

**WATER**

**Title 23**

**WATER**

**Chapters:**

- 23.04 Rates and regulations**
- 23.08 Free Water to Charitable Institutions**
- 23.12 Watershed**
- 23.16 Richmond Beach Water District**

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## RATES AND REGULATIONS

### Chapter 23.04

### RATES AND REGULATIONS

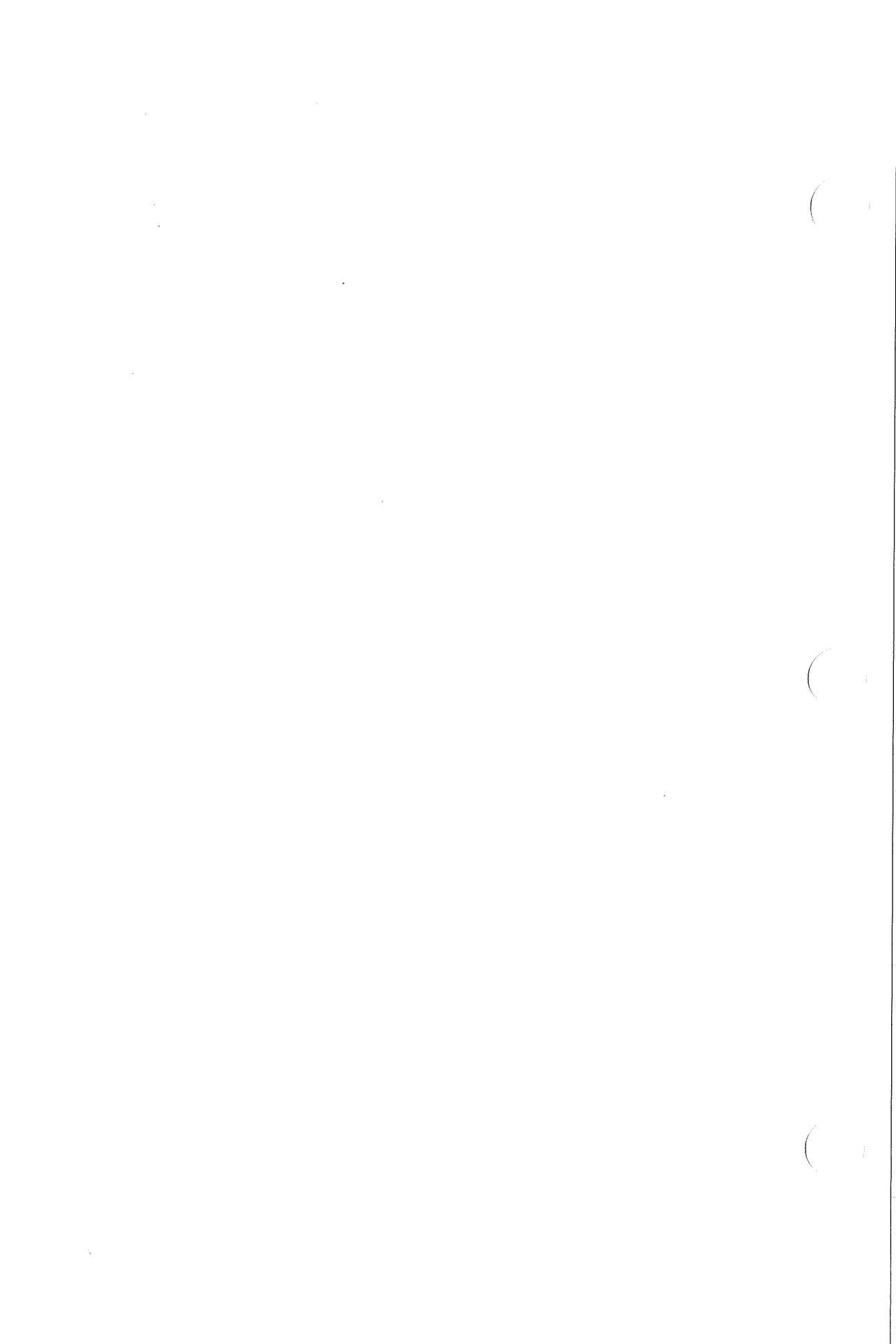
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**23.04.010 Definitions.** The word "superintendent" whenever used in this chapter, shall be held and construed to mean the superintendent of water of the city of Seattle, and any act in this chapter required or authorized to be done by the superintendent, may be done on behalf of the superintendent by an authorized officer or employee of the water department. The word "person" wherever used in this chapter shall be held to mean and includes natural persons of either sex, associations, copartnerships and corporations whether acting by themselves or by a servant, agent, or employee; the singular number shall be held and construed to include



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the plural and the masculine pronoun to include the feminine. (Ord. 65877 § 1; December 2, 1935).

**23.04.020 Application for connection with water supply system.** Any person desiring to have premises connected with the water supply system of the City of Seattle shall present at the office of the Water Department a copy of building permit or a regular certified copy from the Superintendent of Buildings, containing his name, description of lot, block and addition and the official house number of the premises on which water is desired, and shall make application therefor upon a printed form to be furnished for that purpose, which application shall contain the description of the premises where such water is desired, and shall specify the size of service pipe required and shall state fully the purposes for which water is to be used, and shall be signed by the owner of the premises to be served or his duly authorized agent, and shall be filed in the office of the Superintendent, and at the time of filing such application the applicant shall pay to the City Treasurer and take his receipt therefor, the fees for installation of water service hereinafter provided. (Ord. 65877 § 2; December 2, 1935).

**23.04.030 Contract provisions.** The application provided for in the preceding section shall contain a contract on the part of the person making the same, to pay for the water applied for at the rate and in the manner specified in such contract, and shall reserve to the City of Seattle the right to charge and collect the rates and enforce the penalties provided for in this chapter, in the manner herein provided, to change the rates at any time by ordinance, to temporarily discontinue the service at any time without notice to the consumer, and shall specify that said contract is subject to all the provisions of this chapter and of any ordinance of the City of Seattle relating to the subject hereafter passed, and shall provide that the City of Seattle shall not be held responsible for any damage by water or other cause resulting from defective plumbing or appliances on the premises supplied with water, installed by the owner or occupant of said premises, and that the fact that the agents of the city have inspected the plumbing and appliances shall not be pleaded as a basis of recovery in case of damage to premises from defective plumbing or appliances installed by the owner or occupant of such premises, and shall provide that in case the supply of water shall be interrupted or fail by reason of accident or any other cause whatsoever, the city shall not be liable for damages for such interruption or failure, nor shall such failures or interruptions for any reasonable period of time be held to constitute a breach of contract on the part of the city or in any way relieve the consumer from performing the obligations of his contract.

The city shall not be held liable for damage to personal property stored in that portion of a street between the curb line and the property line, resulting from leakage or the breaking of pipes or appliances main-

tained by the city within that portion of the street herein described. (Ord. 65877 § 3; December 2, 1935).

**23.04.040 Effective date of contract.** All contracts shall take effect from the day they are signed and rates shall be charged from the day the premises are connected with the city's water supply and the meter installed. Meter rates shall be in effect as long as the meter remains on the service. (Ord. 65877 § 4; December 2, 1935).

**23.04.050 Connection with main—Relocation—Size and number—Cross connections—Seperate service for each premises.** Upon the presentation at the office of the Superintendent, of the Treasurer's receipt for the installation fees and the execution of the contract hereinbefore provided for, the Superintendent shall cause the premises described in the application, if the same abut upon a street in which there is a city watermain, to be connected with the city's watermain by a service pipe extending at right angles from the main to the property line, except as hereinafter provided. The city connection, which shall include a union placed at the end of pipe, and a stop-cock placed within the curb line, shall be maintained by and kept within the exclusive control of the city.

Whenever it has been ascertained that a retaining wall, ornamental wall or landscape rockery or any other form of permanent structure is to be, or has been, erected upon any portion of a city street or public place in which a water service connection has been installed, the Superintendent may cause the relocation or readjustment of such water service connection or any portion thereof. The cost of such relocation or readjustment shall be charged against the property at which the erection of the permanent structure, as hereinabove referred to, is to be or has been done, and to the owner thereof. In no case shall the city be required to maintain or repair any portion of the service connection between the union and property line. In case of application for water service to supply premises not abutting upon a street in which there is a city watermain, the city will lay its connection from the main toward the premises for a distance equal to the distance for the main to the curb line, said distance in no case to exceed 40 feet, and permit connection therewith by means of a union and pipes laid at the expense and maintained by the owner of the service, or may in the discretion of the Superintendent, upon the payment of the actual cost thereof, extend the service to the premises of the applicant along and beneath any public street or avenue of the City of Seattle, but not otherwise. The Superintendent may limit the size and number of service connections which may be requested for any separate premises. No service connection will be allowed from the city mains to any premises supplied by water from any other source unless special permission is given by the Superintendent, which special permission may be terminated at any time, if in the judgment of the Superintendent the public interest would be best served.

In no case shall any cross connection be allowed between two or more city service connections, or between any city service connection and pipes supplying water from any other source.

Where there is a water main in front of any premises, the owner of each house supplied by city water must install his own separate service connection with the city main, and the premises so supplied will not be allowed to supply water to any other premises, except temporarily where there are no mains in the street; provided that such restrictions shall not apply to services already installed unless in the judgment of the superintendent it is found necessary to enforce such provisions as to connections already made. Provided, further, where two or more buildings are supplied by one metered service, not less than the minimum rate for premises supplied by meters, hereinafter provided for, shall be assessed for each separate building or premises so supplied. (Ord. 65877 § 5; December 2, 1935).

