

ORDINANCE NO. 312

**AN ORDINANCE AMENDING SECTIONS
3.075, 3.100, 3.101, 3.102, 3.103 AND
3.104 OF THE WILSONVILLE CODE TO
REPLACE THE WATER DEPARTMENT WITH
THE COMMUNITY DEVELOPMENT DEPARTMENT;
TO DESIGNATE THE CITY ENGINEER AS THE
WATER SUPERINTENDENT; AND PERMITTING
THE EXTENSION OF SERVICE LINES AND SALE
OF WATER OUTSIDE OF THE CITY LIMITS AND
URBAN GROWTH BOUNDARY WHEN IN COMPLIANCE
WITH STATEWIDE PLANNING GOALS.**

WHEREAS, Chapter 3, Section 3.075(u),(jj),(bbb),(eee); Section 3.100(1), (2), (3), (8)e, (14); **Section 3.101(2), (6)**; Section 3.102(3)c,(5); Section 3.103(4) and Section 3.104(9)a refer to the Water Department and Water Superintendent and/or the Public Works Department and the Public Works Director, and

WHEREAS, the Water Department has been functionally reorganized into the Community Development Department headed by a Director of Community Development whose duties include those of the Director of Public Works, and

WHEREAS, the City has appointed a City Engineer whose duties include those of the Water Superintendent, and

WHEREAS, Section 3.100(13) allows the extension and sale of water service outside of the City limits for governmental agencies, special districts, and privately-owned property outside the City limits, but inside the City's Urban Growth Boundary (UGB) provided that such extension complies with statewide Planning Goals 2, 9, 11 and 14, and

WHEREAS, the City Council finds it necessary and in the best interest of the City to allow the extension of water and/or sewer service outside the City limits and beyond the Urban Growth Boundary when necessary to serve facilities owned or

operated by governmental agencies or special districts, a public entertainment facility or privately-owned property when such extension alleviates a threat to the public health, safety or welfare provided that such services are demonstrated to be in substantial compliance with statewide Planning Goals 2, 3, 4, 11 and 14.

NOW, THEREFORE, the City Council of the City of Wilsonville ordains and follows:

Section 1

Sections 3.075(u), 3.075(jj), 3.075(bbb) and 3.075(eee) of the Wilsonville Code (WC) are amended as follows:

- (u) "Director" shall mean the Community Development Director for the City of Wilsonville.
- (jj) "Official" shall mean the Building Official or Plumbing Official for the City of Wilsonville.
- (bbb) "Superintendent" shall mean the City Engineer for the City of Wilsonville.
- (eee) "Water Department" shall mean the Facility Maintenance Division of the Community Development Department.

Sections 3.100(1), 3.100(2), 3.100(3), 3.100(8)(e), 3.100(13), and 3.100(14) of the WC are amended as follows:

- (1) Water will be furnished by the City for potable-domestic, residential, business, community, commercial, industrial and fire protection purposes only. No service will be supplied, or water furnished, to any premises, be it residential, commercial or industrial, except on the written application of the owner or occupant of said premises. Application for the use of water must be made on printed forms to be furnished by the City. All applications must state fully and accurately

the purposes for which the water is required and, as a condition for the use of the water, the applicant must agree to conform to the rules and regulations of the Facility Maintenance Division and applicable ordinances and resolutions relating to the use and distribution of water.

- (2) The City shall install all service connections of such size and location as a customer requests, provided that such request has been approved by the City Engineer, to assure proper sizing, and other relevant matters. The service shall be installed from the main to a point in the City's right-of-way, easement, or land dedicated for such purposes. Where a curb exists, the service shall be installed from the main to a point between the curb line and the property line of the affected premises. The City shall not be responsible for extending, or the cost of extending, a water service line beyond the meter. All pipes from the meter to the premises must be installed in accordance with good engineering and plumbing practices, with complete on-site plumbing improvements to private property to be approved by the Official of the City, and maintenance to meet standards set by the Uniform Plumbing Specialty Code in existence at the time of maintenance. Extensions of a water service line beyond the meter and to the premises to be served with water, shall be at the property owner's or applicant's expense, and such installations shall conform to all City requirements, and shall first be approved by the official or engineer before connection is made to the City water mains. If a water service line is not already provided at the property line, it shall then be installed under City jurisdiction at

the owner's expense.

- (3) Water mains, service lines, meters and any other water service facilities shall not be extended onto or installed in private property without prior consent of the City, and not then unless an easement is acquired from the property owner to the City for access to the water line(s) for repair or replacement of those lines in the future. Each water main, service line or meter must also be installed or constructed according to the City of Wilsonville's construction standards (currently referred to as Public Works Standards) prior to acceptance by the City of any water main line or water line easement.
- (8) In all cases where connections to the City's water supply are to be made for meters larger than one and one-half inches (1-1/2"), an estimate of the charges shall be made by the City Engineer, or designated staff person, upon the filing of the application for such service, and such estimated charges shall be paid to the City Recorder before work is commenced. The building service shall not be connected to the meter by the City until the owner or applicant has completed the following:
 - (a) All fees have been paid by the applicant for such installations.
 - (b) The applicant's water service(s) or irrigation services to the proposed meter installation are ready to be connected and all sewer/plumbing is complete.
 - (c) The approved permitted construction plans indicate the set evaluation for the meter boxes to be installed.
 - (d) The applicant has staked the meter locations and set the

elevation markers for the meter boxes.

