

BOARD OF YAKIMA COUNTY COMMISSIONERS

ORDINANCE NO. 9-2007

IN THE MATTER OF AMENDING ORDINANCE NO. 4-1985, ORDINANCE NO. 9-2001 AND YAKIMA COUNTY CODE CHAPTER 12-08, PERTAINING TO YAKIMA COUNTY WATER SYSTEMS.

WHEREAS, the Water System Ordinance was last amended on September 19, 2001; and,

WHEREAS, certain definitions and provisions need to be revised to provide clarification for the operation and maintenance of County water systems; and,

WHEREAS, the Board of Yakima County Commissioners held a duly advertised public hearing for the purpose of considering the amendment of Ordinance No. 4-1985, Ordinance No. 9-2001 and Yakima County Code Chapter 12-08 on December 11, 2007, pursuant to Resolution No. 560-2007 dated November 13, 2007, wherein testimony was heard from all those persons present who wished to be heard; and

WHEREAS, after considering the testimony and materials presented, the Board of Yakima County Commissioners believes it is in the best public interest to amend Ordinance 4-1985, Ordinance 9-2001 and Yakima County Code Chapter 12-08 as proposed; now, therefore,

BE IT HEREBY ORDAINED by the Board of County Commissioners:

Section 1. Section 12.08.010 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Definitions" shall be amended to read as follows:

12.08.010 Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

(a) "Backflow" means the undesirable reversal of flow of water or other substances through a cross-connection into the public water system or consumer's potable water system.

(b) "Connection" means water service provided through one water meter to residential, commercial, industrial or institutional consumers from the domestic water system.

(c) "County" means Yakima County under the direction of the Yakima County department of public services-works.

(de)"Cross-connection" means ~~a physical plumbing connection between the domestic water system and other water systems or equipment containing water and other substances of unknown or questionable safety.~~ any actual or potential physical connection between a public water system or the consumer's water system and any source of non-potable liquid, solid, or gas that could contaminate the potable water supply by backflow.

(ed)"Customer" or "consumer" means any individual, firm, company, association, society, hospital, church, corporation or group provided service from the domestic water system.

(fe)"Domestic water system" means that water, and water system in which it is carried, which is for human consumption and normal household, commercial, industrial or institutional uses provided under the county's direction.

(gf)"Extension" means continuation of the domestic water system to serve additional customers.

(hg)"Fire protection service charge" means the monthly charge, based on private water line size, for fire protection service from the domestic water system.

(ih)"Multiple family unit" means a building or arrangement of buildings or portions thereof, used or intended to be used as the home of two or more families or householders living independently of each other.

(ji)"Private water lines" means those lines serving more than one single dwelling unit and larger than one inch in diameter constructed, operated and maintained by private owners and connected to the county's domestic water system.

(kj)"Public ~~services works~~-director" means the county public ~~services works~~ director or his assigns charged with the operation of the domestic water system.

(lk)"Ready to serve charge" means the minimum monthly charge for connection to the domestic water system based on size of the water meter servicing the customer.

(ml)"Service line" means the water line connection from behind the water meter box to the structure or facility served and shall be owned and maintained by the customer.

(nm)"Shall" and "May." The word "shall" is mandatory; the word "may" is permissive.

(on)"Single dwelling unit" means a building arranged or designed to be occupied by not more than one family or household.

(pe)"Water consumption charge" means the monthly or bimonthly charge for amount of water used by the customer based upon monthly or bimonthly meter readings.

(Ord. 4-1985 Mod. 4 Ch. 1, 1994).

Section 2. Section 12.08.020 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled “County to operate water systems” shall be amended to read as follows:

12.08.020 County to operate water systems.

A utilities division under the supervision of the county public services works department to develop, design and operate a county domestic water system is established.

(Ord. 4-1985 Mod. 4 § 1.01, 1994).

Section 3. Section 12.08.040 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled “Water service pipes and connections” shall be amended to read as follows:

12.08.040 Water service pipes and connections.

All water service pipes and connections, including the stop valve and water meter, shall be placed in the county road right-of-way or utility easement as directed by the public services works-director, and shall be furnished, installed and maintained by and under the exclusive control and supervision of the public services works-director. The property owner shall be solely responsible for maintaining the water line on the building side of the water meter box.

(Ord. 4-1985 Mod. 4 § 1.03, 1994).

Section 4. Section 12.08.050 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled “Public works director -- Duties” shall be amended to read as follows:

12.08.050 Public services works director -- Duties.

The public services works director shall supervise and be responsible for development, design, construction, excavations, repairs, connections, maintenance, operation and administration of the county water systems and enforce the rules and regulations provided in this chapter.

(Ord. 4-1985 Mod. 4 § 1.04, 1994).

Section 5. Section 12.08.060 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled “Private water lines – Permitted when – Construction standards” shall be amended to read as follows:

12.08.060 Private water lines -- Permitted when -- Construction standards.

Water connections by construction of private water lines to the county owned and operated system shall be constructed in conformance with the applicable county water line construction standards in effect. Private water lines may be allowed when the impact to the system is insignificant, as determined by the public services works director.

(Ord. 4-1985 Mod. 4 § 2.01, 1994).

Section 6. Section 12.08.070 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled “Private water lines – Regulations” shall be amended to read as follows:

12.08.070 Private water lines -- Regulations.

All private water lines shall be installed, owned and maintained by the customers and the county shall have no duty to repair or replace such mains or lines. Water meters on private water lines shall be placed, installed and maintained as directed by the public services works-director, and shall remain the property of the county regardless of location.

(Ord. 4-1985 Mod. 4 § 2.02, 1994).

