when developing the policies and ordinances of the new sewer utility.

It should be noted that some direction and recommendations appear to be in conflict. The mission of the group was to provide guidance to the County, not to arrive at consensus or provide firm and binding direction. These recommendations provide insight to the concerns, interests, and rationale of key stakeholders within the Pt. Hadlock/Irondale area. It was understood that some of the policies may shift from the initial phase to a more developed sewer utility. It is believed that this information and guidance will provide valuable insight and direction to the County when developing policies and ordinances for the development and implementation of the sewer system.

Full SAG meeting summaries are provided in Appendix A. This will provide more detail in to the discussions and recommendations of SAG beyond what is presented in the summary Table 2.

RECOMMENDED MODEL SEWER ORDINANCE

It is recommended that the sewer ordinance from Kitsap County be used as a model from which to develop the sewer ordinance for the Pt. Hadlock Wastewater system. A copy of this ordinance is in Appendix B.

The reasons for recommending this sewer ordinance as a model from which to frame the Pt. Hadlock Sewer ordinance is as follows:

- Kitsap County is a local county government similar to Jefferson County.
- Kitsap County administers a sewer system that includes both collection and treatment within non-municipal urban growth areas.
- Kitsap County has used Local Improvement Districts (LID/ULID) to fund sewer improvements, both successfully and unsuccessfully.
- The Kitsap County Code appears simply organized, clear and addresses the key sewer policy issues.

**TABLE 2.
SUMMARY OF SEWER ADVISORY GROUP (SAG) RECOMMENDATIONS**

Topic	SAG Recommendation	Mtg. No.	Notes
Simple vs. Complex Rates	A balance between simple and complex, with a lean toward simple sounds appropriate	1	
Simple vs. Complex Rates	It is reasonable to base rates on water usage	1	
Simple vs. Complex Rates	Potentially develop 4-5 categories of rates for households and commercial users	1	
Simple vs. Complex Rates	Predictable rates are preferable.	1	
General	To carefully consider unintended consequences to the extent possible as they evaluate policies and make recommendations.	1	E.g., ADUs in Port Townsend – intention to create affordable housing, but did not accomplish that because some owners used their ADUs and rented their homes.
Connection to System	For New development/major modification Connection required as set by development regulations (connect when sewer phase is available, within 200 feet, or may install an interim on-site system and sign a no-protest agreement for potential local improvement districts that may be formed in the future.)	2	<ul style="list-style-type: none"> • State law allows septic systems to be a storage tank septic system; county law does not allow this. • Some concern expressed about the term “required”, but reason it was used was because of some of the granting agency requirements.
Connection to System	For Interim on-site systems Connection required as set by development regulations (connect within 1 year of availability)	2	<ul style="list-style-type: none"> • Some concern expressed about the term “required”, but reason it was used was because of some of the granting agency requirements.

**TABLE 2 (CONTINUED).
SUMMARY OF SEWER ADVISORY GROUP (SAG) RECOMMENDATIONS**

Topic	SAG Recommendation	Mtg. No.	Notes
Connection to System	For Failed septic systems Connection required as set by public health (connect when sewer is available)	2	<ul style="list-style-type: none"> • Should consider enforcement issues. • Some concern expressed about the term “required”, but reason it was used was because of some of the granting agency requirements.
Connection to System	For Existing Buildings Connection required within [60] days of notice of sewer availability County should seek financial assistance/programs for low-moderate income residents	2	<ul style="list-style-type: none"> • Build in incentives for people to connect earlier. • There should be a relationship to the cost and complexity to the time required to connect. • For existing buildings: Given that the buildout will occur over a number of years, a communications element should be implemented to give property owners advanced notice. This will avoid the first communication with property owners being only 30 days before the connection requirement. Working with individuals to give them advanced notice will be important. This could include education, finance options, etc. There needs to be some ability or option for the resident to be proactive. This will reduce the issue and may lessen the potential hardship of a 30 or 60 day notice. • The number of days notice requirement should be a function of how long it takes someone to get a loan. 60 days should be appropriate. • Concern about 60 days being okay for financing issues. • Make some provisions in the policy to incorporate variances – and some flexibility – into the system (possibly for extreme hardship cases or special circumstances). For instance, where an owner recently built a septic system.

**TABLE 2 (CONTINUED).
SUMMARY OF SEWER ADVISORY GROUP (SAG) RECOMMENDATIONS**

Topic	SAG Recommendation	Mtg. No.	Notes
			<ul style="list-style-type: none"> • Give a period of time to make the connection, so they could use more of the value of their septic. • Some concern expressed about the term “required”, but reason it was used was because of some of the granting agency requirements.
Side Sewer	<p>Responsibility should change from public to private at the property line</p> <p>Require sewer permit for connecting building sewer to public sewer</p> <p>Considers ability of property owners to connect to stub at property line</p> <p>Require a stub or tee for utility maintenance access at property line</p> <p>Keep integrity of sewer mains and service stub outs within the County right-of-way the responsibility of the utility</p> <p>County should consider licensing side sewer contractors</p>	2	<ul style="list-style-type: none"> • Find out from Jefferson County Public Works as well as WSDOT what their policies/rules for side sewers work (cuts in the Right-of-Way) would be. • Explore if there an allowance for private prop owners to do their own work?
System Management	County will <i>own</i> the system.	2	<ul style="list-style-type: none"> • This is in accordance with the Facility Plan. • Consider other options, such as the PUD owning the system.
System Management	<p>Principles:</p> <p>Seek to protect County and customer investment</p> <p>Seek efficiencies and savings in the cost of operations and administration</p>	2	

**TABLE 2 (CONTINUED).
SUMMARY OF SEWER ADVISORY GROUP (SAG) RECOMMENDATIONS**

Topic	SAG Recommendation	Mtg. No.	Notes
System Management	Contract billing services using the Jefferson County PUD #1 as the billing contractor should be a preferred approach	2	<ul style="list-style-type: none"> • The PUD is the water provider and source of billing data, they already bill the water customers, and are local in the community
System Management	System operation and maintenance (contract or in-house)	2	<ul style="list-style-type: none"> • County should consider contracting for services based upon best available price • Consideration should be given to contractors who are resident (or their key employees reside) within Jefferson County
Cost Allocation	General costs include those facilities serving the general system and benefits all customers: treatment and recharge system, influent pump station with force main, mainline sewer pipes greater than 8"	2	<ul style="list-style-type: none"> • Make sure that those who pay at the start are not paying a higher cost than users connecting on to the system later. • The cost allocation system needs to be fair – concern about threatening low income housing starts.
Cost Allocation	Local costs include those facilities serving and benefiting a local area: 8" collection pipe, local pump stations	2	<ul style="list-style-type: none"> • 8" sewer pipes are the minimum size allowed according to DOE standards.
Cost Allocation	Private on-site costs include those facilities serving and benefiting individual properties to be paid by private property owners	2	<ul style="list-style-type: none"> • Low income issues need to be considered. • Seek opportunities to lessen the burden of on-site and connection costs to low income residents.
Capital Cost Recovery	<p>For capital costs that do not receive grant funding:</p> <p>General Facilities to be paid by connection fee</p> <p>Local Facilities to be paid by connection fees <u>OR</u> by Utility Local Improvement District (ULID) assessment</p> <p>Private On-Site Facilities to be funded by property owners</p>	3	<ul style="list-style-type: none"> • Build the entire system at once might make sense. • Maximize efforts to acquire grants to fund the wastewater system. • If built over time, more septic systems will need to be replaced. • Look at low-cost financing opportunities for private on site facilities and how to deal with non profit & low-income residents.

**TABLE 2 (CONTINUED).
SUMMARY OF SEWER ADVISORY GROUP (SAG) RECOMMENDATIONS**

Topic	SAG Recommendation	Mtg. No.	Notes
			<ul style="list-style-type: none"> • Note that ULID or utility local improvement district term has been used to avoid confusion with low impact development (LID). Assume the County will use the appropriate improvement district.
Capital Cost Recovery	County should seek methods of increasing the ability of customers to finance their share	3	
Capital Cost Recovery	SAG recommends making ULID available as a financing method	3	<ul style="list-style-type: none"> • ULID provides an additional method to finance costs, so this is recommended. • Consider constructing the entire system at once and funding it using a large ULID.
Monthly Rate Structure	Keep balance between simple administration and equity to customer classes	3	
Monthly Rate Structure	Make sure the rate structure works on the billing system	3	<ul style="list-style-type: none"> • If the PUD or any other entity is the billing contractor, work with that entity to make sure whatever monthly rate structure is used works with any existing billing system in use, for instance for the water system billing.
Monthly Rate Structure	<p>Residential – Use a flat <u>OR</u> two-tier system, and consider a three-tiered system if there is a wide variation in water use within a customer class.</p> <p>Upon further reflection, some felt that there should be an actual set system fee, plus the actual volume of water used (base rate + variable rate).</p>	3	<ul style="list-style-type: none"> • What do the water records show? If there a wide variation in flows – may want to go to 3-tier system. • When there is an incentive folks will use less water. • Needs to be good communication between utility and its customers. • Need to consider a system fee, in addition to water use. Primarily for the snowbird factor. • If water use is due to a calamity, consider some adjustments to the sewer fee. For instance, a broken water line that would show more water use than would normally enter the sewer.

**TABLE 2 (CONTINUED).
SUMMARY OF SEWER ADVISORY GROUP (SAG) RECOMMENDATIONS**

Topic	SAG Recommendation	Mtg. No.	Notes
Monthly Rate Structure	Commercial – increase by volume/ERU simple increase by user class waste strength minimum of 1 ERU	3	<ul style="list-style-type: none"> • Non profit perspective – not necessarily commercial. • The school – look at by volume and not strength (no cooking onsite) • Recognize Pharmaceuticals and Personal Care Products (PPCPs) and their impact on water quality.
Multifamily Rates	Single family home – residential Duplex – residential Mobile home not in designated park – residential Townhome, condo – residential Accessory Dwelling Units – with main residence Apartment building (3+ units) – commercial Mobile home park – commercial Hotel/motel – commercial Institutional (school/church) – commercial Mixed use residential & commercial – commercial or mixed depending on how meters are set up.	3	<ul style="list-style-type: none"> • Allow for some flexibility on mixed use residential & commercial. Should be based on how meters are set up, which would allow for different options or categories to choose from.
Monthly rate discounts	The County should: Consider offering monthly rate discounts to qualifying low-income people that own their homes, and/or non-profit that rent to low income /disabled Qualification should be coordinated with either the Assessor’s tax exemption program or the contract billing agency’s program (such as the PUD)	3	<ul style="list-style-type: none"> • In first bullet add “and/or non-profit that rent to low income /disabled” • Look at existing programs that offer discounts (phone, PSE, OlyCap, LIAP) as example programs. • For non-profit accounts that rent to low income, consider whether the residents themselves pay the utilities in order to ensure that the savings are realized by the low-income residents.

**TABLE 2 (CONTINUED).
SUMMARY OF SEWER ADVISORY GROUP (SAG) RECOMMENDATIONS**

Topic	SAG Recommendation	Mtg. No.	Notes
Mobile Tank Disposal/Septage Disposal/RV Disposal	The County should leave this option open during design. Restrict sources: only from in-County, only septage, licensed haulers, RV's?	3	<ul style="list-style-type: none"> • It is important to hear from Public Health about concerns on what might be discharged to the system. • Licensed haulers only. • Need to maintain due diligence on this issue, but keep as an option for now.
Sewer Service Availability	Collection System Phases: Facility Plan: in general accordance with the plan Specific Development Plans: allow adjustment according to specific funded development plans	4	<ul style="list-style-type: none"> • Overall goal is to ensure that the plan can pay for itself • In the best financial and operational benefit of the utility. • Be flexible.
Sewer Service Availability	A certificate of sewer availability to be required from the sewer utility; existing development to receive a letter stating their eligibility by phases.	4	<ul style="list-style-type: none"> •
Sewer Service Availability	Treatment Plant Capacity: Sewer Utility to track capacity that is available and promised	4	<ul style="list-style-type: none"> •
Sewer Service Availability	The county works to make the permit process more efficient (waiving the cost?), affordable and faster	4	<ul style="list-style-type: none"> •
Sewer Service Availability	May allow pre-purchase of capacity based upon best interest of the utility	4	<ul style="list-style-type: none"> • The goal to get the connections used, you may want to specify who can pre-purchase. Might make it non-transferable or go with the property. Reduce the market for capricious behavior.

**TABLE 2 (CONTINUED).
SUMMARY OF SEWER ADVISORY GROUP (SAG) RECOMMENDATIONS**

Topic	SAG Recommendation	Mtg. No.	Notes
Sewer Service Availability	Connection fees will be adjusted annually to reflect actual costs and/or interest on funds borrowed	4	
Sewer System Extension	<p>To allow for planned orderly development and expansion of the system:</p> <p>Anticipate that the sewer utility will expand the treatment facilities as necessary</p> <p>Allow the ULID process for extending local facilities</p> <p>Allow developer extensions so that property owners and/or developers can accelerate their own schedule when possible</p> <p>Allow latecomer agreements to make sure that the developer extensions can be reimbursed by others connecting into the facilities</p> <p>Ensure all customers pay their equitable share of the costs</p>	4	<ul style="list-style-type: none"> • Explore building the system in its entirety now (discussed at multiple meetings and a number of SAG members thought it should be explored. In an informal poll 13 SAG members were favorable to this idea.). • Explore building more of the wastewater system than the initial phase. • Investigate if latecomer agreements could be extended to longer than 15 years. (Note: a bill passed the 2009 legislature (HB 2146) to increase this from 15 to 20 years.) • Linkage between who should be considered a latecomer and the individual that should receive the latecomer fees. • Conduct additional research on septic failure rates.

As with using any jurisdiction as a sample, it is advisable to check with Kitsap County when writing the draft sewer ordinance to determine whether there are areas of the code that have been problematic or might be in need of further clarification. It is anticipated that the drafter of the sewer ordinance will work with all three resources provided: Kitsap County code as the model, with sewer policy details taken from the SAG recommendations and the detailed comparison of jurisdictions as a reference by sewer policy topic.

APPENDIX A – SUMMARIES OF SEWER ADVISORY GROUPS (SAG) WORKSHOPS

**Jefferson County Department of Community Development
Port Hadlock Wastewater System Design**

**Sewer Advisory Group
July 14, 2009, 1:30 PM – 4:30 PM**

Location: Spruce Room – WSU Extension

Approved Meeting Summary

Welcome, Introductions & Review Meeting Agenda, Meeting Purpose, and Ground rules

Meeting facilitator Bob Wheeler from Triangle Associates welcomed the Sewer Advisory Group (SAG) and provided some context for the formation of the SAG. SAG members, the Jefferson County Department of Community Development (DCD) and the Tetra Tech consultant team went around the table and made introductions (see Appendix 1 for a list of attendees).

Bob Wheeler reviewed the agenda and outlined the purpose of SAG, including its role in providing feedback to the consultant team and the County, to educate and inform the public, to provide recommendations for key sewer policies and ordinances, and to identify key factors for design standards.

He then reviewed the ground rules and asked the group to approve them for use for the planned four SAG meetings. He underscored that one of the ground rules was the context of the discussion for SAG: to provide constructive feedback and recommendations as the project moves forward. The process is not intended as a forum to argue the merits of the wastewater system.

Bob reviewed the contents of the SAG notebook that was handed out to all of the SAG members. He noted that additional materials will continue to be added in the notebook at subsequent meetings.

In response to a question about whether SAG was required by state law, Bob Wheeler responded that this group was not required by law, but DCD felt like there is a need to hear from the community and to get input on a set of complex policy issues regarding wastewater system design.

A SAG member asked if the Sewer Facility Plan was located at the Port Hadlock Library. The response was that a copy was given to the library, and that Ray agreed to check on its availability. In addition to the library, CD copies were available at the meeting or SAG members could download the Sewer Facility Plan at www.porthadlocksewer.org.

Review of the Wastewater System Design Process (Facility Plan) to-date

Kevin Dour presented an overview of the project to date, including the facility plan status; technical components of the proposed system; funding and finance elements; public involvement activities; and growth management compliance information. Please see the meeting PowerPoint presentation for a complete outline of his presentation, available at www.porthadlocksewer.org.

Kevin outlined the recent approval of the Sewer Facility Plan by the State Departments of Ecology and Health, and that the Plan was adopted into the Jefferson County Comprehensive Plan by the Jefferson County Board of County Commissioners in March 2009. He noted that the Facility Plan's approval by the Departments of Ecology and Health and adoption into the County's comprehensive plan makes the

project eligible for design funding opportunities. Kevin did note that the Facility Plan was approved as an Engineering Report by Department of Ecology and will be given full Facility Plan approval upon review of a Biological Assessment which was submitted to Department of Ecology in May 2009. Preparation of a Biological Assessment is a new requirement which was recently implemented by Department of Ecology.

In response to a question about how the U.S. Geological Survey (USGS) groundwater modeling survey had been incorporated into the Sewer Facility Plan, Kevin Dour said that the project team's hydrogeologist had completed a preliminary groundwater assessment and that during the predesign phase the project team will be continuing to work on the groundwater analysis. A suggestion to foster a connection with USGS was made. Kevin Dour said he would follow up with the project team's hydrogeologist and report back on how the USGS study has been considered or will be considered in the analysis for the wastewater system design.

The Group discussed where the rapid infiltration point would be along Chimacum Creek. It was noted that the preliminary hydrogeological assessment report was located in the appendix of the Sewer Facility Plan. The infiltration area is intended to be at a location that will provide recharge to the creek with the understanding that there are limits as to how far upstream it can be located. The wastewater treatment plant and reuse area needs to be in relatively close proximity to the sewer service area because of the costs of pumping.

The group further discussed beneficial reuse and the wastewater system's supplementation of summer low flows to Chimacum Creek. It was noted that the system could double summer low flows. However, concern was expressed about the possibility that if the discharge had low oxygen levels, the creek could be harmed. Kevin Dour said it would be important during final design to evaluate effluent quality and ensure that there are no issues such as low dissolved oxygen.

Kevin Dour described the public involvement components related to the approval of the facility plan and the predesign phase of the project. He outlined public involvement activities including, the current SAG meeting process, future public meetings, the Port Hadlock Wastewater System website, and mailings sent to local residents. It was noted that many of the questions raised in previous public meetings and citizen inquiries will now be addressed through the current predesign phase.

Joel Peterson from DCD outlined Jefferson County's recent Growth Management Act (GMA) compliance process for the Port Hadlock/Irondale Urban Growth Area (UGA), including a background of compliance issues since 2004. Most recently, Jefferson County enacted changes to the Comprehensive Plan and Implementing Regulations on March 23, 2009, to achieve compliance with GMA.. He said that the County expects to hear from the Western Washington Growth Hearings Board (WWGMHB) by July 17, 2009 on the compliance decision from the WWGMHB. Kevin Dour then noted that GMA compliance opens up several new funding opportunities for the future.

Presentation on Policies, Ordinances, and General Philosophies & Principles

Katy Isaksen made a presentation on possible wastewater system policies and ordinances and referred SAG members to two background documents contained in the SAG Notebook. She outlined the key policy elements that will be addressed over the course of the four-meeting SAG process, including:

- System management
- Connections to system
- Sewer availability
- Extension of system
- Cost allocation
- Rate structure
- Ancillary services/requirements

She explained that connections to the system (when and where) would be addressed at this meeting. Discussion of the other elements would be spread out over the next three meetings.

Katy presented a comparison matrix that summarizes the policies from comparable jurisdictions to provide examples of other utilities' policies. The examples were selected to be relevant to Port Hadlock and to include some variety to aid the SAG as it considers its policy alternatives. The four examples included: Jefferson County PUD (water provider for the area), Kitsap County (wastewater), Bainbridge Island (wastewater), and Port Townsend (wastewater).

