

ORDINANCE No. 114298

COUNCIL BILL No. 107070

ORDINANCE

AN ORDINANCE relating to side sewers; amending Seattle Municipal Code Sections 21.16.020, .030, .040, .050, .060, .065, .070, .080, .090, .100, .110, .120, .130, .140, .150, .160, .170, .180, .190, .200, .210, .220, .230, .240, .250, .260, .270, .300, .310, .320, .330, .340, .350, .360, and .370 and adding a new section 21.16.390 to establish and clarify requirements for sewage and drainage from public and private premises and the collection and disposal thereof, regulating the construction, alteration, repair and connection of side sewers, registering side sewer contractors, and regulating the discharge of wastes in public sewers, and prescribing fees therefor.

Law Department

The City of Seattle--Legislative

REPORT OF COMMITTEE

Honorable President:

Your Committee on Environmental Mgt.

to which was referred the within Council Bill No. 107070
report that we have considered the same and respectfully recommend th

DO PASS AS AME

COMPTROLLER FILE No.

Introduced: <u>DEC 12 1988</u>	By: <u>Benson</u>
Referred: <u>DEC 12 1988</u>	To: <u>Environmental Management</u>
Referred:	To:
Referred:	To:
Reported: <u>DEC 19 1988</u>	Second Reading: <u>DEC 19 1988</u>
Third Reading: <u>DEC 19 1988</u>	Signed: <u>DEC 19 1988</u>
Presented to Mayor: <u>DEC 20 1988</u>	Approved: <u>DEC 23 1988</u>
Returned to City Clerk: <u>DEC 23 1988</u>	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

OK

[Signature]
Committee Chair

Legislative
COMMITTEE

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recommend th
s AMEN

Chair

Law Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

Honorable President:

Your Committee on Environmental MAT

to which was referred the within Council Bill No. 107070

report that we have considered the same and respectfully recommend that the same:

DO PASS AS AMENDED

segment

Committee Chair

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C.B.107070

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ORDINANCE 114298

AN ORDINANCE relating to side sewers; amending Seattle Municipal Code Sections 21.16.020, .030, .040, .050, .050, .065, .070, .080, .090, .100, .110, .120, .130, .140, .150, .160, .170, .180, .190, .200, .210, .220, .230, .240, .250, .260, .270, .300, .310, .320, .330, .340, .350, .360, and .370 and adding a new section 21.16.390 to establish and clarify requirements for sewage and drainage from public and private premises and the collection and disposal thereof, regulating the construction, alteration, repair and connection of side sewers, registering side sewer contractors, and regulating the discharge of wastes in public sewers, and prescribing fees therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 21.16.020 of the Seattle Municipal Code (Section 40 of Ordinance 97016) is amended to read as follows:

21.16.020 Chapter provisions as minimum standards.

The requirements of this chapter are declared to be minimum standards and shall not be construed to prevent the enforcement of more stringent standards imposed by other ordinances, or by or under the authority of state law. Unless specifically stated to the contrary, all provisions herein apply to both service drains and to side sewers located within The City of Seattle's sewer service area.

Section 2. Section 21.16.030 of the Seattle Municipal Code (Section 2 of Ordinance 97016 as last amended by Ordinance 111650) is further amended to read as follows:

21.16.030 Definitions.

Words and phrases used in this chapter, unless the same shall be contrary to or inconsistent with the context, shall mean as follows:

1. "Board of Public Works" means that board defined

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1 in Chapter 3.44 of the Seattle Municipal Code.

2 2. "City" means The City of Seattle.

3 ((1-)) 3. "Comprehensive plans" means plans which are
4 large in scope and intended to provide for the ultimate
5 development of the drainage basins served by the sewers and
6 drains, as determined by the Director of Engineering at the
7 time the plan was proposed.

8 ((2-)) 4. "Cover" means the depth of material between
9 the top of the side sewer ((pipe)) or service drain pipe and
10 the finished grade immediately above it.

11 ((3-)) 5. "Director of Health" means the Director of
12 Public Health or ((his employees-)) employees of the Seattle-
13 King County Department of Public Health.

14 ((4-)) 6. "Director of Engineering" ((includes)) means
15 the Director of Engineering or employees of the City of
16 Seattle ((Department of)) Engineering Department.

17 ((5-)) 7. "Downspout" means a pipe which conducts water
18 from a roof of a building.

19 ((6-)) 8. "Footing drain" means an open joint or per-
20 forated pipe located near the foundation of a building, in-
21 tended to intercept and carry ((underground storm or drainage
22 water)) groundwater.

23 ((7-)) 9. "Garbage" means putrescible waste from the
24 preparation, cooking and dispensing of food, and from the
25 handling, storage and sale of produce.

26 ((8-)) 10. "Garbage, properly shredded" means garbage that
27 has been shredded to such a degree that it will be carried or
28 suspended freely under the flow conditions normally prevailing

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1 in public sewers, with no particle larger than three-eights
2 inch (3/8") in any dimension.

3 ((9-)) 11. "Industrial waste" means a liquid, solid or
4 gaseous substance, or combination thereof, resulting from
5 any process of industry, manufacturing, food processing,
6 business, trade or research, including the
7 development, recovering or processing of natural resources and
8 including garbage, but distinguished from sanitary sewage or
9 storm drainage.

10 ((10. — "Registered side sewer contractor" means a person
11 registered with the City Director of Engineering to do work
12 incidental to the construction or repair of side sewers.))

13 12. "Main sewer" means a pipe which is part of
14 the public sewer system and to which a side sewer is
15 connected.

16 ((11-)) 13. "Metro" means the Municipality of Metro-
17 politan Seattle.

18 ((12-)) 14. "Natural outlet" means a watercourse, pond,
19 lake, sound, stream, river, ditch, or other body of surface
20 water.

21 15. "Owner or Occupant" means the owner of real
22 property or the agent or lessee of the owner.

23 ((13-)) 16. "Permit card" means a card issued in con-
24 junction with a permit ((,)) (or a carbon copy of the permit)
25 which shall be posted on the premises of the work being
26 accomplished.

27 ((14-)) 17. "Person" means any individual, company,
28 partnership, corporation, association, society or group and

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1 the singular term shall include the plural.

2 ((15-)) 18. "pH" means ~~((the logarithm of the reciprocal~~
3 ~~of the weight of hydrogen ions in grams per liter of~~
4 ~~solution))~~ a numerical indicator of the degree of acidity or
5 alkalinity of a substance.

6 ((16. "Planting strip, inside" means that portion
7 of the street area lying between a public sidewalk
8 location and the property line or street margin.

9 17. "Planting strip, outside" means that portion of the
10 street area lying between the public
11 sidewalk location and the curb location.-))

12 ((18-)) 19. "Plumbing outlet, sanitary" means a plumbing
13 outlet from a ~~((stationary or floating))~~ building or structure
14 which carries the ~~((waste water))~~ wastewater from sanitary
15 facilities and plumbing fixtures, and which is not primarily
16 designed to carry storm water or unpolluted water ~~((defined~~
17 ~~as "building drain" in the City Plumbing Code)).~~

18 ((19-)) 20. "Plumbing outlet, storm" means a plumbing
19 outlet from a building or structure which carries ~~((surface))~~
20 storm water or unpolluted water.

21 ((20-)) 21. "Pretreatment" means the treatment of
22 effluent from a sanitary plumbing outlet or of industrial
23 waste prior to its introduction into ~~((a combined sewer storm~~
24 ~~drain, sanitary sewer, or natural outlet))~~ the public sewer
25 system to the extent required by the Director of Engineering.

26 ((21-)) 22. "Public place", "public area" or "street
27 area" means ~~((any space dedicated to or acquired by the City~~
28 ~~for the use of the general public))~~ and includes streets,

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1 avenues, ways, boulevards, drives, places, alleys, sidewalks,
2 and planting strips, squares, triangles and rights-of-way
3 dedicated for the use of the public, and the space above or
4 beneath the surface of the same.

5 23. "Registered side sewer contractor" means a
6 person approved and registered by the Director of
7 Engineering to construct or repair side sewers.

8 ~~((22-))~~ 24. "Public sewer system" means the sewer or
9 storm drainage facilities owned and maintained by the City,
10 ~~((Lake City Sewer District,))~~ Rainier Vista Sewer District,
11 Southwest Suburban Sewer District or Metro, or any sewage
12 facilities acquired, ~~((or))~~ constructed or maintained by such
13 agencies.

14 25. "Service drain" means a privately owned and
15 maintained drainage system which carries only storm water
16 runoff, surface water, foundation drainage and/or other
17 unpolluted waters and which discharges at an approved outlet
18 as defined by the Director of Engineering. Service drains
19 include, but are not limited to, conveyance pipes, catch basin
20 connections, downspout connections, detention pipes, and
21 subsurface drainage connections to an approved outlet.
22 Service drains do not include groundwater collection systems
23 upstream from the point of connection to a service drain.