Section 7. Section 12.08.080 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled “Authority to shut off and repair private water lines” shall be amended to read as follows:

12.08.080 Authority to shut off and repair private water lines.

The public services works director is directed and authorized to immediately shut off all private water lines whenever such water lines develop leaks or their condition is such as to constitute a danger to the domestic water supplies of the county. Such private water lines shall remain shut off until properly repaired or replaced by the owner. In the event of leaks or defects on service lines connected to the private water line or on any portion of private water lines, such repairs and replacements as may be necessary shall be accomplished by and at the sole expense of the customers or owner of the property to which the service is provided, subject to the supervision and final approval of the public services works director.

(Ord. 4-1985 Mod. 4 § 2.03, 1994).

Section 8. Section 12.08.090 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled “Authority to shut off and repair public water lines” shall be amended to read as follows:

12.08.090 Authority to shut off and repair public water lines.

The public services works-director is directed and authorized to immediately shut off all public domestic lines whenever such water lines develop leaks or their condition is such as to constitute a danger to the drinking water supplies of the county. Such water lines shall remain shut off until properly repaired or replaced. All repairs shall be at the expense of the county.

(Ord. 4-1985 Mod. 4 § 2.04, 1994).

Section 9. Section 12.08.100 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Fire hydrants -- Operation" shall be amended to read as follows:

12.08.100 Fire hydrants -- Operation.

No person other than an authorized employee of county public services works or the fire department shall operate fire hydrants or interfere therewith in any way without first obtaining authority to do so from the public services works department. Fire hydrants on private water lines shall be operated by the county, and all necessary easements to access and operate the fire hydrants shall be granted to the county. All maintenance costs of the hydrants shall be the responsibility of the owner of the private water line.

(Ord. 4-1985 Mod. 4 § 2.05, 1994).

Section 10. Section 12.08.110 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Fire hydrants -- Obstruction prohibited" shall be amended to read as follows:

12.08.110 Fire hydrants -- Obstruction prohibited.

- (a)No fire hydrant shall be obstructed in any manner and nothing shall be permitted to block access to said fire hydrant within fifteen feet thereof.
- (b)A 3-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved by the public services director.
- (c)Upon notice from the county, the customer shall within fourteen (14) days remove such obstruction. If the obstruction is not removed within the time required, the county shall remove the obstruction and bill the customer for the actual cost of the work.

(Ord. 4-1985 Mod. 4 § 2.06, 1994).

Section 11. A new section shall be added to Chapter 12.08 of the Yakima County Code, which reads as follows:

12.08.112 Meters and Valves -- Obstruction prohibited.

- (a)No water meter, valve or other appurtenance shall be obstructed in any manner and nothing shall be permitted to block access to said meter, valve or appurtenance.
- (b)A 3-foot clear space shall be maintained around the circumference of meters, valves and other appurtenances except as otherwise required or approved by the public services director.
- (c)Upon notice from the county, the customer shall within fourteen (14) days remove such obstruction. If the obstruction is not removed within the time required, the county shall remove the obstruction and bill the customer for the actual cost of the work.

Section 12. Section 12.08.120 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Interference with system prohibited" shall be amended to read as follows:

12.08.120 Interference with system prohibited.

(a) No person shall break, damage, destroy, uncover, deface or tamper with any structure, appurtenances or equipment which is a part of the domestic water system.

(b) Customers shall notify the county in writing prior to making changes to their landscaping which then necessitates the county to make changes to the water system, such as raising or lowering meter boxes, valve boxes, etc. Customers shall reimburse the county for the county's costs to make changes to the water system resulting from the customer's landscaping changes.

(Ord. 4-1985 Mod. 4 § 2.07, 1994).

Section 13. Section 12.08.130 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Application for service" shall be amended to read as follows:

12.08.130 Application for service.

All applications for water service installation shall be made at the office of the public services works department on forms furnished by the county, which the applicant shall supplement with such information as deemed necessary by the public services works director. All applications shall be made by the owner of the property to be served or his authorized agent, and all accounts shall be in the name of the owner of such property. No person shall make any connection to the domestic system or add any additional unit to an existing connection without first obtaining a permit as required in this section.

(Ord. 4-1985 Mod. 4 § 3.01, 1994).

Section 14. Section 12.08.140 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Separate connection required for each unit" shall be amended to read as follows:

12.08.140 Separate connection required for each unit.

(a) Each residence, residential unit, individual business, business enterprise or business unit, or industrial enterprise or unit connecting to the domestic water system, shall be considered an individual customer and shall be supplied through a separate service connection, unless modified by the public services works director.

(b) Multiple dwelling units, such as apartment complexes, mobile home parks, and duplexes may be served by a single service connection with a master meter provided they are on a single tax lot. Multiple dwelling units served by a single

meter that later convert to condominiums shall first install individual meters to each dwelling unit.

(c) Individual businesses, business enterprises or business units, or industrial enterprises or units connecting to the domestic water system that are located on more than one tax lot shall have a separate connection for each tax lot where water is being used, unless modified by the public services director.

(Ord. 4-1985 Mod. 4 § 3.02, 1994).

Section 15. Section 12.08.160 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Abandonment of service" shall be amended to read as follows:

12.08.160 Abandonment of service.

All service installations connected to the water system that have been abandoned or that have not been used for three years or that for any reason have become useless for further service, may be disconnected at the meter by the public services works department and all pipe and appurtenances removed shall be the property of the county.

(Ord. 4-1985 Mod. 4 § 3.04, 1994).

Section 16. Section 12.08.200 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Cross-connections -- Prohibited -- Exception" shall be amended to read as follows:

12.08.200 Cross-connections -- Prohibited -- Exception.

Cross-connections between the domestic water systems and other systems or equipment containing water and other substances of unknown or questionable safety are prohibited, except when and where suitable backflow prevention assemblies protective devices, as approved by the public services works department, are installed, tested and maintained by the customer and tested by a backflow assembly tester certified by the Washington State Department of Health county to ensure proper operation on a continuing basis.