Katy noted that the development of the Port Hadlock Wastewater System amounts to setting up a new utility. Important in establishing this utility is the need to create a sustainable funding system that has a long-term outlook to ensure consistent rates. Key sustainable utility guidelines for the Port Hadlock Wastewater System include:

- Ensure the utility is self sufficient
- A long-term outlook leads to smoother rate changes
- Match revenue streams with expenditures
- Create Balance within the policies

In response to a question about whether the wastewater utility would be a part of county government or if it would be a separate utility, it was noted that a decision had not been made, but various options exist. Kevin Dour said the wastewater system will be owned by Jefferson County, but someone else could manage it. He underscored that the question of who will manage the different components of the wastewater system has not yet been decided. This will be discussed at a future SAG under the policy of system management.

The SAG discussed the possibility of the UGA's incorporation and the ramifications to Jefferson County, especially with the capital costs of the wastewater system. Joel Peterson said that the County would likely establish an interlocal agreement or revenue sharing arrangement to recover the costs paid by the County, if incorporation did occur.

Discussion and questions and answers –

SAG members discussed recent problems with other nearby wastewater systems (Bainbridge and Poulsbo), including sewage spills. Kevin Dour noted that reliability and redundancy standards are being incorporated into the design of the Port Hadlock Wastewater System. He also explained that this facility would not use an emergency outfall to a water body. As a result, a redundancy standard was incorporated to hold effluent for up to three days. The absence of a marine outfall was due in part because the Department of Ecology did not allow one as it saw rapid infiltration, non-direct discharge approach to be a viable option. Because of the beneficial reuse and the need to go into a groundwater source, the Department of Health had to review the Sewer Facility Plan, as well.

In response to a question about why the wastewater system's beneficial use was different or better than a septic system, it was noted that the County Comprehensive Plan includes developing the area to urban standards (in accordance with the Washington State Growth Management Act) and that the purpose of the Sewer Facility Plan is to create a plan that meets the urban standards for wastewater. It was emphasized that the purpose of SAG was not to decide whether a wastewater system should or should not happen, but instead to provide recommendations on the policies and ordinances for the Port Hadlock Wastewater System.

SAG members discussed the cost of septic system installations and how it relates to the cost of hookup to the wastewater system. In response to a question about the costs of a new septic system designed and

installed to current standards, it was noted that new septic systems cost about \$20,000. SAG participants gave a range of septic system costs ranging from \$4,000, to several systems that cost over \$20,000, plus ongoing maintenance based upon their experience.

General Policy Discussion

The SAG discussed the following general philosophies. There is an inter-relationship among all of these philosophies so descriptions, while focused on one particular philosophy, can be applicable to another:

- Simple vs. complex rates. A complex rate structure could provide greater accuracy by attempting to charge users precisely for what sewage they discharge, but it could be more difficult and costly to administer. A simple rate could state that “single-family residential” user would pay a flat rate. A problem with this flat rate approach is that it ignores the size of the household (e.g., one single-family residential household could include more residents than another household, but the cost to each would be the same under the flat rate structure). One relatively simple method, but more complex than the simplest approach, would be to charge for rates using average winter water use and affix the rates accordingly.
 - Port Townsend tried the average winter water use but found it too complex and changed to a two-tier flat rate system for residential users (either under or over 3,000 gallons per month). For commercial users, it is harder to assume a simple rate as their usage varies over the year.
 - There is likely not a utility in the Country where all user rates are based on measuring wastewater via a sewage meter. Tying sewer rates to water usage serves as a proxy and is an approach that is used more frequently.
 - Can one separately meter irrigation? Yes, separate irrigation meters are possible. The PUD sets policies on water meters for this area. It was noted that Port Townsend does incorporate this type of measurement system.
- Stability of revenue. In order to reliably operate a utility it is important to establish a revenue stream that is stable enough that funds are available to cover expenses in a timely manner.
- Predictable vs. variable rates. Some rate systems provide very predictable revenues while others can generate the needed revenue, but with significant differences from one month to another month.
- Equity. Systems can be established that charge everybody a rate that truly reflects what they discharge to the system, but there is always a need to balance this with what is administratively feasible and affordable.
- Evaluate annually or every 2-3 years. Rates can be evaluated and modified every year or the utility can evaluate its rates only every few years. In terms of changing the rates, a decision is necessary on whether to do it every year, which allows for a gradual change in rates and a better ability to stay in parallel with inflation, or larger increases can be made every few years.
- Ease of implementation. It is helpful if the method of determining your monthly bill is easily understood by the customers and the administrative staff. In addition, since this is a new utility, we would like to take care to ensure that the rates designed will work simply and properly on the billing system to be used.

SAG members’ questions and dialogue based on the policy discussion included:

Equity concerns:

- In response to a question about how phased equity would work to make sure that early users do not foot more of the cost for the wastewater system than users that connect to the system at a later date, it was noted that the rate and fee structure should be developed and structured such that latecomers would pay for their fair share. The Facility Plan shows costs fully distributed

amongst the users, that is the total cost over the 20-year planning horizon is divided among the planned customer base.

- A concern was expressed that people outside of the UGA could benefit from the wastewater system but would not be paying.

Funding and policy questions:

- As more residents move into the UGA the actual costs (in inflation-adjusted dollars) per household may go down, but the rate would not necessarily decrease, and certainly not be linear. Instead, reserves may be built up for emergencies and repair and replacement, or rates may not have to increase for a longer period
- SAG members discussed how to grow the new utility's financial reserves in order to build up funding for emergencies and replacement of equipment and facilities.
- The large portion of residential hookups in the initial core area of the wastewater system will be helpful for applying for grants, which often fund residential customers rather than commercial customers.
- What are the unforeseen or unintended consequences in terms of people's behaviors to different policies? SAG agreed to carefully consider unintended consequences to the extent possible as they evaluate policies and make recommendations.

Other Utility Models to Consider for Comparison Purposes:

- One suggestion made was to look to a few other similar systems, like Sequim and Port Orchard. This would be in addition to the comparisons with Bainbridge Island, Kitsap County, Jefferson County PUD #1, and Port Townsend.
- In response to a question about whether it would be good to look across the country for potential wastewater system rate models, it was noted that staying local might be prudent because of the particularities of the state.
 - It was noted that through discussions with Community Trade and Economic Development (CTED), [now known as the Department of Commerce], and in looking for urban growth areas in this stage of planning, Jefferson County is one of the leaders in unincorporated urban growth area planning.

Rates:

- Instead of using an appeals board to address future rate discussions, the goal is to design the policies in a way so that an appeals board would be infrequently used.
- It was agreed by the SAG that for initial purposes, there are four or five rate categories that could probably incorporate all of the users within the UGA.
- SAG agreed that predictable wastewater systems rates were preferable.
- It was noted that the \$60 per month fee would be an average rate over the first three years of system operation according to the Facility Plan.
- A concern was raised about whether this system might price out a particular class of people that cannot pay the connection charge or the \$60 monthly rate.
 - The consultant team explained that for lower income residents, there are grant programs which could be used to secure funds that could be used to subsidize residential hookups. Also, the consultant team is looking for opportunities to reduce the burden of some residents' hookup costs through grant and low-interest loan programs. Also, the SAG could recommend developing discounted rates for low income, low income senior citizens, and for disabled customers. It was mentioned that ShoreBank has helped out with septic system replacements in the area. The team will be checking with them to see if they might have the funds and be able to administer a program for low-income residents.

- In response to a question about how one decommissions a septic system and if this would constitute an extra cost, it was noted that about \$3,500 for the decommissioning of septic systems was included in the \$20,900 hookup fee estimated in the Facility Plan.

Simplicity versus Complexity

- SAG agreed that for the Port Hadlock sewer system, as an initial decision subject to modification as SAG learns more and considers other policies, that on the scale between simple systems and policies to complex systems and policies, the group wants to focus on a centered approach tending toward simple.

Specific Policy Question: When is connection required to the wastewater system?

Katy presented the specific policy question for this meeting, “when is connection required?” Some alternatives outlined were:

- Immediately when sewer is available
- Within one year of availability (similar to interim on-site systems)
- Upon failure of septic system
- Another plan?

Some factors to consider include:

- Planned expansion/phasing
- Funding requirements
- Utility financial stability versus customer base

Katy noted that a Utility Local Improvement District (ULID) would account for all properties within a ULID boundary and property owners would pay for their share through an assessment. This is especially germane in a scenario where a sewer is constructed adjacent to undeveloped land – property owners would benefit as the price of that land would increase, but because of the ULID they will still share the costs of the wastewater system that are included in their assessment (for example, collection lines only).

Additional points of discussion included –

- The Group discussed the various definitions of how one defines a property being within 200 feet of a mandatory hookup zone (with 200 feet already defined in the development regulations adopted by the County).
- SAG members discussed how the wastewater system would affect currently undevelopable lots, as well as the numerous lots within the UGA that were originally platted at 25’ x 100’.
- In response to a question about whether there was anything not congruent between the Shoreline Management Act and the wastewater system, it was noted that no problems exist.
- How will Jefferson County enforce if residents do not want to tie into the wastewater system?

SAG did not make a decision on when a connection is required, but intends to further consider this question at its next meeting.

Technical Discussion and Potential Decisions

Because of the time constraints Bob Wheeler said that the Technical Discussion and Potential Decisions discussion to be led by Kevin Dour would be held for the August meeting.

Wrap Up & Next Steps

SAG discussed future meeting dates and agreed that the three-hour afternoon format (1:30-4:30 p.m.) would work well for the majority of SAG participants. Bob Wheeler then presented possible dates for the three remaining SAG meetings. The group agreed upon the following dates:

- Tuesday, August 11
- Wednesday, September 9
- Tuesday, October 6

Adjourn

Bob Wheeler thanked the SAG for its input and adjourned the meeting at 4:30 p.m.

Appendix 1: Meeting Participants

SAG Members

Name	Organization
Steve Brown	Chimacum School District
Craig Durgan	Property Owner
Bill Graham	Jefferson PUD #1
Mike Langley	NOSC, Sundland Water & Sewer District
Kevin Long	North Olympic Salmon Coalition
Bill Mahler	Northwest School of Wooden Boatbuilding
Karl Meyer	NOSC, Beach Watchers
Bill Miller	Jefferson County Planning Commission
David Peterson	City of Port Townsend
Jim Pivarnik	Port of Port Townsend
Frances Rawski	Port Hadlock Tri-Area Chamber
Michael Regan	ICAN
Chuck Russell	Valley Tavern
Ray Serebrin	Jefferson County Library
Shelby Smith	EDC Team Jefferson
Joni Williams	Single family resident

Staff and Consultants

Name	Organization
Joel Peterson	Jefferson County Department of Community Development
Kevin Dour	Tetra Tech
Katy Isaksen	Katy Isaksen & Associates
Blake Trask	Triangle Associates
Bob Wheeler	Triangle Associates

Appendix 2: A Tracking and Summary of SAG Recommendations

Topic	SAG Recommendation	Notes
Simple vs. Complex Rates	A balance between simple and complex, with a lean toward simple sounds appropriate	This is an initial decision pending further consideration of policies
Simple vs. Complex Rates	It is reasonable to base rates on water usage	
Simple vs. Complex Rates	Potentially develop 4-5 categories of rates for households and commercial users	
Simple vs. Complex Rates	SAG agreed that predictable rates were preferable.	
General	SAG agreed to carefully consider unintended consequences to the extent possible as they evaluate policies and make recommendations.	

**Jefferson County Department of Community Development
Port Hadlock Wastewater System Design**

**Sewer Advisory Group
August 11, 2009, 1:30 PM – 4:30 PM**

Location: Spruce Room – WSU Extension

Approved Meeting Summary

Welcome, Introductions, Review Meeting Agenda, and Meeting Summary Approval

Meeting facilitator Bob Wheeler from Triangle Associates welcomed the Sewer Advisory Group (SAG) and provided some context for the formation of the SAG. SAG members, the Jefferson County Department of Community Development (DCD) and the Tetra Tech consultant team went around the table and made introductions (see Attachment 1 for a list of attendees).

Bob Wheeler reviewed the agenda and outlined the purpose of SAG, including its role in providing feedback to the consultant team and Jefferson County, to educate and inform the public, to provide recommendations for key sewer policies and ordinances, and to identify key factors for design standards. He reiterated that the presumption of the Advisory Group is that the wastewater system will be designed and built.

The Advisory Group reviewed the July 14, 2009 meeting summary. One SAG member noted that some of the statements made at the July meeting were accurate, but that further clarification was still necessary for him to better understand the policy issues. The Group agreed to cover some of those issues at today's meeting. No changes to the meeting summary were requested and it was approved by consensus.

Updates

Kevin Dour reported back on his discussions with the project hydrogeologist about how the U.S. Geological Survey (USGS) study. The hydrogeologist is aware of the work being conducted by USGS. The project findings and investigations conducted during the Facility Planning stage are preliminary (but are grounded in field work around the Port Hadlock/Irondale area). Future work conducted by the team's hydrogeologist will be coordinated with the work and findings of the ongoing USGS study.

Kevin Dour reported that a Request for Proposal (RFP) was issued for the membrane bioreactor (MBR) wastewater system design and the project team now is evaluating the three proposals received. The rationale for issuing the RFP early on in the design process was that MBR technologies differ enough as to impact how the wastewater treatment plant will be designed. Thus the RFP was issued now in order to appropriately design the treatment plant around the selected MBR technology.

Joel Peterson provided an update on the Western Washington Growth Management Hearings Board decision. He said that the parties to the June 2, 2009 hearing had expected a decision from the Hearings Board on July 17, but the County has not yet heard. Potential reasons for the delay could include the Board's busy schedule or because a second petition was submitted and the Board is taking additional care to make sure the first ruling is thorough and complete before addressing the second, relatively similar petition.

Questions/comments brought up during the update conversation included:

- In response to a question about how long the MBR contract would last, it was noted that the contract was good for 12-18 months and after a certain amount of time the contract could be modified.
- In response to a question regarding a potential new PUD #1 project, Kevin Dour said that the effluent of the wastewater system could theoretically be used for a reverse osmosis plant.
- In response to a question about whether it is necessary to develop an entirely new design for this wastewater system when other wastewater systems often use existing designs, Kevin Dour explained that for a plant size of one million gallons per day (the Port Hadlock system is expected to be this size at the end of the 20-year planning horizon), ready-made designs do not exist. Out of the box pre-designed systems usually process under 100,000 gallons per day.

Based on questions developed from the July meeting, Katy Isaksen addressed issues about recognizing the socio-economics of the Port Hadlock/Irondale area. She noted that the project team is seeking grants to reduce capital costs of the wastewater system. Following the July 14 SAG meeting Katy Isaksen spoke to ShoreBank Septic Loan Program Manager Terry Hull about the potential for a similar program to assist lower income households connect to the wastewater system. Mr. Hull noted that a loan program (to help out lower income households) for the wastewater system could be a great opportunity, but sees two challenges: (1) the current program prohibits connections to sewer systems, which would necessitate starting a new program separate from the existing septic program; and (2) new capital would need to be found. Mr. Hull explained that he was open to exploring new opportunities to help finance sewer connections for Port Hadlock residents.

Additionally Katy Isaksen reported out that:

- Joel Peterson had conducted research on how many properties within the service area receive property tax exemptions. In the Port Hadlock UGA, 109 households fall under this category.
- Currently funding opportunities on the federal level exist and Congressman Norm Dicks has included \$1 million grant funding for the Port Hadlock wastewater system in the current Department of Interior appropriations bill. The funding program is the State and Tribal Assistance Grant (STAG) program that the County applied for earlier this year.
- Based on the questions asked at the July 14 SAG meeting, other wastewater system examples were researched by the project team (Port Orchard, Belfair, and Carnation) to help provide more context for SAG members.
- Rate discount policies would be discussed at the September SAG meeting.

Presentation, Discussion, and Recommendations on Policies/Ordinances

Katy Isaksen reviewed the policies and ordinance issues that the SAG will be considering and making recommendations during the four-meeting process:

Policy and ordinance issue	SAG Meeting schedule
Connections to system	SAG Meetings #1 & 2
System management	SAG Meeting #2
Cost allocation	SAG Meeting #2
Sewer availability	Future SAG Meetings
Extension of system	Future SAG Meetings
Rate structure	Future SAG Meetings
Ancillary services/requirements	Future SAG Meetings

She then transitioned into the presentation and asked SAG members for advice on policies and ordinances. Four questions for the SAG to consider at the August 11 meeting included:

1. When is connection required? – Existing buildings
2. Side sewer policy – Where does public/private responsibility change?
3. System management – Should the County operate in-house or contract for services?
4. Cost allocation – General, local and private on-site costs; also connection charge vs. Utility Local Improvement Districts (ULID)

Connections to system

Katy Isaksen then reviewed the content for SAG members to consider regarding “connections to system” (Please see the meeting PowerPoint presentation for a complete outline of her presentation, available at www.porthadlocksewer.org/Advisory_Group.htm). The central question that this policy sought to ask was “*how much time would businesses or households have to hookup for sewer service once the wastewater system has expanded to their area?*” Additionally, she outlined some factors to consider including considering the planned expansion/phasing of the wastewater system (in accordance with the Facility Plan), the funding requirements (what the granting or low interest loan agencies would require to ensure a successful and financially sound utility to make the best use of grants and be able to repay the amounts borrowed), and how to maintain utility financial stability while keeping the costs to customers low.

In other words, a significant amount of money will be borrowed, in addition to the grants received, and this debt will be repaid by new customers connecting to the sewer. If only a few connections are made, there will not be the revenue to the sewer utility to meet the debt payments. In addition, the operations and maintenance costs for the system will be paid by those connected to the sewer. More connections will help keep the cost per customer as low as possible.

Comments, questions dialogue, and responses on the policy discussion about “connections to system”

- The project team explained that there could be variances between commercial and residential costs. SAG members discussed and compared the costs of hooking up to a wastewater system and building a septic system leachfield.
- The project team explained that the financing plan presented in the Facility Plan (including the cash flow analysis) has been designed so that costs would be spread evenly between the early wastewater system users and those signing up at a later date. However there will need to be a “cost of money” factor applied to ensure that the later users do indeed pay their share of the common/shared costs.
- The project team explained that the public health department will likely require an immediate connection upon failure of the septic system if located in an area where sewer service is available.
- One SAG member suggested that Jefferson County might want to take the lead on financing issues in order to spread the costs over the whole county (since the entire county will benefit from the wastewater system).
- The project team explained that because no established customer base exists at the outset of wastewater system design and construction, selling revenue bonds for funding the project is not possible. Using a utility local improvement district (ULID) method for funding the local collection system allows for the design, construction, and expansion of the wastewater system in phases and would be repaid by the specific properties benefited. General obligation bonds are always an option for the county to sell for financing the wastewater system but grants and low-interest loans typically are less costly.

- One SAG member noted that the level of funding available to help pay for connections would be an important factor to consider when evaluating whether to require an immediate system connection versus having the chance to connect at a later date.
- The project team explained that if a septic system were to fail prior to wastewater system service being available, there may be options to expand the system earlier if neighbors were willing to pursue a ULID option together, or if a nearby developer wanted to finance an expansion in order to connect earlier.
- One SAG member suggested that some variances should be built into any policy for connections to the system.

Connection to System Recommendations

Katy Isaksen then presented a set of potential recommendations (see the August 11 SAG meeting PowerPoint presentation available on the Port Hadlock website). For the recommendations and considerations that were examined and tentatively approved by SAG members, please see Attachment 2 of this meeting summary.