- (e) The applicant has signed a Hold Harmless Statement which indicates the City will not be responsible for contamination of the water supply on-site by the installation of the meters, and that if any damage occurs after the meter is installed and set, as dated on the return installation form sent to Finance, the applicant shall be billed and be responsible for any repairs. No "Certificate of Occupancy" nor Final Certificate shall be signed by the City Engineer or Official until such payment is made.
- (13) Water service lines shall not be extended outside the City limits and water shall not be metered or sold outside the City limits, except, however, when the City Council may approve and authorize by motion, the extension of a line or lines for the purpose of furnishing City water or sewer to any property or facility which is owned, used, occupied, leased or operated by any agency or Department of Federal, State, County or special district, or a public entertainment facility that is privately owned, or privately-owned property where extension of service is required to alleviate a clearly-defined health, safety or fire condition. The extension of a water or sewer line outside the City limits and beyond the Urban Growth Boundary may be approved provided that the City Council adopts findings demonstrating substantial compliance with statewide Planning Goals 2, 3, 4, 11 and 14. Any extension outside the City limits shall be subject to Section 3.116 of this Code and such additional fees as shall be determined from time to time by the City Council to be reasonable

and prudent. All water and sewer service user fees, whether permanent or temporary, for any services provided outside the City limits shall be billed at two (2) times the normal rate as previously established by Resolution. Except for publically-owned property or facilities, all other property owners who receive City services under this section shall execute a Consent to Annexation as shall be provided by the City.

- (14) It shall be unlawful for anyone other than an employee or agent of the City in the normal performance of duty to operate water valves and appurtenances connected to the municipal water system (amended Ord. 274, 5/20/85).

Sections 3.101(2) and 3.101(6) of the WC are amended as follows:

- (2) The Director, or his designee, shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection. If, in the judgment of said Director, or his designee, an approved backflow prevention device is required at the City's water service connection to any customer's premises for the preservation, life, health or safety of the citizens or the water system, the Director, or his designee, shall give notice in writing to said customer to install such an approved backflow prevention device at each service connection to his premises. The customer shall, within forty-eight (48) hours of receipt of notice, install such approved device or devices at his own expense. Failure, refusal or inability on the part of the customer to install said backflow prevention device or devices

within the forty-eight (48) hour period, shall cause the City to discontinue service of water to the structure or premises until the backflow prevention system, as approved and inspected by the Director, or his designee, is installed.

- (6) It shall be the duty of the customer/user at any premises where backflow prevention devices are installed, to have certified inspections and operational tests made at least once per year. In those instances where the Director or designee deems the hazard to be great enough, he may require that certified inspections be made at more frequent intervals. These inspections and tests shall be at the expense of the water user or owner and may either be performed by the device manufacturer's representative, or by a certified tester approved by the State Health Department. It shall be the duty of the Director or designee to see that these timely tasks are made. The customer/owner's and the City's representative may witness the tests, if desired.

Section 3.102(3)(c) and 3.102(5) of the WC shall be amended as follows:

- (3) The City will sell bulk water from the City's municipal water supply providing:
- (a) The Director or designee determines there is sufficient City water for any requested bulk water sale.
 - (b) A written application for the purchase is first filed with the Director or designee on such forms as may be prescribed.
 - (c) The application is approved by the Director or designee.
 - (d) The applicant agrees in an application to comply with the terms thereof and the provision of this section of the Code,

and to pay in full the total purchase price for the water purchased and within the time limited therefor.

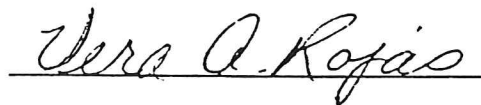
(5) No bulk water is to be transported or used outside the City limits unless approval is granted by the City Council or its designee. All connections to the City water or fire hydrants for the purchase of bulk water shall be made at such time and place as directed by the Director or designee, and the connection location shall be indicated on the application form. Connections shall be made with an appropriate hydrant valve which shall either be furnished pursuant to Section 3.102(2)(a) or by the owner if approved by the Director or designee. Section 3.103(4) of the WC shall be amended as follows:

(4) Water service lines of suitable size shall be furnished by the City upon prepayment of the water service connection and installation charges. The City shall furnish all labor and materials necessary for the connections, including tapping of mains, installation of corporation stops, meters, meter boxes, connections, backflow prevention devices where specified by the Director, and the pipe or tubing that may be necessary. Sizes of meters, pipes and other materials to be used in water service connections and installation shall first be approved by the Director or his designee. Water service connection, from the main to the meter, shall be maintained by the City without further costs to any specific water customer after the proper final inspections and warranty periods for the service installation have been completed.

Section 3.104(9)(a) of the WC shall be amended as follows:

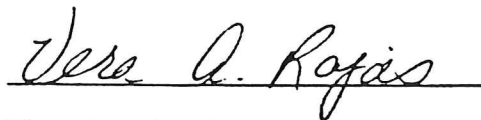
- (9)(a) In addition to City employees or agents, fire hydrants shall be operated by personnel of the Fire Department in performance of their regular duties. Fire hydrants shall not be used for purposes other than fire fighting or by the City for flushing water and sewer mains unless an application for a portable or permanent meter to measure water used for private or public purposes has been approved by the Director or his designee. Operation of fire hydrants by the use of any wrench other than the standard fire hydrant wrench designed for that purpose is prohibited.

Submitted to the Wilsonville City Council and read on the first and second reading at a regular meeting thereof on the 1st day of June, 1987, commencing at the hour of 7:30 o'clock p.m. at the Wilsonville City Hall.



Vera A. Rojas, City Recorder

ENACTED by the Council on the 8th day of June, 1987, by the following votes: YEAS: 4 NAYS: 0



Vera A. Rojas, City Recorder

DATED and signed by the Mayor this 3rd day of June,

1987.

William E Stark

William E. Stark

Summary of Votes:

Mayor Stark	<u>Aye</u>
Councilor Gardiner	<u>Aye</u>
Councilor Clarke	<u>Aye</u>
Councilor Edwards	<u>Aye</u>