(Ord. 4-1985 Mod. 4 § 3.08, 1994).

Section 17. Section 12.08.210 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Cross-connections -- Failure to remedy" shall be amended to read as follows:

12.08.210 Cross-connections -- Failure to remedy.

Failure on the part of customers to discontinue the use of any and all cross-connections and to physically separate such cross-connections or install a suitable backflow prevention assembly protective device when ordered to do so by the public services works-department will be sufficient cause for the discontinuance of water service to the premises on which the cross-connection exists and shall subject the customer to penalties as provided by Section 12.08.520.

(Ord. 4-1985 Mod. 4 § 3.09, 1994).

Section 18. Section 12.08.230 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Air gap and flood level specifications for tanks" shall be amended to read as follows:

12.08.230 Air gap and flood level specifications for tanks.

Air gap separation shall be an unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture or other device and the flood level rim of the receptacle, ~~and shall be at least double the diameter of the supply pipe measured vertically above the flood level rim of the vessel. In no case shall the gap be less than one inch. To be an approved air gap, the separation must be in accordance with WAC 246-290 and be at least:~~

- ~~(a) Twice the diameter of the supply piping measured vertically from the overflow rim of the receiving vessel, and in no case be less than one inch, when unaffected by vertical surfaces (sidewalls); and~~
- ~~(b) Three times the diameter of the supply piping, and in no case less than one and one-half inches, if the horizontal distance between the supply pipe and a vertical surface (sidewall) is less than or equal to three times the diameter of the supply pipe; and~~
- ~~(c) Four times the diameter of the supply piping, and in no case less than one and one-half inches, if the horizontal distance between the supply pipe and two intersecting vertical surfaces (sidewalls) is less than or equal to four times the diameter of the supply pipe.~~

(Ord. 4-1985 Mod. 4 § 3.11, 1994).

Section 19. Section 12.08.240 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Double check valves" shall be amended to read as follows:

12.08.240 Double check valves assemblies.

~~Double check valve assemblies valves assembly~~ shall be an assembly composed of two single, independently acting check valves, ~~with including~~ tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the watertightness of each check valve. Only Washington State Department of Health approved assemblies shall be accepted.

(Ord. 4-1985 Mod. 4 § 3.12, 1994).

Section 20. Section 12.08.250 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Reduced pressure principle backflow prevention device" shall be amended to read as follows:

12.08.250 Reduced pressure principle backflow prevention assemblies device.

Reduced pressure principle backflow prevention assemblies device shall be an assembly device incorporating two or more check valves and an automatically operating differential relief valve located between the two checks, two shutoff valves, and equipped with necessary appurtenances for testing. The assembly device shall operate to maintain the pressure in the zone between the two check valves, less than the pressure on the water supply side of the assembly device. At cessation of normal flow, the pressure between the check valves shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve shall operate to maintain this reduced pressure by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere, thereby providing an air gap in the assembly device. Only Washington State Department of Health approved assemblies shall be accepted.

(Ord. 4-1985 Mod. 4 § 3.13, 1994).

Section 21. Section 12.08.260 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Backflow prevention devices -- Installation location" shall be amended to read as follows:

12.08.260 Backflow prevention assemblies devices-- Installation location.

Backflow prevention assemblies devices, where required, shall be installed at the meter or at a location designated by the public services works director at the expense of the consumer. The assembly device shall be located so as to be readily accessible for maintenance and testing, and where no part of the assembly device will be submerged.

(Ord. 4-1985 Mod. 4 § 3.14, 1994).

Section 22. Section 12.08.270 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Backflow prevention devices -- Situations requiring devices" shall be amended to read as follows:

12.08.270 Backflow prevention assemblies devices -- Situations requiring assemblies devices.

Backflow prevention assemblies devices shall be installed at the service connection or within any premises identified in Section 12.08.280 where, in the judgment of the public services works director, the nature and extent of activities on the premises, or the materials used in connection with the activities, or materials stored on the premises may present an immediate and dangerous hazard to health should a cross- connection occur, even though such cross-connection does not exist at the time the backflow prevention assembly device is required to be installed, including, but not limited to, the following situations:

- (a) Premises having an auxiliary water supply;
- (b) Premises having internal cross-connections that are not correctable; or intricate plumbing arrangements which make it impracticable to ascertain whether or not cross-connections exist;
- (c) Premises where entry is restricted so that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross-connections do not exist;
- (d) Premises having a repeated history of cross-connections being established or reestablished;
- (e) Premises on which any substance is handled under pressure so as to permit entry into the public water supply, or where a cross-connection could reasonably be expected to occur. This shall include the handling of process waters and cooling waters;
- (f) Premises where materials of a toxic or hazardous nature are handled such that, if back siphonage should occur, a serious health hazard may result.
- (g) Premises with underground sprinkler systems.
- (h) Premises recommended in the latest edition of the Pacific Northwest Section American Water Works Association Cross Connection Control Manual.

(Ord. 4-1985 Mod. 4 § 3.15, 1994).

Section 23. Section 12.08.280 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Backflow prevention devices -- Premises requiring" shall be amended to read as follows:

12.08.280 Backflow prevention assemblies devices -- Premises requiring.

The following types of facilities shall have a backflow prevention assembly device installed as provided in Section 12.08.270 unless the public services works director determines that no hazard will exist without said assembly device:

- (a) Hospitals, mortuaries, clinics;
- (b) Laboratories;
- (c) Piers and docks;
- (d) Sewage treatment plants;
- (e) Food or beverage processing plants;
- (f) Chemical plants using a water process;
- (g) Metal plating industries;
- (h) Petroleum processing or storage plants;
- (i) Radioactive material processing plants or nuclear reactors;
- (j) Others specified by the public services works director.