24 ~~((23-))~~ 26. "Sewage" means waste discharged from sanitary
25 plumbing outlets of buildings ~~((and other polluted water)).~~

26 ~~((24-))~~ 27. "Sewage treatment plant" means an arrangement
27 of devices, structures and equipment for treating ~~((waste~~
28 ~~water))~~ wastewater.

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1 ((25-)) 28. "Sewer, combined" means a ((sewer)) publicly
2 owned and maintained sewerage system which carries surface
3 runoff water, polluted water, unpolluted water, industrial
4 waste, effluent from storm plumbing outlets, ((effluent from
5 sanitary plumbing outlets)) sewage, and water from foundation
6 drains.

7 ((26-)) 29. "Sewer, sanitary" means a ((sewer)) publicly
8 owned and maintained sewage system which carries ((waste
9 water)) wastewater, and ((does not intentionally)) is not
10 designed to carry storm water or unpolluted water.

11 ((27-)) 30. "Side sewer" means a ((storm or sanitary
12 sewer pipe)) privately owned and maintained pipe system which
13 is designed to carry sewage and/or storm water runoff, surface
14 water, foundation drainage, and other unpolluted water leading
15 from a plumbing outlet, drain or other facilities to the
16 public sewer system or approved outlet.

17 ((28-)) 31. "Sidewalk" means the walkway in a public area
18 lying ((parallel to or)) generally parallel to the roadway.
19 ((If the walkway is not yet paved, then all measurements shall
20 be based upon a location and elevation determined by the
21 Director of Engineering.))

22 32. "Standard Plans and Specifications" means
23 the standard plans and specifications adopted by the Board of
24 Public Works and in effect on the date of issuance of the
25 permit.

26 ((29-)) 33. "Storm drain" means a ((public or private
27 drain)) publicly owned and maintained drainage system which
28 carries storm water runoff, ((and)) surface ((waters)) water,

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~~((ex))~~ foundation drainage, ~~((effluent from storm plumbing outlets,))~~ and other unpolluted water.

~~((30-))~~ 34. "Suspended solids" means solids that either float on the surface of or are in suspension in water, sewage, or other liquids, and which are removable by filtering the liquid, and includes matter which, upon dilution with water or sewage, results in the formation of suspended solids.

~~((31-))~~ 35. "Unpolluted water" means water in its natural state, or water which, after use for any purpose, is not substantially changed as to chemical or biochemical qualities. The Director of Health or the Director of Engineering ~~((may))~~ has the authority to determine which waters are unpolluted ~~((water))~~ waters.

36. "Use" means and includes use or occupancy of a public place pursuant to Chapter 15.02 of the Seattle Municipal Code for the purpose of doing work, disturbing the surface, or erecting any structure under, along or over the public place.

~~((32-))~~ 37. ~~((("Waste water")))~~ "Wastewater" is a comprehensive term including industrial waste, ~~((storm drainage and))~~ sewage, and other polluted waters as determined by the Director of Health or Director of Engineering.

~~((33-))~~ 38. "Watercourse" means a channel in which a natural flow of storm water and/or groundwater occurs ~~((ex has occurred))~~ either continuously or intermittently.

Section 3. Section 21.16.040 of the Seattle Municipal Code (Section 3 of Ordinance 97016 as last amended by Ordinance 111442) is further amended to read as follows:

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1 21.16.040 Connection ~~((with sanitary sewer, combined~~
2 ~~sewer or storm drain - When required))~~ or abandonment of side
3 sewers.

4 A. Wastewater side sewer connections: The owner or
5 occupant of any lands, premises or habitable structures shall
6 connect ~~((such lands and))~~ all buildings, habitable
7 structures, ~~((ditches, watercourses and))~~ sanitary plumbing
8 outlets, and other sources of polluted water located
9 thereon, unless exempt under subsection C of this section,
10 with the nearest accessible sanitary sewer ~~((r))~~ or combined
11 sewer ~~((system or storm drain))~~, whenever such ~~((a))~~ sewer
12 ~~((or drain))~~ is located within three hundred feet (300') of
13 the closest point of the building ~~((site or premises to be~~
14 ~~served, as measured along any public place or any easement~~
15 ~~granted for sewer purposes))~~, habitable structure, sanitary
16 plumbing outlet, or source of polluted water. The Director
17 of Engineering shall determine ~~((when the))~~ whether a sanitary
18 sewer ~~((r))~~ or combined sewer ~~((or storm drain))~~ is accessible
19 and whether the connection shall be made by a side sewer or
20 by an extension of the public sewer system. ~~((This~~
21 ~~requirement shall be based upon the following conditions:~~

22 1. ~~Sanitary plumbing outlets must be connected to~~
23 ~~combined or sanitary sewers.~~

24 2. ~~Residences, multiple residences, churches, schools,~~
25 ~~hotels, motels, industrial and commercial build-~~
26 ~~ings, planned developments, hospitals and all similar~~
27 ~~installations and appurtenances thereto: Storm plumbing~~
28 ~~outlets, downspouts, parking lot drainage, footing drains,~~

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1 ~~and unpolluted water must be connected to any storm drain~~
2 ~~existing on the same side of the centerline of the abutting~~
3 ~~street and within sixty feet (60') of a side property line.~~
4 ~~In the event a natural outlet is available abutting the~~
5 ~~property, it may be used for storm water disposal. In the~~
6 ~~event neither of the two (2) above outlets are available,~~
7 ~~storm water may be disposed of in dry wells or by draining~~
8 ~~the water to the street gutter, but storm water shall not be~~
9 ~~directed over the surface of a public sidewalk or walkway.~~

10 ~~3. Residences, multiple residences, churches, schools,~~
11 ~~hotels, motels, industrial and commercial buildings, planned~~
12 ~~developments, hospitals and all similar installations or~~
13 ~~appurtenances thereto which are being connected to a combined~~
14 ~~sewer when there is no accessible storm drain: Downspouts,~~
15 ~~storm plumbing outlets, parking lot drainage, unpolluted water~~
16 ~~and footing drains must be carried in a side sewer pipe~~
17 ~~separate from the sanitary side sewer pipe to the property~~
18 ~~line, as designated by the Director of Engineering, and shall~~
19 ~~be joined with the sanitary side sewer at that point and then~~
20 ~~connected to the combined sewer, provided, that the Director~~
21 ~~of Engineering may permit or require storm drainage to~~
22 ~~discharge upon the surface of a public place or into a natural~~
23 ~~outlet or dry wells, even though a combined sewer is~~
24 ~~accessible, when it is planned to provide a storm relief sewer~~
25 ~~in the vicinity of the combined sewer. The storm side sewer~~
26 ~~pipe shall be laid as shallow as possible with no more than~~
27 ~~four-foot (4') depth beneath the curb elevation, whenever~~
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1 possible. ~~Footings drains are designated as storm water drains~~
2 ~~and shall not be connected to a sanitary sewer.))~~

3 B. Service drain connections: ~~((The Director of~~
4 ~~Engineering may prescribe the manner in which connections~~
5 ~~shall be made, and requires plans to be submitted for his~~
6 ~~approval prior to the issuance of a permit or the installation~~
7 ~~of any pipe.))~~ Connections of service drains to combined
8 sewers or storm drains shall be as specified in
9 Chapter 22.800 and 22.802 of the Seattle Municipal Code.

10 C. Exemptions from connection: The Director of
11 Engineering may exempt any otherwise accessible developed
12 property from connecting to the public sewer system provided
13 that the following conditions are met:

- 14 1. ~~((The property was not included in a Local~~
15 ~~Improvement District formed for the purpose of~~
16 ~~constructing a sanitary sewer; and))~~ The owner or
17 occupant has agreed to pay to the City a charge in
18 an amount equal to the charge that would be made
19 for sewer service if the property were connected
20 to the sewer system, which amount shall be paid
21 and collected at the times and in the manner pro-
22 vided by ordinance for the payment and collection
23 of sewer service charges; and
- 24 2. ~~((If the property is within two hundred feet~~
25 ~~(200') of a sanitary sewer, the State))~~ The
26 Director of Health has waived the ~~((ordinary))~~
27 requirement as provided in ~~((WAC 248-96))~~ Subsection
28 A herein that properties within ~~((two))~~ three

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1 hundred feet (~~((200'))~~) (300') of a sanitary
2 sewer or combined sewer must connect to that
3 (~~(sanitary)~~) sewer (~~((within two (2) years))~~); and
4 3. The property has a currently functioning
5 on-site sewage disposal system as determined by
6 the (~~((Seattle King County Health Department))~~)
7 Director of Health. The exemption will remain in
8 effect until the on-site sewer system fails, or
9 the property is sold or otherwise transferred, or
10 the owner or occupant fails to timely pay the
11 charges referred to in Paragraph 1 of this
12 subsection, whichever ((comes)) occurs first, at
13 which time ((-)) the property shall be connected
14 to the (~~((City's))~~) public sewer system as required
15 in Subsection A herein.