Side Sewer Policy

The SAG then considered the question of where along the side sewer pipeline the public/private responsibility would change. Kevin Dour outlined that two alternatives exist for where the responsibilities should end and begin: (1) at the property line or at right-of-way; or (2) at the sewer main. The SAG discussed some of the issues concerning where the sewer pipeline would be located (typically they are placed in the center of the roadways), stubs placement, and new sewer placement issues. In addition to the presentation provided by the consultant team, SAG member dialogue and discussion included:

- One SAG member noted that the questions would be influenced by right of way issues.
- A SAG member asked about what other entities (e.g., the Jefferson County Public Works Department and the Washington Department of Transportation) should be informed about this new utility that will be impacting the streets?
- One SAG member said that for initial installation, the sewer side policy should be up to the right of way.
- In response to concerns about how long households would have before needing to replace their side sewers, Kevin Dour noted that the assumed design life of side sewers is around 40 years (although they have been known to last longer in many instances).
- In response to a SAG member question about whether or not to place the sewer in the center of the roadway, it was noted that an alternative to locating the sewer down the center of the existing street is to put the sewer along one side of the street. This is an issue that would be addressed in the construction standards which would be developed by the new sewer utility. In general, locating sewers in the center of the roadway is a typical construction standard.

Side Sewer Policy Recommendations

A set of potential recommendations were presented to SAG members (see the August 11 SAG meeting PowerPoint presentation, available on the Port Hadlock Wastewater System website). For the recommendations and considerations that were examined and tentatively approved by SAG members, please see Attachment 2 of this meeting summary.

System management

Katy Isaksen then reviewed the content for SAG members to consider regarding management of the new wastewater system – specifically, should the County carry out all operations (treatment plant, pump stations, collection lines) and billings in house, contract separately for operations or billing, or contract

the wastewater system services out to other public or private entities? She outlined several factors, which can be reviewed in the August 11 PowerPoint presentation at www.porthadlocksewer.org/Advisory_Group.htm. In addition to the presentation notes, dialogue and discussion included:

- One SAG member discussed the importance of hiring a local business in Jefferson County for the contracting services.
- A SAG member noted that while keeping business in the County was important, so was cost effectiveness. He noted that if an outside contractor could make operating costs \$10 a month cheaper that this would benefit rate payers and may be preferable, even if the cheaper company was located outside of Jefferson County.
- One SAG member suggested that the PUD could be a good manager for the wastewater system.
- A SAG member noted that coordination of both utilities' water and sewer with the PUD could be beneficial for the area's utilities management.
- In response to a question about whether system management would be put out to bid (if contracting services were used), it was noted that this would be done to encourage competition.

System Management Policy Recommendations

A set of potential recommendations were presented (see the August 11 SAG meeting PowerPoint presentation, available on the Port Hadlock Wastewater System website). For the recommendations and considerations that were examined and tentatively approved by SAG members, please see Attachment 2 of this meeting summary.

Cost Allocation

Katy Isaksen mentioned that having the utility being successful and equitable to its users was the goal and also a challenge for project financing. She described costs associated with constructing a sewer system as fitting into three major categories:

- Common and Shared – Those costs which all users share the use and benefit (e.g.) the treatment plant, main pump station, and oversized collection lines.
- Local Costs – Those cost which a local group share the use and benefit (e.g.) local collection lines and pump stations within a neighborhood.
- Private On-Site – Those cost which the private property owner has the sole use and benefit (e.g.) the side sewer connection on private property, a grinder pump system (may be required for some properties along the beach).

The discussion slides outlining the differences between these cost categories can be reviewed in the August 11 meeting PowerPoint presentation at www.porthadlocksewer.org/Advisory_Group.htm.

Comments, questions dialogue, and responses on the policy discussion about “cost allocation”

- In response to one SAG member's question about when a grinder pump would be needed for the system, Kevin Dour noted that such a pump would be needed in a few locations along Port Townsend Bay.
- A SAG member wondered if Jefferson County intended to borrow the money for the cost of the entire sewer system and later charge UGA residents to pay the loan back. The consultant team explained that the system would be developed and financed in phases such that the system would expand, and the County would seek grants, low interest loans, and/or bonds to finance the expansion. The users would be charged their share to repay the amount borrowed in accordance with the cost allocation policies.
- The consultant team noted that the wastewater system would be built in phases to account for the area's expected growth.
- One SAG member noted the importance of having an equitability component in the project.

- A SAG member inquired how this type of project could affect the expansion of low-income housing. They expressed a concern that some housing could be removed because of the costs required for the hookup and additional monthly fees.
- One SAG member asked if the total number of existing units accounted for in the funding analysis only incorporated existing housing stock or it took into account future housing growth. The project team explained that the funding analysis accounted for future growth of new equivalent units in accordance with the County's Comprehensive Plan.

Cost Allocation Policy Recommendations

A set of potential recommendations were presented to SAG members (see the August 11 SAG meeting PowerPoint presentation, available on the Port Hadlock Wastewater System website). For the tentative recommendations and considerations that were examined and tentatively approved by SAG members, please see Attachment 2 of this meeting summary.

Technical Discussion

Kevin Dour then presented an update on technical issues concerning the wastewater system design and the site evaluation process. He explained that the candidate parcels were identified and the project team had conducted field visits. Through the course of the site evaluation, the project team noticed the potential opportunity to eliminate or reduce the need of an influent pump station (which could lessen the overall capital, as well as operations and maintenance, costs), by instead relying on gravity flow for the treatment plant. Kevin Dour cautioned that this finding would have to be confirmed through future evaluations, but that it was an exciting piece of news. Next steps for project team included formulating a recommendation for how to move forward with site selection.

In addition to the MBR technology bidding process, Kevin Dour noted that additional design considerations will focus on the appearance of the facility and mitigation issues. He explained that the project team intends to design the wastewater system to be an amenity for the community.

Kevin Dour said that the project team is examining different strategies and options for acquiring grant and/or low interest loans to finance the design and construction phases. He outlined the team's current anticipated schedule for applying for funding from targeted funding programs and when those funds might be received if successful. He mentioned that at the construction phase, additional potential funding from programs such as the Public Works Trust Fund, the Department of Ecology and the US Dept. of Agriculture-Rural Development should be available. The project team is continuing to explore and identify new funding opportunities, particularly opportunities to aide low-income residents. In response to a question about what data exists about the number of low-income households, it was noted that considerable data does exist and the project team has incorporated that data into its evaluation of available programs as the team continues to seek additional project funding sources.

Wrap Up & Next Steps

Bob Wheeler noted the dates for the two remaining SAG meetings:

- Wednesday, September 9 (Jefferson County Library)
- Tuesday, October 6 (Spruce Room – WSU Extension Offices)

He then mentioned next steps for the September 9 meeting, including discussing additional policy issues and reporting back to the SAG on future updates.

Adjourn

Bob Wheeler thanked SAG members for their input and adjourned the meeting at 4:30 p.m.

Attachment 1: Meeting Participants

SAG Members

Name	Organization
Steve Brown	Chimacum School District
Larry Crockett	Port of Port Townsend
Ken Clow	City of Port Townsend
Crystal Hudson	Inn at Port Hadlock
Bill Mahler	Northwest School of Wooden Boatbuilding
Ken McMillan	Jefferson PUD #1
Bill Miller	Jefferson County Planning Commission
Jim Parker	Jefferson County PUD #1
Jody Reuther	Inn at Port Hadlock
Hank Rogers	Citizen
Chuck Russell	Valley Tavern
Ray Serebrin	Jefferson County Library
Shelby Smith	EDC Team Jefferson
deForest Walker	Olympic Community Action Programs (OlyCAP)

County Staff and Consultants

Name	Organization
Joel Peterson	Jefferson County Department of Community Development
Kevin Dour	Tetra Tech
Katy Isaksen	Katy Isaksen & Associates
Blake Trask	Triangle Associates
Bob Wheeler	Triangle Associates

Attachment 2: A Tracking and Summary of SAG Recommendations

Topic	SAG Recommendation	Mtg. no.	Notes
Simple vs. Complex Rates	A balance between simple and complex, with a lean toward simple sounds appropriate	1	This is an initial decision pending further consideration of policies.
Simple vs. Complex Rates	It is reasonable to base rates on water usage	1	
Simple vs. Complex Rates	Potentially develop 4-5 categories of rates for households and commercial users	1	
Simple vs. Complex Rates	Predictable rates are preferable.	1	
General	To carefully consider unintended consequences to the extent possible as they evaluate policies and make recommendations.	1	
Connection to System	New development/major modification <ul style="list-style-type: none"> As set by development regulations (connect when sewer phase is available, within 200 feet, or may install an interim on-site system and sign a no-protest agreement for potential local improvement districts that may be formed in the future.) 	2	
Connection to System	Interim on-site systems <ul style="list-style-type: none"> As set by development regulations (connect within 1 year of availability) 	2	
Connection to System	Failed septic <ul style="list-style-type: none"> As set by public health (connect when sewer is available) 	2	Should consider enforcement issues.
Connection to System	Existing Buildings <ul style="list-style-type: none"> Within [60] days of notice County should seek financial assistance/programs for low-moderate income residents 	2	<ul style="list-style-type: none"> How to build incentives for people to want to connect earlier. There should be a relationship to the cost and complexity to the time required to connect. For existing buildings: Given that the buildout will occur over a number of years, a communications element should be implemented to give property owners advanced notice. This will avoid the first communication with property owners being only 30 days before the

Topic	SAG Recommendation	Mtg. no.	Notes
			<p>connection requirement. Working with individuals to give them advanced notice will be important. This could include education, finance options, etc. There needs to be some ability or option for the resident to be proactive. This will reduce the issue and may lessen the potential hardship of a 30 or 60 day notice.</p> <ul style="list-style-type: none"> • The number of days notice requirement should be a function of how long it takes someone to get a loan. 60 days should be appropriate. • Concern about 60 days being okay for financing issues. • Make some provisions in the policy to incorporate variances – and some flexibility – into the system (possibly for extreme hardship cases or special circumstances).
Side Sewer	<p>Responsibility should change from public to private at the property line</p> <ul style="list-style-type: none"> • Require sewer permit for connecting building sewer to public sewer • Considers ability of property owners to connect to stub at property line • Require a stub or tee for utility maintenance access at property line • Keep integrity of sewer mains and service stub outs within the County right-of-way the responsibility of the utility • County should consider licensing side sewer contractors 	2	<ul style="list-style-type: none"> • Find out from Jefferson County Public Works as well as WSDOT what their policies/rules for side sewers work (cuts in the Right-of-Way) would be. • Explore if there an allowance for private prop owners to do their own work?
System Management	County will <i>own</i> the system.	2	<ul style="list-style-type: none"> • This is in accordance with the Facility Plan. • Should consider other options, such as the PUD owning the system.
System Management	<p>Principles:</p> <ul style="list-style-type: none"> • Seek to protect County and customer investment • Seek efficiencies and savings in the cost of operations and administration 		
System Management	Contract billing services	2	
System Management	System operation and maintenance (contract or in-house)	2	<p>County should consider contracting for services based upon best available price Consideration should be given to contractors who are resident (or their</p>

Topic	SAG Recommendation	Mtg. no.	Notes
			key employee's reside) within Jefferson County
Cost Allocation	General costs include those facilities serving the general system and benefits all customers: treatment and recharge system, influent pump station with force main, mainline sewer pipes greater than 8"	2	<ul style="list-style-type: none"> • Make sure that those who pay at the start are not paying a higher cost than users connecting on to the system later. • The cost allocation system needs to be fair – concern about threatening low income housing starts.
Cost Allocation	Local costs include those facilities serving and benefiting a local area: 8" collection pipe, local pump stations	2	<ul style="list-style-type: none"> • 8" sewer pipes are the minimum size allowed according to DOE standards.
Cost Allocation	Private on-site costs include those facilities serving and benefiting individual properties to be paid by private property owners	2	<ul style="list-style-type: none"> • Low income issues need to be considered. • Seek opportunities to lessen the burden of on-site and connection costs to low income residents.

**Jefferson County Department of Community Development
Port Hadlock Wastewater System Design**

**Sewer Advisory Group
September 9, 2009, 1:30 PM – 4:30 PM**

Location: Jefferson County Library, Humphrey Room

Approved Meeting Summary

Welcome, Introductions, Review Meeting Agenda, and Meeting Summary Approval

Meeting facilitator Bob Wheeler from Triangle Associates welcomed the Sewer Advisory Group (SAG) and provided some context for the formation of the SAG. SAG members, the Jefferson County Department of Community Development (DCD) and the Tetra Tech consultant team went around the table and made introductions (see Attachment 1 for a list of attendees).

Bob Wheeler reviewed the agenda and outlined the purpose of SAG, including its role in providing feedback to the consultant team and Jefferson County, to educate and inform the public, to provide recommendations for key sewer policies and ordinances, and to identify key factors for design standards. The Advisory Group's presumption is that the wastewater system will be designed and built.

The Advisory Group reviewed the August 11, 2009 meeting summary. One SAG member asked to change the word "equity" to "equitability" on page 5 of the summary. The Group discussed whether wastewater system ownership should exist with the County and operations and management should go to the PUD. An addition to Attachment 2, "Tracking and Summary of SAG Recommendations," will be made to include a recommendation to designate the PUD as the billing agent. No additional changes to the meeting summary were requested and it was approved with the stated changes by consensus.

Bob Wheeler discussed Attachment 2 (see below) "Tracking and Summary Table of SAG Recommendations," and indicated to the Group that this table will serve as a summary of the recommendations and advice from SAG members to Jefferson County.

Updates

Joel Peterson updated the Advisory Group on the Western Washington Growth Management Hearings Board decision noting that the general sewer facility plan was found compliant. One remaining element left to address relates to implementing urban development standards in the growth area and the need to identify interim rural zoning and interim rural development standards. Jefferson County is on a schedule to make the required changes to its code and to report back to the Board by mid-November. The Jefferson County Planning Commission will conduct a review on September 16. Additionally, Joel mentioned that a second appeal was filed with the Western Washington Growth Hearings Board. Both the appellants and the County agreed with the Hearings Board to put this latest petition on hold until the resolution of the first appeal.

Katy Isaksen noted that the U.S. Department of Agriculture (USDA) approved a \$25,000 Rural Development Predevelopment Grant. She explained that this grant is significant for project funding for three reasons: (1) Representative Norm Dicks sent a letter to the undersecretary of USDA endorsing the project; (2) USDA Rural Development Program funding sources has been identified by the project team as a target program for wastewater system construction; and (3) USDA is reluctant to select projects and

then let them fail. Thus USDA should have an interest in continuing to fund the wastewater system to ensure its successful completion.

Presentation, Discussion, and Recommendations on Policies/Ordinances

Katy Isaksen provided an explanation of the financing and cash flow proposal presented in the Facility Plan for the wastewater system. She noted that the estimated rolled up connection cost per equivalent residential unit (ERU) was \$20,900 and explained that if the project team is successful in acquiring up to 45% grants for residential connections that the average cost per hookup would drop to about \$14,000 per ERU. Finding other sources of low-cost financing would bring the capital costs down as well. In addition, an estimated monthly rate of \$60 per ERU will be necessary to fund the operations and management costs.

The Advisory Group discussed operations, maintenance, billing, and administration. SAG members talked about the Jefferson County planning figures for baseline population and population projections for the future growth rates. These figures provided a projection of current and future residents that would tie into the wastewater system design. Discussion included potential scenarios if certain areas, or residents, of the UGA did not ultimately tie-into the system.

Katy Isaksen reviewed the policies and ordinance issues that the SAG will be considering and making recommendations during the four-meeting process:

Policy and ordinance issue	SAG Meeting schedule
Connections to system	SAG Meetings #1 & 2
System management	SAG Meeting #2
Cost allocation	SAG Meeting #2
Rate structure	SAG Meeting #3
Ancillary services/requirements	SAG Meeting #3
Sewer availability	SAG Meeting #4
Extension of system	SAG Meeting #4
Recap of SAG recommendations	SAG Meeting #4

She then transitioned into the presentation topics scheduled for this meeting and asked SAG members for advice on policies and ordinances. Four questions for SAG members were asked to consider at the September 9 meeting included:

1. Capital Cost Recovery Methods - Local Improvement Districts (LID/ULID)
2. Monthly rates – how to structure the rates?
3. Monthly rates – what discounts to allow?
4. Mobile tank/Septage/RV Disposal

Katy gave an overview of ways to provide feedback, advice, and recommendations.

Capital Cost Recovery & Utility Local Improvement District (ULID)

Katy Isaksen reviewed the methods of recovering capital costs for SAG members to consider. (Please see the meeting PowerPoint presentation for a complete outline of her presentation, available at www.porthadlocksewer.org/Advisory_Group.htm). These included connection charges (property owner pays upon connection to the system), Utility Local Improvement District (ULID) assessments (costs spread among property owners and financed over 10-20 years), or repaying the borrowed construction funding through monthly rates. Repaying debt through monthly rates does not work well with a new

system and this option is not recommended at the beginning. The financing plan focuses on the two options connection charges and ULID assessments.

She noted, as recommended in the Facility Plan, that by using a ULID to fund local collection system costs, Jefferson County would borrow money to construct portions of the local collection system by selling ULID bonds. Each of the properties in the UGA that would be part of a specific ULID would be assessed their fair-share of the bond repayment. This would be repaid through an annual assessment on their property over a 20-year period. The ULID is unique for financing because it allows the property owner to pay for the assessment over time without having to go out and obtain their own financing (such as a home equity loan) Her presentation sought to explain to Advisory Group members the rationale for using ULIDs, their benefit as a tool for the County to use so that it can borrow money to fund the system, the benefits of distributing the costs of the system over a longer period of time (20 years), and the benefits of ULIDs to provide another vehicle for wastewater system customers to finance their local capital costs.

Comments, questions dialogue, and responses from the discussion included:

- In response to one SAG member question, the project team explained that using a municipal general obligation bond for funding is typically a more costly method of financing available to the County than grants and low-interest loans. If the project cannot acquire low-interest loans, then bonds would be the next option. It was noted that in the initial start-up phase of the project, it would be difficult to issue revenue bonds because of the small customer base that would be required to carry a large amount of bond debt.
 - One SAG member wondered how the wastewater system could be paid for without having the entire UGA connected immediately. Katy Isaksen noted that a cash flow analysis was previously completed in the Facility Plan, which evaluated the planned phasing scenario. She also explained that the estimated \$20,900 cost for a new connection was the resulting figure of the analysis that assumed the project's total planned costs divided by the project's total planned connections.
 - The project team noted that the boundaries of the ULIDs are not set at this time, but that they will be determined during the current predesign phase, at least for the earlier ULIDs. Future ULID's would be formed based upon needs of the community and the planned implementation of the Facility Plan.
 - A SAG member inquired how Jefferson County would handle enforcement issues regarding residents hooking up to the wastewater system. Bob Wheeler referred to SAG recommendations and considerations concerning "connections to system" that were discussed at the second SAG meeting (see attachment 2 for a table of the recommendations).
 - SAG members discussed how ULIDs could be approved or rejected by the public.
 - Some SAG members noted they liked the ULID financing method because it would provide more funding options for residents.
 - SAG members discussed talking with U.S. senators to acquire federal funding for this project. It was noted that Representative Dicks was taking the lead on federal funding for the wastewater system instead of the state's U.S. senators. And in fact, that Representative Dicks has placed the project on the Interior Bill for \$1Million grant. The grant will not be finalized until passage of the Bill that will be going through the federal process this fall. It was also noted that the County had been in contact with both Washington Senators and State legislators.
 - A SAG member commented that maybe the whole system should be built right up front and funded with a large ULID.
 - One SAG member expressed concern that this is a County-driven process, which is saving open space throughout the county at the expense of Port Hadlock UGA residents. The member said that the entire County should pay for some portion of the project because the entire County will benefit from it.
-

- The project team clarified that for private on-site facilities, public funds cannot be gifted to private property, but low-interest loans may be offered through a potential loan program that could be funded through a grant.
 - In response to the assertion that public money cannot be gifted to benefit private property; a SAG member noted that often the federal government does provide financial support to individual homeowners on projects, such as weatherization. A point of clarification is that state money is different than federal money and cannot be gifted for on-site improvements.
- One SAG member discussed ways to support non-profit entities that help low-income housing in the community.