(Ord. 4-1985 Mod. 4 § 3.16, 1994).

Section 24. Section 12.08.290 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Backflow prevention devices -- Determination of type" shall be amended to read as follows:

12.08.290 Backflow prevention assemblies ~~devices~~ -- Determination of type.

The type of backflow prevention assembly protective device required shall depend on the degree of hazard which exists, as follows:

(a) An air gap separation or a reduced pressure principle backflow prevention assembly device shall be installed where the water supply may be contaminated with sewage, industrial waste of a toxic nature, or other contaminant which would cause a health or system hazard;

(b) In the case of a substance which may be objectionable but not hazardous to health, a double check valve assembly, air gap separation or a reduced pressure principle backflow prevention assembly device shall be installed.

(Ord. 4-1985 Mod. 4 § 3.17, 1994).

Section 25. Section 12.08.300 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Backflow prevention devices -- Standards and inspection" shall be amended to read as follows:

12.08.300 Backflow prevention assemblies ~~devices~~ -- Standards and inspection.

(a) Backflow prevention assemblies ~~devices~~ shall be installed by the consumer under the supervision of, and with the approval of, the county at the expense of the consumer.

(b) Backflow prevention assemblies ~~devices~~ shall be inspected and tested annually by the public services works department at the time of installation, annually after installation, after an assembly is repaired, reinstalled or relocated, or more often where successive inspections indicate repeated failure. The Assemblies devices shall be repaired, overhauled or replaced whenever they are found to be defective. Inspections, tests and repairs and records thereof shall be done under the county's supervision at the expense of the consumer.

(c) In lieu of the public services department inspecting and testing the consumer's backflow assembly, the consumer may elect to contract the inspecting and testing with a backflow assembly tester certified by the Washington State Department of Health at the consumer's expense.

(Ord. 4-1985 Mod. 4 § 3.18, 1994).

Section 26. Section 12.08.310 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Backflow prevention devices -- Termination of service for noncompliance" shall be amended to read as follows:

12.08.310 Backflow prevention assemblies devices-- Termination of service for noncompliance.

Failure of the customer to cooperate in the installation, maintenance, testing or inspection of backflow prevention assemblies devices required in this chapter shall be grounds for the termination of water service to the premises or the requirements for an air gap separation and shall subject the customer to the penalties provided in Section 12.08.520.

(Ord. 4-1985 Mod. 4 § 3.19, 1994).

Section 27. Section 12.08.320 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Water connection permit charges" shall be amended to read as follows:

12.08.320 Water connection permit charges.

A connection permit charge shall be paid to the county by the person desiring to make such connection, which charges shall be payable at the time application is made for the permit to perform the work and make the connection. Connection permit charges shall apply to all connections including connections for domestic service and connections for fire protection service. The connection permit charge shall be in accordance with the following schedule:

Meter Size	Buena Water System Connection Permit Charge
3/4" & less.....	\$ 490.00 <u>2,500.00</u>
1".....	730.00 <u>2,790.00</u>
1-1/2".....	4,000.00
2".....	2,590.00 <u>5,670.00</u>
3".....	5,180.00 <u>9,670.00</u>
4".....	7,560.00 <u>13,330.00</u>

Meter Size	Terrace Heights Water System		
	1994	1995	1996
3/4" & less....	\$2,000.00	\$2,250.00	\$2,500.00
1".....	2,230.00	2,510.00	2,790.00
1-1/2".....	4,000.00		

2"	4,530.00	5,100.00	5,670.00
3"	7,730.00	8,700.00	9,670.00
4"	10,660.00	12,000.00	13,330.00
6"	21,320.00	23,990.00	26,990.00
8"	31,980.00	35,980.00	40,480.00
10"	42,640.00	47,970.00	53,970.00

Meter Size	Gala Estates Water System Connection Permit Charge
<u>3/4" & less</u>	\$4,000.00
1"	4,460.00
<u>1-1/2"</u>	<u>6,600.00</u>
2"	9,060.00

Meter Size	<u>Crewport Water System</u> <u>Connection Permit Charge</u>
<u>3/4" & less</u>	<u>\$ 2,500.00</u>
1"	2,790.00
<u>1-1/2"</u>	<u>4,000.00</u>
<u>2"</u>	<u>5,670.00</u>

(Ord. 4-1985 Mod. 4 § 4.01, 1994).

Section 28. A new section shall be added to Chapter 12-08 of the Yakima County Code, which reads as follows:

12.08.321 Service installation charges.

A charge shall be paid to the county by the customer for the installation of a water service, which charge shall be the actual costs incurred, including administration and overhead, for all materials and labor for the installation. The service installation charge shall be payable in the user's next water bill after the installation. Service installation charges shall be in addition to the water connection permit charges.

Section 29. Section 12.08.330 of the Yakima County Code and Ordinance 9-2001, entitled "Ready to serve charges" shall be amended to read as follows:

12.08.330 Ready to serve charges.

(a)The minimum monthly ready to serve charge for the Buena water system shall be in accordance with the following table:

Meter Size	Buena Water System Ready to Serve Charge
<u>3/4" & less</u>	<u>\$ 8.157.75</u>
1".....	<u>13.8013.10</u>
<u>1-1/2"</u>	<u>29.40</u>
2".....	<u>48.3046.00</u>
3".....	<u>109.00104.00</u>
4".....	<u>191.00182.00</u>

(b)The minimum monthly ready to serve charge for the Terrace Heights water system shall be in accordance with the following table:

Meter Size	Terrace Heights Water System Ready to Serve Charge
<u>3/4" & less</u>	<u>\$ 13.1010.50</u>
1".....	<u>23.3019.00</u>
<u>1-1/2"</u>	<u>52.40</u>
2".....	<u>93.3075.00</u>
3".....	<u>210.00168.00</u>
4".....	<u>373.00299.00</u>
6".....	<u>839.00672.00</u>
8".....	<u>1,494.001,195.00</u>
10".....	<u>2,332.001,867.00</u>

(c)The monthly service charge for any single-family residential customer in the Terrace Heights water system that does not have a readable meter shall be a flat rate of thirty dollars per month.