**23.04.070 Cost of service connections.** No water service connection less than three-fourths inch in size shall be installed, and the fees to be charged for installation of water service connections shall be as follows:

For a three-fourths inch connection—\$80.00 for 40 feet or less.

For a one inch connection—\$100.00 for 40 feet or less.

For sizes larger than one inch, or after a street has been paved, the actual cost of labor and materials plus twelve percent for overhead charges in laying such a service and replacing the pavement shall be charged. In such cases, and in cases of connections extending along a street on which there is no main, the cost of material and labor shall be estimated by the superintendent and the estimated cost shall be paid to the city treasurer by the one applying for such installation before the work of connecting the main with the property is begun; provided, that whenever the estimated cost is not sufficient to cover the total expense for labor and material the deficit shall be charged to the property for which such installation was made and to the owner thereof, and provided further, that any excess payment shall be returned to the person applying for the installation. All services which exceed forty feet from main to property line shall be charged actual cost plus overhead. (Ord. 65877 § 7, as amended by Ord. 88208; May 18, 1959).

**23.04.080 Special tap charge.** In addition to water connection permit fees required by ordinance, there is hereby imposed upon, and the owners of properties which have not been assessed or charged or borne an equitable share of the cost of the city's water distribution and hydrant system shall pay, prior to connection to a city water main or at the time of transfer of an existing water connection to a standard main designed to serve the property, a special tap charge in an amount to be computed under Section 23.04.081; provided, that the special tap charge shall not apply to property which is so located that it would not have been assessed for the con-

struction of the water main had a local improvement district been formed for such purpose.

The special tap charge shall be paid in cash or under installment contract with interest at six percent per year computed annually on unpaid balances. Such contract shall provide for a down payment of one-fortieth of the total special tap charge, payable upon execution of such contract and for payment of the balance in thirty-nine equal quarterly installments payable on each January 1st, April 1st, July 1st and October 1st, in addition to interest as above provided. Such installment contract shall provide that any unpaid balance may be paid in full in any year at the time the first quarterly payment of such year is due and payable, shall describe the property served by water, shall be acknowledged by the property owner and shall be recorded by the superintendent of water in the office of the county auditor at the expense of the property owner. Such contract shall include a provision that in the event of default the superintendent of water may disconnect the city's water service from and refuse to supply water to the premises in default until the same is paid. Upon full payment of the contract, the superintendent of water on behalf of the city of Seattle shall execute and deliver to the property owner a release of such lien. (Ord. 65877 § 7-1-A as amended by Ord. 88614, Ord. 95526 and Ord. 99705 § 1; March 3, 1971).

**23.04.081 Special tap charge deposited into water fund.** The special tap charge imposed by Section 23.04.080 hereof shall be paid into the water fund and shall be computed as follows: The number of units of property frontage to be served by the water distribution and hydrant system, determined in the manner prescribed in RCW 35.44.030 and .040 for determining "assessable units of frontage," shall be multiplied by the average local improvement assessment per unit of frontage for such facility in Seattle for the year in which the water main to which the property is to be connected was constructed and accepted as completed, as set forth in Exhibit "A" attached hereto and by this reference made a part of this chapter.

The superintendent of water is authorized and directed on January 1, 1967 and annually thereafter to compute and establish the average local improvement assessment paid by property owners for water mains and hydrants completed and accepted by the city during the previous calendar year, which average assessment shall be used by him in computing the special tap charge imposed in Section 23.04.080 as to water main and hydrant improvements completed in 1966 and thereafter. A copy of such computation shall be delivered to the city clerk not later than March 1st of each such year to be filed by him in C. F. 257032. (Ord. 65877 § 7-A-2, added by Ord. 95526; February 10, 1967).

**23.04.082 LID assessment following special tap charge.** If the property for which a special tap charge has been paid is subsequently included in

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a local improvement district for the construction of a water main of similar nature, the amount or proper portion thereof so paid shall be credited to the assessment against such property and such amount shall be paid from the water fund to such local improvement district fund. (Ord. 65877 § 7-A-3, added by Ord. 95526; February 10, 1967).

**23.04.083 Special tap charges—Recomputation.** The superintendent of water is hereby directed to recompute the total amount due on all outstanding installment contracts for the payment of special water tap charges imposed under Section 23.04.080 at the rates established by Sections 23.04.080 through 23.04.082 and to reduce the balances and remaining quarterly payments due accordingly. The superintendent of water is further directed upon application to him in writing within three years of the date of payment of any such connection charge, or portion thereof, to recompute such charge in accordance with the rates established in Sections 23.04.080 through 23.04.082 and to refund the excess of the amount paid within said three year period over the recomputed amount payable, with interest at six percent per year, and the city comptroller is authorized to draw and the city treasurer to pay the necessary warrants upon certification by the superintendent of water that the refund is due, and the necessary appropriations from the water fund, as an emergency outlay, are hereby made. (Ord. 95525 § 1; February 10, 1967).

**23.04.090 Charge for meters, four inches or larger—Rebate.** On all service applications for four inch meters or larger there shall be collected at the time of the application the cost of the meter to be installed

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as a separate item in addition to the cost of the service as provided in Section 23.04.070 hereof. The cost of the meter so collected will be rebated to the customer by allowing fifty per cent (50%) deduction on succeeding water bills for a period of one year from date of installation or until an amount equal to the full cost of the meter has been allowed and deducted; Provided that in no event shall such rebate extend beyond one year from date of installation. (Ord. 65877 § 7-B, added by Ord. 71189; August 21, 1941).

**23.04.100 Unused water service—Removal—Payment for new service.** On all water service connections unused for period of fifteen (15) years, or more, from date of installation, the City reserves the right (1) to consider the same obsolete and remove the service, at the City's option; or (2) to require payment for a new service. (Ord. 65877 § 7-C, added by Ord. 72857; October 5, 1943).

**23.04.110 Service pipes—Location—Stop and waste cock—Connection with union—Inspection.** Before water will be turned on to any premises connected with the city's mains, the service pipes upon such premises must be made to conform to the following regulations: The service pipes must be so located that the supply for each separate house or premises shall be controlled by separate stop and waste cocks of the best standard make, approved by the Superintendent, with extension handle, properly protected from the frost, and so placed within the premises that all service pipes and fixtures may be thoroughly drained during freezing weather. Where sags or depressions occur in the pipe and this stop and waste is not sufficient to fully drain all the pipes and fixtures within the premises, additional stop and waste cocks, with extension handles, or other approved vents must be so placed as to fully drain them. In cases where no fixtures are placed between the property line and the basement the stop and waste cock may be placed in the basement, provided said basement is not less than six (6) feet in height and is provided with stairways or other means of access thereto; provided further, that where basements are enclosed in wooden walls the stop and waste cock shall be placed at least twelve (12) inches below the surface of the ground, and shall be provided with an extension handle. Stop and waste cocks on premises fronting on ungraded streets shall be placed at least six (6) feet inside of property line of said premises. The connection between the city's pipes at the property line and the service pipes on the premises must be made with a union. Every existing service or branch service not already equipped as required in this section must be so equipped at the owner's expense as soon as the defect is noted.

All water pipes which shall hereafter be laid, relaid or repaired on any private premises or in any street or public place within the City of Seattle, shall be subject to inspection by the Superintendent, before such water pipes are covered. (Ord. 65877 § 8; December 2, 1935).

**23.04.120 Turning on water.** Whenever the owner of any premises connected with the city's water supply system shall desire to use the water he shall notify the Superintendent and request that the water be turned on to the said premises. The owner shall leave his portion of the service exposed in the trench until the water is turned on by the Superintendent, when he shall immediately properly cover the pipe. (Ord. 65877 § 9; December 2, 1935).

**23.04.130 Furnishing water to other premises—Application.** It shall be unlawful for any person whose premises are supplied with water to furnish water to additional premises unless he shall first make application in writing so to do at the office of the Superintendent. (Ord. 65877 § 10; December 2, 1935).

**23.04.140 Furnishing water to other premises without permission—Charges.** When additional premises are connected without the application prescribed in the preceding section, such premises may be charged at double the rate for the time they are in use, and the service may be shut off by the Superintendent and a charge of Two Dollars (\$2.00) made for shutting off and turning on such service. In case water shall be turned off as provided in this section, the same shall not be turned on again until all rates and charges against said premises have been paid in full. (Ord. 65877 § 11; December 2, 1935).

**23.04.150 Change of service connections.** When new buildings are to be erected on the site of the old ones and it is desired to increase the size or change the location of the old service connection, or where a service connection to any premises is abandoned or no longer used, the Superintendent may cut out or remove such service connection, after which, should a service connection be required to said premises, a new service shall be placed only upon the owner making an application and paying for a new tap in the regular manner. When service connection of any premises on an unpaved street does not exceed one (1) inch in size and the same does not come from the main in front of said premises the Superintendent shall, when a main is laid in front of said premises, after notifying the owner or tenant thereof, transfer the service connection to the new main without charge, and at the same time cut out the old service connection. When a new main is laid in any street owners of premises on said street, or within one-half block on side streets, who are being supplied with city water from a private main or a connection to a private service shall make application for tap and shall connect up with a separate service connection to the main in front of premises. (Ord. 65877 § 12; December 2, 1935).

**23.04.160 Discontinuance of use of water—Removal and reinstallation of meter.** Whenever the owner of any premises connected with the city's water supply system desires to discontinue the use of water, he shall make

written application to have the meter removed from the service. The actual cost of removing meter shall be charged to the property, except that meters not exceeding one inch (1") in size shall be removed at a flat charge of Three Dollars (\$3.00). The same rate shall apply for reinstallation.

