

North City Water District Code Update

Proposed Title 5: Development [Second update]

Chapter 1: WATER SYSTEM IMPROVEMENT POLICIES

5.01.010 Cost Of Water System Improvements – Policy.

The District has a “growth pays for growth” policy. In this policy, developers are responsible for any and all costs of water system improvements based upon the highest and best use allowed by the applicable city’s land use policies.

5.01.020 Consistency With District Standards and Requirements – Policy.

- A. Consistency With Approved Comprehensive Water System Plan. Developers must construct water system improvements consistent with the District’s approved Comprehensive Water System Plan necessary to accommodate their proposed developments.
- B. Best Engineering Standards. In those areas proposed for development where Comprehensive Water System Plan improvements are not indicated, the District may use best engineering design standards as determined by the District to determine necessary water system improvements.

5.01.030 No District Contribution To Non-Priority Projects – Policy.

The District will be under no obligation to pay for or contribute to water system improvement projects that are not a District priority as identified in the District’s current 6-year anticipated construction schedule.

5.01.040 Formation Of Utility Local Improvement Districts And Local Improvement Districts – Policy.

The District will consider petitions for formation of Utility Local Improvement Districts (ULID) and Local Improvement Districts (LIDs) as submitted by developers and property owners according to applicable standards.

5.01.050 Waiver Or Variance To Standards – Policy.

The Board of Commissioners may, at the Board’s sole option, grant a waiver or variance of District standards for water facilities when it can be shown that it is impractical and/or impossible to construct to District standards. Waivers or variances will not be granted to materials and equipment standards.

Chapter 2: CERTIFICATES OF WATER AVAILABILITY

5.02.010 Certificate of Water Availability – Review Process and Requirements for Issuance.

- A. Compliance Required. No development shall connect to the District’s water system until the applicant for the development has complied with this section.

- B. Application. Prior to or when submitting a development permit application to the appropriate City official, the applicant shall apply to the District for a Certificate of Water Availability by submitting a Request for Fire Flow Analysis/Certificate of Water Availability form. The Request for Fire Flow Analysis/Certificate of Water Availability form is available at **Appendix 5A**.
- C. Fire Flow Analysis. After the applicant has applied to the District for a Request for Fire Flow Analysis/Certificate of Water Availability and paid the flow analysis fee set forth in **Appendix 3A**, the District will perform a fire flow analysis.
1. The fire flow analysis shall be conducted by completing a hydraulic analysis using a computer hydraulic model as selected by the District to determine the amount of flow and pressure available to the site in question. If it is not necessary to perform a fire flow analysis using a hydraulic analysis because current information is already available for the site in question, then the District shall refund to the applicant an amount, if any, specified in **Appendix 3A**.
 2. The District will use the fire flow analysis to determine whether the District's existing system can provide adequate fire flow.
 3. The District will notify the applicant of the results of the fire flow analysis.
- D. Meets Requirements. A Certificate of Water Availability will be issued to the applicant if the results of the fire flow analysis performed under subsection C indicate that there is existing sufficient fire flow to meet the District's requirements for the proposed development, if no other improvements are necessary for water availability as determined by the District, and if all applicable WSEA or other fees or charges have been paid to the District. The amount of fees and charges is stated in **Appendix 3A**.
- E. Does Not Meet Requirements. If the fire flow analysis performed under subsection C indicated that the site does not have adequate fire flow to meet the District's requirements for the proposed development, or if other improvements are necessary for water availability as determined by the District, a Certificate of Water Availability will not be issued until the issues are resolved. For the purposes of issuance of a Certificate of Water Availability, the issues will be resolved as set forth in this section. Upon the resolution of all issues, a Certificate of Water Availability will be issued to the applicant.
1. Where the site does not have adequate fire flow to meet the District's standards, the applicant may:
 - (a) Submit documentation to the District that the applicable fire district has approved the proposed development for fire protection; or,
 - (b) Enter into the appropriate agreement(s) with the District to achieve adequate fire flow.
 2. Where other improvements are necessary for water availability as determined by the District, the applicant may enter into the appropriate agreement(s) with the District to improve the water system to meet the District's requirements.
- F. Insufficient Information to Determine if the Site Meets Requirements. When an applicant submits a Request for Fire Flow Analysis/Certificate of Water Availability but does not fully describe the scope of development proposed, the District will notify the applicant of the results of the fire flow analysis but will not issue a Certificate of Water Availability.