(d)The minimum monthly ready to serve charge for the Gala Estates water system shall be in accordance with the following table:

Meter Size	Gala Estates Water System Ready to Serve Charge	2008	2009
<u>3/4" & less</u>	<u>\$ 13.00</u>	<u>\$16.00</u>	<u>\$18.50</u>
1".....	<u>18.50</u>	<u>23.00</u>	<u>26.50</u>
<u>1-1/2"</u>		<u>52.00</u>	<u>60.00</u>
2".....	<u>70.75</u>	<u>88.50</u>	<u>102.00</u>

(e) The minimum monthly ready to serve monthly service charge for the Crewport Water System shall be a flat rate of \$25.00 per month per connection. After Yakima County executes a loan agreement with USDA Rural Development to fund construction of system improvements, the monthly service charge shall be increased to a flat rate of \$37.00 per month for a $\frac{3}{4}$ " per connection.

(f) The minimum monthly ready to serve charge for small satellite water systems with less than 9 connections shall be in accordance with the following table:

<u>Water System</u>	<u>Minimum for Undeveloped Lot</u>	<u>Minimum for Developed Lot</u>
Beckon Ridge	\$13.00	\$36.00
Bittner	\$14.00	\$56.00
Bonair	\$12.00	\$35.00
Buchanan (Canyon Creek)	\$14.00	\$46.00
Fairway Estates	\$10.00	\$49.00
Gibson	\$10.00	\$29.00
Heysman	\$13.00	\$30.00
Huntzinger	\$10.00	\$38.00
Kodiak	\$10.00	\$25.00
Meadowbrook	\$10.00	\$33.00
Nagler	\$10.00	\$30.00
Ray Symmonds	\$12.00	\$39.00
Speyers	\$13.00	\$42.00
Star Crest	\$10.00	\$45.00
Stein	\$10.00	\$29.00
Wendt	\$12.00	\$32.00
Wiseacre	\$13.00	\$36.00

(g) Ready to serve charges and flat rate monthly service charges shall not apply when water service is suspended following disconnection for nonpayment of delinquent charges or when suspension of service is requested by the customer, if the disconnection or suspension is for an entire billing cycle, and if the connection is not on a small satellite water system with less than 9 connections.

(Ord. 9-2001 § 1, 2001; Ord. 7-1998 § 1, 1998; Ord. 4-1985 Mod. 4 § 4.02, 1994).

Section 30. Section 12.08.340 of the Yakima County Code and Ordinance 9-2001, entitled "Water consumption charges" shall be amended to read as follows:

12.08.340 Water consumption charges.

(a) For water delivered based upon monthly meter readings or estimated water consumption, the water consumption charge shall be computed at the following

rates per one hundred cubic feet or prorated to portions thereof of water consumption:

Water System	Rate Per 100 Cubic Feet
Buena water system.....	\$ <u>0.750.74</u> /100cf
Terrace Heights water system.....	\$ <u>1.070.85</u> /100cf (first 1000cf) <u>1.190.95</u> /100cf (second 1000cf) <u>1.311.05</u> /100cf (over 2000cf)
Gala Estates water system.....	\$ <u>1.80</u> /100cf (first 500cf) <u>2.05</u> /100cf (second 500cf) <u>2.30</u> /100cf (over 1000cf)
	<u>2008</u> <u>2009</u>
Gala Estates water system.....	\$ <u>2.25</u> /100cf \$ <u>2.60</u> /100cf (first 1000cf) <u>2.50</u> /100cf <u>2.90</u> /100cf (second 1000cf) <u>2.90</u> /100cf <u>3.30</u> /100cf (over 2000cf)
	<u>2008</u> <u>2009</u>
Crewport water system.....	\$ <u>0.40</u> /100cf \$ <u>0.60</u> /100cf (first 1000cf) <u>0.50</u> /100cf <u>0.70</u> /100cf (second 1000cf) <u>0.60</u> /100cf <u>0.80</u> /100cf (over 2000cf)

(b) Consumption charges for small water systems with less than 9 connections shall be computed based on bi-monthly service meter readings if the source meter at the well indicates the source is producing more than allowed for an exempt well (5,000 gallons per day). Consumption charges shall not apply if the well is producing less than 5,000 gpd.

When applicable, water consumption charges for small water systems with less than 9 connections shall be computed at the rate of one dollar (\$1.00) per one hundred cubic feet, or prorated to portions thereof, for water consumption in excess of the volume included in the minimum ready to serve charge.

<u>Water System</u>	<u>Volume Included in Ready to Serve Charge</u>
<u>Beckon Ridge</u>	<u>2,500 cf</u>
<u>Bittner</u>	<u>5,010 cf</u>
<u>Bonair</u>	<u>3,340 cf</u>
<u>Buchanan (Canyon Creek)</u>	<u>2,500 cf</u>
<u>Fairway Estates</u>	<u>2,500 cf</u>
<u>Gibson</u>	<u>3,340 cf</u>
<u>Heysman</u>	<u>2,500 cf</u>
<u>Huntzinger</u>	<u>5,010 cf</u>

<u>Kodiak</u>	<u>2,500 cf</u>
<u>Meadowbrook</u>	<u>3,340 cf</u>
<u>Nagler</u>	<u>2,860 cf</u>
<u>Ray Symmonds</u>	<u>3,340 cf</u>
<u>Speyers</u>	<u>2,860 cf</u>
<u>Star Crest</u>	<u>6,680 cf</u>
<u>Stein</u>	<u>2,500 cf</u>
<u>Wendt</u>	<u>2,500 cf</u>
<u>Wiseacre</u>	<u>2,860 cf</u>

(Ord. 9-2001 § 2, 2001: Ord. 7-1998 § 2, 1998: Ord. 4-1985 Mod. 4 § 4.03, 1994).