When it is desired to have a meter reinstalled the owner of the premises to be supplied by such meter shall file an application at the office of the Superintendent on forms provided for the purpose, and shall pay the cost in full for such reinstallation.

The Superintendent shall cause the reinstallation of meters within twenty-four hours after the receipt of application for same. In the event of emergency the Superintendent may, at his discretion, permit the temporary use of unmetered water, such temporary use to be limited to the time of the placing of the meter on the service connection.

In all cases of the city furnishing temporary service within the meaning of this section a charge of Three Dollars (\$3.00) shall be added to and made a part of the regular meter charges. (Ord. 65877 § 13, as amended by Ord. 86455; September 17, 1957).

**23.04.170 Original installation of meter.** No charge will be made for the original installation of any  $\frac{3}{4}$ " or 1" meter unless such installation shall be of a temporary nature, when the Superintendent may require a deposit to cover the cost of installation and removal. (Ord. 65877 § 14; December 2, 1935).

**23.04.180 Reinstallation of meter—Payment of back charges.** When meter has been removed from any premises upon the application of the owner thereof, or for non-payment of water charges, or for any other cause, it shall be unlawful for any person again to connect such premises with water until all arrearages for said premises have been paid, and application made for reinstallation of meter, and other cause or causes corrected to the satisfaction of the Superintendent. (Ord. 65877 § 15; December 2, 1935).

**23.04.190 Shut off—Charges and removal of service for unauthorized turn on.** When water has been shut off by the city for any cause, and is turned on again or allowed or caused to be turned on by the owner, no remission of rates will be made on account of its having been shut off, and the Superintendent may then shut off the water at the main, or remove a portion of the service connection in the street and shall charge the actual cost of cutting out and reinstating the water supply. (Ord. 65877 § 16; December 2, 1935).

**23.04.200 Water rates—Lien against premises.** All water rates will be charged against the premises for which the service was installed. All charges for water, when the same become delinquent and unpaid, shall be a lien against the premises to which water has been furnished. In case

any charges for water shall become a lien against any premises, the water shall be cut off until such charges are paid. (Ord. 65877 § 17; December 2, 1935).

**23.04.210 Accounts kept in name of owner—Recorded leases excepted.** All accounts for water shall be kept only in the name of the owner of the premises for which service was installed, provided, however, that persons holding under recorded lease may be supplied on their own account, and in such cases the Superintendent may require such deposit of money with the Treasurer of the City of Seattle as in his judgment shall be necessary to protect the city against any and all delinquent and unpaid charges for water or other charges on account of such service. The property owner shall have the right to have water bills mailed to a tenant, or agent, but this shall not relieve the property from liability for water charges incurred. (Ord. 65877 § 18; December 2, 1935).

**23.04.220 Building construction or repair—Report—Furnishing water for construction purposes.** It shall be the duty of the Superintendent of Buildings to report to the Superintendent of Water the beginning of construction or repairs of all buildings in the city, such reports to be a duplicate of the building permit issued, containing a general description of the building to be erected or repaired, the name of the owner and contractor thereof, the official house number and street name, the lot, block and addition.

Water for construction purposes will only be furnished upon the application of the owner or authorized agent of the property.

Water for construction purposes shall be furnished by meter, and charged to the premises supplied and the owner thereof. (Ord. 65877 § 19; December 2, 1935).

**23.04.230 Allowing water from hose or sprinkler to fall on sidewalk unlawful.** It shall be unlawful for any person to place any automatic sprinkling device or wilfully to place or hold any hose in such position or manner that water therefrom falls on any person while on any public street or sidewalk. (Ord. 65877 § 20; December 2, 1935).

**23.04.240 Violation of Section 23.04.230—Shut off of water.** If any person shall violate any provision of the preceding section, the Superintendent shall shut off the water furnished to the premises upon which such violation is made, and shall charge two (2) dollars for shutting off and again turning on such water. In any such case the Superintendent shall not again turn on such water until all unpaid and delinquent charges for water, and other charges, have been fully paid. (Ord. 65877 § 21; December 2, 1935).

**23.04.250 Right to shut water off—City not liable for damages.** The city reserves the right at any time, without notice, to shut off the water

supply for repairs, extension, nonpayment of rates, or any other reason, and the city shall not be responsible for any damage, such as bursting of boilers supplied by direct pressure; the breaking of any pipes or fixtures, stoppage or interruption of water supply, or any other damage resulting from the shutting off of water. (Ord. 65877 § 22; December 2, 1935).

**23.04.260 Service pipes and connections within private property—Repair and protection from freezing—Hot water damage.** The service pipes connections and other apparatus within any private premises must be kept in good repair and protected from freezing, at the expense of the owner or lessee, who will be responsible for all damages resulting from leaks and breaks. In case of neglect to promptly repair any service or fixture, or make any changes or alterations required in this chapter, the Superintendent shall have authority, when deemed necessary, to go on the premises and make or cause to be made such changes, alterations or repairs, and charge the same against the premises and the owner thereof.

The repairs of any meter damage by hot water shall be charged to the owner of the property for which such meter was installed. The deformation or warping of a metered disc or a register figure disc of any meter shall be held to be prima-facie evidence of such damage having been caused by the action of heat. (Ord. 65877 § 23; December 2, 1935).

**23.04.270 Unlawful to waste water.** It is unlawful for any person to wilfully allow water to be wasted by imperfect or leaking stops, valves, pipes, closets, faucets or other fixtures, or to use water closets without self-closing valves, or to use the water for purposes other than those named in the application upon which rates for water are based, or for any other purpose than that for which his contract provides. (Ord. 65877 § 24; December 2, 1935).

**23.04.280 Fire protection services to be metered—Exemptions.** Services for fire protection must be metered and fitted with such fixtures only as are needed for fire protection and entirely disconnected from those used for other purposes. Persons having such services shall be charged not less than the minimum service charge provided in Section 23.04.360. No charge will be made for water used in extinguishing fire if the owner or occupant of premises where such fire occurs gives written notice to the office of the superintendent within thirty days from the time of such fire. In no case shall any tap be made upon any pipe used for fire service purposes, or any tank connected therewith, nor shall the use of any water be permitted through any fire service nor through any pipes, tank or other fixtures therewith connected for any purpose except the extinguishing of fire on the premises; provided, however, that all fire protection services heretofore or hereafter installed by the city or by the state of Washington exclusively for fire control purposes on Interstate Highways 5 and 90 are exempted

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from the provisions of this section requiring installation of meters on fire protection services; provided further that all water for such connections be used exclusively for fire control purposes.

If in the event water is used for any other purpose than fire fighting, through a fire service, after notice of a prior violation has been given by letter to the owner and/or occupant, and such service is not equipped with a device for accurately recording such flow of water, the superintendent shall install a Detector meter on such service and charge all cost of such installation to the property. (Ord. 65877 § 25 as amended by Ord. 66316 and Ord. 100988 § 1; May 17, 1972).

**23.04.281 Fire protection service for apartment houses and hotels—Special tapping charge—Imposed.** The superintendent of water is authorized to accept applications for fire protection service connections from owners of apartment houses, apartment hotels and hotels constructed prior to May 4, 1970, for purposes of complying with provisions of the Seattle Fire Code contained in Sections 8.31.010, 8.31.030 and 8.31.040 thereof, and there is imposed upon those owners of apartment houses, apartment hotels and hotels making such applications and electing to install such fire protection devices a special tapping charge computed and payable pursuant to Section 23.04.282. (Ord. 65877 § 25.1 added by Ord. 100701 § 1; February 10, 1972).

**23.04.282 Fire protection service for apartment house and hotels—Special tapping charge—Amount—Payment.** That the special tap charge imposed by Section 23.04.281 shall be in an amount equal to the actual installation cost to the city and may be paid in cash or under installment contract with interest at the rate of six percent per year computed annually on unpaid balances. Such contract shall provide for a down payment of one-fortieth of the total estimated installation cost of such service connection at the time of application to the water department for such service connection and for payment of the balance, such balance being based upon actual installation cost less down payment, in thirty-nine equal quarterly installments payable on each January 1, April 1, July 1 and October 1, in addition to interest as provided for above. Such installment contract shall provide that any unpaid balance may be paid in full in any year at the time the first quarterly payment of such year is due and payable, shall describe the property served by such fire protection service connection, shall be acknowledged by the property owner and shall be recorded by the Superintendent of Water in the office of the county auditor at the expense of the property owner and become a lien upon the property served. Such contract shall include a provision that, in the event of default, the superintendent of water may disconnect the city's water service from and refuse to supply water to the premises in default until the same is paid. Upon full payment of the contract, the superintendent of water, on behalf of the

city of Seattle, shall execute and deliver to the property owner a release of such lien. (Ord. 65877 § 25-2 added by Ord. 100701 § 2; February 10, 1972).

**23.04.290 Right of entry for inspection—Clearance around meters, gate valves and appliances.** The Superintendent or his duly authorized representatives shall have free access at all reasonable times to all parts of buildings or premises supplied by water from the city's mains, for the purpose of ascertaining the quantity of water used, of inspecting the condition of pipes and fixtures and shutting off or turning on of water through the service connection.

It shall be unlawful for any person to hinder, obstruct, or unnecessarily delay the entering, by the Superintendent or his duly authorized representatives to any building or premises at the times and for the purposes hereinabove referred to.