16 D. Abandonment of side sewers: Whenever a side sewer
17 is abandoned, the owner or occupant shall cap the side sewer.

18 Section 4. Section 21.16.050 of the Seattle
19 Municipal Code (Section 4 of Ordinance 97016 as last amended
20 by Ordinance 106158) is further amended to read as follows:

21 21.16.050 Connection--Notice to owner or occupant.

22 A. Whenever any land, buildings, or premises are required
23 to be connected with the public sewer system as provided in
24 Section 21.16.040, the Director of Health, upon notice from
25 the (~~((City Engineer))~~) Director of Engineering that a
26 connection is accessible, shall serve upon the owner ((-
27 agent, lessee,)) or occupant of the lands, buildings, premises
28 or habitable structures, a notice in writing specifying the

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1 time within which such connection must be made, which time
2 shall not be more than sixty (60) days from the date of
3 delivery of such notice.

4 B. If such owner(~~(, agent, lessee)~~) or occupant shall
5 fail(~~(,)~~) or neglect to connect the land, buildings, premises
6 or habitable structures to the public sewer system within the
7 time specified, the Director of Health shall notify the
8 Director of Engineering, whereupon the Director of Engineering
9 may make such connection and the connection cost plus fifteen
10 percent (15%) thereof, for engineering design and administra-
11 tive costs, shall be charged to the owner(~~(, agent, lessee,~~)
12 or occupant, and a bill showing the amount thereof shall be
13 mailed or delivered to ((him)) the owner or occupant, or
14 posted upon the premises, whereupon the amount shall
15 immediately be paid to the City Treasurer (~~(; provided, that~~
16 ~~as an alternative to making such connection there is imposed~~
17 ~~a penalty in an amount equal to the charge that would be made~~
18 ~~for sewer service if the property was connected to such~~
19 ~~system, which amount shall be paid and collected at the times~~
20 ~~and in the manner provided by ordinance for the payment and~~
21 ~~collection of sewer service charges)). The amount of said~~
22 costs or any portion thereof which becomes delinquent shall
23 immediately become a lien upon the premises and such lien may
24 be foreclosed by the City as provided by state law.

25 Section 5. Section 21.16.060 of the Seattle Municipal
26 Code (Section 5 or Ordinance 97016 as last amended by Ordin-
27 ance 111650) is further amended to read as follows:

28 21.16.060 (~~(Work to be done by registered)~~) Registered

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1 side sewer contractor--Qualification--Insurance--Bond.

2 ((A. ~~It shall be unlawful for any one to construct,~~
3 ~~reconstruct or repair any side sewer in a public place unless~~
4 ~~he or she is a registered side sewer contractor or is an~~
5 ~~employee of the Director of Engineering performing assigned~~
6 ~~duties.~~

7 B. ~~To be registered as a side sewer contractor, an~~
8 ~~applicant shall appear before the Director of Engineering for~~
9 ~~an oral and/or written examination as to the applicant's~~
10 ~~knowledge of side sewer construction work and the ordinances~~
11 ~~of the City regarding side sewers, and pass the examination~~
12 ~~and file the insurance required by Subsection C, provided~~
13 ~~side sewer contractors licensed under Seattle Municipal Code~~
14 ~~Chapter 6.52 (Ordinance 48022, Sections 206 through 209) need~~
15 ~~not appear for a re-examination. The Director of~~
16 ~~Engineering shall decline to register any applicant whom he~~
17 ~~finds does not possess adequate experience or knowledge.~~
18 ~~Applicants for such examination by the Director of Engineer-~~
19 ~~ing shall pay to the City Treasurer the sum of Sixty Dollars~~
20 ~~(\$60.00) before taking the examination, and the~~
21 ~~receipt number shall be noted upon the examination and filed~~
22 ~~in the Director of Engineering's Office.)~~

23 A. To obtain registration from the City as a side
24 sewer contractor, an applicant must:

- 25 1. Pay to the City Treasurer an examination
26 fee of sixty dollars (\$60.00) for each
27 individual who takes the examination
28 required by this subsection;

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- 2. Successfully complete or employ an individual who has successfully completed an oral and written examination administered by the Director of Engineering;
- 3. Possess a current Washington State Contractor's license;
- 4. Possess a current City Business and Occupation license;
- 5. File with the Director of Engineering a certificate of insurance as prescribed by Subsection B; and
- 6. Post a bond as prescribed by Subsection C;

((C-)) B. Each registered side sewer contractor shall file with the Director of Engineering a Certificate of Insurance and maintain in full force and effect a ((certificate)) policy of insurance from an insurance company licensed to do business in the ((state)) State of Washington. The certificate shall state that the contractor carries ((public liability and property damage insurance in the sum of at least)) comprehensive general liability insurance with bodily injury limits of not less than Three Hundred Thousand Dollars (\$300,000.00) for any one (1) person killed or injured in any one (1) accident or occurrence, and ((Five Hundred Thousand Dollars (\$500,000.00)) One Million Dollars (\$1,000,000.00) for more than one (1) person killed or injured in any one (1) accident or occurrence and with property damage liability limits of at least One Hundred Thousand Dollars

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1 (\$100,000.00) for all damages arising out of injury to or
2 destruction of property. Such policy shall contain an
3 endorsement naming the City as an additional insured and
4 providing for not less than ten (10) days' notice to the City
5 of any change, cancellation or expiration of such policy. The
6 Director of Engineering shall, upon notice, cancel the
7 contractor's registration if such insurance shall cease to be
8 of full force and effect.

9 ((D-)) C. ((Every)) Each registered side sewer contractor
10 ((must file)) shall post with the City Comptroller and
11 maintain in full force and effect a bond in the sum of Fifteen
12 Thousand Dollars (\$15,000.00) conditioned that the applicant
13 ((will)) shall indemnify and save harmless the City from all
14 claims, actions, or damages of every kind of description which
15 may accrue to or be suffered by any person by reason of any
16 opening in any street, alley, avenue or other public place
17 made by ((him/her)) the contractor or those in ((his/her)) the
18 contractor's employ, in making any connection with any public
19 or private sewer, or for any other purpose or object whatever,
20 and that ((he/she will)) the contractor shall also replace and
21 restore such street, alley, avenue or other public place to
22 as good a state and condition as at the time of commencement
23 of said work, and maintain the same in good order, and that
24 ((he/she will)) the contractor shall comply with all of the
25 provisions of this subtitle and any other ordinance of the
26 City, relating to the business of side sewer ((contractor))
27 contracting. ((The provisions of this section shall not apply
28 to registered side sewer contractors who have on file with the

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1 ~~City Comptroller a bond filed in conformance with Section 11~~
2 ~~of Ordinance 90047, in an amount of Fifteen Thousand Dollars~~
3 ~~(\$15,000) or more.~~

4 ~~E. A registered side sewer contractor must secure~~
5 ~~his or her own permits, be responsible for all work~~
6 ~~accomplished under this permit, and connect all plumbing~~
7 ~~outlets or drainage facilities in a complete manner, as~~
8 ~~required by the Director of Engineering. A property owner or~~
9 ~~his employee may construct, reconstruct or repair a side sewer~~
10 ~~on private property.)~~

11 Section 6. Section 21.16.065 of the Seattle Municipal
12 Code (Section 7 of Ordinance 111650) is amended to read as
13 follows:

14 21.16.065 Cancellation, suspension, or denial of
15 registration.

16 A. ((Upon notice, and after a hearing is requested,))
17 In addition to other penalties provided by law, the Director
18 of Engineering may cancel or suspend the registration of a
19 registered side sewer contractor, or may deny an application
20 for registration, for any of the following causes:

21 1. Failure to successfully complete the
22 examination or to employ an individual who has successfully
23 completed the examination required by Section 21.16.060;

24 ((A-)) 2. Failure to maintain the ((public)) compre-
25 hensive general liability insurance or bond required by
26 Section 21.16.060 ((c));

27 ((B-)) 3. Failure ((to observe)) to comply with this
28

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1 Title of the Seattle Municipal Code or the rules and
2 regulations issued by the Director of Engineering governing
3 the construction and laying of side sewers;

4 ~~((C-))~~ 4. Fraud or misrepresentation in registering as
5 a side sewer contractor;

6 ~~((D-))~~ 5. Failure to pay for labor or material used in
7 the construction of a side sewer;

8 ~~((E-))~~ 6. Fraud or misrepresentation to the owner (~~(T~~
9 ~~agent~~)) or occupant of a building for the purpose of
10 obtaining a contract for the construction of a side sewer;

11 ~~((F-))~~ 7. Nonpayment for work performed by the City for
12 which the side sewer contractor is liable;~~((and))~~ or

13 ~~((G-))~~ 8. Construction or other performance showing
14 dissatisfactory work by the side sewer contractor.