- G. Other Required Improvements. Nothing in this section shall be construed to prohibit the District from identifying other required system improvements not associated with fire flow availability.

5.02.020 Certificate of Water Availability – Expiration.

- A. Effective for One Year. All Certificates of Water Availability issued by the District will be in effect for one year from the date of issue. At the end of one year, all Certificates of Water Availability expire and become void and no longer effective unless extended according to the terms of this section.
- B. Extension. A Certificate of Water Availability may be extended for a maximum of six months by the District Manager or Operations Manager if the applicant shows adequate progress toward completion of the development.

Chapter 3: WATER SYSTEM EXTENSION AGREEMENTS

5.03.010 Purpose.

The purpose of this chapter is to specify the manner and means by which extensions of the district's water system may be permitted, and to ensure that every WSEA complies with state, county and local laws, district regulations, applicable construction standards, prevents public nuisances, and otherwise serves the public health, safety and welfare.

5.03.020 Water System Extension Agreements – Policies.

- A. General. Every extension of the District's water system shall be approved by the district and shall conform with the requirements of the North City Water District Code and chapter 57.22 RCW.
- B. Construction Standards. Every extension shall meet and comply with state, county and District construction standards.
- C. Application. No application for extension shall be accepted by the District for review or evaluation until all documents, reports, plans, specifications and fees required by the District have been timely submitted.
- D. Extension to Property Boundary. Whenever service may be required beyond the boundaries of a property requesting an extension, the district in its sole discretion may require the extension to be extended to the farthest property line of the property requesting the extension.
- E. Any service connection 2" or greater requires a WSEA.
- F. Reimbursement (Latecomer) Agreements. If an extension bypasses property which has not requested the extension and which may be subsequently developed, the District and the person requesting the extension may enter into reimbursement agreement as provided in this chapter.

5.03.030 Water System Extension Agreements – Supplemental Standards Applicable.

- A. Standard details and technical specifications are applicable to water system extensions. These standards shall be applied by the district as an integral requirement of any water system extension. The standards are set forth in **Appendices 4A and 4B**.
- B. The district manager shall determine and establish the applicability of the standard details. If any person or entity requesting water service disagrees with the district manager's decision, that person or entity may appeal the requirement to the board of commissioners by filing a written notice of appeal (which specifies the reason for the disagreement) with the district within fifteen days of the district manager's decision.
- C. Fire Service Lines. A customer seeking to install either a 13R (low-rise residential occupancy) or a 13D fire system (for one and two family dwellings and manufactured homes), must satisfy the following requirements:
 - 1. Property Subdivision. The record title owner of the property must execute a document prepared by the District in which the owner agrees that if the subject property is ever subdivided or otherwise divided into separate legal lots, the owner shall provide separate water service to each individual lot on the property.
 - 2. Meter Hookup Charge. If the actual installation cost to the District of the one inch meter required for the 13R and 13D system is greater than the District's standard meter hook up charge, then the customer must pay the difference in cost (time and material costs) as well as the standard meter hook up charge.
- D. Back-Flow Prevention.
 - 1. The customer must comply with the Washington State Department of Health regulations for back-flow prevention. A back-flow prevention device must be provided on both the fire and irrigation service line branches. Where a customer chooses to combine the irrigation line with either the domestic or fire service line, a back-flow prevention device must be installed on the irrigation line downstream of the irrigation line's connection to either the domestic or fire service line.
 - 2. Washington Administrative Code (WAC) 248-54-285 requires all back-flow prevention devices to be inspected annually by a Washington State Certified Back-Flow Assembly Tester. At the time of the initial water service connection, the record title owner of the property must execute a document prepared by the district in which the owner agrees to comply with the back-flow prevention testing procedures and agrees to forward the certified test results to the district. There are two ways to arrangement for a test, the customer may: (1) hire a Certified Back-Flow Assembly Tester or (2) have one of the District Certified Back-Flow Assembly Testers provide the service. The customer will be billed for time and materials if the District staff provide the service.