Section 31. Section 12.08.345 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled “Fire protection service charge” shall be amended to read as follows:

12.08.345 Fire protection service charge.

A monthly fire protection service charge shall be paid to the county for fire protection service received from the domestic water system when the fire protection service is delivered from a private unmetered water line. The minimum monthly fire protection service charge for the Terrace Heights and Buena water systems shall be in accordance with the following table:

Private Water Line Size	Terrace Heights <u>and Buena</u> Water System Fire Protection Service Charge
2"	\$ <u>26.00</u> 21.00
3"	<u>59.00</u> 47.00
4"	<u>106.00</u> 83.00
6"	<u>236.00</u> 188.00
8"	<u>420.00</u> 334.00
10"	<u>656.00</u> 522.00

(Ord. 9-2001 § 3, 2001: Ord. 4-1985 Mod. 4 § 4.04, 1994).

Section 32. Section 12.08.360 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled “Charge for turning on after turnoff for nonpayment or new account” shall be amended to read as follows:

12.08.360 Charge for turning on after turnoff for nonpayment or new account.

(a) A prepaid thirty-five-dollar service charge shall be required for the establishment of new accounts at existing connections and the establishment of temporary services.

(b)A prepaid thirty-five dollar service charge shall be required and for resumption of water service following disconnection for nonpayment of delinquent charges, when resumption of water service is requested during normal business hours (8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays). If resumption of water service is requested outside of normal business hours, the service charge shall be seventy dollars.

(c)The service charge for resumption of water service following disconnection for nonpayment shall apply once the county arrives at the property to turn the water off for nonpayment. If the customer agrees to make payment within one business day, then the county shall leave the water on and include the service charge for resumption of water service on the customer's bill. If the customer fails to make payment within one business day, then the county shall disconnect the service and charge an additional service charge for resumption of water service when water service is restored.

(d)A thirty-five dollar service charge shall apply for resumption of water service when disconnection of water service was requested by the customer due to a leak on the customer's side of the meter and the customer did not have a shut-off valve to isolate the leak. If resumption of water service is requested outside of normal business hours, the service charge shall be seventy dollars. The service charge will be waived if the customer installs a shutoff valve before water service is returned, or, if the leak is in the service line, and the customer replaces the service line.

(Ord. 9-2001 § 4, 2001: Ord. 4-1985 Mod. 4 § 4.06, 1994).

Section 33. Section 12.08.380 of the Yakima County Code and Ordinance 9-2001, entitled "Backflow prevention device inspection charges" shall be amended to read as follows:

12.08.380 Backflow prevention assembly device inspection charges.

(a)Backflow prevention assembly inspection and testing device inspection, as required under Section 12.08.300 of this chapter, shall be thirty-five dollars per assembly.

(b)Repairs made to backflow prevention assemblies devices shall be performed only by the property owner county or a licensed plumber at the property owner's expense, and the actual cost for labor and materials shall be charged to the owner. The property owner or licensed plumber If the work is performed by a licensed plumber, he shall provide written notification of completion of repairs and request an inspection and/or test upon completion of his work.

(Ord. 9-2001 § 5, 2001: Ord. 4-1985 Mod. 4 § 4.08, 1994).

Section 34. Section 12.08.390 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Backflow prevention device charges" shall be deleted:

12.08.390 Backflow prevention device charges.

~~A charge shall be paid to the county by the customer for the installation of a backflow prevention device as required under Sections 12.08.270 and 12.08.280 of this chapter, which charge shall be the actual costs incurred for all materials and labor for the installation, and shall be payable in the user's next water bill after the installation.~~

(Ord. 4-1985 Mod. 4 § 4.09, 1994).

Section 35. A new section shall be added to Chapter 12-08 of the Yakima County Code, which reads as follows:

12.08.390 Temporary water use charges.

(a) Water furnished through a temporary service shall be measured by a meter furnished by the county. A rental charge of five dollars (\$5) per day shall apply for each day the meter is charged out to the customer, regardless of the number of days the meter is actually used.

(b) In addition to the daily rental charge, the customer shall pay the county for the volume of water furnished through a temporary service in accordance with the consumption charges included in Section 12.08.340 and as adjusted by Section 12.08.395 of this chapter.

(c) The customer shall provide a damage deposit of two hundred fifty dollars (\$250) for the use of a hydrant meter. The customer shall return the hydrant meter in the same state of repair as when furnished to the customer by the county, or shall be responsible to the county for the actual cost of any repair, or the replacement cost of the hydrant meter in the event of its destruction or loss.

(d) Temporary services used to fill a water tank shall be inspected by the county for proper backflow prevention at the customer's expense. A backflow prevention assembly inspection charge as provided in Section 12.08.380 shall apply.

(e) When a temporary service is used to fill a water tank that is not equipped with a proper air gap or backflow prevention assembly, then the service shall be equipped with a double check valve assembly furnished by the county. A rental charge of one dollar (\$1) per day shall apply for each day the assembly is charged out to the customer, regardless of the number of days the assembly is actually used.