Capital Cost Recovery (ULID) Recommendations

Katy Isaksen then presented a set of potential recommendations (see the September 9 SAG meeting PowerPoint presentation available on the Port Hadlock website). For the recommendations and considerations that were examined and tentatively approved by SAG members, please see Attachment 2 of this meeting summary.

Monthly Rate Structure

Katy Isaksen then reviewed the content for SAG members to consider regarding monthly rate structures (Please see the meeting PowerPoint presentation for a complete outline of her presentation, available at www.porthadlocksewer.org/Advisory_Group.htm). In posing the question to the Advisory Group of how to structure monthly rates, Katy provided several alternatives (e.g., rates by ERU, flat rates, base rates, rates by volume, average winter water use rates, two tiered rates, along with differences between commercial and residential, and multifamily as residential OR commercial) and factors to consider when evaluating the alternatives (administrative costs; equity; rate predictability vs. variability). Comments, questions dialogue, and responses from the discussion included:

- In response to questions about whether or not the rate structure should be based on the strength of the waste, the project team explained that waste strength was typically associated with commercial entities like grocery stores, breweries, and other similar entities. Wastes, including milk and blood (such as from the dairy and meat departments in a grocery store), require more treatment capacity at a treatment plant than a more standard waste stream from a residential connection. To account for this difference, a strength surcharge could be added in addition to the volume of wastewater produced for certain commercial customers. Additionally, waste strength can be categorized and sub-categorized to help provide a consistent rate structure based on the type of business (and the typical strength of the activity's waste) in question.
 - In response to a question about how schools are classified, it was noted that for some jurisdictions schools are simply classified as commercial and other small jurisdictions calculate according to ERU. It was also noted that schools with or without food preparation facilities could be classified differently for waste strength.
 - The Group discussed using a 3-tiered system for residential. Analyzing water usage was seen as important. Some members commented that a 2 or 3 tier rate structure might be best to help reward conservation.
 - A suggestion was made to complete an investigation on the water records for existing accounts in the area to determine whether variations in usage amongst customer groups would result in a suitable application of a tiered rate structure. This could change over time as more residential connections were made.
 - In response to a question about whether government buildings received discounts it was noted, that for water in Port Townsend, governments are actually charged more to offset the fact that governments do not pay property taxes even though they receive the same services that residential and commercial buildings do.
-

Monthly Rate Structure Recommendations

Katy Isaksen then presented a set of potential recommendations (see the September 9 SAG meeting PowerPoint presentation available on the Port Hadlock website). For the recommendations and considerations that were examined and tentatively approved by SAG members, please see Attachment 2 of this meeting summary.

Multifamily Rates

In addition to the monthly rate discussion, Katy Isaksen presented a table of potential multifamily recommendations for SAG members to consider regarding multifamily rates. Comments, questions dialogue, and responses from the discussion included:

- SAG members discussed how rate discounts could be passed on from landlords to low income and senior citizen residents. A number of concerns regarding ensuring that the discounts offered were being received by those intended (tenant vs. property owner) and enforcement were raised.
- The project team noted that giving mobile home parks commercial rates could actually amount to less than the one ERU per single-family residential home proposed for the residential rate structure.

Multifamily Rate Recommendations

Katy Isaksen then presented a set of potential recommendations (see the September 9 SAG meeting PowerPoint presentation available on the Port Hadlock website). For the recommendations and considerations that were examined and tentatively approved by SAG members, please see Attachment 2 of this meeting summary.

Monthly Rate Discounts

Katy Isaksen then reviewed the content for SAG members to consider regarding monthly rate discounts (Please see the meeting PowerPoint presentation for a complete outline of her presentation, available at www.porthadlocksewer.org/Advisory_Group.htm). She posed the question of who should be offered discounts to monthly rates and then laid out several alternatives and considerations for SAG members to evaluate. Comments, questions dialogue, and responses from the discussion included:

- Joel Peterson noted that he had explored financial assistance programs in the context of telephone services. He explained that a financial assistance program may be able to be recreated for a wastewater system, as well.
- A concern was voiced regarding equity and who would benefit (particularly landlords who offered substandard housing) with rate discounts.

Monthly Rate Discount Recommendations

Katy Isaksen then presented a set of potential recommendations (see the September 9 SAG meeting PowerPoint presentation available on the Port Hadlock website). For the recommendations and considerations that were examined and tentatively approved by SAG members, please see Attachment 2 of this meeting summary.

Mobile Tank Disposal/Septage Disposal/RV Disposal

Kevin Dour then reviewed the presentation regarding whether or not the system should accept mobile tank disposal/septage/RV disposal (Please see the meeting PowerPoint presentation for a complete outline of the presentation, available at www.porthadlocksewer.org/Advisory_Group.htm). The question that Advisory Group members considered was the advantages and disadvantages of whether or not the wastewater treatment system should be designed to allow for mobile tank disposal/septage disposal/RV disposal. Comments, questions dialogue, and responses from the discussion included:

- One SAG member noted that some individuals now transport their RV waste to Port Townsend.
-

- SAG members discussed the efficacy of onsite sampling devices to ensure that unwanted or illicit substances did not enter the wastewater system. It was noted that it is possible to get some indication of the contents disposed, but not always everything.
- It was noted that disposing unwanted or illicit substances into the wastewater system from residential or commercial locations was relatively easy to track.
- The project team noted that this service could be seen as an economic development tool to promote tourism (i.e., easy RV disposal for visitors) and other economically beneficial activities.

Mobile Tank Disposal/Septage Disposal/RV Disposal Recommendations

SAG members were then presented a set of potential recommendations (see the September 9 SAG meeting PowerPoint presentation available on the Port Hadlock website). For the recommendations and considerations that were examined and tentatively approved by SAG members, please see Attachment 2 of this meeting summary.

Technical Update

Kevin Dour updated SAG members that the project team is moving forward on progress in evaluating site characteristics. In addition to the project team activities, Jefferson County is determining a course of action for discussion/negotiation with property owners.

Kevin Dour then gave an update on the MBR equipment bidding process that he reported on at the August meeting. He explained that the project team had evaluated all three of the membrane bioreactor (MBR) technology proposals submitted and told SAG members that he was hoping by the end of the week to make a recommendation on which MBR technology the County should choose. He said that the project team looked at lifecycle costs, the number of treatment plants using the proposer's technology across the U.S., as well as local installations, and the financial stability of the proposer's company in the evaluation process.

- One SAG member asked about alternative technologies beyond the MBR process, such as hypochlorite and ultraviolet disinfection. Kevin Dour said the project team planned to consider ultraviolet disinfection because of recent discussions and guidance from the State Department of Health to explore using this as a disinfection technology.

Wrap Up & Next Steps

Bob Wheeler noted the date and location for the final SAG meeting:

- Tuesday, October 6 (Spruce Room – WSU Extension Offices)

He then mentioned next steps for the October 6 meeting, including discussing additional policy issues and reporting back to the SAG on future updates.

Adjourn

Bob Wheeler thanked SAG members for their input and adjourned the meeting at 4:45 p.m.

Attachment 1: Meeting Participants (still need to update on Monday)

SAG Members

Name	Organization
Steve Brown	Chimacum Schools
Ken Clow	City of Port Townsend
Larry Crockett	Port of Port Townsend
Craig Durgan	Citizen
John Keegan	Citizen
Mike Langley	NOSC
Bill Mahler	Northwest School of Wooden Boatbuilding
Ken McMillan	Jefferson Count PUD #1
Bill Miller	Jefferson County Planning Commission
Mike Regan	ICAN
Dana Roberts	Jefferson County PUD #1
Hank Rogers	Citizen
Chuck Russell	Valley Tavern
Ray Serebrin	Jefferson County Library
deForest Walker	Olympic Community Action Programs (OlyCAP)
Joni Williams	Citizen

County Staff and Consultants

Name	Organization
Frank Gifford	Jefferson County Public Works
Joel Peterson	Jefferson County Department of Community Development
Kevin Dour	Tetra Tech
Katy Isaksen	Katy Isaksen & Associates
Blake Trask	Triangle Associates
Bob Wheeler	Triangle Associates

Attachment 2: Tracking and Summary Table of SAG Recommendations

Topic	SAG Recommendation	Mtg. no.	Notes
Simple vs. Complex Rates	A balance between simple and complex, with a lean toward simple sounds appropriate	1	This is an initial decision pending further consideration of policies.
Simple vs. Complex Rates	It is reasonable to base rates on water usage	1	
Simple vs. Complex Rates	Potentially develop 4-5 categories of rates for households and commercial users	1	
Simple vs. Complex Rates	Predictable rates are preferable.	1	
General	To carefully consider unintended consequences to the extent possible as they evaluate policies and make recommendations.	1	
Connection to System	For New development/major modification <ul style="list-style-type: none"> • Connection required as set by development regulations (connect when sewer phase is available, within 200 feet, or may install an interim on-site system and sign a no-protest agreement for potential local improvement districts that may be formed in the future.) 	2	
Connection to System	For Interim on-site systems <ul style="list-style-type: none"> • Connection required as set by development regulations (connect within 1 year of availability) 	2	
Connection to System	For Failed septic systems <ul style="list-style-type: none"> • Connection required as set by public health (connect when sewer is available) 	2	Should consider enforcement issues.
Connection to System	For Existing Buildings <ul style="list-style-type: none"> • Connection required within [60] days of notice of sewer availability • County should seek financial assistance/programs for low-moderate income residents 	2	<ul style="list-style-type: none"> • Build in incentives for people to connect earlier. • There should be a relationship to the cost and complexity to the time required to connect. • For existing buildings: Given that the buildout will occur over a number of years, a communications element should be implemented to give property owners advanced notice. This will avoid the first communication with property owners being only 30 days before the connection requirement. Working with individuals to give them advanced notice will be important. This could include education, finance options, etc. There needs to be some ability or option for the

Topic	SAG Recommendation	Mtg. no.	Notes
			<p>resident to be proactive. This will reduce the issue and may lessen the potential hardship of a 30 or 60 day notice.</p> <ul style="list-style-type: none"> • The number of days notice requirement should be a function of how long it takes someone to get a loan. 60 days should be appropriate. • Concern about 60 days being okay for financing issues. • Make some provisions in the policy to incorporate variances – and some flexibility – into the system (possibly for extreme hardship cases or special circumstances).
Side Sewer	<p>Responsibility should change from public to private at the property line</p> <ul style="list-style-type: none"> • Require sewer permit for connecting building sewer to public sewer • Considers ability of property owners to connect to stub at property line • Require a stub or tee for utility maintenance access at property line • Keep integrity of sewer mains and service stub outs within the County right-of-way the responsibility of the utility • County should consider licensing side sewer contractors 	2	<ul style="list-style-type: none"> • Find out from Jefferson County Public Works as well as WSDOT what their policies/rules for side sewers work (cuts in the Right-of-Way) would be. • Explore if there an allowance for private prop owners to do their own work?
System Management	County will <i>own</i> the system.	2	<ul style="list-style-type: none"> • This is in accordance with the Facility Plan. • Consider other options, such as the PUD owning the system.
System Management	<p>Principles:</p> <ul style="list-style-type: none"> • Seek to protect County and customer investment • Seek efficiencies and savings in the cost of operations and administration 		
System Management	Contract billing services using the Jefferson County PUD #1 as the billing contractor should be a preferred approach	2	The PUD is the water provider and source of billing data, they already bill the water customers, and are local in the community
System Management	System operation and maintenance (contract or in-house)	2	<p>County should consider contracting for services based upon best available price</p> <p>Consideration should be given to contractors who are resident (or their key employee's reside) within Jefferson County</p>

Topic	SAG Recommendation	Mtg. no.	Notes
Cost Allocation	General costs include those facilities serving the general system and benefits all customers: treatment and recharge system, influent pump station with force main, mainline sewer pipes greater than 8"	2	<ul style="list-style-type: none"> • Make sure that those who pay at the start are not paying a higher cost than users connecting on to the system later. • The cost allocation system needs to be fair – concern about threatening low income housing starts.
Cost Allocation	Local costs include those facilities serving and benefiting a local area: 8" collection pipe, local pump stations	2	<ul style="list-style-type: none"> • 8" sewer pipes are the minimum size allowed according to DOE standards.
Cost Allocation	Private on-site costs include those facilities serving and benefiting individual properties to be paid by private property owners	2	<ul style="list-style-type: none"> • Low income issues need to be considered. • Seek opportunities to lessen the burden of on-site and connection costs to low income residents.
Capital Cost Recovery	<p>For capital costs that do not receive grant funding:</p> <ul style="list-style-type: none"> • General Facilities to be paid by connection fee • Local Facilities to be paid by connection fees <u>OR</u> by Utility Local Improvement District (ULID) assessment • Private On-Site Facilities to be funded by property owners 	3	<ul style="list-style-type: none"> • Build the entire system at once might make sense. • Maximize efforts to acquire grants to fund the wastewater system. • If built over time, more septic systems will need to be replaced. • Look at low-cost financing opportunities for private on site facilities and how to deal with non profit & low-income residents.
Capital Cost Recovery	County should seek methods of increasing the ability of customers to finance their share	3	
Capital Cost Recovery	SAG recommends making ULID available as a financing method	3	<ul style="list-style-type: none"> • ULID provides an additional method to finance costs, so this is recommended. • Consider constructing the entire system at once and funding it using a large ULID.
Monthly Rate Structure	•Keep balance between simple administration and equity to customer classes	3	
Monthly Rate Structure	Make sure the rate structure works on the billing system	3	<ul style="list-style-type: none"> • If the PUD or any other entity is the billing contractor, work with that entity to make sure whatever monthly rate structure is used works with any existing billing system in use, for instance for the water system billing.
Monthly Rate Structure	Residential – Use a flat <u>OR</u> two-tier system, and consider a three-tiered system if there is a wide variation in water use within a customer class.	3	<ul style="list-style-type: none"> • What do the water records show? If there a wide volume of flow – may want to go to 3-tier system. • When there is an incentive folks will use less water
Monthly Rate Structure	Commercial – – increase by volume/ERU	3	<ul style="list-style-type: none"> • Non profit perspective – not necessarily commercial • The school – look at by volume and not strength (no cooking onsite)

Topic	SAG Recommendation	Mtg. no.	Notes
	<ul style="list-style-type: none"> – simple increase by user class waste strength – minimum of 1 ERU 		<ul style="list-style-type: none"> • Recognize Pharmaceuticals and Personal Care Products (PPCPs) and their impact on water quality.
Multifamily Rates	<ul style="list-style-type: none"> Single family home – Residential Duplex – Residential Mobile home not in designated park – residential Townhome, condo – residential Accessory Dwelling Units – with main residence Apartment building (3+ units) – commercial Mobil home park – commercial Hotel/motel – commercial Institutional (school/church) – commercial Mixed use residential & commercial – commercial or mixed depending on how meters are set up. 	3	<ul style="list-style-type: none"> • Allow for some flexibility on mixed use residential & commercial. Should be based on how meters are set up, which would allow for two different options or categories to choose from.
Monthly rate discounts	<p>The County should:</p> <ul style="list-style-type: none"> ▪ Consider offering monthly rate discounts to low-income seniors, low-income disabled that own their homes, and/or non-profit that rent to low income /disabled ▪ Qualification should be coordinated with either the Assessor’s tax exemption program or the contract billing agency’s program (such as the PUD) 	3	<ul style="list-style-type: none"> • In first bullet add “and/or non-profit that rent to low income /disabled” • Look at existing programs that offer discounts (phone, PSE, OlyCap, LIAP) as example programs. • For commercial accounts that rent to low income, are they not eligible for rate discounts?
Mobile Tank Disposal/Septage Disposal/RV Disposal	<ul style="list-style-type: none"> •The County should leave this option open during design. •Restrict sources: only from in-County, only septage, licensed haulers, RV’s? 	3	<ul style="list-style-type: none"> • It is important to hear from Public Health about concerns on what might be discharged to the system. • Licensed haulers only. • Need to maintain due diligence on this issue, but keep as an option for now.

**Jefferson County Department of Community Development
Port Hadlock Wastewater System Design**

**Sewer Advisory Group
October 6, 2009, 1:30 PM – 5:00 PM**

Location: Jefferson County WSU Extension, Spruce Room

Approved Meeting Summary

Welcome, Introductions, Review Meeting Agenda, and Meeting Summary Approval

Meeting facilitator Bob Wheeler from Triangle Associates welcomed the Sewer Advisory Group (SAG) and provided some context for the formation of the Group. SAG members, the Jefferson County Department of Community Development (DCD) and the consultant team went around the table and made introductions (see Attachment 1 for a list of attendees).

Bob Wheeler reviewed the agenda and outlined the purpose of SAG, including its role in providing feedback to the consultant team and Jefferson County, to educate and inform the public, to provide recommendations for key sewer policies and ordinances, and to identify key factors for design standards. The Advisory Group's presumption is that the wastewater system will be designed and built.

The Advisory Group reviewed the September 9, 2009 meeting summary. No changes to the meeting summary were requested and it was approved by consensus.

Bob Wheeler discussed the document "Summary Table of Sewer Advisory Group Recommendations" and indicated to the Group that this table will serve as a summary of the recommendations and advice from SAG members to Jefferson County. He noted that during this meeting SAG members would be reviewing the entire table, which included recommendations and considerations made at each of the four SAG meetings.

Updates

Joel Peterson from the Jefferson County DCD updated the Advisory Group on the decision made by the Western Washington Growth Management Hearings Board. He said that the County received compliance orders from the Board and it was found compliant on the Sewer Facility Plan. The Hearings Board also found the county compliant on Capital Facilities Plan and Dwelling Unit and Population Holding Capacity Analysis.

One point of non-compliance remained which was the need to clearly show what rural zoning and development standards are in place in advance of sewer. Additionally, he reported that the second request for reconsideration made by the Irondale Community Action Neighbors (ICAN) was denied by the Hearings Board.

Joel noted that the code changes required by the Western Washington Growth Management Hearings Board were to be presented to the Jefferson County Planning Commission on October 7, 2009. Following the Planning Commission review, the code changes will be forwarded on to the Board of County Commissioners (BOCC) for their review and adoption, anticipated for November 9, 2009. The compliance action is due to be submitted to the Hearings Board by November 12, 2009, with the Compliance Hearing scheduled for January 5, 2010.

In response to a September SAG meeting inquiry about wastewater system cash flow and financing, Katy Isaksen presented Table 9-5, which is located in the Sewer Facility Plan (http://www.porthadlocksewer.org/pdf/Ch%209_Pt_Hadlock_Sewer_Facility_Plan_09-08.pdf), as well as in the meeting PowerPoint presentation located on the Sewer Advisory Group web page. She noted that \$26 million will be required to fund general and local facilities for the first phase of the wastewater system. She explained that this amount does not include costs for private property owners to make individual connections or decommission existing septic tanks. The Facility Plan financing scheme was intended to ensure adequate funding for collection system, lines, and the treatment plant. She then proceeded to describe the various sources of financing available (including grants and low-interest loans) available to fund the \$26 million necessary for general and local facilities. In addition she described the multi-year phasing plan for the estimated repayment stream through 2018, which assumes the first three phases of the wastewater system (Core plus Alcohol; Rhody Drive; and Residential Area #1). Katy Isaksen noted that the Table assumes that the cost per Equivalent Residential Unit (ERU) is around \$15,000. She explained that she erred on the conservative side of the system funding estimates and did not assume the best case scenario for grant and loan support.