5.03.040 Water System Extension Agreements – Application Approval.

- A. Application for a WSEA and the contract to perform the extension shall be made on forms supplied by the District, supplied at **Appendix 5B** which include the standard details and technical specifications included in **Appendices 4A and 4B**. No application shall be accepted as complete until all required

documents, plans and specifications have been supplied to the District and until all necessary fees, charges and deposits have been paid.

- B. No application for a WSEA shall be approved by the District unless the District determines that the application is complete and that entering into the WSEA will advance the public health, safety and welfare, and will be consistent with the terms and conditions of this chapter and chapter 57.22 RCW.

5.03.050 Water System Extension Agreements – Conditions.

- A. Approval of a Water System Extension Agreement (WSEA) and connection to the District's water system shall be conditioned as follows:
1. The person signing a WSEA shall fully comply with the terms, conditions, requirements and obligation set forth in this chapter and the WSEA.
 2. The extension shall be designed and constructed in accordance with the plans and specifications approved by the District.
 3. The extension shall be inspected and approved by the District before final acceptance.
 4. Upon final acceptance, the extension shall be transferred to the District without cost to the District.
 5. All WSEA fees and charges and all other required connection or system charges shall be paid in full.
- B. All requirements of the above conditions shall be accomplished before water service will be provided to the site.
- C. The District may require such other conditions as may be needed to ensure compliance of the extension with this chapter, title 57 RCW, and the District's laws and regulations.

5.03.060 Water System Extension Agreements – Fees and Charges.

- A. General. Fees and charges for WSEAs shall be consistent with RCW 57.22.010.
- B. WSEA Deposits. The WSEA applicant shall deposit with the District upon application the sum of 50% of the anticipated connection charge and 100% of all other anticipated charges, as determined by the District. All deposits are payable in full in advance, and shall be refundable only as specified in **Appendix 5C** or the particular WSEA issued to the applicant.
- C. WSEA Fees and Charges. **Appendix 3A** sets forth the amounts of WSEA fees and charges. Such fees and charges may recover for time and costs incurred by the District in reviewing, processing or overseeing completion of a WSEA. The District may refrain from taking any action until any or all fees and charges have been timely and properly paid.
- D. Final Payment Prior to Receiving Water Service. The remaining 50% of the connection charge shall be paid in full prior to the setting of the meter and providing water service to the site. All final fees and charges in excess of the deposit must be paid prior to receiving water service from the District.

- E. Other Charges. WSEA fees and charges do not include system facilities charges, installation charges, or monthly billings.

5.03.070 Water System Extension Agreements – Expiration.

- A. Effective for One Year. A WSEA issued by the District remains in effect for one year from the date of issue. At the end of one year, a WSEA expires and becomes void and no longer effective unless extended according to the terms of this section.
- B. Extension. A WSEA may be extended for six months by the Board of Commissioners if the applicant shows adequate progress toward completion of the development.

5.03.080 Water System Extension Agreements – Reimbursement (Latecomer) Agreements.

- A. In the event that a water system extension bypasses property which has not requested the extension and which may be subsequently developed and benefited by the extension, the person seeking the extension may request, and the District shall thereupon enter into, a reimbursement agreement (also known as a latecomer agreement) as provided in this section.
1. No later than at the time of executing the water system extension agreement, the person seeking the extension shall complete and submit **Appendix 5C** (Application for or Waiver of Reimbursement Agreement) to advise the District that the person either intends to enter in to a reimbursement agreement or irrevocably waives the right to reimbursement.
 2. Every reimbursement agreement shall comply with the requirements of chapter 57.22 RCW and shall be in the form of **Appendix 5D**.