15 B. Upon information and belief that a registered side
16 sewer contractor's registration should be suspended or
17 cancelled, or an application for registration denied, for any
18 of the causes enumerated in Subsection A of this
19 section, the Director of Engineering shall send notice by
20 certified mail to the contractor that the contractor's
21 registration as a side sewer contractor may be suspended or
22 cancelled or an application for registration may be denied in
23 not less than ten (10) days from the date of the notice. The
24 notice shall contain a statement of the basis for the
25 suspension or cancellation, or for denial of application for
26 registration.

27 C. If the contractor wishes to appeal the action, the
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1 contractor must file with the Director of Engineering a
2 request for a hearing before the Hearing Examiner within ten
3 (10) days of the date of service or mailing of such notice.
4 The contractor shall submit the Hearing Examiner's filing fee
5 with such request.

6 D. If a timely request for a hearing is filed by the
7 contractor or applicant, a hearing shall be scheduled before
8 the Hearing Examiner and shall be conducted by the Hearing
9 Examiner according to his/her rules for contested cases.

10 E. When a hearing has been requested by a contractor in
11 connection with a suspension or cancellation of the
12 contractor's registration, the registration shall remain in
13 effect pending the determination made as a result of such
14 hearing; provided, that in cases involving a substantial
15 threat to the public health, safety, or welfare, the
16 registration may be summarily suspended.

17 F. If a timely appeal is not filed by the contractor or
18 applicant, the order of the Director of Engineering denying,
19 suspending or revoking the registration shall be final;
20 provided, that the Hearing Examiner may waive the ten (10)
21 day requirement upon satisfaction that failure to
22 receive notice of the order was beyond the control of the
23 person requesting the hearing.

24
25 G. The Director of Engineering's decisions shall be
26 reversed only if the Hearing Examiner finds that the decision
27 was arbitrary and capricious.
28

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1 H. The record shall be established at the hearing before
2 the Hearing Examiner. The Hearing Examiner shall either close
3 the record after the hearing or leave it open to a specified
4 date for additional testimony, written argument or exhibits.

5 I. The Hearing Examiner shall issue a written decision
6 within fifteen (15) days after closing the record. The
7 Hearing Examiner may affirm, reverse, remand or modify the
8 Director of Engineering's decision. Written findings and
9 conclusions supporting the Hearing Examiner's decision shall
10 be made. The Director of Engineering and all parties of
11 record shall be bound by the terms and conditions of the
12 Hearing Examiner's decision.

13 J. The Hearing Examiner's decision shall be mailed by
14 the Hearing Examiner on the day the decision is issued to the
15 parties of record and to all those requesting notice.

16 K. The Hearing Examiner's decision shall be final and
17 conclusive unless the Hearing Examiner's decision specifically
18 states that the Hearing Examiner retains jurisdiction.

19 L. Within fifteen (15) calendar days from the date of
20 issuance of the Hearing Examiner's decision a party of record
21 may appeal the decision to the King County Superior
22 Court through application for a writ of review.

23 M. Whenever a registration is denied, no reapplication
24 for registration will be considered by the Director of
25 Engineering until correction of the disability on which the
26 denial was based.

27 N. Whenever a registration is revoked, no new applica-
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1 tion for registration that has been revoked will be considered
2 by the Director of Engineering for a period of one (1) year,
3 commencing on the date the order to revoke becomes final.

4 O. The period of suspension shall be a period as stated
5 in the order to suspend, and may be for any period up to one
6 (1) year, commencing on the date the order to suspend becomes
7 final.

8 Section 7. Section 21.16.070 of the Seattle Municipal
9 Code (Section 6 of Ordinance 97016 as last amended by
10 Ordinance 111650) is further amended to read as follows:

11 21.16.070 Permit Required.

12 ~~((It is unlawful to make any connection to any public or~~
13 ~~private sewer system, drain or natural outlet without~~
14 ~~complying with all of the provisions of this chapter and other~~
15 ~~ordinances in relation thereto, and without having a permit~~
16 ~~to do so from the Director of Engineering. It is unlawful to~~
17 ~~break, alter or tamper with any public sewer system or its~~
18 ~~appurtenances except to make a connection to an existing wye~~
19 ~~or tee under permit from the Director of Engineering.))~~

20 A. A permit is required for any work on a side sewer
21 including, but not limited to, construction, alteration,
22 repair, removal, and capping.

23 B. When an existing structure is removed from a site and
24 a new structure is constructed, a side sewer permit is
25 required to connect the new structure to the public sewer
26 system or approved outlet.

27 C. Unless an emergency exists as determined by the
28 Director of Engineering, a permit must be issued by the

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1 Director of Engineering before any work may be started on a
2 side sewer located within the City's sewer service area,
3 either on private property or within a public place.

4 D. No permit shall be altered and no work shall be
5 performed on a side sewer other than that provided for in the
6 permit. If additional work is necessary, the Director of
7 Engineering may require an additional permit and/or fees.

8 Section 8. Section 21.16.080 of the Seattle Municipal
9 Code (Section 7 of Ordinance 97016) is amended to read as
10 follows:

11 21.16.080 Permit--Application--Director of Engineering's
12 Authority.

13 A. For work in a public place, a permit shall only
14 be issued to an individual who has successfully completed the
15 examination prescribed in Section 21.16.060 of the Seattle
16 Municipal Code and who is a duly authorized representative of
17 a registered side sewer contractor.

18 B. For work in other than a public place, a permit
19 may be issued to the owner or occupant of the property or
20 agent thereof.

21 C. Whenever a registered side sewer contractor
22 applies for a permit, a permit shall be issued only to an
23 individual who has successfully completed the examination
24 prescribed in Section 21.16.060 of the Seattle Municipal Code
25 and who is a duly authorized representative of the contractor.

26 ((A-)) D. Application for the permit required by this
27 chapter shall be filed with the Director of Engineering
28 ((stating)) with the following:

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- ~~(1. Name of the property owner;~~
- ~~2. Address of the property to be served;~~
- ~~3. Property owner's mailing address;~~
- ~~4. Side sewer contractor's name;~~
- ~~5. Legal description of the property to be served;~~
- ~~6. Dimensions of the building to be served,~~
- ~~including insets or ell;~~
- ~~7. Location of buildings on the property;~~
- ~~8. Purpose for which the building is to be used;~~
- ~~9. Full course of the proposed side sewer.))~~

- 1. The name, address, and telephone number of the applicant;
- 2. Name, mailing address, and telephone number of the property owner;
- 3. Legal description and address of property to be served;
- 4. A scale drawing showing the location of all structures on the property, dimensions of the structures, and the location of all existing and proposed side sewers;
- 5. Purposes for which all structures are to be used;
- 6. Proof that all necessary permits have been obtained in conjunction with or prior to issuance of the side sewer permit;
- 7. Proof that all necessary easements, releases, and/or permissions to connect have been obtained and recorded with the King County Department of Records and Elections;
- 8. Proof of payment of all permit fees and other charges required by Chapter 21.24 of the Seattle Municipal

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~~((B-))~~ E. The Director of Engineering may change or modify the application and designate the manner and place where the side sewer shall connect to the public sewer system, may specify the material, size and grade of the side sewer, and determine whether or not a permit shall be granted. The Director of Engineering may require the applicant to furnish plans prepared and stamped by a professional engineer, licensed in the ~~((state))~~ State of Washington. The Director of Engineering shall keep such records as he/she deems necessary of all side sewer permits and inspection reports.

F. Notwithstanding any other provisions of this chapter, the Director of Engineering may refuse, until the condition is corrected, to issue a permit to a registered side sewer contractor for any of the following conditions:

- 1. Failure to pay within sixty (60) days any bill for work performed by the City and for which the contractor is liable;
- 2. Failure to maintain the comprehensive general liability insurance or the bond required by Section 21.16.060 of the Seattle Municipal Code; or
- 3. Failure to comply with a notice posted pursuant to Section 21.16.360 of the Seattle Municipal Code.

Section 9. Section 21.16.090 of the Seattle Municipal Code (Section 8 or Ordinance 97016) is amended to read as follows:

21.16.090 ~~((Permit Alterations prohibited Posting))~~
Permits--Period of Validity--Restrictions--Posting.

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1 ~~((After approval of the application and issuance of the~~
2 ~~permit, it is unlawful to alter the permit or to do any work~~
3 ~~other than provided for in the permit. If the permittee~~
4 ~~wishes to perform additional work, the City Engineer may~~
5 ~~require that he secure an additional permit. One (1) copy of~~
6 ~~the permit, or an additional card bearing the permit number,~~
7 ~~according to directions of the City Engineer shall~~
8 ~~be posted upon the work site at a place readily and safely~~
9 ~~accessible to the City Engineer, and in a conspicuous place~~
10 ~~near the work being performed under the permit.))~~

11 A. Unless authorized by the Director of Engineering, no
12 permit shall be issued for side sewer connection before the
13 public or private main sewer system has met requirements
14 set by the Director of Engineering.