(f) The customer shall provide a damage deposit of fifty dollars (\$50) for use of a double check valve assembly. The customer shall return the assembly in the same state of repair as when furnished to the customer by the county, or shall be

responsible to the county for the actual cost of any repair, or the replacement cost of the assembly in the event of its destruction or loss.

(g) Prior to the installation of a temporary service, the customer shall sign an application agreeing to the terms and conditions of this section.

(h) No charge shall be made for water supplied through fire hydrants when the water is used for fire suppression or for maintenance and operation purposes by the county.

Section 36. Section 12.08.395 of the Yakima County Code and Ordinance 9-2001, entitled "Annual charge adjustment" shall be amended to read as follows:

12.08.395 Annual charge adjustment.

Ready to serve charges, consumption charges, and fire protection service charges ~~The Terrace Heights ready to serve charge, the Terrace Heights consumption charge, and the Terrace Heights fire protection service charge~~ shall be adjusted annually up to based on the Consumer Price Index (CPI) for water and sewerage maintenance in the closest applicable area. Adjustments shall be effective as of October 15th each year, and shall be based on increases in the CPI for the previous calendar year.

(Ord. 9-2001 § 6, 2001).

Section 37. A new section shall be added to Chapter 12-08 of the Yakima County Code, which reads as follows:

12.08.397 Returned check charges.

Checks returned due to insufficient funds shall result in an additional charge of ten dollars (\$10) per occurrence. The ten dollar charge will be in addition to applicable county treasurer charges.

Section 38. Section 12.08.400 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Accounts -- Collection responsibility" shall be amended to read as follows:

12.08.400 Accounts -- Collection responsibility.

All accounts shall be kept in the office of the county public services works department under the name of the property owner and the tenant or occupant if so requested and approved. The public services works director shall collect all fees and charges provided for by this chapter.

(Ord. 4-1985 Mod. 4 § 5.01, 1994).

Section 39. Section 12.08.410 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Billing" shall be amended to read as follows:

12.08.410 Billing.

~~Billing for the Buena water system, the Gala Estates water system, and the Terrace Heights water system~~ shall be done on a monthly basis for water service provided by the county during the preceding month. Bills and other notices shall be sent to the address of the property owner, provided that the public services ~~works~~ director may, upon written request of the property owner, cause bills and notices to be sent to the tenant or other occupant of the property served. Deposit of the bill or notice in the U.S. mail, with postage prepaid and addressed to the owner of the property, or other addressee if requested by the owner, shall be evidence of receipt of the bill or notice by the customer.

(Ord. 4-1985 Mod. 4 § 5.02, 1994).

Section 40. Section 12.08.420 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Single billing for each connection and meter" shall be amended to read as follows:

12.08.420 Single billing for each connection and meter.

(a) Where not more than two individual customers are supplied with water through one meter, the individual who applies for service shall be responsible for all charges. If the meter is $\frac{3}{4}$ " or smaller and serves two homes, and the bill shall be computed with two $\frac{3}{4}$ " ready to serve charges as though there were a separate metered service for each individual customer. If the meter is 1" or larger, the bill shall be computed with one ready to serve charge.

(b) When more than two individual customers are supplied with water through one meter, the individual who applies for service shall be responsible for all charges and the bill shall be computed as described in Section 12.08.350 of this chapter, and the bill shall include one ready to serve charge based on the size of the meter.

(c) All new services providing water to two individual residential customers on one tax lot shall be a minimum 1" diameter. The minimum diameter of all other new services providing water to more than one individual customers on one tax lot shall be based on an engineering study by the public services director that takes into consideration estimated peak demands and the normal flow range of the meter.

(d) For purposes of this section, each one-family dwelling unit and each dwelling unit in a two-family or multiple dwelling unit shall constitute one individual customer. Each individually housed business or commercial enterprise shall constitute one customer. Further, for purposes of this section, each separate mobile home site within a mobile home court, park or other mobile home complex shall constitute one individual customer.

Section 41. Section 12.08.440 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Due and delinquency dates" shall be amended to read as follows:

12.08.440 Due and delinquency dates.

All charges for water service shall be due and payable on the date of billing and shall become delinquent 21-days from the date of the billing on the first day of the following month. If the charges remain delinquent and unpaid for a period of forty-five fifteen days following the delinquency date, the public services works director shall certify the delinquency to the county treasurer and cause a notice of suspension of service to be sent to the property owner and the tenant or other occupant.

(Ord. 4-1985 Mod. 4 § 5.05, 1994).

Section 42. Section 12.08.450 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Delinquency charge" shall be amended to read as follows:

12.08.450 Delinquency charge.

(a) If the charges for water service are not paid by the first day of the month following the billing date, a delinquency charge of ten percent of the outstanding balance shall be assessed delinquency date, then there shall be added to the charges a one-time late payment penalty of ten percent (10%) of the previous months delinquent charges, and interest shall then be attached and accrue on all unpaid charges computed at a rate of eight percent (8%) per annum starting on the next day after the delinquency date until paid. Interest shall be computed on the entire unpaid balance, excluding lien certification costs, whereas the one-time late payment penalty shall only apply to charges accrued during the previous month.

(b) A partial payment on any delinquent charges shall first be applied to the oldest unpaid bills.

(Ord. 4-1985 Mod. 4 § 5.06, 1994).

Section 43. Section 12.08.460 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Lien for delinquent charges" shall be amended to read as follows:

12.08.460 Lien for delinquent charges.

(a) All charges for water connections and service as provided in this chapter together with penalties and interests thereon shall be a lien upon the property served. The lien shall be superior to all other liens and encumbrances, except general taxes and local and special assessments of the county.

(b) The public services works director shall periodically certify delinquencies to the county treasurer at which time the lien shall attach. Upon expiration of sixty days after the attachment of the lien, the county may bring suit in foreclosure by

civil action in superior court. The lien shall be foreclosed in the same manner as the foreclosure of real property taxes.