Comments, questions, dialogue, and responses from the discussion about financing and cash flow included:

- In response to a SAG member question, it was noted that Table 9-5 assumes the County will receive some grants and borrow the remainder of the \$26 million to construct the initial system. In this way, the debt repayment will be spread over 20 years and will be repaid with the connection charges received from new customers.
- In response to a SAG member inquiry about the methodology for growth projections, it was noted that the population and growth projections were estimated using County-wide data provided by the Washington State Office of Financial Management (OFM). The estimated new connections to the wastewater system were planned such that all inhabitants of the UGA would be connected to the sewer system by 2030. The SAG member was referred to Chapter Four of the Sewer Facility Plan for more information about the details of the population projections used for sewer planning.
- The consultant team added that plans are updated periodically to adjust projections as new population data are acquired. Joel Peterson added that the OFM numbers are released annually, and that Jefferson County is tracking relatively close to OFM's 2004 population projections for the County.
- Katy Isaksen noted that in response to a shift in population projections, the wastewater system phasing and construction can be adjusted to conform to these projections. It was noted that County staff will continue to monitor the UGA's population and will adjust its planning accordingly.
- One SAG member noted that it is likely that the opposite will happen and that UGA growth will actually exceed the current population projections.
- One SAG member wondered if the final approval for financing was decided by BOCC. The consultant team explained that the cash flow and financing figures were included as part of the Sewer Facility Plan that was approved by the Departments of Ecology and Health and adopted by BOCC.

Presentation, Discussion, and Recommendations on Policies/Ordinances

Katy Isaksen reviewed the policies and ordinance issues that the SAG will be considering and making recommendations:

Policy and ordinance issue	SAG Meeting schedule
Connections to system	SAG Meetings #1 & 2
System management	SAG Meeting #2
Cost allocation	SAG Meeting #2
Rate structure	SAG Meeting #3
Ancillary services/requirements	SAG Meeting #3
Sewer availability	SAG Meeting #4
Extension of system	SAG Meeting #4
Recap of SAG recommendations	SAG Meeting #4

She then transitioned into the presentation topics scheduled for this meeting and asked SAG members for advice on policies and ordinances. The two remaining questions that SAG members were asked to consider at the October 6 meeting included:

1. Sewer Availability – How will the Sewer Utility determine when sewer is available in an area?
2. Extension of the System – How will the planned expansions be made to the sewer system?

Katy gave an overview of ways for SAG to provide feedback, advice, and recommendations.

Sewer Availability

Katy Isaksen reviewed the methods of sewer availability for SAG members to consider (Please see the meeting PowerPoint presentation for a complete outline of her presentation, available at www.porthadlocksewer.org/Advisory_Group.htm). Based on the question (“How will the sewer utility determine when sewer service will be available in a given area?”) posed to SAG members, she provided a description of several alternatives for SAG to consider including the issuance of letters and/or certificates of sewer availability; by collection system phase as scheduled in the Facility Plan; by treatment capacity as scheduled in the Facility Plan; or a by combination of the above. She asked SAG members to consider a strong financial utility.

She then addressed some of the details related to sewer availability and capacity control. For the latter she described that property owners would need a sewer permit before being allowed to physically connect to the system. She also highlighted some of the potential advantages of a customer paying their connection charge up-front, i.e., buying into the system, prior to when they actually connect (pre-purchase). A reason for pre-purchase is that at the moment it serves as a vehicle to acquire early cash flow for financing the system. However, a drawback is that the County has committed the units or capacity and cannot sell them again. Meanwhile, the plant has to be operated and maintained while not receiving rate revenue for operation.

Katy Isaksen then discussed some of the grant and low-cost loan financing opportunities. She informed SAG members that the following week she and County representatives will attend the statewide Infrastructure Assistance Coordinating Committee meeting, which will mark the project team’s fourth year attending this meeting. She noted that the meeting offers an excellent opportunity to discuss with program coordinators ways to acquire grant funding and low-cost loan financing for the project and to

update funders about the project's status. She added that the County has had conversations with all levels of government to look at ways for grant funding and to maximize external funding sources for the future of this wastewater system.

Comments, questions, dialogue, and responses from the discussion included:

- In response to one Group member inquiry about whether it would be possible to create an installment plan as a payment option, the project team explained the ULID would allow a property owner to pay over a 20-year period of time via property taxes.
- One SAG member inquired about how ShoreBank could help finance connections. Katy Isaksen noted that currently ShoreBank's regulations for septic system financing do not allow for any connections to a sewer system. The project team is exploring future options to allow financing programs with ShoreBank or separate programs that could assist homeowners and businesses with borrowing the connection charges at reasonable rates.
- A SAG member expressed concern that there is a succession of financial planning challenges that the UGA will have to face over time. Katy said the cost for the treatment plant is a general cost and will be shared by all that use the system. Bob Wheeler noted that building a wastewater system from scratch presents several challenges, but he reminded SAG members that their role was to provide the best advice to make the wastewater system successful by making policy and ordinance recommendations which provide the direction to operate and manage the new sewer utility.
- In response to a question about how payment works with ULIDs, Katy Isaksen noted that each property within each ULID would receive an assessment and the property owner would be able to choose whether he or she pays the entire cost upfront, or pay for it over a 20-year period with interest. One could begin the 20-year payment program, but then pay the remaining amount in a lump sum in the future. There would be interest charges associated with paying the assessment over time; none if paid in full up front.
- SAG members discussed the issuance of a county permit for sewer availability. One recommendation made was for the County to pay for the permit cost. This, one SAG member suggested, would make the hookup process smoother, more efficient, affordable, and faster.
- One SAG member said that the sewer should be built immediately without phasing described in the Sewer Facility Plan.
- In response to a question about whether future grants would reduce ULID charges, connection charges, or onsite costs, Katy Isaksen explained that each grant program will have its own definition of what is eligible for funding support. In general, grants will cover the general costs, which will likely reduce the connection charge.
- One SAG member commented that acquiring grants would make the model even more affordable in terms of long-term financing.
- Another SAG member explained that he did not see anything wrong with this plan, but he wanted to ensure that the permitting program is acceptable and for the County to retain its flexibility in order to reduce the overall cost of the wastewater system.
- In response to a question if a connection would be required even if a home was not built on the property, it was noted that for the connection charge, the owner would only pay when they physically connect to the wastewater system. If a ULID was used to fund the local collection system, the property owner would pay their assessed share of the cost of the local system even if the property was undeveloped. They would pay a connection fee when connecting to pay for the general (common and shared – treatment plant and major facilities) costs.
- One SAG member expressed concern about the funding and financing necessary to get the system started. The Group discussed some of the initial financing rates. It was noted that the treatment plant will serve the whole area, but the collection system will be expanded over time.

The plan is to phase the buildout process, so that the system can be paid for over time and according to population projections. The project team explained that this was a typical way of financing these types of wastewater systems.

- Specifically related to who could pre-purchase, one SAG member suggested making the connection fees non-transferable and/or attached to the property that they were purchased with. This would avoid such situations where folks are attempting to profit from pre-purchasing lower cost connections to be able to sell them later at an increased cost for their own profit.
- SAG members noted that being located within a wastewater system service area would increase the values of their properties.

Sewer Availability Recommendations

Katy Isaksen then presented a set of potential recommendations for SAG to consider (see the October 6 SAG meeting PowerPoint presentation available on the Port Hadlock website). The Group made several additions, which are reflected in the final recommendations, including a request for the County to cover the costs of permitting. For the recommendations and considerations that were examined and tentatively approved by SAG members, please see the table titled, “Summary Table of Sewer Advisory Group Recommendations.”

System Extension

Katy Isaksen then reviewed the content for SAG members to consider regarding system extension (Please see the meeting PowerPoint presentation for a complete outline of her presentation, available at www.porthadlocksewer.org/Advisory_Group.htm). In posing the question to the Advisory Group of how will the new sewer utility allow for system extension, Katy provided four alternatives for SAG members to consider: by sewer utility; by ULID; by developer extensions; and/or by latecomer agreement. Additionally she posed several factors for the SAG membership to consider (see presentation). She closed by asking the SAG which of these tools should the County include in its “toolbox”? Comments, questions, dialogue, and responses from the discussion included:

- One SAG member asked if the four different alternatives for system extension were mutually exclusive. Katy noted that if allowed by the County, all four methods of system extension could be allowed
- A SAG member recommended that the County should require consistent standards of construction for sewer line connections.
- Another SAG member asked if there were any reasons that users would tie into the wastewater system early. Katy Isaksen noted that if they have a failed septic and are located within 200 feet of a sewer line that the state health department would require a connection.
- It was noted that state law only allows for latecomers agreements to last 15 years.
- One SAG member said that the community should build the entire system now while money is cheap (i.e., low interest rates).
- In response to one SAG member’s question about the number and rate of septic system failures in the proposed UGA, Joel Peterson explained that he had looked over the Geographic Information System data about where systems are aging. He noted that he did not observe any clustering of septic system failures, but there have been failures at a consistent rate through time. Joel said that he would investigate the exact rate of septic system failures and report back.

System Extension Recommendations

Katy Isaksen then presented a set of potential recommendations for SAG to consider (see the October 6 SAG meeting PowerPoint presentation available on the Port Hadlock website). The Group made several additions, which are reflected in the final recommendations. For the recommendations and considerations

that were examined and tentatively approved by SAG members, please see the table titled, “Summary Table of Sewer Advisory Group Recommendations.”

Discussion of SAG Member Correspondence

Based on an email sent from one SAG member to the entire Group on September 17, 2009, Bob Wheeler asked the SAG member to discuss the content of the email. (Discussion and response to the letter was held until the meeting to respect open public meetings and to ensure that all SAG members had access to the contents.) The Group member provided some background and asked that it be included as a recommendation or consideration from SAG. Group members discussed the merits of attaching it to the transmittal of SAG recommendations that would be sent to the County. After the discussion, SAG members requested to vote on whether to attach his email to the SAG transmittal. By a vote of 7 against, 5 for, and with 2 abstentions, SAG members voted against including the email along with the final SAG recommendations and considerations. Group members indicated that the individual would be free to send his comments directly to the County independently from SAG.

Final SAG Recommendations

Bob Wheeler then led SAG members through the table titled, “Summary Table of Sewer Advisory Group Recommendations.” He noted that the final meeting recommendations had just been covered, so the majority of the discussion would be oriented toward reviewing and clarifying the policies recommended in the first three SAG meetings. For a complete listing of the final SAG recommendations, please review the table located on the Port Hadlock Wastewater System website.

Final Questions, Comments, and Discussion of Next Steps

The project team thanked SAG members for their hard work and efforts in providing the County with recommendations and considerations regarding policies for the Port Hadlock wastewater system. Bob Wheeler explained that the County is considering next steps and may be interested in seeking SAG members’ input on future issues in early 2010. It was asked if the SAG members would be amenable to convening in the future at limited meetings on future topics as needed by the County. They agreed. He said that SAG members would be notified in the event of the scheduling of future SAG meetings.

He also noted that the table titled “Summary Table of Sewer Advisory Group Recommendations” as well as the meeting summaries and some supporting documents will be transmitted to the County as it moves forward in developing policies and ordinances for the Port Hadlock Wastewater System. Bob Wheeler concluded that the County will likely hold a public open house in spring 2010, but in the meantime he urged SAG members to discuss the issues surrounding the Port Hadlock Wastewater System with community members.

Adjourn

Bob Wheeler thanked SAG members for their input and adjourned the meeting at 5:00 p.m. Joel Peterson, DCD and the consultant team joined in thanking SAG members for their participation.

Attachment 1: Meeting Participants (need to update on Monday)

SAG Members

Name	Organization
Steve Brown	Chimacum Schools
Larry Crockett	Port of Port Townsend
Craig Durgan	Citizen
Sandy Hershelman	JCHBA
Bill Mahler	Northwest School of Wooden Boatbuilding
Ken McMillan	Jefferson Count PUD #1
Bill Miller	Jefferson County Planning Commission
Jim Parker	Jefferson County PUD #1
Mike Regan	ICAN
Frances Rawski	Port Hadlock Chamber of Commerce
Dana Roberts	Jefferson County PUD #1
Hank Rogers	Citizen
Ray Serebrin	Jefferson County Library
Shelby Smith	Team Jefferson
deForest Walker	Olympic Community Action Programs (OlyCAP)
Joni Williams	Citizen

County Staff and Consultants

Name	Organization
Joel Peterson	Jefferson County Department of Community Development
Kevin Dour	Tetra Tech
Katy Isaksen	Katy Isaksen & Associates
Blake Trask	Triangle Associates
Bob Wheeler	Triangle Associates

APPENDIX B – MODEL ORDINANCE – KITSAP COUNTY

Kitsap County Code excerpt 5/30/09 from
<http://www.codepublishing.com/wa/kitsapcounty/>

Title 13

WATER AND SEWERS

Chapters:

- [13.04](#) Comprehensive Water and Sewer Plan
- [13.06](#) Coordinated Water System Plan
- [13.08](#) Sewage Systems – Billing and Penalty Payments
- [13.12](#) Public Sewer System
- [13.14](#) Sewer Fees
- [13.16](#) (Repealed)
- [13.20](#) Houseboats – Plumbing and Sewage Disposal Permits
- [13.24](#) Drainfield Areas
- [13.28](#) Minimum Design Standards for Public Water Systems

Chapter 13.04
COMPREHENSIVE WATER AND SEWER PLAN

Sections:

- [13.04.010](#) Adoption.
- [13.04.020](#) Actions consistent with plan accepted.
- [13.04.030](#) Engineer to review plans.

13.04.010 Adoption.

The board accepts, approves and adopts the Comprehensive Water and Sewerage Plans for Kitsap County, Washington, 1970, as supplemented and amended for the Kingston community with respect to sewers and as supplemented and amended by the addition of a financial section as the Kitsap County Water and Sewerage General Plan and as an element of the comprehensive plan for the physical development of Kitsap County. Copies of the plan as supplemented and amended are on file in the office of the clerk of the board of supervisors and incorporated by this reference in this chapter. (Res. 201-1971 § 1, 1971)

13.04.020 Actions consistent with plan accepted.

All actions taken by the board of county commissioners or by other officers of the county consistent with the county water and sewerage general plan accepted in Section [13.04.010](#), approved and adopted, including the formation of Utility Local Improvement District No. 3 and the holding of the assessment roll hearing relating thereto, and all proceedings held pursuant thereto, are ratified and approved. (Res. 201-1971 § 2, 1971)

13.04.030 Engineer to review plans.

A professional engineer in the department of community development is established as the engineer designated to review water or sewer district general comprehensive plans, and any amendments to, alterations of, or additions to such plans.

(Ord. 290 (2002) § 5, 2002: Res. 130-1981, 1981)

Chapter 13.08 SEWAGE SYSTEMS – BILLING AND PENALTY PAYMENTS

Sections:

- [13.08.010](#) Bills – Collection – Funds.
- [13.08.015](#) Reduced rates for tax-exempt users.
- [13.08.020](#) Delinquent payment – Interest.
- [13.08.030](#) Manchester system – Residential sewer rates.
- [13.08.040](#) Manchester system – Nonresidential sewer rates.
- [13.08.050](#) Suquamish system – Residential sewer rates.
- [13.08.060](#) Suquamish system – Nonresidential sewer rates.
- [13.08.070](#) Central Kitsap system – Residential sewer rates.
- [13.08.080](#) Central Kitsap system – Nonresidential sewer rates.
- [13.08.090](#) Newcomer’s assessment established – Kingston system.
- [13.08.100](#) Newcomer’s assessment established – Suquamish system.
- [13.08.110](#) Newcomer’s assessment established – Central Kitsap system.
- [13.08.120](#) Newcomer’s assessment established – Manchester system.

13.08.010 Bills – Collection – Funds.

The public works director is directed and authorized to bill and collect from each user each month for the use of the sewer system with monthly transmittals of all funds to the Kitsap County treasurer.

(Res. 176-1970 (part), 1970)

13.08.015 Reduced rates for tax-exempt users.

Sewer rates are established whereby those receiving a tax exemption pursuant to RCW 84.36.381 will receive sewer service at a reduced rate.

(Res. 346-1981, 1981)

13.08.020 Delinquent payment – Interest.

After ninety days, delinquency interest at the rate of eight percent per year from the original date due until paid on the principal sum plus penalty shall be charged and a certificate of delinquency shall be filed with the Kitsap County treasurer as a lien against the property. The lien shall attach upon such filing and shall be for all charges, interest and penalties. Upon the expiration of sixty days after attachment of the lien, the county may foreclose its lien by civil action in superior court, the lien to be foreclosed in the same manner as the foreclosure of real property tax liens.

(Res. 123-1973 (part), 1973)

13.08.030 Manchester system – Residential sewer rates.

Sewer service rates in the Manchester sewer system for all single-family residences, duplexes, mobile homes, apartments and all other permanent multiple residential type housing shall be ten dollars and fifty cents per month for each living unit.

(Res. 238-1979 § 1, 1979: Res. 314-1977 § 1, 1977)

13.08.040 Manchester system – Nonresidential sewer rates.

(a) Sewer service rates in the Manchester sewer system for all commercial or industrial customers not readily identified as a residential customer, including, but not limited to, hotels, motels, other transit type housing, trailer camps or courts, stores, restaurants, laundromats, churches, schools, and other commercial services or businesses shall be ten dollars and fifty cents for the first nine hundred cubic feet of water consumed and one dollar and sixteen cents for each one hundred cubic feet consumed thereafter, all as calculated on a monthly basis. The minimum monthly sewer charge is ten dollars and fifty cents per month.

(b) Sewer service rates for industrial facilities and/or for any commercial facility which does not utilize metered water service shall be established by the Kitsap County board of commissioners as the need arises to furnish sewer service to such a facility, but in no instance shall the minimum charge be less than ten dollars and fifty cents.

(c) Sewer service charges which are based upon monthly metered water usage shall be calculated upon the monthly average of the previous year’s water usage, and this average shall be determined by the monthly water usage records maintained by the Manchester water district. Such previous year’s average shall be the basis for current sewer billings.

(Res. 238-1979 § 2, 1979: Res. 314-1977 § 2, 1977)

13.08.050 Suquamish system – Residential sewer rates.

Sewer service rates in Suquamish sewer system for all single-family residences, duplexes, mobile homes, apartments, and all other permanent multiple residential type housing shall be eight dollars and fifty cents per month, for each living unit.

(Res. 239-1979 § 1, 1979: Res. 316-1977 § 1, 1977)

13.08.060 Suquamish system – Nonresidential sewer rates.

(a) Sewer service rates in Suquamish sewer system for all commercial or industrial customers not readily identified as a residential customer, including, but not limited to, hotels, motels, other transit type housing, trailer camps or courts, stores, restaurants, laundromats, churches, schools, and other commercial services or businesses shall be eight dollars and fifty cents for the first nine hundred cubic feet of water consumed and ninety-four cents for each one hundred cubic feet consumed thereafter, all us calculated on a monthly basis. The minimum monthly sewer charge is eight dollars and fifty cents per month.

(b) Sewer service rates for industrial facilities and/or for any commercial facility which does not utilize metered water service shall be established by the Kitsap County board of commissioners as the need arises to furnish sewer service to such a facility, but in no instance shall the minimum charge be less than eight dollars and fifty cents.

(c) Sewer service charges which are based upon monthly metered water usage shall be calculated upon the monthly average of the previous year's water usage and this average shall be determined by the monthly water usage records maintained by PUD #1. Such previous year's average shall be the basis for current sewer billings.
(Res. 239-1979 § 2, 1979; Res. 316-1977 § 2, 1977)

13.08.070 Central Kitsap system – Residential sewer rates.

Sewer service rates for all single-family residences, duplexes, mobile homes, apartments, and all other permanent multiple-residential type housing shall be ten dollars and fifty cents per month, for each living unit.
(Res. 240-1979 § 1, 1979)

13.08.080 Central Kitsap system – Nonresidential sewer rates.

(a) Sewer service rates for all commercial or industrial customers not readily identified as a residential customer. including, but not limited to, hotels, motels, other transit type housing, trailer camps or courts. stores, restaurants, laundromats, churches, schools, and other commercial services or businesses shall be ten dollars and fifty cents for the first nine hundred cubic feet of water consumed and one dollar and sixteen cents for each one hundred cubic feet consumed thereafter, all as calculated on a monthly basis. The minimum monthly sewer charge is ten dollars and fifty cents per month.