15 B. Side sewer permits are not transferable.

16 C. All side sewer permits shall expire ninety (90) days
17 after issuance unless extended by the Director of Engineering
18 prior to the date of expiration. Expired permits are not
19 subject to refunds pursuant to Section 21.24.090 of the
20 Seattle Municipal Code.

21 D. One copy of the permit shall be posted at the work
22 site in a conspicuous place which is readily and safely
23 accessible to the Director of Engineering.

24 Section 10. Section 21.16.100 of the Seattle Municipal
25 Code (Section 9 of Ordinance 97016) is amended to read as
26 follows:

27 21.16.100 Police officer's authority.

28 It shall be the duty of any police officer and of the

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1 Director of Health, finding any person breaking ground for
2 the purpose of making connection with a public or private
3 sewer system, to ascertain if such person has a permit
4 therefor and if not to immediately report the fact to the
5 ((City Engineer)) Director of Engineering.

6 Section 11. Section 21.16.110 of the Seattle Municipal
7 Code (Section 10 of Ordinance 97016) is amended to read as
8 follows:

9 21.16.110 Permit for temporary connection.

10 The Director of Engineering may, upon receiving an
11 application containing such information as is required by
12 ((him)) this Chapter, issue a permit for a temporary
13 connection to a combined sewer, sanitary sewer, side sewer,
14 storm drain or natural outlet, and may include as a condition
15 to the issuance of a permit a requirement to connect to
16 another combined sewer, sanitary sewer, side sewer, storm
17 drain or natural outlet at some later date. The permit may
18 be revoked by the Director of Engineering at any time upon
19 sixty (60) days' notice posted upon the premises and directed
20 to the owner or occupant of the premises; and in the event the
21 side sewer or drains are not disconnected or reconstructed as
22 required at the expiration of sixty (60) days the Director of
23 Engineering may disconnect the same and reconstruct it as ((he
24 deems)) necessary, and charge the cost plus fifteen percent
25 (15%) thereof, for engineering design and administration
26 costs, to the owner or occupant. Such ((cost plus fifteen
27 percent (15%)) charges shall be immediately payable to the
28 City Treasurer following a written notice of the amount

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1 thereof given to such owner or occupant or posted on the
2 premises. The amount of said costs or any portion thereof
3 which becomes delinquent shall immediately become a lien upon
4 the premises and such lien may be foreclosed by the City as
5 provided by state law. ((Such temporary permit shall be issued
6 only upon)) The Director of Engineering may require that the
7 applicant ((recording)) record with the ((County Auditor))
8 King County Department of Records and Elections an acceptable
9 instrument agreeing to reconstruct the side sewer if required
10 to do so, and to save the City harmless from all damage or
11 claims resulting to the City by reason of such temporary
12 connection or disconnection, and ((exhibiting)) exhibit to the
13 Director of Engineering the recording number of said
14 instrument.

15 Section 12. Section 21.16.120 of the Seattle Municipal
16 Code (Section 11 of Ordinance 97016) is deleted and the
17 Section reserved.

18 21.16.120 ((Permit--Period of validity)) Reserved.

19 ((A permit issued under this chapter shall not be valid
20 for a period of more than ninety (90) days unless extended or
21 renewed by the Director of Engineering prior to the date of
22 expiration.))

23 Section 13. Section 21.16.130 of the Seattle Municipal
24 Code (Section 12 of Ordinance 97016) is amended to read as
25 follows:

26 21.16.130 Permit Fees.

27 Fees for side sewer permits shall be as prescribed by
28 ((separate ordinance)) Chapter 21.24 of the Seattle Municipi-

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Section 14. Section 21.16.140 of the Seattle Municipal Code (Section 13 of Ordinance 97016 as last amended by Ordinance 111650) is further amended to read as follows:

21.16.140 Inspections.

A. Any person performing work pursuant to the provisions of this chapter shall notify the Director of Engineering when the work will be ready for inspection, and shall specify in such notification the location of the premises by address and the file number of the permit.

B. The Director of Engineering shall schedule inspection times. On any call for inspection, forty-eight (48) hours' notice plus Saturday, Sunday and holidays may be required by the Director of Engineering.

C. If the Director of Engineering finds the work performed or materials used not in accordance with this chapter and rules and regulations and/or the City "Standard Plans and Specifications" for side sewer construction, he/she shall notify the person doing the work and the owner or occupant of the premises by posting a notice on or near the permit card. Such posted notice shall be all the notice that is required to be given of the defects in the work or materials found in such inspection.

D. The inspection shall include a test in the presence of the Director of Engineering to determine that the side sewer is of tight construction and does not allow infiltration or exfiltration of water. Specifications for such a test shall be included in the rules and regulations referred to in

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1 Section 21.16.350 of the Seattle Municipal Code. ((If the
2 Director of Engineering finds that the work and materials used
3 are in accord with this chapter and the side sewer tests
4 satisfactory, he shall approve the same. Upon such approval
5 the trench or sewer within street area shall be filled or
6 covered in such a manner that no significant settlement shall
7 occur for a period of one (1) year. During said time the
8 filled trench or sewer may be inspected by the Director of
9 Engineering who may order its refilling if at any time he
10 finds that significant settlement has occurred, or that
11 because of defective workmanship or material used, the work
12 is otherwise unsatisfactory.))

13 E. If the permittee is a registered side sewer
14 contractor, either the contractor or a competent
15 representative shall be on the premises, whenever so directed
16 to meet the inspector. A property owner shall also meet the
17 inspector at a mutually convenient time during regular hours
18 of business when requested.

19 Section 15. Section 21.16.150 of the Seattle Municipal
20 Code (Section 14 of Ordinance 97016) is amended to read as
21 follows:

22 21.16.150 Trenches and excavations ((--Filling--
23 Barricades)).

24 A. Trenches and excavations shall be subject to the
25 requirements established in Chapter 4.40 of The City of
26 Seattle Board of Public Works Rules (Street and Sidewalk
27 Pavement Opening and Restoration Rules). No excavation shall
28 be made in any public area except at the times and in the

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manner prescribed by the Director of Engineering.

~~((A-))~~ B. No trench shall be filled nor any sewer or drain covered until the work shall have been inspected and approved by the ~~((City Engineer))~~ Director of Engineering, ~~((and his))~~ with said approval noted on the card posted on the job site.

~~((B-))~~ C. All trenches or excavations within four feet (4') of any public place and all obstructions or encroachments upon a public place shall be barricaded as required by the Street Use Ordinance ~~((Ordinance 90047, as amended))~~ (Title 15 of the Seattle Municipal Code). ~~((It shall be unlawful to fail to maintain the))~~ The lateral support of any public place shall be maintained while constructing, altering, or repairing any side sewer ~~((or storm drain))~~. All trenches or excavations within four feet (4') of any public place shall be safely covered during hours of inactivity of work on the side sewer ~~((or storm drain))~~.

~~((C. Barricades posted upon arterial streets or highways must conform to the standards established by the Washington State Highway Commission, Department of Highways, and/or such addenda to such standards as the City may establish.~~

~~D. All work performed under the authority of this chapter shall be accomplished within the minimum safety standards prescribed by the Washington State Department of Labor and Industries, Division of Safety. Evidence of failure to comply with the requirements of the Department of Labor and Industries shall be sufficient reason for the Director or the~~

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1 ~~City Engineer to order stoppage of work until the required~~
2 ~~safety precautions are established on the job.)~~

3 D. All work in public places shall conform to the
4 requirements of the current edition of the City of Seattle
5 Traffic Control Manual for In-Street Work.

6 Section 16. Section 21.16.160 of the Seattle Municipal
7 Code (Section 15 of Ordinance 97016) is amended to read as
8 follows:

9 21.16.160 Filling of excavations (~~by City~~).

10 A. For side sewers in King County, all excavations in any
11 public area by a registered side sewer contractor shall be
12 filled and/or covered in such a manner that no significant
13 settlement shall occur for a period of two (2) years.

14 B. Work within the limits of any public area shall be
15 prosecuted to completion with due diligence, and if any
16 excavation is left open, whether covered or uncovered, beyond
17 a time reasonably necessary to fill the same, the ((City
18 Engineer)) Director of Engineering may cause the same to be
19 backfilled and the public area restored forthwith.

20 Cost incurred by the ((City Engineer)) Director of Engineering
21 in such work plus fifteen percent (15%) for administrative
22 costs shall be charged to the side sewer contractor in charge
23 of such work and shall be immediately payable to the City
24 Treasurer by the contractor upon written notification of the
25 amount thereof given to the Contractor or posted ((at the
26 location)) on the premises.