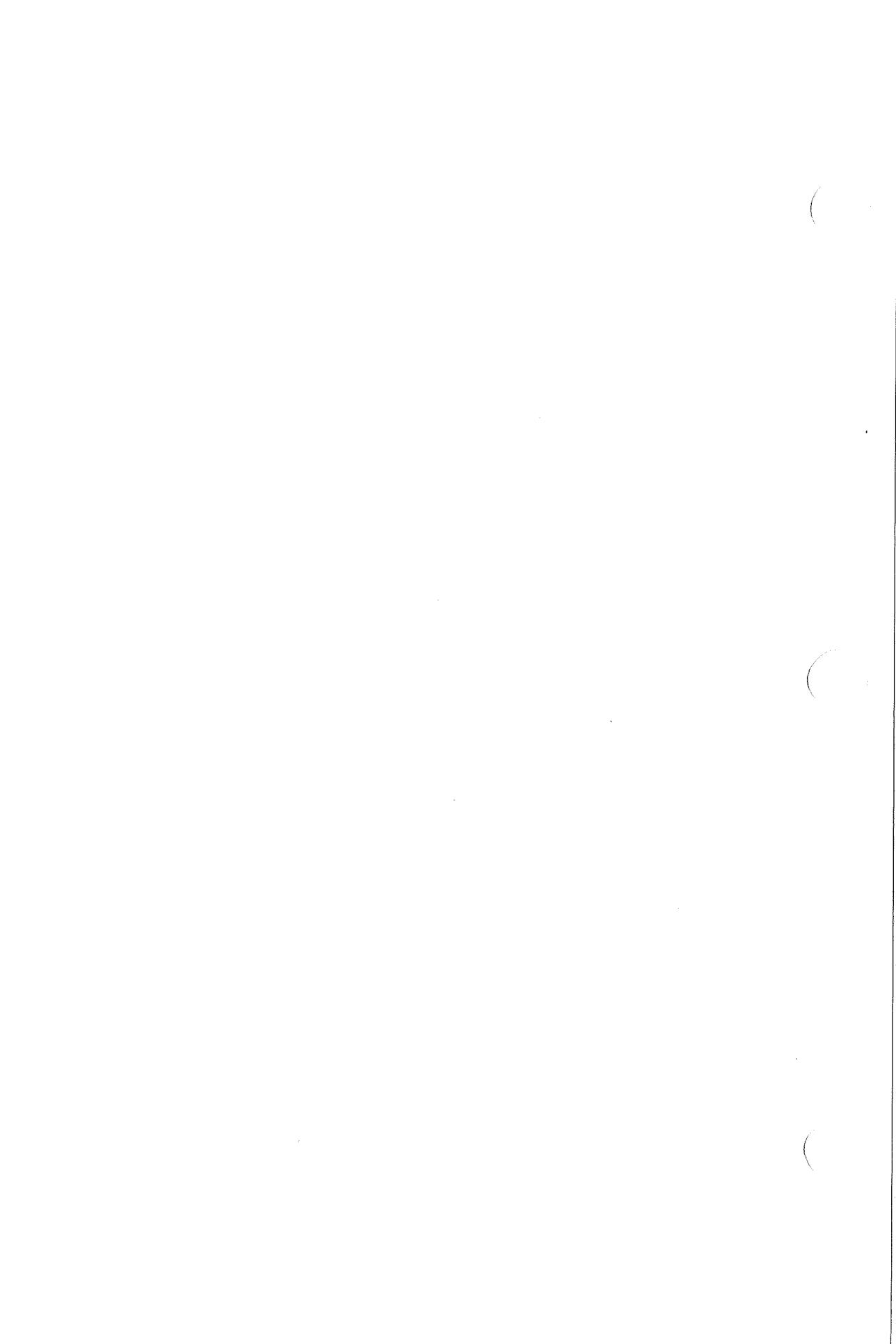
It shall be unlawful for any person to store, maintain or keep any goods, merchandise, material or refuse within a distance of six (6) feet from any water meter, gate valve or other appliance in use on any water connection of the City of Seattle. (Ord. 65877 § 26; December 2, 1935).

**23.04.300 Violation of Section 23.04.290—Disconnection of service.** In case of any violation of the preceding section the Superintendent may cause the disconnecting of the service pipe and withhold the supply of water from the premises where such violation occurs until there is a full compliance with the provisions of said section. Whenever a service connection has been disconnected in accordance with the provisions herein, the cost of such disconnection together with the cost of reconnecting shall be charged against the property where such work has been performed and to the owner thereof. (Ord. 65877 § 27; December 2, 1935).

**23.04.310 Securing meters and pipes against damage, strain or settling.** Whenever a meter is to be or has been installed within that portion of the street lying between the curb line and the property line and in which an areaway exists the Superintendent shall cause the erection of such bases, supports, or barriers as will reasonably secure the meter and pipes connected therewith against any damage or strain or settlement. The cost of the erection of such bases, supports or barriers shall be charged against the property for which the meter was installed and to the owner thereof.

The Superintendent shall, before the year 1938, carry out the provisions of this section in reference to all meters within the City of Seattle which are not protected in accordance with the provisions herein set forth. (Ord. 65877 § 28; December 2, 1935).

**23.04.320 Application for service beyond city limits—Property description and house number.** Whenever the city shall receive application for the installation of a water service connection to supply property be-



yond the limits of said city, the person filing application shall be required to furnish such property description as will be deemed sufficient by the superintendent. From the information contained in such description the superintendent shall determine the correct house number for the premises to be supplied with water. The house number hereinabove mentioned shall be noted in the application for the installation of water service connection.

The property owner shall be required to set up and fix in a conspicuous place on the premises to be served with water, the house number as determined by the superintendent. (Ord. 65877 § 29; Dec. 2, 1935).

**23.04.330 Driveways—Removal or protection of service pipes.** Whenever a driveway or crossing, to be used for vehicular traffic, is constructed within that portion of a city street lying between the curb line and the property line, the superintendent shall cause the removal and relocation of any water service connection or any part thereof which may be within the lines of such driveway or crossing, provided, however, that instead of such removal of water service connection the superintendent may, if he deems it advisable, cause the construction and placing of an iron or masonry box or chamber of sufficient strength to withstand the stress of vehicular traffic.

The cost of removal, relocation or maintenance of water service connections as provided in this section shall be charged against the property for which driveway or crossing was constructed and to the owner thereof. (Ord. 65877 § 30; Dec. 2, 1935).

**23.04.340 Accounts—Discontinuing service where account delinquent.** It shall be the duty of the superintendent to keep accounts with all consumers of water, to enter on such accounts all charges and penalties. He shall cause to be kept proper accounts with all consumers of water, and every ninety days or less, compile a statement of the names and property of such consumers as are delinquent, and shall forthwith cause the service of these consumers to be discontinued. (Ord. 65877 § 31; Dec. 2, 1935).

**23.04.350 Flat rates.** The rates for use of water other than measured by meters shall be known as "flat rates" and shall be as follows:

Paving and laying sidewalks, concrete, per hundred square yards or less for 6 inch base or less.....	\$ .50
6¼ inch and over.....	.75
Earthwork, for settling each 100 cubic yards of earth.....	1.40
Curing pavement, per square yard.....	.04
Portable engines, for first horsepower (per month or less).....	.80
For each additional horsepower.....	.20
For laying brick, per thousand.....	.15
Cement, per barrel.....	.10

**23.04.360 WATER**

Water used for all other purposes not hereinbefore enumerated shall be furnished and charged for either at meter rates or a special rate to be fixed by the superintendent. (Ord. 65877 § 32; Dec. 2, 1935).

**23.04.360 Meter rates for services inside city.** As of October 1, 1970 all water for domestic and commercial purposes shall be supplied by meter only at the following rates and charges.

The rates for metered water supplied to premises within the city of Seattle in one month, or fractional part thereof, shall be in accordance with the following schedule:

SERVICE SIZE	CONSUMPTION QUANTITY ALLOWED	MINIMUM CHARGE
¾ inch	300 cubic feet	\$ 1.50
1 inch	600 cubic feet	1.95
1½ inch	1200 cubic feet	2.85
2 inch	2000 cubic feet	4.05
3 inch	3400 cubic feet	6.15
4 inch	4900 cubic feet	8.40
6 inch	7100 cubic feet	11.70
8 inch	10000 cubic feet	16.05
10 inch	14000 cubic feet	22.05
12 inch	20000 cubic feet	31.05

Each 100 cubic feet in excess of the quantities allowed for the foregoing minimum charges except as hereinafter provided.....\$ .15

Each 100 cubic feet in excess of the first 30,000 cubic feet..... .10

Each separate building or premises in addition to the first or principal building or premises supplied through the same service connection, 500 cubic feet or less..... 1.70

Provided, that the terms "separate building or premises" shall not apply to trailer parks or trailer courts, which shall be governed as to water rates by the number and sizes of services and quantity of water used under the previous schedule.

Water supplied to the city lighting department and to the Seattle transit commission, each 100 cubic feet in excess of the quantity allowed for the foregoing minimum charges .....\$ .10

The rates for water supplied for fire protection purposes exclusively shall be deemed service charges and shall be for any one month, or fractional part thereof, as follows:

SIZE OF SERVICE	SERVICE CHARGE
2 inch	\$ 1.85
3 inch	2.75
4 inch	3.90
6 inch	5.40
8 inch	7.10
10 inch	9.75
12 inch	11.70

The service charges hereinabove set forth shall be granted only during such times as there is no appreciable registration by the meter maintained by the city on such fire protection services.

Water used for any other purpose than for extinguishing fires, through a fire protection service, shall be charged at a rate double the common rate provided for in this chapter. (Ord. 65877 § 33 as amended by Ord. 84392, Ord. 85105 and Ord. 99109 § 1; July 23, 1970).