(b) Sewer service rates for industrial facilities and/or for any commercial facility which does not utilize metered water service shall be established by the Kitsap County board of commissioners as the need arises to furnish sewer service to such a facility; but in no instance shall the minimum charge be less than ten dollars and fifty cents.

(c) Sewer service charges which are based upon monthly metered water usage shall be calculated upon the monthly average of the previous year's water usage, and this average shall be determined by the monthly water usage records maintained by the applicable water district. Such previous year's average shall be the basis for sewer billings.

(Res. 240-1979 § 2, 1979)

13.08.090 Newcomer's assessment established – Kingston system.

The newcomer's assessment for the Kingston sewage system shall be seven hundred ninety dollars per residential equivalent unit.

(Res. 295-1986 § 1, 1986)

13.08.100 Newcomer's assessment established – Suquamish system.

(a) Newcomer's Assessment Established Outside ULID. The newcomer's assessment for the Suquamish sewage system for hookups outside the utility local improvement district (hereinafter, "ULID") boundary shall be three thousand three hundred thirty dollars per residential equivalent unit.

(b) Newcomer's Assessment Established Inside ULID. There will be no newcomer's assessment charged for property seven thousand square feet or larger located inside the ULID. The newcomer's assessment will be charged proportionately for property inside the ULID which is smaller than seven thousand square feet based on three

thousand three hundred thirty dollars per residential equivalent unit per seven thousand square feet.

(c) Annual Newcomer's Assessment Adjustment. The newcomer's assessment shall be adjusted annually on January first of each year. The annual adjustment shall be the percentage change in the Engineering News Record – Construction Cost Index for City of Seattle from the previous year ending in November with November, 1991, as the base year. The construction cost index shall be used until such time as bonds are issued for plant expansion. at which time the newcomer's assessment annual adjustment shall be set at the annual bond rate of interest.

(Res. 138-1992 §§ 1 – 3, 1992)

13.08.110 Newcomer's assessment established – Central Kitsap system.

The newcomer's assessment for the Central Kitsap sewage system shall be seven hundred ninety dollars per residential equivalent unit.

(Res. 297-1986 § 1, 1986)

13.08.120 Newcomer's assessment established – Manchester system.

The newcomer's assessment for the Manchester sewage system shall be nine hundred seventy-five dollars per residential equivalent unit.

(Res. 298-1986 § 1, 1986)

Chapter 13.12 PUBLIC SEWER SYSTEM

Sections:

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13.12.010 Definitions.

Unless the context indicates otherwise, the terms used in this chapter shall be as set forth in this section:

- (1) “ASTM” means the American Society for Testing Materials.
- (2) “Board” means the Kitsap County board of county commissioners.
- (3) “Biosolids” means primarily organic solid product produced by wastewater treatment processes that can be beneficially recycled.
- (4) “B.O.D.” is the abbreviation for biochemical oxygen demand, the quantity of oxygen utilized in the biochemical oxidation of organic matter in five days at twenty degrees Celsius under standard laboratory procedure expressed in milligrams per liter.
- (5) “Building” means any structure the use of which requires location or attachment to something on the ground and which is used for human occupancy, employment or recreation.
- (6) “Building drain” means the lowest part of a building’s drainage system where it connects to the building sewer.
- (7) “Building sewer” means the piping of a drainage system which extends from the building drain to the side sewer.
- (8) “Building sewer contractor” means a person who constructs, installs, repairs, excavates or connects building sewers, and who is licensed as such by Kitsap County.
- (9) “County” means all portions of Kitsap County exclusive of areas within the boundaries of municipalities which are empowered to provide sewerage service but including those areas of municipalities which are served by sewerage systems which are owned, operated or maintained by Kitsap County.
- (10) “Director” means the director of Kitsap County department of public works or a duly authorized representative.
- (11) “Equivalent residential unit” means a sewage service unit which is substantially equivalent to a single-family residence in sewage output and function.
- (12) “Garbage” means putrescible material resulting from the preparation and consumption of food except body waste, swill and animal carcasses.
- (13) “Parts per million” is equivalent to milligrams per liter.
- (14) “Person” means any individual, firm, company, corporation, partnership, association, society or group.
- (15) “pH” means the negative logarithm of the concentration of hydrogen ions (H+) in a solution measured in standard units; pH is the intensity factor of acidity.
- (16) “Properly shredded garbage” means garbage which has been shredded so that all particles may be carried freely under the sewage flow conditions normally prevailing and which has no particle greater than one-quarter inch in any dimension.
- (17) “Public sewer” means a sewer owned by a governmental body or public utility and/or which is operated and maintained by the county.

- (18) "Sanitary sewer" means a sewer that carries sewage.
- (19) "Sewage" means the liquid and liquid-carried wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm and surface waters that are not intentionally admitted.
- (20) "Sewage treatment facilities" means structures, equipment and processes used to collect, carry and treat sewage.
- (21) "Side sewer" means piping from a public sewer to the property line of the parcel served and to which a building sewer is connected.
- (22) "Suspended solids" means particles that float on or are suspended in sewage and which may be substantially removed by filtering; measured in milligrams per liter. (Ord. 55-I (1996) § 1 (part), 1996: Ord. 55 (1974) § 1, 1974)

13.12.020 Connection with public sewer required.

- (a) The owner of any building presently existing or under construction which is or will be situated within two hundred feet of a public sewer shall connect such building to a public sewer by means of a building sewer; provided, no such connection shall be required or allowed unless the sewage system into which the sewage would be discharged has the capacity to handle the additional sewage; and, provided further, no such connection shall be required or allowed unless the public sewer lines are of a type designed to accommodate the connection of building sewers; and, provided further, no such connection shall be required or allowed unless the connection would be consistent with the Kitsap County comprehensive plan and particularly the water and sewer elements thereof.
- (b) Such connection shall be made entirely at the expense of the owner.
- (c) Prior to such connection, the owner shall connect every toilet, sink, stationary washstand, washing machine, dishwasher, shower, bathtub or other device producing sewage located on the premises so that the sewage thereby produced will be transported to the building drain.
- (d) In the case of existing buildings, such connection shall be made within sixty days after the director mails notice by certified mail to the owner of the availability of public sewer service.
- (e) In the case of buildings under construction, any use or occupancy of such buildings is unlawful until such connection has been made. (Ord. 55-B (1978) § 1, 1978; Ord. 55 (1974) § 2, 1974)

13.12.025 Sewer connection feasibility review.

Developments proposing septic tanks within urban and semi-urban designations on the county's comprehensive land use plan shall be subject to review for determination of sewer feasibility by the Kitsap County department of public works. If the determination is that sewers are feasible, the county may require the development to connect to an existing sewer system; or, if public sewer lines are not presently available, allow use of individual or community septic tanks and other facilities as may be required by the department of public works. (Res. 132-1984, 1984)

13.12.030 Connection or repair by director.

- (a) Any repairs to a building sewer deemed necessary by the director shall be made by a licensed sewer contractor or the owner of the real property on which the building sewer is situated within thirty days after the director mails notice by certified mail to the owner specifying the repairs required; provided, the director may provide less than thirty days if he believes an emergency exists.
- (b) In the event that a connection is not made within the time and manner specified in Section [13.12.020](#) or in the event that repairs are not made as specified in subsection (a) of this section, the director may forthwith cause the same to be made. The director shall thereupon charge the owner for such expenditures and shall thereafter certify such expenditures, if not paid, to the Kitsap County treasurer. Such expenditures shall constitute a lien upon the premises and bear interest at eight percent per year. (Ord. 55-A (1975) § 1 (part), 1975; Ord. 55 (1974) § 3, 1974)

13.12.040 Permit required prior to connection.

- (a) It is unlawful for any person other than a licensed building sewer contractor or the owner of the real property on which the building sewer is situated to construct, uncover, repair, replace, alter, disturb any building sewer or to make any connection with or opening into any public sewer or side sewer. It is unlawful for any person to construct a building sewer without first having obtained a building sewer permit from the director as provided in this section. It is unlawful for any person to make any connection with or opening into any public sewer or side sewer without first having caused an inspection to be made and approval received as provided in Section [13.12.130](#).
- (b) The application for a building sewer permit shall be made to the director and shall contain the following:
- (1) Contractor's name and mailing address;
 - (2) Owner's name and mailing address;
 - (3) Street address and legal description of the property;
 - (4) Contractor's registration number;
 - (5) Use or proposed use of the building;
 - (6) Number of residential, commercial or industrial units;
 - (7) A diagram showing the real property involved, the location or proposed location of the building, and the location of the building drain, building sewer and, if known, the nearest sewer stub;
 - (8) Type and size of materials used or to be used;
 - (9) Other information considered necessary by the director.
- (c) The director shall review each application and shall issue a building sewer permit if the applicant and application meet the requirements of this chapter and if all fees have been properly paid.
- (d) A building sewer permit shall become null and void if the construction of the building sewer authorized thereby is not commenced within sixty days from the issuance of such permit or if the work authorized thereby is suspended or abandoned for a period of one hundred twenty days.
- (e) Upon application for a building sewer permit, the applicant shall pay a fee to the director in the amount of fifty dollars for each building to be connected to a public sewer

and an additional twenty dollars for each additional connection where the building is to have more than one connection to the public sewer.

(f) A building sewer permit shall be displayed in a conspicuous place at or near the work allowed thereby during the performance of the work and until the completion thereof and inspection and approval by the director.

(Ord. 55-C (1978) § 1, 1978; Ord. 55-A (1975) § 1 (part), 1975; Ord. 55 (1974) § 4, 1974)

13.12.050 Building sewer contractor's license.

(a) It is unlawful to engage in the activities of a building sewer contractor in the county without a current building sewer contractor's license.

(b) An applicant for a building sewer contractor's license must possess a current certificate of registration issued by the Washington State Department of Labor and Industries pursuant to RCW Chapter 18.27.

(c) An application for a building sewer contractor's license shall be made to the director on forms provided by the director. The application must be accompanied by a fee of twenty-five dollars to defray in part the costs of examining the applicant. This fee is not refundable.

(d) The director shall examine each applicant both orally and in writing to determine if the applicant possesses adequate knowledge of this chapter and adequate knowledge and skill to properly construct, install, repair, excavate and connect building sewers, to the end that the public health, safety, morals and welfare will not suffer from improperly constructed, installed, repaired, excavated or connected building sewers.

(e) Upon successful completion of the examination, the director shall issue the applicant a building sewer contractor's license. The fee for such license shall be fifty dollars for each fiscal year which shall expire on June thirtieth. A license may be renewed without examination provided renewal is made by the first day of the succeeding fiscal year.

(f) The director or any person may file a verified petition with the board requesting that a building sewer contractor's license be granted or revoked. A copy of such petition shall be served by the director or other person upon the person who seeks a building sewer contractor's license or upon the person whose license is sought to be revoked. The board shall thereafter set a time for a public hearing giving due notice of such to the interested parties. The board may grant a building sewer contractor's license if the petitioner demonstrates that the person seeking the license meets the requirements of this section. The board may revoke a building sewer contractor's license if the petitioner demonstrates that the licensed building sewer contractor has performed in an incompetent or negligent manner or that he has misrepresented facts in an application for a building sewer contractor's license or permit as required by Section [13.12.040](#).

(Ord. 55 (1974) § 5, 1974)

13.12.060 Location of building sewer connection.

The connection of a building sewer to a public sewer shall be made at the point and in the manner specified by the director.

(Ord. 55 (1974) § 6, 1974)

13.12.070 Protection of excavations.

It is unlawful for any person to fail to protect any excavation in a public right-of-way or in lands adjacent thereto. Such protection may include fencing, covering or lighting. The protection of the public from the danger of such excavation shall be the duty of the person making or causing the excavation. The person making or causing the excavation shall be responsible for insuring adherence to all applicable safety and health standards required by the Occupational Safety and Health Act (OSHA) and the Washington Industrial Safety and Health Act (WISHA).

(Ord. 55-I (1996) § 1 (part), 1996: Ord. 55-A (1975) § 1 (part), 1975; Ord. 55 (1974) § 7, 1974)

13.12.080 Building sewer for each building.

A building sewer shall serve only one building unless, prior to construction of the building sewer, written approval is obtained from the director allowing a building sewer to serve more than one building.

(Ord. 55 (1974) § 8, 1974)

13.12.090 Sewer service – Where not required.

(a) Where the owner of a building is not required to connect to a public sewer pursuant to Section [13.12.020](#), the lawful mandate of a utility local improvement district, the lawful mandate of the Kitsap County planning commission, or any other lawful order or mandate, the owner may elect to connect to a public sewer upon agreement with board. Such agreement shall be known as a “sewer assessment agreement.”

(b) The board shall not enter into a sewer assessment agreement unless the sewer treatment facilities can adequately provide the additional sewer service.

(c) A sewer assessment agreement shall provide:

(1) That the owner have full authority to bind the property on which the building is located with the terms and covenants contained in the contract;

(2) That the owner shall abide by the laws and regulations of the county appertaining to sewers and that the owner shall duly and regularly pay for sewer service as shall from time to time be fixed by the board;

(3) That the property on which the building is situated shall be subject to liens, penalties and interest for nonpayment of sewer service charges;

(4) That the building on which the property is situated shall be provided with sewer service;

(5) Other terms agreeable to the owner and the board.

(d) Subsequent to the execution of a sewer assessment agreement, it shall be filed with the Kitsap County auditor.

(Ord. 55-I (1996) § 1 (part), 1996: Ord. 55 (1974) § 9, 1974)

13.12.110 Building sewer specifications.

(a) A building sewer shall be constructed of one or more of the following materials:

(1) Ductile iron pipe (ANSI specification A 21.51 or AWWA specification C151);

(2) Polyvinyl chloride gravity sewer pipe and fittings (ASTM specification D-3033 (Type PSP), D-3034 (Type PSM));

- (3) Other material authorized by the director.
 - (b) It is unlawful to lay or cause to be laid a building sewer or nonmetallic material in a trench which carries water intended for consumption within the building unless the bottom of the water pipe is at all points at least twelve inches above the top of the building sewer and the water pipe rests on a solid shelf at one side of the common trench.
 - (c) It is unlawful to lay or cause to be laid a building sewer composed of a material other than ductile iron pipe in filled or unstable ground, provided, the director may approve the use of some other material if laid on a granular or concrete bed as approved by the director.
 - (d) Building sewers shall have clean-outs of the same diameter as the pipe they serve (except that manholes may be utilized as clean-outs), located as follows:
 - (1) Where the building sewer connects to the building drain;
 - (2) At all bends of forty-five degrees or greater;
 - (3) At intervals of no greater than one hundred feet;
 - (4) An upright tee where the building sewer connects to the side sewer; the upright portion of the tee must be plugged in a manner approved by the director.
 - (e) The inside diameter of a building sewer must, at a minimum, be as follows for the following applications:
 - (1) Equivalent residential unit, four inches;
 - (2) Two or more equivalent residential units up to ten such units, six inches;
 - (3) Other applications, as approved by the director.
 - (f) No building sewer shall be laid under or within two feet of any building unless it is composed of ductile iron pipe.
 - (g) The minimum cover for a building sewer is eighteen inches unless it is composed of cast iron soil pipe.
 - (h) Whenever topographically possible, building sewers shall have a grade of not less than two percent nor more than one hundred percent. Where the grade is less than two percent, a check valve shall be installed, at the discretion of the director, to prevent backflooding into the building. Where the grade is greater than one hundred percent, the director may require manholes or other devices at the lower end of the building sewer in order to reduce the velocity of the sewage.
 - (i) Whenever possible, a building sewer shall be installed at a uniform grade and without curves. Where curves are necessary (excluding manufacturer's allowable joint deflection), curved pipe or fittings shall be used.
 - (j) Joints and connections shall be gastight and watertight. Pipe joints shall have flexible sealing gaskets conforming to ASTM Specification D-1869.
 - (k) Building sewers composed of the material permitted by subdivision (6) of subsection (a) of this section shall have flexible couplings at no greater than sixty-foot intervals.
 - (1) Cement mortar joints are prohibited except for repairs or connections to existing building sewers utilizing such joints.
 - (m) Ball and spigot pipes shall be laid with spigot end toward the side sewer.
- (Ord. 55-I (1996) § 1 (part), 1996; Ord. 55 (1974) § 11, 1974)

13.12.120 Building sewer excavation and trenches.

- (a) Building sewers shall be laid in open trenches unless otherwise approved by the director.
 - (b) Pipe must be carefully bedded by forming the trench bottom to meet the contour of the bottom one-quarter of the pipe or by overexcavating and bedding with tamped and compacted granular material.
 - (c) Rocks larger than one inch in diameter shall not be left in the trench bottom nor shall they be placed closer than six inches from the pipe when backfilling.
 - (d) Trench must be free of water when pipe is laid.
 - (e) Backfill shall be placed by hand and be tamped and compacted by hand to six inches above the top of the pipe.
- (Ord. 55 (1974) § 12, 1974)

13.12.130 Inspection of building sewers.

No building sewer shall be connected to a public sewer nor shall any trench in which a building sewer lies be filled unless and until the building sewer passes an inspection by the director, except as provided by subsection (4) of this section. The contractor or owner shall give the director forty-eight hours' notice prior to the time when the inspection is desired. At such inspection, the director shall determine that the building sewer meets the requirements of Sections [13.12.080](#), [13.12.110](#) and [13.12.120](#). In addition thereto, the director shall ascertain that the building sewer passes one of the following tests. Such tests are to be conducted by and at the expense of the contractor or owner. The type of test utilized is within the discretion of the director. Such tests are to be conducted as follows:

- (1) **Water Exfiltration Test.** Prior to test, the contractor or owner may fill the building sewer with clear water to permit normal absorption into pipe walls; however, if the building sewer is so filled, the test must be completed within twenty-four hours after filling. The contractor or owner shall fill the building sewer with clear water. Exfiltration shall be no more than five-tenths gallon per hour per inch of inside pipe diameter per one hundred feet of pipe with a minimum test pressure of six feet of water column above the crown at the upper end of the pipe or above the active groundwater, whichever is higher.
- (2) **Air Exfiltration Test.** The contractor or owner shall pressurize the building sewer with air to three pounds per square inch. Exfiltration shall be measured by the use of a rotometer. Exfiltration shall not exceed 0.003 cubic feet of air per minute per square foot of internal pipe surface or, alternatively, two cubic feet of air per minute when subjected to a constant pressure of three pounds per square inch. The rate of loss is to be determined when the system reaches equilibrium. For each foot of water table elevation above the invert of the pipe, the allowable loss shall be reduced six percent.
- (3) **Water Infiltration Test.** When the natural groundwater table is above the crown of the higher end of the building sewer, infiltration shall not exceed four-tenths gallon per hour per inch of internal pipe diameter per one hundred feet of pipe.
- (4) **Internal Television Inspection.** This inspection technique shall be utilized if and only if the trench in which the building sewer lies has been backfilled. The director shall then visually inspect the interior of the building sewer via television to determine if the

building sewer is of the proper materials and constructed as herein provided. In addition to the television inspection the director may require an additional test as set forth in subsections (1), (2) or (3) of this section.

(Ord. 55-I (1996) § 1 (part), 1996; Ord. 55-A (1975) § 1 (part), 1975; Ord. 55 (1974) § 13, 1974)

13.12.140 Standards.

When not inconsistent or in conflict with the provisions of this chapter, the director shall utilize the standards specified in the Kitsap County public works, Standards for Sanitary Sewer Extensions, as now or hereafter amended, for all sanitary sewer design, materials, construction and inspection practices.

(Ord. 55-I (1996) § 1 (part), 1996; Ord. 55 (1974) § 14, 1974)

13.12.150 Disconnection proscribed.

It is unlawful to disconnect a building from a building sewer or to disconnect a building sewer from a public sewer without first having obtained a capping permit from the director. In the event that disconnection is allowed, the building sewer or public sewer shall be sealed and capped by the person causing the disconnection at the points and in the manner designated by the director.