27 Section 17. Section 21.16.170 of the Seattle Municipal
28 Code (Section 16 of Ordinance 97016) is amended to read as

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1 ~~City Engineer to order stoppage of work until the required~~
2 ~~safety precautions are established on the job.))~~

3 D. All work in public places shall conform to the
4 requirements of the current edition of the City of Seattle
5 Traffic Control Manual for In-Street Work.

6 Section 16. Section 21.16.160 of the Seattle Municipal
7 Code (Section 15 of Ordinance 97016) is amended to read as
8 follows:

9 21.16.160 Filling of excavations ((by City)).

10 A. All excavations in any public area by a registered
11 side sewer contractor shall be filled and/or covered in such
12 a manner that no significant settlement shall occur for a
13 period of two (2) years.

14 B. Work within the limits of any public area shall be
15 prosecuted to completion with due diligence, and if any
16 excavation is left open, whether covered or uncovered, beyond
17 a time reasonably necessary to fill the same, the ((City
18 Engineer)) Director of Engineering may cause the same to be
19 backfilled and the public area restored forthwith.

20 Cost incurred by the ((City Engineer)) Director of Engineering
21 in such work plus fifteen percent (15%) for administrative
22 costs shall be charged to the side sewer contractor in charge
23 of such work and shall be immediately payable to the City
24 Treasurer by the contractor upon written notification of the
25 amount thereof given to the Contractor or posted ((at the
26 location)) on the premises.

27 Section 17. Section 21.16.170 of the Seattle Municipal
28 Code (Section 16 of Ordinance 97016) is amended to read as

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follows:

21.16.170 Failure to complete work - Completion by City.

If any work performed on a side sewer is not completed in accordance with the provisions of this chapter and the plans and specifications as approved by the ~~((City Engineer))~~ Director of Engineering, and if the contractor or person doing the work shall refuse to properly construct and complete such work, notice of such failure or refusal shall be posted on the premises where the work is being done, and the ~~((City Engineer))~~ Director of Engineering may cause the work to be completed and the sewer connected in the proper manner, and the cost of such work and any materials necessary therefor plus fifteen percent (15%) for administrative costs shall be charged to the owner or contractor and be payable by the owner or contractor immediately upon the ~~((City Engineer))~~ Director of Engineering giving written notice of the amount thereof or posting a notice thereof on the premises. The amount of said costs or any portion thereof which becomes delinquent shall immediately become a lien upon the premises and such lien may be foreclosed by the City as provided by state law.

Section 18. Section 21.16.180 of the Seattle Municipal Code (Section 17 of Ordinance 97016) is amended to read as follows:

21.16.180 Repair of inoperative or inadequate sewer or drain.

Where it is determined by the ~~((Director or the City Engineer))~~ Director of Health or the Director of Engineering that a side sewer, drain, ditch, or natural watercourse is

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1 obstructed, broken, inoperative or inadequate and is a menace
2 to health, or is liable to cause damage to public or private
3 property, the Director of Health and/or the Director of
4 Engineering (~~shall~~) may give notice to the owner of the side
5 sewer and, if different than the owner of the side sewer, to
6 the owner ((,agent)) or occupant of the property in which such
7 condition exists. The owner or occupant shall correct such
8 condition within the time specified in the written notice.

9 If the owner (~~(,agent)~~) or occupant shall (~~refuse to~~
10 ~~reconstruct, re-lay, reconnect, repair or remove the~~
11 ~~obstruction of the side sewer, drain, ditch, or natural~~
12 ~~watercourse~~) fail to correct such condition within the time
13 specified in such notice, (~~the Director shall so notify the~~
14 ~~City Engineer, and~~) the (~~City Engineer~~) Director of
15 Engineering may perform such work as may be necessary to
16 comply with this chapter. The cost of such work done by the
17 (~~City Engineer~~) Director of Engineering, plus fifteen
18 percent (15%) for administrative costs, shall be charged to
19 the property owner or occupant and shall become immediately
20 payable to the City Treasurer upon written notice of such
21 amount being given to the property owner or occupant or
22 posted upon the premises. The amount of said costs or any
23 portion thereof which becomes delinquent shall immediately
24 become a lien upon the premises and such lien may be
25 foreclosed by the city as provided by state law.

26 Section 19. Section 21.16.190 of the Seattle Municipal
27 Code (Section 18 of Ordinance 97016) is amended to read as
28 follows:

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21.16.190 ~~((Costs to be borne by owner or occupant))~~

Ownership of side sewers.

~~((Costs and expense incidental to the installation, connection and maintenance of a side sewer shall be borne by the owner or occupant of the premises served by the side sewer.))~~ Side sewers, whether located in a public or private place, shall be owned, installed, operated, and maintained by the owner or occupant of the premises served.

Section 20. Section 21.16.200 of the Seattle Municipal Code (Section 19 of Ordinance 97016) is amended to read as follows:

21.16.200 Use of existing sewer for new building.

Where a new or converted building or new installation replaces an old one, the use of an existing side sewer will be permitted when approved by the ~~((City Engineer))~~ Director of Engineering as conforming to all requirements of this chapter.

Section 21. Section 21.16.210 of the Seattle Municipal Code (Section 20 of Ordinance 97016) is amended to read as follows:

21.16.210 Mechanical lifting or backwater sewage valves.

A. In any building, structure or premises in which the plumbing outlets or other drainage facilities are too low in elevation as determined by the ~~((City Engineer))~~ Director of Engineering to permit gravity flow to the public sewer system, ~~((waste water))~~ wastewater shall be lifted mechanically and discharged into the public sewer.

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1 B. Whenever a situation exists involving danger of
2 backups of sewage or drainage from the public sewer system,
3 the ((City Engineer)) Director of Engineering may prescribe
4 a minimum elevation at which the plumbing outlet or side
5 sewer may be discharged to the public sewer system. ((Waste
6 water)) Wastewater from drains or side sewers below
7 such minimum elevations shall be lifted mechanically to an
8 elevation determined by the ((City Engineer)) Director of
9 Engineering, or if approved by the ((City Engineer)) Director
10 of Engineering, a backwater sewage valve may be installed
11 provided the property owner shall record with the King County
12 ((Auditor)) Department of Records and Elections an instrument
13 as described in Section 21.16.260 of the Seattle Municipal
14 Code. The effective operation of the backwater sewage valve
15 shall be the responsibility of the owner of the ((sewer or
16 drain)) side sewer.

17 Section 22. Section 21.16.220 of the Seattle Municipal
18 Code (Section 21 of Ordinance 97016) is amended to read as
19 follows:

20 21.16.220 Drainage of hard-surfaced or graded areas.

21 Hard-surfaced or graded areas such as parking lots,
22 service station yards and storage yards shall be drained in
23 such manner as will protect adjacent public and private
24 property from damage and such drainage shall enter the public
25 sewer system or other outlet approved by the ((City Engineer))
26 Director of Engineering and as required by ((Sections
27 21.16.040)) Chapters 22.800 and 22.802 of the Seattle
28 Municipal Code. Such storm drainage shall not be connected

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1 to or enter a sanitary sewer.

2 Section 23. Section 21.16.230 of the Seattle Municipal Code
3 (Section 22 of Ordinance 97016) is deleted and the Section is
4 reserved.

5 21.16.230 (~~Grading and cover requirements~~) Reserved.

6 (~~Side sewers shall be laid on not less than two~~
7 ~~percent (2%), nor more than one hundred percent (100%) grade,~~
8 ~~shall~~
9 ~~be not less than thirty inches (30") from any foundation wall~~
10 ~~of any building, and if there be no foundation wall~~
11 ~~not less than thirty inches (30") from the outer lines of~~
12 ~~any footings, pilings or building supports. Side sewers shall~~
13 ~~not have less than sixty inches (60") of cover at the~~
14 ~~curbline, or in a public alley thirty inches (30") of cover~~
15 ~~at the property line, and eighteen inches (18") of cover on~~
16 ~~the private property. Side sewers laid generally parallel to~~
17 ~~the curb or curbline shall have not less than forty-eight~~
18 ~~inches (48") of cover between the curb or curbline and the~~
19 ~~sidewalk or sidewalk line nor less than thirty inches (30")~~
20 ~~of cover between the sidewalk or sidewalk line and the~~
21 ~~property line. All cover measurements shall be based on the~~
22 ~~established grade, or on existing improvements, or shall be~~
23 ~~determined by the City Engineer.))~~

24 Section 24. Section 21.16.240 of the Seattle Municipal
25 Code (Section 23 of Ordinance 97016) is deleted and the
26 Section is reserved.

27 21.16.240 (~~Pipe and connection requirements~~) Reserved.