**23.04.370 Meter rates for services outside city.** As of October 1, 1970 except as otherwise herein provided, the rates for metered water supplied to premises not within the limits of the city of Seattle shall be for one month, or fractional part thereof, in accordance with the following schedule:

SIZE OF SERVICE	ALLOWED QUANTITY	MINIMUM CHARGE
¾ of an inch	300 cubic feet or less	\$ 2.25
1 inch	600 cubic feet or less	2.90
1½ inch	1200 cubic feet or less	4.25
2 inches	2000 cubic feet or less	6.00
3 inches	3400 cubic feet or less	9.20
4 inches	4900 cubic feet or less	12.60
6 inches	7100 cubic feet or less	17.55
8 inches	10000 cubic feet or less	24.05
10 inches	14000 cubic feet or less	33.25
12 inches	20000 cubic feet or less	46.60

Each 100 cubic feet in excess of the foregoing minimum charges, except as hereinafter provided .....	\$ .23
Each 100 cubic feet in excess of the first 30,000 cubic feet per month .....	.15
Each separate building or premises, in addition the first or principal building or premises supplied through the same service connection, 500 cubic feet or less .....	2.55
Each 100 cubic feet in excess of the first 100,000 cubic feet when directly supplying a manufacturing or industrial operation located in areas adjacent to the Cedar River transmission mains between the Lake Youngs control works and the southerly city limits .....	.12

**23.04.370 WATER**

Provided, however, that as of October 1, 1971 such rate shall be \$.13, and that as of October 1, 1972 the rate shall be \$.14, and as of October 1, 1973 the rate shall be \$.15.

That the rates for water supplied for fire protection purposes exclusively shall be deemed service charges and shall be for any one month, or fractional part thereof, as follows:

SIZE OF SERVICE	SERVICE CHARGE
2 inch	\$ 2.75
3 inch	4.15
4 inch	5.85
6 inch	8.10
8 inch	10.65
10 inch	14.65
12 inch	17.55

The service charges hereinabove set forth shall be granted only during such times as there is no appreciable registration by the meter maintained by the city on such fire protection services.

Water used for any other purpose than for extinguishing fires, through a fire protection service, shall be charged at a rate double the common rate provided for in this chapter.

The rate to be charged municipal water districts, other municipalities, and nonprofit water associations being served prior to January 1, 1970, authorized to and engaging in the distribution of water under the laws of the state of Washington and where such districts, municipalities, and associations, operate, maintain and distribute water for resale purposes through a master meter furnished by the city of Seattle, shall be as follows:

\$.135 per 100 cubic feet for all water furnished.

As of January 1, 1971 the following meter charges with respect to such districts, municipalities and associations shall be imposed:

METER SIZE	MONTHLY CHARGE
1 inch	\$ 10.00
1½ inches	15.00
2 inches	20.00
3 inches	25.00
4 inches	35.00
6 inches	60.00
8 inches	70.00
8x4 inches	80.00
10x6 inches	100.00
10x12x6 inches	110.00
12 inches	130.00

(Ord. 65877 § 34 as amended by Ord. 84392, Ord. 85105, Ord. 99109 and Ord. 99890 § 1; May 5, 1971).

**23.04.375 Newhalem community—Water rates.** The schedule of rates to all water consumers from the city's system in the Newhalem community other than lighting department facilities or employees, shall be as follows:

Service Size	Monthly Volume Base	Monthly Minimum Charge
3/4"	300 cu. ft.	\$ 2.25
1"	600 "	2.90
1 1/2"	1200 "	4.25
2"	2000 "	6.00
3"	3400 "	9.20
4"	4900 "	12.60
6"	7100 "	17.55

Each 100 cu. ft. after 30,000 cu. ft. at \$0.15

Each 100 cu. ft. over volume base to 30,000 cu. ft. at \$0.25

(Ord. 101870 § 2; February 16, 1973).

**23.04.380 Cost of new mains or replacements outside city.** In areas outside the limits of the city of Seattle where new mains or replacements are constructed by the city the cost thereof together with interest at four percent per year computed on unpaid balances shall be repaid by users of water in the districts served by said mains by paying at the rate of one dollar per month or more by agreement, in addition to the general rate established by ordinance for water outside the city. Said additional payments shall begin upon completion of the installation of such mains and continue until the cost thereof with interest at four percent per year computed as above is returned to the city. In the event of delinquency in payment of any such charges for water or water service or construction costs the superintendent of water is directed to disconnect the city's water service from and refuse to supply water for the premises so in default until the same are paid. (Ord. 65877 § 34-1 as amended by Ord. 75725; February 5, 1947).

**23.04.390 Meters and rates for water supply for purposes other than manufactories, laundries and elevator on the same service.** In all cases where water is furnished for purposes other than manufactories, laundries and elevators on the same service, separate meters must be provided and the water consumer charged at schedule rates, and such consumers must pay for all service connections as provided in this chapter.

In computing meter rates as provided hereinbefore, results ending in one or two cents will be counted "0", results ending in three, four, six or seven cents will be counted "5"; results ending in eight or nine cents will be counted "10". (Ord. 65877 § 35; December 2, 1935).

**23.04.400 WATER**

**23.04.400 Collection—City divided into districts—Billing—Delinquencies.** For the collection of metered water rates the city shall be divided into districts corresponding to routes for meter reading.

Such meter readings shall be billed and ready for mailing within seven days from date of reading; provided, that the superintendent in his

discretion may cause bills for water used for domestic purposes to be issued and mailed every three months (quarterly) or less.

All bills for metered water shall become past due and delinquent fifteen days after date of mailing, and date of delinquency shall be noted on the bill.

If any such bill is not paid as prescribed in this section the water may be shut off without notice, in which event an additional charge of Two Dollars (\$2.00) will be added for shutting off and turning on, and said charge shall be paid before the water will again be turned on.

Failure to receive mailed bills will not be recognized as a valid excuse for failure to pay. Change in ownership of property and change in mailing address must be filed in writing by property owner or his agent at the office of the Superintendent on forms provided for that purpose. The Superintendent may require payment in advance or satisfactory security for all water to be furnished by meter, and if such payment be not made or security furnished within the time fixed by the Superintendent, water shall be shut off from the premises. (Ord. 65877 § 36, as amended by Ord. 86455; September 17, 1957).

**23.04.410 Meters remain property of city—Charge for loss or damage.** All meters, unless otherwise authorized by the Superintendent, shall be and remain the property of the city and will not be removed unless the use of water on the premises is to be entirely stopped or the service connection discontinued or abandoned. In all cases where meters are lost, injured or broken by carelessness or negligence of owners or occupants of premises, they shall be replaced or repaired by or under the direction of the Superintendent and the cost charged against the owner or occupant, and in case of nonpayment the water shall be shut off and will not be turned on until such charges and the charge for turning on the water are paid. In event of the meter getting out of order or failing to register properly the consumer shall be charged on an estimate made by the Superintendent on the average monthly consumption during the last three (3) months that the same was in good order or from what he may consider to be the most reliable data at his command. (Ord. 65877 § 37; December 2, 1935).

**23.04.420 Testing meters—Expense.** Where the accuracy of record of a water meter is questioned, it shall be removed at the consumer's request and shall be tested in the shops of the Water Department by means of the apparatus there provided, and a report thereon duly made. It shall be the privilege of the consumer to be present at the Water Department shops and witness such test. Both parties to the test must accept the findings so made. If the test discloses an error against the consumer of more than three per cent on the meter's registry, the excess of the consumption on the three previous readings shall be credited to the consumer's

meter account, and the Water Department will bear the entire expense of the test, and the deposit required as hereinafter prescribed shall be returned. Where no such error is found, the person who has requested the test shall pay the charge fixed for such test.

Before making a test of any meter the person requesting such a test shall, at the time of filing his request with the Superintendent, make a deposit with the City Treasurer of the amount charged for such test, subject to the conditions herein stated, which charges shall be as follows:

For testing 1/2" meters.....	\$ 1.00
For testing 3/4" meters.....	1.00
For testing 1" meters.....	1.50
For testing 1 1/2" meters.....	2.00
For testing 2" meters.....	3.00
For testing 3" meters.....	5.00
For testing 4" meters.....	10.00
For testing 6" meters and greater.....	15.00

No meter shall be removed, or in any way disturbed, nor the seal broken, except in the presence or under the direction of the Superintendent. (Ord. 65877 § 38; December 2, 1930).

**23.04.430 Emergencies—Regulation of water supply.** In cases of emergency, whenever the public safety, health, or the equitable distribution of water so demands, the board of public works may direct the Superintendent to change, reduce or limit the time or discontinue the use of water. (Ord. 65877 § 39; December 2, 1930).

**23.04.440 Enforcement—City employees to report violations.** It shall be the duty of the employees of the Police, Fire, Engineer's and Streets and Sewers Departments to give vigilant aid to the Superintendent in the enforcement of the provisions of this chapter, and to this end they shall report all violations thereof which come to their knowledge to the office of the Superintendent, and it shall be the duty of the Chief of the Fire Department to report immediately to the Superintendent in case of fire in premises having metered service for fire protection purposes that fire has occurred there. (Ord. 65877 § 40; December 2, 1935).

**23.04.450 Copy of chapter available to water consumers.** A copy of this chapter may be obtained by all owners of property and consumers of water. (Ord. 65877 § 41; December 2, 1935).

**23.04.460 Use of fire hydrants, stop valves and stopcocks belonging to city.** It shall be unlawful for any person except when duly authorized by the Superintendent, or who shall be a member of the Fire Department, to open, operate, close, turn on, turn off, interfere with, attach any pipe or hose to or connect anything with any fire hydrant, stop valve or stopcock belonging to the city.