(Ord. 55 (1974) § 15, 1974)

13.12.160 Prohibited discharges.

Except as provided in Section [13.12.170](#), no discharger shall discharge or cause to be discharged into a public sewer, place or cause to be placed where they are likely to run, leak or escape into a public sewer, any of the following:

- (1) Any solid or viscous substances which may obstruct or interfere with the capacity or operation of the sewer such as but not limited to ashes, cinders, sand, earth, rubbish, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic or wood;
- (2) Any liquids, solids, or gases, which because of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the wastewater collection and treatment system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter. Prohibited materials include but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides, and any other substances that the county, the state, the EPA, or the fire department has notified the user is a fire hazard or a hazard to the system;
- (3) Any matter having a temperature greater than forty degrees Celsius, or will inhibit biological activity at the wastewater treatment plant;
- (4) Sewage containing suspended solids in excess of three hundred fifty milligrams per liter;
- (5) Wastewater containing fats, oils or grease in excess of one hundred parts per million (mg/L);

- (6) Wastewater with B.O.D. greater than three hundred milligrams per liter;
- (7) Wastewater with pH lower than 6.0 or higher than 9.0, or having any corrosive property capable of causing damage to structures, equipment or personnel;
- (8) Garbage that has not been properly shredded;
- (9) Wastewater containing toxic substances in sufficient quantity to injure or interfere with any wastewater treatment process, constitute a hazard to humans or the environment, create any hazard in the receiving waters of a wastewater treatment plant, or exceed the limitation set forth in the pretreatment standards;
- (10) Any noxious or malodorous matter capable of creating a public nuisance or hazard to life, or sufficient to prevent entry into the sewers for their maintenance and repair;
- (11) Any unpolluted water including but not limited to; waters from irrigation, water main flushing, cooling processes, industrial processes creating no substantial water contamination, storm drains, surface runoff, roof runoff, subsurface drainage, swimming pools, ponds or reservoirs;
- (12) Any matter which is radioactive to any degree above that which normally prevails in the county;
- (13) Any substance that may cause the wastewater treatment plant's effluent or treatment residues, biosolids or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process. (In no case shall a substance discharged to the wastewater treatment plant cause the treatment plant to be in noncompliance with biosolid use or disposal criteria, guidelines, or regulations developed under Sections 405 and 503 of the Clean Water Act, any criteria, guidelines or regulations affecting biosolids use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or state standards applicable to the biosolids management method being used.);
- (14) Any substance that will cause the wastewater treatment plant to violate its NPDES and/or other disposal system permits;
- (15) Any slugload, which shall mean any pollutant, including oxygen-demanding pollutants (B.O.D., etc.), released in a single extraordinary discharge episode of such volume or strength as to cause interference to the treatment plant. In no case shall a slugload contain concentrations or qualities of pollutants that exceed for any period longer than fifteen minutes more than five times the average twenty-four-hour concentration, quantities or flow during normal operation;
- (16) Wastewater containing substances not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such a degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters;
- (17) National Categorical Pretreatment Standards. National categorical pretreatment standards, as promulgated by the EPA pursuant to the Clean Water Act and as adopted, shall be enforceable by this chapter and shall be met by all dischargers of the regulated industrial categories;
- (18) State Requirements. State requirements and limitations on dischargers to the wastewater system shall be met by all dischargers which are subject to standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable ordinance;

(19) Any discharge that exceeds the following daily maximum pollutant limits:

Arsenic	0.15 mg/L
Cadmium	0.10 mg/L
Chromium	1.0 mg/L
Copper	0.75 mg/L
Lead	0.25 mg/L
Mercury(1)	0.010 mg/L
Molybdenum	2.0 mg/L
Nickel	0.60 mg/L
Selenium	0.80 mg/L
Silver(1)	0.50 mg/L
Zinc	2.0 mg/L
Cyanide	0.75 mg/L
Ammonia	50.0 mg/L

Notes: (1) Businesses that follow Best Management Practices (BMPs) for their industry can petition Public Works Wastewater for higher limits. This will be limited to businesses contributing less than 1% of the total flow to the Publicly Owned Treatment Works (POTW). (Ord. 300 (2003), 2003: Ord. 55-I (1996) § 1 (part), 1996: Ord. 55 (1974) § 16, 1974)

13.12.170 Disposal of prohibited wastes.

Prohibited wastes as defined in Section [13.12.160](#) shall be disposed of in one of the following ways:

(1) Pretreatment. A person producing prohibited wastes may treat such wastes prior to their introduction into a public sewer so that any and all characteristics objectionable per Section [13.12.160](#) are removed. Prior to the utilization of any pretreatment device or process, a person producing the prohibited unlawful wastes must submit the plans and specifications for the pretreatment device or process to the director and the Washington State Department of Ecology requiring written approval of the device or process that will remove the objectionable characteristics. The entire cost of the construction, maintenance and operation of any pretreatment device or process shall be borne by the person producing the prohibited wastes.

(2) Prohibited Waste Discharge Permit.

(A) A person producing prohibited wastes may discharge such into a public sewer if a permit to do so is first obtained from the director. The application for such permit shall include the following information: name and address of applicant, location of sewage production, process which produces sewage, volume of anticipated discharge, specific type and degree of prohibited sewage characteristic, other information deemed necessary by the director. The director may approve the application if the sewage treatment plant affected has sufficient capacity to handle the increased treatment load and if the contemplated discharge will not be unnecessarily harmful to the public sewer or unreasonably detrimental to the public health, safety or welfare. A person

discharging prohibited waste pursuant to a permit shall pay the county for the increased costs of the treatment thereof in addition to the regular monthly or bimonthly charge.

(B) The charge for treating such wastes pursuant to the permit shall be as follows:

\$0.02 per gallon for 0 – 10,000 gallons

\$0.04 per gallon for 10,001 – 20,000
gallons

\$0.06 per gallon for 20,001 – 30,000
gallons

\$0.08 per gallon for 30,001 – 40,000
gallons

The maximum allowable discharge shall be limited to forty thousand gallons. A fifty-dollar fee will be charged for the permit to defray administrative costs.

The director may revoke a permit upon sixty days' written notice to the person discharging the prohibited waste if it is found that the waste discharged has significantly increased in volume or degree of prohibited sewage characteristic, that the particular variety of prohibited characteristics has changed, or that the sewage treatment plant affected no longer has the capacity to handle the prohibited waste.

(3) Dilution. No discharger shall increase the use of potable or process water in any way for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with applicable standards set forth in this chapter. Mass limitations may be imposed on dischargers that are using dilutions to meet applicable pretreatment standards or requirements of this chapter, or in other cases where deemed appropriate by the director.

(Ord. 55-I (1996) § 1 (part), 1996: Ord. 55 (1974) § 17, 1974)

13.12.180 Inspections to ascertain character of sewage.

The director may enter premises served by a public sewer at any and all reasonable times to take sewage samples in order to determine if the sewage is an unlawful waste. Persons pretreating unlawful wastes pursuant to subsection (1) of Section [13.12.170](#) or permitted to discharge unlawful wastes pursuant to subsection (2) of Section [13.12.170](#) shall, at the direction of the director, install inspection tees or manholes in the building sewer to facilitate sampling.

(Ord. 55 (1974) § 18, 1974)

13.12.190 Discharge from mobile tanks.

(a) It is unlawful for any person to discharge or cause to be discharged from a mobile tank into a public sewer any sewage which is generated outside Kitsap County.

(b) It is unlawful for any person to discharge or cause to be discharged from a mobile tank into a public sewer any sewage which is generated inside Kitsap County from commercial or industrial sources without obtaining prior approval from the director of public works.

(c) It is unlawful for any person to discharge or cause to be discharged from a mobile tank into a public sewer any sewage except at points and in a manner designated by the director of public works.

(d) A charge of eight cents per gallon shall be made for the discharge from mobile tanks of sewage from septic tanks, cesspools, chemical toilets or similar apparatus, provided the charges shall be based upon the gallonage capacity of the mobile tank from which the sewage is discharged into the Central Kitsap Wastewater Treatment Plant. A two-cent per gallon fee shall be transferred to the public health pooling fund once each month. The rate for septage shall increase by one cent per year on October 1st of each year through the year 2001.

(e) Prior to the discharge of any sewage from mobile tanks, a written manifest shall be submitted to the Central Kitsap Wastewater Treatment Plant office at 12350 Highway No. 303 NE, Poulsbo, WA 98370, clearly identifying the source, nature and quantity of sewage to be discharged. The manifest shall be made on forms provided by Kitsap County and all information required shall be complete.

(f) The charge per gallon referenced in subsection (d) of this section shall be established from time to time by resolution of the board of county commissioners. (Ord. 55-J (1996) § 1, 1996: Ord. 55-G (1993) § 1, 1993: Ord. 55-F (1989) § 1, 1989: Ord. 55-E (1985), 1985: Ord. 55-D (1984), 1984: Ord. 55-B (1978) § 2, 1978: Ord. 55 (1974) § 20, 1974)

13.12.200 Liability to county.

Any person who violates any provision of this chapter is liable to the county for any expense, loss, damage, cost of inspection or correction incurred by the county as a result of such violation.

(Ord. 55 (1974) § 20, 1974)

13.12.210 Charges for sewer service.

Charges for sewer service for all single-family residences shall be due and payable bimonthly. Charges for all other sewer service shall be due and payable monthly. For all new building construction, charges for sewer service shall commence upon occupancy or sixty days after issuance of a building sewer permit, whichever occurs first.

(Ord. 55-B (1977) § 1, 1977: Ord. 55 (1974) § 21, 1974)

13.12.220 Liens.

Pursuant to RCW 36.94.130 and RCW 36.94.150, the following, when not paid within thirty days of the date due, shall constitute a lien upon the premises served: Sewer service charges, repair costs, connection charges, permit fees, inspection costs, and charges in lieu of assessment. Such liens shall bear interest at eight percent per year. When a charge is not paid when due, a penalty of ten percent shall be added thereto. (Ord. 55 (1974) § 22, 1974)

13.12.230 Industrial cost recovery.

Any industrial users of a sewer facility constructed with Environmental Protection Agency grant funds awarded after March 1, 1973, shall repay that portion of the grant amount allocable to the treatment of its wastes. The method of repayment and procedures for handling the repayment shall be in accordance with 30 Fed. Reg. 35.905-8, 35.925-12, 35.928 and 35.935-13 (1974).

(Ord. 55 (1974) § 23, 1974)

13.12.240 Violations – Penalty.

(a) Civil Penalties. Any discharger who violates an order by the county, or who fails to comply with:

(1) Any provision of this chapter; or

(2) Any regulation, rule or permit of the county, issued pursuant to this chapter, shall be liable to the county for a civil penalty. The amount of such civil penalties shall not be less than two hundred fifty dollars per violation nor more than one thousand dollars per violation. Each day upon which a violation occurs or continues shall constitute a separate violation. In addition, the county may commence an action to end the discharger's wastewater treatment service.

(b) Recovery of Cost Incurred by the County. Any discharger violating any of the provisions of this chapter who discharges or causes a discharge producing a deposit or obstruction or causes damage to or impairs the county's wastewater disposal system shall be liable to the county for any expense, loss or damage caused by such violation or discharge. The county shall, by order, bill the discharger for the cost incurred the county for any cleaning, repair, or replacement work caused by the violation or discharge and for any cost incurred by the county in investigating the violation and in enforcing the chapter against the discharger, including reasonable administrative costs, fees for testing, attorney fees, court costs, and all expenses of litigation. Refusal to pay the assessed costs shall constitute a violation of this chapter.

(c) In addition to or as an alternative to any other penalty provided in this chapter or by law, any violation of this chapter shall constitute a Class I civil infraction. Each violation shall constitute a separate infraction for each and every day or portion thereof during which the violation is committed, continued or permitted. Infractions shall be processed in accordance with the provisions of the civil enforcement ordinance (Chapter 2.116 of this code). The choice of enforcement action taken and the severity of any penalty shall be based upon the nature of the violation and the damage or risk to the public.

(Ord. 55-K (1997) § 1, 1997; Ord. 55-I (1996) § 1 (part), 1996; Ord. 55 (1974) § 24, 1974)

13.12.250 Nuisance declared.

Any building sewer or side sewer hereafter constructed, moved, maintained, used or altered contrary to the provisions of this chapter shall be, and the same is, unlawful and a public nuisance. Compliance with this chapter may be enforced by mandatory injunction brought by the owner or owners of land lying in proximity to that whereon the violation exists or the prosecuting attorney may commence action or actions, proceeding or proceedings for the abatement, removal and enjoinder thereof and may take such other steps to obtain such relief as will abate or remove sewers, structures or uses and restrain and enjoin any person from constructing, maintaining or altering any such sewers contrary to the provisions of this chapter.

(Ord. 55-A (1975) § 2, 1975; Ord. 55 (1974) (part), 1974)

13.12.260 Grease interceptors.

(a) Any business involved in the process, preparation, sale or packaging of human or animal food shall install an exterior (located outside the building) grease interceptor on a separate building sewer main. This separate building sewer shall be connected directly, and only to the food handling areas of the building, with no sanitary connections permitted upstream of the grease interceptor.

(b) The grease interceptor shall be adequately designed to provide retention of a minimum of ninety percent of the contaminated oils and greases. Grease interceptors shall be sized using storage capacity factors and loading factors appropriate for the intended use of the facility and anticipated volumes. It shall include baffles that provide sufficient detention time to allow the grease to separate fully.

(c) Grease interceptors shall be properly operated and cleaned regularly to prevent escape of appreciable quantities of grease. The extracted grease shall not be reintroduced into the sanitary sewer system at another location.

(Ord. 55-I (1996) § 1 (part), 1996)

13.12.270 Administration.

(a) Wastewater Dischargers. It is unlawful to discharge sewerage, industrial wastes, or other wastes to any sewer outlet within the jurisdiction of the county and/or to the wastewater treatment plant without first having complied with the terms of this chapter, or without having first obtained the county's approval of a compliance schedule submitted by the discharger.

(b) General Disclosure. All industrial dischargers proposing to connect to or to discharge sewage, industrial wastes, or other wastes to the wastewater treatment plant shall comply with all terms of this chapter within thirty days after the effective date of the ordinance codified in this section.

(c) Disclosure Forms. Significant industrial dischargers shall complete and file with the county a data disclosure declaration in the form prescribed by the county, and accompanied by the appropriate fee. Existing significant industrial dischargers shall file a disclosure form within sixty days after notification by the county. Proposed new source dischargers shall file a disclosure form a minimum of ninety days before connecting to the sewer system. The disclosure to be made by the discharger shall be made on written forms provided by the county and shall cover:

(1) Disclosure of name, address and location of the discharger;

(2) Disclosure of wastewater constituents and characteristics including but not limited to those mentioned in this chapter, including standards contained in [Section 13.12.170](#) of this chapter, as appropriate, as determined by bona fide chemical and biological analysis. Sampling and analysis shall be performed according to procedures established by the EPA;

(3) Disclosure of time and duration of discharges;

(4) Disclosure of average daily and instantaneous peak wastewater flow rates, in gallons per day, monthly, and seasonal variations, if any. All flows shall be measured unless other verifiable techniques are approved by the county due to cost or nonfeasibility;

- (5) Disclosure of site plans, floor plans, plumbing plans, and details to show all sewers, sewer connections, inspection manholes, sampling chambers, and appurtenances by size and location.
- (d) Operating Upsets. Any discharger that experiences an upset in operations which places the discharger in a temporary state of noncompliance with this chapter shall inform the county immediately upon first awareness of the commencement of the upset. Where such information is given orally, a written follow-up report shall be filed by the discharger with the county within five days. The report shall specify:
- (1) Description of the upset, the cause of it, and the upset's impact on the discharger's compliance status;
 - (2) Duration of noncompliance, including exact dates and times of noncompliance; and, if the noncompliance continues, the time by which compliance is reasonably expected to occur;
 - (3) All steps taken or to be taken to reduce, eliminate and prevent recurrence of such an upset or other conditions of noncompliance. A documented and verified bona fide operating upset shall be an affirmative defense to any enforcement action brought by the county against the discharger for any noncompliance with the chapter that arises out of violations alleged to have occurred during the period of upset.
- (Ord. 55-I (1996) § 1 (part), 1996)

Chapter 13.14 SEWER FEES

Sections:

- [13.14.010](#) Title.
- [13.14.020](#) Definitions.
- [13.14.030](#) Purpose.
- [13.14.040](#) Limitation upon charges.
- [13.14.050](#) Special assessments.
- [13.14.060](#) Newcomer's assessment.
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- [13.14.090](#) Monthly sewer availability fee.
- [13.14.100](#) Developer sewer extensions.
- [13.14.110](#) Developer extension payback contract.
- [13.14.120](#) Change in use.
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- [13.14.140](#) Determination of residential equivalent units.
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- [13.14.170](#) Delegation of authority to sign certain agreements.
- [13.14.180](#) Disputes and appeals.
- [13.14.190](#) Penalty.
- [13.14.200](#) Enforcement by civil action.
- [13.14.210](#) Construction.

13.14.010 Title.

The ordinance codified in this chapter shall be known as the Kitsap County sewer fee ordinance.

(Ord. 113 (1986) § 1, 1986)

13.14.020 Definitions.

The terms set forth below are defined as follows:

- (1) "Board" means the Kitsap County board of county commissioners;
- (2) "Cf." means cubic feet;
- (3) "County" means Kitsap County;
- (4) "Director" means the director of the county's department of public works or his or her designee;
- (5) "Dwelling unit" means a unit providing independent living facilities for one or more persons with provisions for eating, sleeping and sanitation.

(Ord. 113 (1986) § 2, 1986)

13.14.030 Purpose.

The purpose of this chapter is to provide for fair and equitable charges for sanitary sewage service both old and new customers. All customers should pay for the services they receive and, therefore, no customer should receive any service at the expense of other customers. In achieving the foregoing it is necessary to maintain the fiscal integrity of the county's sewage systems.

(Ord. 113 (1986) § 3, 1986)

13.14.040 Limitation upon charges.

The county shall charge no fee for sewage service or connection to a county sewage system unless such fee is authorized by or through this chapter; provided, the foregoing limitation shall not apply to fees required by statute or by state regulation or order.

(Ord. 113 (1986) § 4, 1986)

13.14.050 Special assessments.

Special assessments for local improvement districts or utility local improvement districts shall be charged and paid as authorized by statute and pursuant to the specific plan and program of each local district.

(Ord. 113 (1986) § 5, 1986)

13.14.060 Newcomer's assessment.

(a) Whenever any person or entity desires to connect to an existing county sewage system, such person or entity shall be required to subscribe a newcomer's agreement and pay a newcomer's assessment. This agreement shall be consummated and, except as provided in Sections [13.14.150](#) and [13.14.160](#), the assessment shall be paid prior to any connection to the county's system.

(b) The newcomer's assessment represents the newcomer's proportionate share for future expansion of the major components of the existing sewage system such as trunk lines, pump stations, treatment plant and outfall.

(c) Newcomer's assessments shall be held by the county in trust for future expansion of its sewage systems and shall not be used for maintenance, operation or replacement.

(d) The amount of the newcomer's assessment shall be based upon residential equivalent units of sewage production which is determined pursuant to Section [13.14.140](#).

(e) The amount of the newcomer's assessment per residential equivalent unit shall be established from time to time by the board. The assessment per unit may be different for different sewage systems.

(f) The newcomer's agreement mentioned in subsection (a) shall memorialize the number of residential equivalent units which a person or entity is entitled to connect to the county's sewage system and the amount paid therefor.