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1 ~~((A. If a side sewer is to be constructed at more than~~
2 ~~one hundred percent (100%) grade, or with less than the~~
3 ~~required minimum cover prescribed in this chapter, the City~~
4 ~~Engineer may require special plans for the construction to be~~
5 ~~submitted for his approval, and he may require the use of cast~~
6 ~~iron pipe or asbestos-cement pipe or other material before~~
7 ~~approving the plan of construction. The wall thickness of the~~
8 ~~pipe to be used, and whether or not it should be encased in~~
9 ~~concrete or concrete with reinforcing steel shall be~~
10 ~~determined by the City Engineer.~~

11 ~~B. Six inches (6") shall be the minimum diameter of~~
12 ~~pipe for gravity flow side sewers in street area.~~

13 ~~C. Not more than one (1) building shall be connected~~
14 ~~to a side sewer except by permission of, and in accordance~~
15 ~~with rules and regulations of, the City Engineer.~~

16 ~~D. Any one (1) single-family dwelling shall be~~
17 ~~connected with not less than four-inch (4") diameter pipe on~~
18 ~~private property; provided that where a dual connection of~~
19 ~~two (2) single-family dwellings, or a multiple dwelling or~~
20 ~~commercial building with a single-family dwelling, is~~
21 ~~permitted by the City Engineer, such connection shall be made~~
22 ~~with not less than six-inch (6") diameter pipe below the point~~
23 ~~of dual connection.~~

24 ~~E. Any multiple dwelling, industrial or commercial~~
25 ~~building shall be connected with not less than six-inch (6")~~
26 ~~diameter pipe on private property; provided, with the~~
27 ~~permission of the City Engineer, three (3) or less two-inch~~
28 ~~(2") downspouts or one (1) motel unit may be connected with~~

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1 ~~four-inch (4") diameter pipe on private property.~~

2 ~~F. Cast iron pipe shall be used for all side sewers~~
3 ~~over water mains for a distance of at least five feet (5')~~
4 ~~from the center of the water main. Side sewer lines must be~~
5 ~~laid at least one-half foot (1/2') below and one foot (1')~~
6 ~~away from all water service line or Water Department main~~
7 ~~water line, unless cast iron pipe is used for the side~~
8 ~~sewer.))~~

9 Section 25. Section 21.16.250 of the Seattle Municipal
10 Code (Section 24 of Ordinance 97016) is amended to read as
11 follows:

12 21.16.250 Easements and Agreements.

13 A. Before a side sewer may be located on a building site
14 other than the site being served by the side sewer, and
15 before the ((City Engineer)) Director of Engineering shall
16 issue a side sewer permit ((authorizing the laying of such a
17 side sewer)), the owner of the side sewer shall secure a
18 written easement from the owner of the ((building site))
19 property to be crossed. The easement shall be duly
20 acknowledged, and shall grant the right to occupy the property
21 for side sewer or utility purposes. The easement shall be
22 recorded in the office of the King County ((Auditor))
23 Department of Records and Elections, by the owner of the side
24 sewer, and the recording number shall be exhibited to the
25 ((City Engineer)) Director of Engineering.

26 ((B. Where a side sewer is to be connected in a public
27 area to a side sewer which is owned by another and does not
28 involve an easement, written permission for such connection

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1 ~~shall be obtained from the owner of such side sewer and shall~~
2 ~~be filed with the City Engineer before a permit authorizing~~
3 ~~such connection is issued.)~~

4 B. When two or more structures are allowed to connect to
5 one (1) side sewer, an instrument(s) which identifies
6 all affected properties and which shall save harmless and
7 indemnify the City from any damage or injury resulting from
8 the installation, operation and maintenance of said side sewer
9 must be executed by all affected property owners and recorded
10 with the King County Department of Records and Elections for
11 each affected property. The instrument(s) shall be upon a
12 form approved by the Director of Engineering. Recording fees
13 shall be paid by the owner or owners of the affected
14 properties.

15 Section 26. Section 21.26.260 of the Seattle Municipal
16 Code (Section 25 of Ordinance 97016) is amended to read as
17 follows:

18 21.16.260 Installation when compliance is impractical--
19 Conditional permit.

20 If, in the opinion of the ((City Engineer)) Director of
21 Engineering, physical conditions make compliance with the
22 provisions of this chapter impracticable, the ((City
23 Engineer)) Director of Engineering may issue a permit for
24 installation of a side sewer requiring compliance with the
25 provisions insofar as is reasonably possible, and such permit
26 shall be issued only upon the condition that the property
27 owner shall record with the King County ((Auditor)) Department
28 of Records and Elections an instrument acceptable to the

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1 ((City Engineer)) Director of Engineering agreeing to save
2 harmless and indemnify the City from any damage or injury
3 resulting from ((such)) the installation, operation and
4 maintenance of said side sewer. Such instrument shall be upon
5 a form approved by the ((City Engineer)) Director of
6 Engineering. This section is not
7 intended to be used to allow storm drainage connections to a
8 sanitary sewer.

9 Section 27. Section 21.16.270 of the Seattle Municipal
10 Code (Section 26 of Ordinance 97016) is amended to read as
11 follows:

12 21.16.270 ((~~Construction and materials--Specifica-~~
13 ~~tions~~)) Construction requirements and specifications.

14 A. Materials and workmanship in connection with the
15 installation of any side sewer or service drain shall be as
16 required by the ((~~"Standard Plans and Specifications" of the~~
17 ~~City, and modifications specified by the City Engineer.~~))
18 Standard Plans and Specifications of the City, and
19 Chapters 22.800 and 22.802 of the Seattle Municipal Code, and
20 as designated by the Director of Engineering. If any
21 requirements or standards conflict, or if special
22 circumstances exist, the Director of Engineering will
23 determine which requirements or standards will be applicable.

24 ((~~B. Fittings, increasers, traps, etc., shall be of~~
25 ~~standard manufacture.~~))

26 B. Unless authorized by the Director of Engineering,
27 an owner or occupant who is required, or wishes, to connect
28 to a public sewer shall be required to build a main sewer line

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1 extension if a public sewer is not accessible within an
2 abutting public area, or if the building, habitable
3 structure, plumbing outlet or source of polluted water is
4 more than two hundred feet (200') from the public sewer.

5 ~~((C. Changes in line or grade shall be made with wyes or~~
6 ~~forty-five degree (45°) bends, or for slight changes in~~
7 ~~line or grade, by setting each pipe out of line slightly,~~
8 ~~within the deflection angle allowed by the pipe manufacturer's~~
9 ~~specifications, or by using ten-degree (10°), twenty-two and~~
10 ~~one-half degree (22 1/2°) or thirty-degree (30°) bends supplied~~
11 ~~by pipe manufacturers.))~~

12 C. Unless authorized by the Director of Engineering, no
13 more than one (1) building shall be connected to a side sewer.
14 Where a dual connection of two (2) single family dwellings,
15 or a multiple dwelling or commercial building connected with
16 a single family dwelling, is permitted by the Director of
17 Engineering, the pipe below the point of dual connection shall
18 be not less than six inches (6") in diameter.

19 ~~((D. No ninety-degree (90°) bends, or consecutive bends~~
20 ~~or tees will be allowed in pipe other than cast iron pipe.))~~

21 D. All multiple dwellings and industrial and commercial
22 buildings shall be connected with not less than six-inch (6")
23 diameter pipe on private property; provided, with the
24 permission of the Director of Engineering, no more than three
25 (3) two-inch (2") downspouts, or one (1) motel unit, may be
26 connected with four-inch (4") diameter pipe on private
27 property.

28

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1 ~~((E. When laying around a ninety-degree (90°) corner, a~~
2 ~~wye and forty-five degree (45°) bend combination shall be used~~
3 ~~with the end of the wye left as a cleanout.))~~

4 E. Unless authorized by the Director of Engineering,
5 all side sewers shall be constructed with not less than two
6 percent (2%) grade and not more than one hundred percent
7 (100%) grade.

8 ~~((F. Increasers or wyes shall be used when changing the~~
9 ~~sizes of pipe. Pipe size may also be changed at a manhole.))~~

10 F. Unless authorized by the Director of Engineering, all
11 side sewers shall have not less than sixty inches (60") of
12 cover at the curblin e or in a public alley, thirty inches
13 (30") of cover at the property line, and eighteen inches (18")
14 of cover on private property.

15 ~~((G. Crafts on four-inch (4"), six-inch (6") or e-ght-~~
16 ~~inch (8") pipe shall not be allowed.))~~

17 G. All side sewers serving one (1) dwelling unit shall
18 have minimum pipe size of four inches (4") in private property
19 and six inches (6") in public areas.

20 ~~((H. Rubber-type gasket or flexible joint pipe must be~~
21 ~~used in side sewers constructed of concrete, clay or asbestos-~~
22 ~~cement pipe; cast iron pipe must have flexible joints or~~
23 ~~caulked lead joints. Copper pipe must have-~~
24 ~~soldered joints, and plastic pipe must have solvent or~~
25 ~~flexible joints.))~~

26 H. Ductile or cast iron pipe shall be used for all side
27 sewers crossing over water mains for a distance of at least
28 five feet (5') measured perpendicular from the center of the

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1 water main. Side sewer lines must be laid at least six inches
2 (6") below and one foot (1') away from any water service line
3 or water main, unless ductile or cast iron pipe is used for
4 the side sewer.