Any person, other than employees of the Fire Department, requiring the use of any hydrant, stopcock or valve belonging to the city must make written application for the same in advance to the Superintendent. The Superintendent shall then send a hydrant inspector to open such hydrant, stopcock or valve, and the time of such inspector shall be charged to the person making application for the use of such hydrant, stopcock or valve. Should it be necessary for the inspector to remain at the hydrant, stopcock or valve until the person using the same has secured the necessary supply of water, the full time consumed by the inspector shall be charged to the person securing such service, but in no case shall the charge be less than one (1) dollar. The Superintendent may require a deposit in advance as a condition for supply such water. (Ord. 65877 § 42; December 2, 1935).

**23.04.470 Unlawful to interfere with pipes, connections or appliances belonging to city.** It shall be unlawful for any person, unless duly authorized by the Superintendent, to disturb, interfere with or damage any water main, water pipe, machinery, tool, meter or any other appliances, buildings, improvement, lawns, grass plots, flowers, vines, bushes or trees belonging to, connected with, or under the control of the Municipal Water Supply System of the City of Seattle. (Ord. 65877 § 43; December 2, 1935).

**23.04.480 Unlawful to bathe, fish or throw any substances in reservoir.** It shall be unlawful for any person to bathe in, fish in or throw any substance into any reservoir, or place any foreign substance upon any grounds belonging to, connected with or under the control of the Municipal Water Supply System of the City of Seattle. (Ord. 65877 § 44; December 2, 1935).

**23.04.490 Unlawful to obstruct access to fire hydrants.** It shall be unlawful for any person to obstruct the access to any fire hydrant by placing around or thereon any stone, brick, lumber, dirt or other material, or to open or operate any fire hydrant, or draw or attempt to draw water therefrom, or to wilfully or carelessly injure the same. (Ord. 65877 § 45; December 2, 1935).

**23.04.500 Unlawful to make connections with main without permission.** It shall be unlawful for any person to make connections with any fixtures or connect any pipe with any water main or water pipe belonging to the Municipal Water Supply System, without first obtaining permission so to do from the Superintendent. (Ord. 65877 § 46; December 2, 1935).

**23.04.510 Penalty for violations.** Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in any sum not exceeding

One Hundred (\$100.00) Dollars, or imprisonment for a term not exceeding thirty (30) days, or be both so fined and imprisoned. (Ord. 65877 § 47; December 2, 1935).

**23.04.520 Rewards.** The Superintendent shall cause a reward not to exceed ten (\$10.00) dollars to be paid to any person securing the conviction of any person for violation of any of the provisions of this chapter. (Ord. 65877 § 48; December 2, 1935).

**23.04.530 Decision of Superintendent final.** The Superintendent shall have authority to decide any question which may arise and which is not fully covered by the provisions of this chapter, and his decisions in such cases shall be final. (Ord. 65877 § 49; December 2, 1935).

**23.04.540 Severability.** If any section or provision of this chapter shall be held to be invalid the remaining sections and provisions thereof shall not be affected thereby. (Ord. 65877 § 50; December 2, 1935).

### Chapter 23.08

#### FREE WATER TO CHARITABLE INSTITUTIONS

##### Sections:

23.08.010 Free water authorized for institutions supported wholly or partly by charity.

**23.08.010 Free water authorized for institutions supported wholly or partly by charity.** Institutions in the City of Seattle supported wholly by charity shall be granted the use of free water, not to exceed 250,000 gallons in any one month. Institutions in said city supported by charity to the extent of fifty per cent shall be granted the use of free water not to exceed 125,000 gallons per month. (Ord. 56463 § 1; November 21, 1928).

### Chapter 23.12

#### WATERSHED

##### Sections:

- 23.12.010 Declaration of jurisdiction over watershed—Area described.
- 23.12.020 Permit to enter watershed.
- 23.12.030 Permit to conduct operations within watershed.
- 23.12.040 Operations without permit declared nuisance.
- 23.12.050 Unlawful to leave or deposit substances tending to pollute water supply.
- 23.12.060 Construction and maintenance of dikes, ditches and settling basins.
- 23.12.070 Persons with contagious disease prohibited in watershed.

- 23.12.080 Rules and regulations—Promulgation, posting and revocation—Prosecution for violations.
- 23.12.090 Prior rights saved.
- 23.12.100 Nuisances declared—Abatement.
- 23.12.110 Penalty for violations.

**23.12.010 Declaration of jurisdiction over watershed—Area described.**

For the purpose of protecting the water furnished to the inhabitants of the City of Seattle from pollution, the City of Seattle declares itself to have jurisdiction of and hereby assumes jurisdiction over all of the property hereinafter described, namely: all the property occupied by the works, reservoirs, systems, springs, branches and pipes, by means of which, and all the lakes, rivers, springs, streams, creeks or tributaries thereof, constituting the source of supply from which the City of Seattle obtains its supply of water, or stores or conducts the same, and all property acquired and owned by the said city for any of the foregoing works or purpose, or for the preservation or protection of the purity of said water supply, and all property within the areas draining into the lakes, rivers, springs, streams, creeks, or tributaries constituting such source of supply; said area and property being more particularly described as follows, to-wit:

**CEDAR LAKE WATERSHED AREA**

The north half (N. $\frac{1}{2}$ ) and Southeast quarter (S.E. $\frac{1}{4}$ ) of Section One (1), and Northeast quarter of Northeast quarter (N.E. $\frac{1}{4}$  N.E. $\frac{1}{4}$ ) of Section Twelve (12), in Township Twenty-one (21) North, Range Seven (7) East W.M.

North half of Northeast quarter (N. $\frac{1}{2}$  N.E. $\frac{1}{4}$ ) and Northwest quarter (N.W. $\frac{1}{4}$ ) of Section One (1); North half (N. $\frac{1}{2}$ ) and Southwest quarter (S.W. $\frac{1}{4}$ ) of Section Two (2); all of Section Four (4) except South half (S. $\frac{1}{2}$ ) of Southeast quarter (S.E. $\frac{1}{4}$ ); North half (N. $\frac{1}{2}$ ) and Northeast quarter of Southwest quarter (N.E. $\frac{1}{4}$  S.W. $\frac{1}{4}$ ) and Southeast quarter (S.E. $\frac{1}{4}$ ) of Section Seven (7); North half (N. $\frac{1}{2}$ ) and Southwest quarter (S.W. $\frac{1}{4}$ ) of Section Eight (8); Northwest quarter of Northwest quarter (N.W. $\frac{1}{4}$  N.W. $\frac{1}{4}$ ) of Section Nine (9); North half of North half (N. $\frac{1}{2}$  N. $\frac{1}{2}$ ) of Section Ten (10); Northwest quarter of Northwest quarter (N.W. $\frac{1}{4}$  N.W. $\frac{1}{4}$ ) of Section Eleven (11); all of Section Three (3), Five (5) and Six (6), in Township Twenty-one (21) North, Range Eight (8) East W.M.

North half (N. $\frac{1}{2}$ ) of Section Seven (7); North half (N. $\frac{1}{2}$ ) and Southeast quarter (S.E. $\frac{1}{4}$ ) of Section Eight (8); North half (N. $\frac{1}{2}$ ) and Southeast quarter (S.E. $\frac{1}{4}$ ) of Section Fifteen (15); North half (N. $\frac{1}{2}$ ) of Section Sixteen (16); Northeast quarter (N.E. $\frac{1}{4}$ ) and East half of Northwest quarter (E. $\frac{1}{2}$  N.W. $\frac{1}{4}$ ) of Section Twenty-two (22); North half (N. $\frac{1}{2}$ ), and Northeast quarter of Southwest quarter (N.E. $\frac{1}{4}$  S.W. $\frac{1}{4}$ ), and Northwest quarter of Southeast quar-

ter (N.W. $\frac{1}{4}$  S.E. $\frac{1}{4}$ ), of Section Twenty-three (23); Northwest quarter (N.W. $\frac{1}{4}$ ) of Section Twenty-four (24); all of Sections One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), and Fourteen (14); Township Twenty-one (21) North, Range Nine (9) East W.M.

Northeast quarter (N.E. $\frac{1}{4}$ ) and Northeast quarter of Northwest quarter (N.E. $\frac{1}{4}$  N.W. $\frac{1}{4}$ ) of Section Nineteen (19); North half (N. $\frac{1}{2}$ ) and Southeast quarter (S.E. $\frac{1}{4}$ ) of Section Twenty (20); North half of North half (N. $\frac{1}{2}$  N. $\frac{1}{2}$ ) and Southeast quarter of Northeast quarter (S.E. $\frac{1}{4}$  N.E. $\frac{1}{4}$ ), of Section Twenty-six (26); North half of North half (N. $\frac{1}{2}$  N. $\frac{1}{2}$ ) of Section Twenty-seven (27); North half of North half (N. $\frac{1}{2}$  N. $\frac{1}{2}$ ) of Section Twenty-eight (28); North half of North half (N. $\frac{1}{2}$  N. $\frac{1}{2}$ ) of Section Thirty-six (36); all of Section One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24) and Twenty-five (25), in Township Twenty-one (21) North, Range Ten (10) East W.M.

West half of Northwest quarter (W. $\frac{1}{2}$  N.W. $\frac{1}{4}$ ) and Southwest quarter (S.W. $\frac{1}{4}$ ) of Section Five (5); West half (W. $\frac{1}{2}$ ) of Section Eight (8); Northwest quarter of Northwest quarter (N.W. $\frac{1}{4}$  N.W. $\frac{1}{4}$ ) of Section Seventeen (17); West half (W. $\frac{1}{2}$ ) and West half of Southeast quarter (W. $\frac{1}{2}$  S.E. $\frac{1}{4}$ ) of Section Nineteen (19); Northwest quarter of Northeast quarter (N.W. $\frac{1}{4}$  N.E. $\frac{1}{4}$ ), Northwest quarter (N.W. $\frac{1}{4}$ ), and West half of Southwest quarter (W. $\frac{1}{2}$  S.W. $\frac{1}{4}$ ), of Section Thirty (30); all of Sections Six (6), Seven (7), and Eighteen (18), in Township Twenty-one (21) North, Range Eleven (11) East W.M.