(Ord. 113 (1986) § 6, 1986)

13.14.070 Latecomer's assessment.

(a) Whenever any person or entity desires to connect to a county sewage system through facilities paid for by local district assessments, by developer sewer extensions or by the county in anticipation of increased demand, such person or entity shall subscribe a latecomer's agreement and pay a latecomer's assessment. This agreement shall be consummated and, except as provided in Sections [13.14.150](#) and [13.14.160](#), the assessment shall be paid prior to any connection to the county's system.

(b) The latecomer's assessment represents the latecomer's proportionate share towards payment of sewer facilities (other than major components of the sewage system) paid for by someone else.

(c) Latecomer's assessments for connection to facilities paid for by local district assessments or by developer sewer extension shall be used by the county to defray costs of maintenance, operation and replacement; provided, if the latecomer's assessment is for the use of facilities for which there is an existing developer extension payback contract pursuant to Section [13.14.110](#), the assessment shall be paid to such developer.

(d) Latecomer's assessments for connection to facilities paid for by the county in anticipation of increased demand shall be paid into the fund from which the moneys were taken to reimburse the county for such facilities.

(e) The amount of the latecomer's assessment shall be that amount which is obtained when the number of residential equivalent units of sewage to be added by the latecomer is divided by the capacity in residential equivalent units of the sewer facilities to be utilized and that percentage is then multiplied by the actual cost to construct the facilities to be utilized.

(f) The latecomer's agreement mentioned in subsection (a) shall memorialize the number of residential equivalent units which a person or entity is entitled to connect to the sewer facilities, the amount paid therefor and the figures used to determine the latecomer's assessment.

(Ord. 113 (1986) § 7, 1986)

13.14.080 Monthly user fee.

- (a) All persons or entities having any sewer connection to a county sewer system shall pay a monthly user fee to the county. The responsibility for payment of the monthly user fee shall rest solely with the owner(s) of record of the property, the property manager in the employ of the owner(s) of record, or a person holding power-of-attorney for the owner(s) of record.
 - (b) The monthly user fee shall be for the maintenance, operation and replacement of the county's sewage systems.
 - (c) The amount of the monthly user fee shall be based upon the number of residential equivalent units of sewage production which is determined pursuant to Section [13.14.140](#); provided, the minimum monthly user fee shall be for one residential equivalent unit.
 - (d) The fee per residential equivalent unit shall be established from time to time by the board. The fee may be different for different sewage systems.
 - (e) Whenever there is a change in the person or entity to be billed for the monthly user fee, the first such bill shall include a charge of ten dollars to cover the administrative costs of such change.
- (Ord. 113-C (1998) (part), 1998; Ord. 113 (1986) § 8, 1986)

13.14.090 Monthly sewer availability fee.

- (a) All persons or entities requesting sewer availability to a county sewage system shall subscribe to a sewer availability agreement and pay a monthly sewer availability fee to the county.
 - (b) The monthly sewer availability fee shall defray the administrative costs, fixed maintenance costs, and debt service incurred to reserve sewer collection and treatment plant capacity committed to in the sewer availability agreement.
 - (c) The amount of the monthly sewer availability fee shall be based on the number of residential equivalent units of sewage production requested which is determined pursuant to Section [13.14.140](#) of this chapter; provided, the minimum monthly fee shall be for one residential equivalent unit.
 - (d) The fee per residential equivalent unit shall be revised on June first of each year. The administrative and fixed maintenance costs in the fee shall reflect the actual costs incurred for those activities during the previous calendar year. The remaining portion of the fee, which reflects the construction costs, shall be adjusted to reflect the change in the average annual change in the Consumer Price Index for All Urban Customers (CPI-U) for the Seattle Area, as published by the U.S. Department of Labor, Bureau of Labor Statistics.
 - (e) The sewer availability agreement mentioned in subsection (a) shall memorialize the number of residential equivalent units which a person or entity is entitled to, the amount of the monthly sewer availability fee to be paid, and conditions of availability.
- (Ord. 113-C (1998) (part), 1998; Ord. 113-A (1995) § 1 (part), 1995; Ord. 113 (1986) § 9, 1986)

13.14.100 Developer sewer extensions.

(a) Any person or entity developing property, upon the agreement of the county, may connect such property to a county sewer by means of a sewer line paid for and installed by developer. This shall be known as a developer sewer extension.

(b) Any developer desiring to connect to a county sewage system shall first make application therefor to the director. The director shall require the applicant to provide such information as he or she deems necessary. Such application shall, at a minimum, contain:

(1) A description of the proposed development;

(2) Calculations showing the number of residential equivalent units of sewage to be produced by the development;

(3) Engineering drawings prepared by a licensed civil engineer depicting the proposed facility in detail.

(c) As a condition of approval the director may require the proposed facility to have capacity greater than that needed to serve the proposed development but this shall only be required when:

(1) There is a likelihood that the developer will recoup some of the initial investment through a payback contract; or

(2) The county is willing to bear the expense of the additional capacity.

(d) As a condition of approval the director may require the developer:

(1) To provide easements to the developer sewer extension lines so that others may have access to such lines;

(2) To install sewer lines to the property line so that others may have access to the developer sewer extension lines without the future need to place a sewer line in an easement upon which surface improvements may be made.

(e) If the application is approved by the director and after any necessary franchises are obtained, the developer shall proceed to construct the extension. During the course of construction the developer shall permit those inspections of the facility which the director deems necessary and, to this end, the developer shall notify the director when the facility or portion thereof is ready for inspection.

(f) No developer extension shall be connected to a county sewer until the following have occurred:

(1) Construction of the facility is completed;

(2) The facility has passed all inspections required by the director;

(3) The developer has:

(A) Transferred the facility to the county free of charge;

(B) Provided to the county easements which will enable the county to maintain the facility and to allow access to the facility as contemplated by subsection (d) of this section;

(4) Provided a bond to the county in an amount specified by the director the obligation of which is that the facility will be free of defects for twenty-four months;

(5) Paid the inspection and plan check fees authorized by Section [13.14.130](#);

(6) Paid the assessments authorized by Sections [13.14.060](#) and [13.14.070](#) except as provided in Sections [13.14.150](#) and [13.14.160](#).

(g) Once the requirements of subsection (f) of this section have been fulfilled, the county shall accept the facility and thereafter perpetually keep and maintain it.

(Ord. 113 (1986) § 10, 1986)

13.14.110 Developer extension payback contract

- (a) A developer making a developer sewer extension may apply to the county for a payback contract. Through such a contract a developer may recover a portion of the cost of the extension in the event some other person connects to such facility and is thereby obliged to pay a latecomer's assessment pursuant to Section [13.14.070](#). Prior to approving such a contract the director may require such information from the developer as he or she deems necessary. The director shall approve such a contract only when, in his or her discretion, it is in the county's interests to do so.
- (b) The payback contract shall, at a minimum, specify the capacity of the facility in residential equivalent units, the number of such units reserved for use by the developer, and the actual cost to the developer of the facility.
- (c) No payback contract shall be valid for more than ten years.
- (d) In the event the county permits a person or entity to connect to a sewage facility covered by an existing developer extension payback contract, the county shall pay to the developer when such assessment is collected the amount of the latecomer's assessment as that assessment is determined by Section [13.14.070](#).
- (e) Prior to disbursing the latecomer's assessment to the developer as contemplated by subsection (d) of this section, the county shall deduct its administrative costs which shall not exceed fifteen percent.

(Ord. 113 (1986) § 11, 1986)

13.14.120 Change in use.

- (a) When the owner or occupant of property connected to a county sewer makes a material change in the use to which the property is devoted or materially increases the intensity of the use existing upon the property and when such change or increase results in production of at least one additional residential equivalent unit of sewage, then the owner of the property shall pay the newcomer's assessment as determined by Section [13.14.060](#), the latecomer's assessment as determined by Section [13.14.070](#), and the monthly user fee as determined by Section [13.14.080](#) all based upon the increased sewage flow.
- (b) The owner of the property shall receive credits for newcomer's assessments, latecomer's assessments and similar assessments or fees already paid.
- (c) The owner shall pay or shall contract to pay the assessments required by subsection (a) of this section when the building permits are obtained for the uses which will increase the sewage production or, if no building permits are required, when the increased sewage is delivered to the county's sewer system.
- (d) If the assessments are not paid as required by subsection (c) of this section the county may, after due notice to the owner and occupants of the property, terminate sewer service to the property.

(Ord. 113 (1986) § 12, 1986)

13.14.130 Inspection and plan check fees.

- (a) Prior to the issuance of any building sewer permit, the applicant shall pay the permit fee as required by Section [13.12.040](#) or as established pursuant to subsection (c) of this section.
 - (b) Prior to the approval of any developer sewer extension, the applicant shall pay plan check fees and inspection fees in amounts established by the director through the application of the fee schedule adopted pursuant to subsection (c) of this section.
 - (c) The director shall from time to time adopt a written fee schedule for building sewer permit fees, plan check fees and inspection fees; provided, such fees shall not exceed the cost to the county of performing the duties thereby required.
- (Ord. 113 (1986) § 13, 1986)

13.14.140 Determination of residential equivalent units.

- (a) Each dwelling unit, each rental space in a mobile home park or trailer court, every church and every auto service station shall be one residential equivalent unit.
- (b) For uses other than those specified in subsection (a) of this section, a use shall have a residential equivalent unit for each eight hundred cubic feet of water consumed per month but in no event shall any use have less than one unit.
- (c) The determination of residential equivalent units as set forth in subsection (b) of this section shall be based upon the monthly average of metered water usage for the previous calendar year; provided, if the user can conclusively establish by clear and convincing evidence to the director's satisfaction that some amount of metered water usage was used for irrigation purposes, then such amount shall be disregarded in determining residential equivalent units. If the water provided to a use is not metered or if the use does not have a history of water usage as required herein, then the residential equivalent units shall be determined pursuant to subsection (d) of this section; provided, in the case of non-metered water supply or inadequate history thereof, if the user can conclusively establish by clear and convincing evidence to the director's satisfaction what actual water usage has been or will be, then the units of residential equivalence shall be based on such evidence.
- (d) When water usage is not metered or when there is not an adequate history of water usage, a residential equivalent unit shall be based upon eight hundred cubic feet of water per month and shall be estimated by use of the following:
 - (1) Duplexes, apartments or other multiple residential type housing – 600 cf./mo. per unit;
 - (2) Motel or hotel room – 300 cf./mo. per room;
 - (3) Restaurant – 100 cf./mo. per seat;
 - (4) Fast food restaurant – 150 cf./mo. per seat;
 - (5) Tavern or cocktail lounge – 80 cf./mo. per seat;
 - (6) Retail stores or office buildings – 200 cf./mo. per 1,000 gross square feet of floor space;
 - (7) Shopping centers – 400 cf./mo. per 1,000 gross square feet of floor space (less common ways and walks);
 - (8) Factories – 100 cf./mo. per employee;
 - (9) Schools:

- (A) Without cafeteria or showers – 20 cf./mo. per student,
 - (B) With cafeteria, without showers – 25 cf./mo. per student,
 - (C) With cafeteria and showers – 35 cf./mo. per student;
 - (10) Theater or auditorium – 5 cf./mo. per seat;
 - (11) Laundromat or self-service laundry not concomitant to a residential use – 700 cf./mo. per washing machine;
 - (12) Hospitals – 1,200 cf./mo. per bed;
 - (13) Rest home – 400 cf./mo. per bed;
 - (14) Convalescent home – 800 cf./mo. per bed;
 - (15) Medical office 400 cf./mo. per 1,000 gross square feet of floor space;
 - (16) When a building or complex has multiple uses or functions, the residential equivalent units applicable thereto shall be the combined sum of the units from each use or function;
 - (17) For uses not specifically listed above, the director shall estimate the monthly water usage.
 - (e) Computations for residential equivalent units resulting in fractions shall be rounded to the nearest integer.
- (Ord. 113-A (1995) § 1 (part), 1995; Ord. 113 (1986) § 14, 1986)

13.14.150 Installment payment program.

Upon showing that payment of the newcomer's assessment and/or latecomer's assessment in full prior to connection to a county sewer would produce financial hardship, the director, in his or her discretion, may authorize payment of such assessments in installments; provided, this shall not apply to latecomer's assessments involving developer extension paybacks pursuant to Section [13.14.110](#). If so authorized at least ten percent of the assessments shall be paid prior to connection with the balance due in equal annual installments over a period of five years. The unpaid balance shall bear interest at eight percent per annum. There shall be added to any installment not timely paid a penalty in the amount of ten percent of the delinquent installment. In order to utilize this installment plan the owner of the property sewered must provide suitable instruments to the county creating a lien on the property to the extent of the balance owing plus interest and penalties.

(Ord. 113 (1986) § 15, 1986)

13.14.160 Phased development.

(a) Any person or entity developing property in phases or developing property consisting of discrete units may elect to pay the newcomer's assessment and/or latecomer's assessment for such property as the several phases or units are occupied or sold or otherwise actually receive sewer service. Such election shall be accomplished through a phased development contract.

(b) A phased development contract shall contain:

- (1) The name and address of the developer;
- (2) A legal description of the property;
- (3) A description of the nature and number of phases or discrete units within the development;

- (4) The amounts of the newcomer's assessment and/or latecomer's assessment for the entire development;
 - (5) The amounts of the newcomer's assessment and/or latecomer's assessment attributable and chargeable to each phase or discrete unit of the development;
 - (6) A declaration that the entire amounts of the newcomer's assessment and/or latecomer's assessment is/are a lien upon all of the real property of the development;
 - (7) The acknowledged signature of the developer.
- (c) The county shall release from the lien mentioned in subdivision (6) of subsection (b) of this section those phases or discrete units for which the newcomer's assessment or latecomer's assessment are paid.
- (Ord. 113 (1986) § 16, 1986)

13.14.170 Delegation of authority to sign certain agreements.

The board hereby delegates to the director the authority to sign on behalf of the county newcomer agreements pursuant to Section [13.14.060](#), latecomer agreements pursuant to Section [13.14.070](#), developer payback contracts pursuant to Section [13.14.110](#), and installment payment contracts pursuant to Section [13.14.150](#), phased development contracts pursuant to Section [13.14.160](#), and lien releases pursuant to subsection (c) of Section [13.14.160](#).

(Ord. 113 (1986) § 17, 1986)

13.14.180 Disputes and appeals.

- (a) Disputes and appeals pertaining to the following shall be processed pursuant to this section:
- (1) Newcomer's assessments, Section [13.14.060](#);
 - (2) Latecomer's assessments, Section [13.14.070](#);
 - (3) Monthly user fees, Section [13.14.080](#);
 - (4) Monthly sewer service fees, Section [13.14.090](#);
 - (5) Developer sewer extensions, Section [13.14.100](#);
 - (6) Developer extension payback contracts, Section [13.14.110](#);
 - (7) Changes in use, Section [13.14.120](#); and
 - (8) Determinations of residential equivalent units.
- (b) The applicant for or recipient of sewer service and the director or his or her designee shall meet in an effort to informally resolve the dispute.
- (c) If the dispute is not resolved pursuant to subsection (b) of this section, the applicant or recipient shall submit a written explanation of his or her position to the director. Such written materials must fully explain the position of the applicant or recipient and must, as appropriate, include engineering or other supporting data, drawings, field information, and argument concerning the applicable legal authorities. The written materials submitted to the director must indicate that the applicant or recipient is invoking the review process set forth in this section.
- (d) Upon receipt of the materials described in subsection (c) of this section, the director or his or her designee shall review such materials and shall within ten days set forth the county's position on the dispute in writing. This report shall be transmitted to the applicant or recipient.

(e) If the applicant or recipient is dissatisfied with the position set forth by the director, he or she may appeal the dispute to the board by filing a written notice of appeal with the director within ten days of transmittal of the report.

(f) Upon receipt of an appeal the director shall transmit to the board a copy of the written explanation as described in subsection (c) of this section and the report of the county's position as described in subsection (d) of this section.

(g) Upon receipt of the materials as set forth in subsection (f) of this section, the board shall schedule a public meeting at which to consider the appeal and the applicant or recipient shall be notified of such. The board's decision shall be based upon the record transmitted by the director and no additional evidence or argument shall be permitted. The director or his designee shall make a presentation to the board concerning the nature of the dispute to facilitate the board's understanding of the matters which it must resolve.

(h) The decision of the board shall be recorded in full in the official minutes.

(i) Decisions concerning adjustments to monthly user fees, whether made by the director or the board, shall become effective for the billing period following the decision and in no event shall be retroactive.

(Ord. 113 (1986) § 18, 1986)

13.14.190 Penalty.

Any person, firm or corporation violating any provision of this chapter or amendment thereto shall be guilty of a misdemeanor and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of this chapter is committed, continued or permitted. Upon conviction of any violation of this chapter such person, firm or corporation shall be punished by a fine of not more than two hundred and fifty dollars or by imprisonment for not more than ninety days or by both such fine and imprisonment.

(Ord. 113 (1986) § 19, 1986)

13.14.200 Enforcement by civil action.

(a) Any construction of sewer connections contrary to the provisions of this chapter or amendments thereto, shall be, and the same are hereby, declared to be unlawful and a public nuisance and compliance with this chapter or amendments thereto may be enforced by a mandatory injunction brought by the owner or owners of land in proximity to the land with the proscribed condition or the prosecuting attorney may immediately commence action or actions, proceeding or proceedings, for abatement, removal and enjoinder thereof, in a manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove the illegal condition.

(b) The authority of this section shall be in addition to whatever other legal means exist to enforce the provisions of this chapter.

(c) In addition to or as an alternative to any other penalty provided in this chapter or by law, any violation of this chapter shall constitute a Class I civil infraction. Each violation shall constitute a separate infraction for each and every day or portion thereof during which the violation is committed, continued or permitted. Infractions shall be

processed in accordance with the provisions of the civil enforcement ordinance (Chapter 2.116 of this code).
(Ord. 113-B (1997) § 1, 1997; Ord. 113 (1986) § 20, 1986)

13.14.210 Construction.

This chapter shall be liberally interpreted and construed to secure the public health, safety, morals and welfare and the rule of strict construction shall have no application.
(Ord. 113 (1986) § 21, 1986)

Chapter 13.16 (Repealed)*

* **Editor's Note:** Former Chapter 13.16, "Individual Sewage Disposal Systems," was repealed by the ordinance adopting this 2000 edition of the Kitsap County Code. See Title 1 of this code. Ordinances 27 (1961), 27 (1967) and an unnumbered ordinance passed August 28, 1972, were formerly codified in this chapter. The subject matter of this chapter is now addressed in Board of Health Ordinance 1996-8.

Chapter 13.20 HOUSEBOATS – PLUMBING AND SEWAGE DISPOSAL PERMITS

Sections:
[13.20.010](#) Required.

13.20.010 Required.

Owners, lessors, tenants or persons residing in houseboats shall not permit or remain in any houseboat anchored, tied up or attached to any structure, or located for use as a dwelling within Kitsap County, without first obtaining a plumbing permit and/or sewage disposal permit for such houseboat from the Bremerton-Kitsap County health officer. Such plumbing permit and/or sewage disposal permit shall be issued upon a determination by the Bremerton-Kitsap County health officer that adequate soil and ground area for drainage exists.
(Ord. 22 (1958) § 1, 1958)

Chapter 13.24 DRAINFIELD AREAS

Sections:
[13.24.010](#) Use of wheeled vehicles prohibited.
[13.24.020](#) Notice to be posted.

13.24.010 Use of wheeled vehicles prohibited.

The public shall not enter any drain field area operated by Kitsap County with any wheeled vehicle nor shall such a vehicle be driven upon the drainfield area and no digging shall be allowed within such drainfield area.
(Res. 206-1976 § 1, 1976)

13.24.020 Notice to be posted.

The public works department shall post such drain field areas giving notice of the prohibition set forth in Section [13.24.010](#) and all violators shall be subject to the general penalty provisions set forth in Section [1.12.010](#) of this code.
(Res. 206-1976 § 2, 1976)