~~(e) Delinquent charges shall bear interest at the rate established by the county treasurer from the date the lien attaches until paid.~~

(Ord. 4-1985 Mod. 4 § 5.07, 1994).

Section 44. Section 12.08.470 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Suspension of service -- Hearing procedure" shall be amended to read as follows:

12.08.470 Suspension of service -- Hearing procedure.

(a) As an additional and concurrent method of enforcing the county's lien for water service charges, the public services works director is authorized and directed to suspend service to any premises for which the charges remain unpaid for a period of fourteen days from the date in which the written notice of suspension was served upon or mailed to the property owner and tenant or other occupant. fifteen days after the delinquency date; provided, that no water service shall be suspended until a written notice has been served upon or mailed to the property owner and tenant or other occupant at least seven days prior to suspending service. Such notice shall state the date upon which service will be suspended, the amount of delinquent charges, and that the customer may request in writing a hearing before the public services works director or his designee to contest the suspension, provided such request is received prior to the suspension date set in the notice of suspension.

(b) Upon timely receipt of a request for a hearing, the public services works director or his designee shall conduct a hearing, and the customer requesting the hearing shall be notified in writing of the date, time and place of such hearing. Pending the outcome of the hearing, no service shall be suspended. The customer shall be notified in writing of the decision prior to suspension of service.

(Ord. 4-1985 Mod. 4 § 5.08, 1994).

Section 45. A new section shall be added to Chapter 12-08 of the Yakima County Code, which reads as follows:

12.08.474 Suspension of service -- Exceptions.

Suspension of service for nonpayment shall only apply to customers in which the total unpaid charges are more than \$50.

Section 46. A new section shall be added to Chapter 12-08 of the Yakima County Code, which reads as follows:

12.08.476 Adjustment for water leakage.

(a) Adjustments for the billing of water consumption based upon a water loss resulting from a leak or leaks in any portion of the water system within the customer's property may be made one time per calendar year, at the discretion of the Public Services Director.

(b) Prior to receiving a billing adjustment for water losses resulting from leaks in the customer's system, the customer shall:

- (i) Cause all leaks to be repaired as soon as possible after being discovered.
- (ii) File a written request for billing adjustment in which the cause of the water loss and the repair or repairs made to the customer's system are described.
- (iii) Provide copies of the plumbing bill or cost of defective parts indicating that the leaks causing the water loss have been repaired.
- (iv) Provide evidence that the repairs for leaks have been made on the premises receiving water service.

(c) If it is determined by the public services director that a water loss has occurred by reason of a leak or leaks in the customer's system, and the customer has complied with the procedures set forth in this section, then an adjustment shall be calculated in accordance with the following criteria and credited to the customer's account.

- (i) The public services director shall determine the amount of water consumed by the customer during the period of water loss in excess of the average amount of water used for the same period in the previous two years.
- (ii) The adjustment shall be calculated as 50% of the difference between the amount of water consumed during the period of water loss and the average amount of water used for the same period in the previous two years.
- (iii) In no case shall the leak adjustment exceed \$200.

Section 47. Section 12.08.480 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Installation required -- Costs -- Inspection" shall be amended to read as follows:

12.08.480 Installation required -- Costs -- Inspection.

All water services connected after May 1, 1991, except fire hydrants and standby fire services, shall be metered and the cost of the water meter and service line installation shall be the responsibility of the property owner being served. All connections with the water system by the owner or applicant shall be inspected by the public services works director.

(Ord. 4-1985 Mod. 4 § 6.01, 1994).

Section 48. Section 12.08.570 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Transfer of service" shall be amended to read as follows:

12.08.570 Transfer of service.

Should any property owners desire to transfer their water service to a new owner or tenant, they shall notify the public services works director, stating the date of transfer.

(Ord. 4-1985 Mod. 4 § 8.05, 1994).

Section 49. Section 12.08.580 of the Yakima County Code and Ordinance 4-1985, Mod 4, entitled "Disconnection procedure" shall be amended to read as follows:

12.08.580 Disconnection procedure.

Should any property owners desire to have their water service disconnected, they shall give notice thereof to the public services works director stating the date of disconnection. Resumption of service will be subject to the established reconnection fee as specified in Section 12.08.360 of this chapter.

(Ord. 4-1985 Mod. 4 § 8.06, 1994).

Section 50. A new section shall be added to Chapter 12-08 of the Yakima County Code, which reads as follows:

12.08.600 Extension of system.

- (a) All water line extensions shall extend the entire distance between opposite boundaries of the property to be served unless modified by the public services director.
- (b) All water line extensions shall be located within public right-of-way unless the public services director determines it is necessary to construct the water lines on easements across private property.
- (b) The applicant requesting the extension will be responsible for the design and construction of the extension.
- (c) The county may require a larger main to be installed than needed for the applicant's service requirements. When it does so, the county will bear the additional material costs of the extension.
- (d) The applicant will be responsible for reimbursing the county for water quality tests submitted by the county to determine if the extension has been satisfactorily flushed and disinfected.
- (e) The applicant requesting the extension shall be responsible for a warranty period of one year after acceptance of the extension for failures of materials or workmanship.

Section 51. All Sections not amended above shall remain unchanged.

Section 52. This Ordinance shall be effective as of January 1, 2008.

Adopted this 18th day of December 2007

Attest:



Christina S. Steiner
Clerk of the Board



BOARD OF YAKIMA COUNTY
COMMISSIONERS



Michael D. Leita, Chairman



Ronald F. Gamache, Commissioner



J. Rand Elliott, Commissioner
*Constituting the Board of County Commissioners
for Yakima County, Washington*