North half of Northeast quarter (N. $\frac{1}{2}$  N.E. $\frac{1}{4}$ ) and Southeast quarter (S.E. $\frac{1}{4}$ ) of Section Four (4); East half (E. $\frac{1}{2}$ ), Southeast quarter of Northwest quarter (S.E. $\frac{1}{4}$  N.W. $\frac{1}{4}$ ), and Northeast quarter of Southwest quarter (N.E. $\frac{1}{4}$  S.W. $\frac{1}{4}$ ) of Section Eight (8); South half of Northeast quarter (S. $\frac{1}{2}$  N.E. $\frac{1}{4}$ ), East half of Southwest quarter (E. $\frac{1}{2}$  S.W. $\frac{1}{4}$ ), and Southeast quarter (S.E. $\frac{1}{4}$ ) of Section Eighteen (18); Northeast quarter (N.E. $\frac{1}{4}$ ), East half of Northwest quarter (E. $\frac{1}{2}$  N.W. $\frac{1}{4}$ ), and Southeast quarter (S.E. $\frac{1}{4}$ ), of Section Nineteen (19); North half (N. $\frac{1}{2}$ ) and Southeast quarter (S.E. $\frac{1}{4}$ ) of Section Twenty-nine (29); Northeast quarter (N.E. $\frac{1}{4}$ ) and Northeast quarter of Northwest quarter (N.E. $\frac{1}{4}$  N.W. $\frac{1}{4}$ ) of Section Thirty-three (33); North half (N. $\frac{1}{2}$ ) and North half of Southeast quarter (N. $\frac{1}{2}$  S.E. $\frac{1}{4}$ ) of Section Thirty-four (34); all of Section Thirty-five (35) except the Southwest quarter of the Southwest quarter (S.W. $\frac{1}{4}$  S.W. $\frac{1}{4}$ ) thereof; all of Sections One (1), Two (2),

Three (3), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28) and Thirty-six (36), in Township Twenty-two (22) North, Range Seven (7) East W.M.

Northeast quarter (N.E. $\frac{1}{4}$ ) and South half (S. $\frac{1}{2}$ ) of Section One (1); South half of South half (S. $\frac{1}{2}$  S. $\frac{1}{2}$ ) of Section Two (2); South half (S. $\frac{1}{2}$ ) of Section Three (3); all of Section Four (4) except the North half of Northeast quarter (N. $\frac{1}{2}$  N.E. $\frac{1}{4}$ ) thereof; all of Section Thirty (30) except West half of West half (W. $\frac{1}{2}$  W. $\frac{1}{2}$ ) thereof; all of Section Thirty-one (31) except West half of West half (W. $\frac{1}{2}$  W. $\frac{1}{2}$ ) thereof; all of Sections Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Twenty-two (22) North, Range Eight (8) East W.M.

Southwest quarter of Southeast quarter (S.W. $\frac{1}{4}$  S.E. $\frac{1}{4}$ ) and Southwest quarter (S.W. $\frac{1}{4}$ ) of Section Five (5); South half (S. $\frac{1}{2}$ ) of Section Nine (9); South half of South half (S. $\frac{1}{2}$  S. $\frac{1}{2}$ ) of Section Ten (10); Southwest quarter of Southwest quarter (S.W. $\frac{1}{4}$  S.W. $\frac{1}{4}$ ) of Section Eleven (11); West half (W. $\frac{1}{2}$ ) and Southwest quarter of Southeast quarter (S.W. $\frac{1}{4}$  S.E. $\frac{1}{4}$ ) of Section Fourteen (14); West half of Northwest quarter (W. $\frac{1}{2}$  N.W. $\frac{1}{4}$ ) and South half (S. $\frac{1}{2}$ ) of Section Twenty-four (24); all of Sections Six (6), Seven (7), Eight (8), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-five (25), Twenty-six (26), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), Thirty-four (34), Thirty-five (35) and Thirty-six (36), in Township Twenty-two (22) North, Range Nine (9) East W.M.

South half of South half (S. $\frac{1}{2}$  S. $\frac{1}{2}$ ) of Section Nineteen (19); South half of Southwest quarter (S. $\frac{1}{2}$  S.W. $\frac{1}{4}$ ), Southwest quarter of Southeast quarter (S.W. $\frac{1}{4}$  S.E. $\frac{1}{4}$ ) of Section Twenty-seven (27); Southwest quarter (S.W. $\frac{1}{4}$ ) and South half of Southeast quarter (S. $\frac{1}{2}$  S.E. $\frac{1}{4}$ ) of Section Twenty-eight (28); South half of North half (S. $\frac{1}{2}$  N. $\frac{1}{2}$ ) and South half (S. $\frac{1}{2}$ ) of Section Twenty-nine (29); all of Section Thirty-five (35) except North half of North half (N. $\frac{1}{2}$  N. $\frac{1}{2}$ ) thereof; all of Section Thirty (30), Thirty-one (31),

Thirty-two (32), Thirty-three (33), Thirty-four (34) and Thirty-six (36), in Township Twenty-two (22) North, Range Ten (10) East W.M.

Southwest quarter (S.W. $\frac{1}{4}$ ) of Section Thirty-one (31), Township Twenty-two (22) North, Range Eleven (11), East W.M.

South half (S. $\frac{1}{2}$ ) and South half of North half (S. $\frac{1}{2}$  N. $\frac{1}{2}$ ) of Section Twenty-seven (27); South half of Northeast quarter (S. $\frac{1}{2}$  N.E. $\frac{1}{4}$ ) and Southeast quarter (S.E. $\frac{1}{4}$ ) of Section Twenty-eight (28); East half (E. $\frac{1}{2}$ ) Section Thirty-three (33); all of Section Thirty-five (35) except Northeast quarter of Northeast quarter (N.E. $\frac{1}{4}$  N.E. $\frac{1}{4}$ ) thereof; South half of southwest quarter (S. $\frac{1}{2}$  S.W. $\frac{1}{4}$ ) of Section Thirty-six (36); all of Section Thirty-four (34), in Township Twenty-three (23) North, Range Seven (7), East W.M.

Southeast quarter of Northeast quarter (S.E. $\frac{1}{4}$  N.E. $\frac{1}{4}$ ) and Southeast quarter (S.E. $\frac{1}{4}$ ) of Section Thirty-one (31); all of Section Thirty-two (32), except Northwest quarter of Northwest quarter (N.W. $\frac{1}{4}$  N.W. $\frac{1}{4}$ ) thereof; West half (W. $\frac{1}{2}$ ) of Section Thirty-three (33), in Township Twenty-three (23) North, Range Eight (8) East W.M.

South half of South half (S. $\frac{1}{2}$  S. $\frac{1}{2}$ ) of Section Thirty-one (31), Township Twenty-three (23) North, Range Nine (9) East W.M.

#### LAKE YOUNGS WATERSHED AND RESERVOIR AREA

The South Half (S. $\frac{1}{2}$ ) of Section Thirty-five (35); the West Half (W. $\frac{1}{2}$ ) of the Southwest Quarter (S.W. $\frac{1}{4}$ ) and the West Half (W. $\frac{1}{2}$ ) of the Southeast Quarter (S.E. $\frac{1}{4}$ ) of the Southwest Quarter (S.W. $\frac{1}{4}$ ) of Section Thirty-six (36); all in Township Twenty-three (23) North Range Five (5), East W.M.

Lots Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8) and Nine (9); the Southwest Quarter (S.W. $\frac{1}{4}$ ) of the Northeast Quarter (N.E. $\frac{1}{4}$ ); the West Half (W. $\frac{1}{2}$ ) of the Southeast Quarter (S.E. $\frac{1}{4}$ ) of the Northeast Quarter (N.E. $\frac{1}{4}$ ); and the East Half (E. $\frac{1}{2}$ ) of the Southeast Quarter (S.E. $\frac{1}{4}$ ) of Section One (1); all of Section Two (2); Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7); the West Half (W. $\frac{1}{2}$ ) of the Northwest Quarter (N.W. $\frac{1}{4}$ ) of Section Eleven (11); and the Southeast Quarter (S.E. $\frac{1}{4}$ ) of the Northwest Quarter (N.W. $\frac{1}{4}$ ) of Section Eleven (11); the North Half (N. $\frac{1}{2}$ ) of the Northeast Quarter (N.E. $\frac{1}{4}$ ); the West Half (W. $\frac{1}{2}$ ) of the Southwest Quarter (S.W. $\frac{1}{4}$ ); the Southeast Quarter (S.E. $\frac{1}{4}$ ) of the Northwest Quarter (N.W. $\frac{1}{4}$ ); the Northeast Quarter (N.E. $\frac{1}{4}$ ) of the Southwest Quarter (S.W. $\frac{1}{4}$ ); and Lots One (1) and Two (2) in Section Twelve (12), all in Township Twenty-two (22), North Range Five (5), East W.M.

Lots Six (6) and Seven (7), in Section Six (6), and Lot One (1), in Section Seven (7), Township Twenty-two (22), North Range Six (6), East W.M.

and the term "Watershed of Seattle," wherever used in this chapter, means and includes all of the property hereinbefore described. (Ord. 37296 § 1, as amended by Ord. 52259; December 29, 1926).

**23.12.020 Permit to enter watershed.** It shall be unlawful for any person to picnic, camp, hunt, fish, loiter, trespass, or otherwise be or enter within or upon any part of the Watershed of Seattle without first having obtained a written permit issued and signed by the Director of Health of The City of Seattle; provided, however, that nothing in this section shall be construed to prevent or prohibit any person or persons from traveling upon railroad trains through said watershed without first obtaining such permit. (Ord. 37296 § 2; April 25, 1917).

**23.12.030 Permit to conduct operations within watershed.** It shall be unlawful for any person to locate, conduct, maintain or establish within or upon the Watershed of Seattle, or any part thereof, any logging camp, saw-mill, manufacturing plant, or any industry whatsoever, or any town-site, or any private residence, without first obtaining from the Director of Health of The City of Seattle a written permit, which permit shall be issued by said Director subject to all health and sanitary laws of the state, this chapter, and all regulations lawfully promulgated by the Director of Health of said city, or by the State Board of Health, and said permit shall be subject to cancellation and revocation by the Director of Health of said city for violation of any provision of law or of this chapter or for failure to observe any health or sanitary regulations so provided. (Ord. 37296 § 3; April 25, 1917).

**23.12.040 Operations without permit declared nuisance.** Any logging camp, saw-mill, manufacturing plant, town, private residence or industry whatsoever located, conducted, maintained or established in the Watershed of Seattle without a permit being first obtained, or conducted, or maintained after the permit therefor has been revoked as herein provided, shall be deemed, and is hereby declared to be a nuisance, and any person so locating, conducting, maintaining or establishing any such nuisance shall be deemed guilty of a violation of this chapter, and each day any such nuisance is permitted to exist by any such person shall be deemed a distinct and separate violation hereof. (Ord. 37296 § 4; April 25, 1917).

**23.12.050 Unlawful to leave or deposit substances tending to pollute water supply.** It shall be unlawful for any person to deposit or leave upon or within any part of the Watershed of Seattle, except in such manner and under such reasonable restrictions as shall be prescribed by said commis-

sioner, any human excrement, garbage, waste, dead animals, or parts thereof, or any other matter whatsoever which might have a tendency to pollute said water supply. (Ord. 37296 § 5; April 25, 1917).

**23.12.060 Construction and maintenance of dikes, ditches and settling basins.** All dikes, ditches and settling basins provided along, within or upon said watershed to protect said water supply from pollution, shall be constructed and maintained pursuant to such sanitary and health regulations as shall be prescribed by the Director of Health of said City. (Ord. 37296 § 6; April 25, 1917).

**23.12.070 Persons with contagious disease prohibited in watershed.** It shall be unlawful for any person suffering from any communicable or contagious disease to go, be or remain within or upon the Watershed of Seattle, or any part thereof, and it shall be the duty of the Director of Health to determine whether or not persons employed within or upon said watershed are affected by any disease, the germs of which may be water borne, and it shall be unlawful for any person so determined by the Director of Health to be affected by disease, the germs of which may be water borne, to go, be or remain within or upon said watershed. (Ord. 37296 § 7; April 25, 1917).

**23.12.080 Rules and regulations—Promulgation, posting and revocation—Prosecution for violations.** It shall be the duty of the Director of Health to prescribe general and reasonable regulations of health and sanitation for all persons entering, being, residing or employed within or upon the Watershed of Seattle, or any part thereof, and it shall be unlawful for any person to fail, neglect or refuse to conform to said regulations. Said regulations shall be known and referred to as "Watershed Regulations of Seattle."

Whenever the Director of Health shall prescribe any such regulations, he shall cause the same (together with all effective, subsisting and unrevoked regulations) to be published by posting four copies of the same at four conspicuous places within said watershed, and one copy upon the walls of the office of the Director of Health; and shall file the original thereof with the City Clerk with the date of publication noted thereon. The revocation of any such regulation by the Director of Health shall be effected by republishing and re-filing all effective and subsisting regulations and omitting the regulation intended to be revoked. All such regulations and revocations thereof shall be effective from the date of filing with the City Clerk.

A copy of said regulations certified by the City Clerk to be a correct copy of the last Watershed Regulations of Seattle filed in his office by the Director of Health, shall be prima facie evidence of the existence of such regulations, that the same were regularly prescribed, published and filed, and that the same are still in full force and effect.

WATERSHED RICHMOND BEACH    23.12.090—23.12.110  
WATER DISTRICT

In any prosecution for violation of or failure, neglect or refusal to conform to or comply with any such regulation it shall be sufficient to plead the same by describing the act or omission constituting the offense charged in plain and concise language, with the statement that the same is in violation of the watershed regulations of Seattle, and by setting forth the date of filing of such regulations together with the number of this chapter, its title, and the date of its passage and approval. (Ord. 37296 § 8; April 25, 1917).

**23.12.090 Prior rights saved.** This chapter shall not terminate any rights heretofore granted by any ordinance, or any lawful agreement entered into pursuant thereto by virtue of which certain privileges and easements were granted within, upon and across said watershed; provided, however, that any and all said privileges and easements shall be enjoyed, exercised and used subject to the terms and conditions hereof in addition to the restrictions and regulations originally imposed thereon by such prior ordinance or agreement. (Ord. 37296 § 9; April 25, 1917).

**23.12.100 Nuisance declared—Abatement.** Any building, structure, occupation, business or condition whatsoever located, operated, maintained, conducted or being in the watershed of Seattle which has a tendency to pollute the waters therein or create a condition deleterious to the health of consumers of water coming therefrom, is declared to be a nuisance, and the director of health of the city is authorized to order the same abated and removed, and the failure of any person responsible for any such nuisance to abate or remove the same when so ordered by said director of health shall be a violation of this chapter and each day that any such nuisance is allowed to exist after abatement is so ordered by the director of health is declared to be a separate and distinct violation of this chapter. (Ord. 37296 § 10; April 25, 1917).

**23.12.110 Penalty for violations.** Any act done or committed in violation of any provision of this chapter or of any order or regulation lawfully made in pursuance thereof shall be deemed an offense against the purity of the water supply of the city of Seattle, and every person violating any of the terms or conditions of this chapter, or who violates or fails, neglects or refuses to comply with any regulation prescribed or order made by the director of health as in this chapter provided, is guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding three hundred dollars, or be imprisoned in the city jail for a term not exceeding ninety days, or be punished by both such fine and imprisonment. (Ord. 45820 § 1; Oct. 3, 1923; Ord. 37296 § 11; April 25, 1917).

**Chapter 23.16**

**RICHMOND BEACH WATER DISTRICT**

**Sections:**

23.16.010 Surcharges—Area designated.

**23.16.010 WATER**

**23.16.010 Surcharges—Area designated.** In connection with the acquisition and improvement by the city of the properties and assets of the Richmond Beach Water Company in the Richmond Beach area as generally contemplated in C.F. 267198 and in order to pay for the cost of such acquisition and for the cost of improvements, the following schedule of surcharges:

METER SIZE	MONTHLY SURCHARGE
3/4 inch	\$ 3.50
1 inch	3.50
1 1/2 inch	8.00
2 inch	14.00
3 inch	31.50
4 inch	56.00
6 inch	126.00

in addition to the rates and charges otherwise applicable to all customers in the following described area:

Those portions of Sections 1 and 2, Township 26 North, Range 3 East, W. M., described as follows:

Beginning at the intersection of the centerline of N.W. 205th St., being the north line of Sec. 2, T 26 N, R 3 E, W. M., and the west margin of 15th Ave., N.W., thence south along said west margin to the north line of the NE 1/4 of the SE 1/4 of said Sec. 2; thence east along said north line and continuing east along the north line of the NW 1/4 of the SW 1/4 of Sec. 1, T 26 N, R 3 E, W. M. to the northeast corner of said NW 1/4 of the SW 1/4; thence south along the east line of said NW 1/4 of the SW 1/4 to the southeast corner of said NW 1/4 of the SW 1/4; thence west along the south line of said NW 1/4 of the SW 1/4 and continuing west along the south line of the north 1/2 of the south 1/2 of Sec. 2, T 26 N, R 3 E, W. M., to the east shore of Puget Sound; thence northerly along said east shore to the north line of said Sec. 2; thence east along said north line to the west margin of 15th Ave. N.W., and the point of beginning.

The W 1/2 of the NW 1/4 of the NW 1/4, Section 1, Twp. 26N., R. 3E., W. M., EXCEPT the plat of Michele Park No. 2 (Vol. 78 of Plats, P. 38) and EXCEPT any portion of the plats of Michele Park No. 3 (Vol. 79 of Plats, P. 52) and of Crestmont North (Vol. 84 of Plats, P. 90) lying within said W 1/2.

The SW 1/4 of the NW 1/4, Section 1, Twp. 26N., R.3E, W.M. EXCEPT the east 350 ft. thereof, and EXCEPT any portions of the plats of Crestmont North (Vol. 84 of Plats, P. 90) and of Olympic North (Vol. 93 of Plats, P. 75) lying within said SW 1/4.

is imposed as of the effective date of the acquisition of the properties and assets of the Richmond Beach water company by the city, but not later

than September 15, 1970, and such surcharges shall continue in effect for as long as necessary to reimburse the water department for the cost of such acquisition and for the cost of improvements as contemplated in said C.F.; provided, that in computing the meter size in connection with the imposition of any such surcharge, any additional sizing required for purposes of fire protection shall be disregarded, and that any such surcharge shall not apply to services used solely for fire protection purposes. (Ord. 99127 § 1 as amended by Ord. 100413 and Ord. 101620 § 1; November 27, 1972).