5 ~~((I. Cast iron fittings must conform to the require-~~
6 ~~ments of the Plumbing Code of the City as to quality of-~~
7 ~~materials and type of fitting or structure.))~~

8 I. Whenever a side sewer is to be abandoned, said sewer
9 shall be capped as close to the property line as possible
10 without interrupting service to any other building.

11 ~~((J. A bend must not be used adjacent to a tee or wye at~~
12 ~~the main sewer but may be used a length of pipe or more away~~
13 ~~from the main sewer, unless the bend is manufactured as a part~~
14 ~~of the first length of pipe.~~

15 ~~K. Whenever it becomes necessary to disturb pavement~~
16 ~~in connection with any work authorized under this chapter,~~
17 ~~the opening shall be not less than three feet (3') square;~~
18 ~~provided the City Engineer may specify a size of opening and~~
19 ~~additional cuts to be made when needed to insure a proper~~
20 ~~backfill.~~

21 ~~L. No excavation shall be made in any public area~~
22 ~~except at the times and in the manner prescribed by the City~~
23 ~~Engineer.~~

24 ~~M. Backfill of excavation and tunnels under concrete~~
25 ~~or asphalt roadway surfacing and the restoration of these~~
26 ~~surfaces in public areas shall be accomplished by the City~~
27 ~~Engineer, and the expense thereof charged to the side sewer~~
28 ~~contractor who shall, upon receiving written notice thereof~~

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1 ~~er upon notice of the amount thereof being posted at the~~
2 ~~location of the excavation, immediately pay the same to the~~
3 ~~City Treasurer.~~

4 ~~N. Tunnels or excavations under public sidewalks or~~
5 ~~under driveways in public places may be backfilled by a side~~
6 ~~sewer contractor, provided that the material has been approved~~
7 ~~by the City Engineer, and provided it is tamped in place with~~
8 ~~a mechanical tamper, in layers of not more than~~
9 ~~twelve inches (12") loose thickness; except that within two~~
10 ~~feet (2') of finish grade the loose thickness layers shall~~
11 ~~not exceed six inches (6"). The density of all such~~
12 ~~compaction shall be approved by the City Engineer.)~~

13 Section 28. Section 21.16.300 of the Seattle Municipal
14 Code (Section 29 of Ordinance 97016) is amended to read as
15 follows:

16 21.16.300 Prohibited discharge of certain ((waste-water))
17 substances.

18 Unless approved by the ((City Engineer)) Director of
19 Engineering it is unlawful to discharge or cause to be
20 discharged any of the following ((described waste waters))
21 substances in the public sewer system or any drain ditch or
22 natural outlet:

23 A. Liquid or vapor having temperature higher than one
24 hundred fifty degrees Fahrenheit (150°F.);

25 B. ((Waste-water)) Wastewater which contains more than
26 one hundred (100) parts per million by weight of fat, oil or
27 grease of animal, vegetable, or mineral petroleum origin;

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1 C. Flammables capable of causing explosion or supporting
2 combustion in the public sewer system, including
3 but not limited to the following: gasoline, benzene, naphtha,
4 cleaning solvent, kerosene, fuel oil, ((waste)) crankcase oil,
5 and acetylene generation sludge;

6 D. Garbage that has not been properly shredded;

7 E. Ashes, cinders, sand, mud, straw, hair, shavings,
8 metal, glass, rags, feathers, tar, plastics, sea shells, wood,
9 paunch manure, or any other solid or viscous substance capable
10 of causing obstruction to the flow of sewers or other
11 interference with the proper operation of the public sewer
12 system;

13 F. ((Waste water)) Wastewater having a pH lower than five
14 and five-tenths (5.5) or having the capacity to cause
15 ((damages or hazards)) damage to structures((,)) or equipment
16 or which is hazardous to personnel of the public sewer system;

17 G. ((Waste water)) Wastewater containing a toxic or
18 poisonous substance including chlorinated hydrocarbons in
19 sufficient quantity to injure or interfere with any sewage
20 treatment process, constitute a hazard to humans, animals,
21 fish or fowl, or create any hazard in the receiving waters or
22 in the sewage treatment plant.

23 H. ((Waste water)) Wastewater containing suspended solids
24 of such character and quantity that unusual attention or
25 expense is required to handle such materials in a main sewer,
26 at a sewage treatment plant, or a pumping station;

27 I. Noxious or malodorous gas or substance capable of
28 creating a public nuisance.

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1 Section 29. Section 21.16.310 of the Seattle Municipal
2 Code (Section 30 of Ordinance 97016) is amended to read as
3 follows:

4 21.16.310 Pretreatment facilities.

5 A. Grease, oil, sand, liquid waste containing grease or
6 flammable material or other harmful ingredients shall be
7 intercepted prior to being discharged to the public sewer
8 system by the installation and operation of pretreatment
9 facilities which shall be of a type and capacity approved by
10 the ((~~City Engineer~~)) Director of Engineering and shall be
11 so located as to be readily accessible for maintenance and
12 inspection.

13 B. When pretreatment facilities are installed for private
14 use, they shall be maintained by the owner or occupant at his
15 or her expense in continuously efficient operation at all
16 times. The ((~~City Engineer~~)) Director of Engineering shall
17 determine whether such equipment shall be allowed or required
18 to be installed, and whether the effluent produced is
19 satisfactory.

20 C. Plans, specifications and any other pertinent
21 information relating to proposed preliminary treatment
22 facilities shall be submitted for approval of the ((~~City~~
23 ~~Engineer~~)) Director of Engineering; and construction of such
24 facilities shall not begin until such approval is noted on
25 the plan.

26 Section 30. Section 21.16.320 of the Seattle Municipal
27 Code (Section 31 of Ordinance 97016) is deleted and the
28 Section is reserved.

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21.16.320 ((Manholes)) Reserved.

~~((In any property served by a side sewer carrying industrial wastes, the owner or occupant shall install a manhole in the side sewer to facilitate observation, sampling and measurement of the wastes, when required by the City Engineer. Such manhole shall be accessible, safely located and shall be constructed and installed in accordance with plans approved by the City Engineer. Such manhole shall be installed and maintained by the owner or occupant at his sole expense.))~~

Section 31. Section 21.16.330 of the Seattle Municipal Code (Section 32 of Ordinance 97016) is amended to read as follows:

21.16.330 Standards for measurements and analyses.

Measurements, tests and analyses of the characteristics of waters and waste to which reference is made in this chapter shall be determined in accordance with the standards prescribed by "Standard Methods for the Examination of Water and Sewage," filed in the City Comptroller's office under File No. 260956. In any property served by a side sewer carrying industrial wastes, the owner or occupant shall install a manhole in the side sewer to facilitate observation, sampling and measurement of the wastes, when required by the Director of Engineering. Such manhole shall be accessible, safely located and shall be constructed and installed in accordance with plans approved by the Director of Engineering. Such manhole shall be installed and maintained by the owner or occupant at his or her expense.

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Section 32. Section 21.16.340 of the Seattle Municipal Code (Section 34 of Ordinance 97016) is amended to read as follows:

21.16.340 Right of entry for inspection.

The ((~~City Engineer~~)) Director of Engineering or other City officials or employees of the City, bearing proper credentials and identification, may with the consent of the occupant or with the consent of the owner of unoccupied premises or pursuant to a lawfully issued warrant enter upon any and all premises at all reasonable times, or during an emergency at any time, for the purpose of inspection, observation, measurement, sampling and testing of sewers and sewage waste in accordance with the provisions of this chapter.

Section 33. Section 21.16.350 of the Seattle Municipal Code (Section 35 of Ordinance 97016) is amended to read as follows:

21.16.350 Authority to make rules and regulations.

The ((~~City Engineer~~)) Director of Engineering may make rules and regulations and amend the same from time to time, not inconsistent with the provisions of this chapter, as he or she shall deem necessary and convenient to carry out the provisions of this chapter.

Section 34. Section 21.16.360 of the Seattle Municipal Code (Section 37 of Ordinance 97016) is amended to read as follows:

21.16.360 Authority to post notices.

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1 The Director of Health or the ((City Engineer)) Director
2 of Engineering is authorized to post notice on private
3 property at or abutting the scene of any violation of this
4 chapter, calling for the terms of this chapter to be
5 complied with, and the notice may require work to cease if
6 necessary.

7 Section 35. Section 21.36.370 of the Seattle Municipal
8 Code (Section 38 of Ordinance 97016) is amended to read as
9 follows:

10 21.16.370 Unlawful destruction of notices.

11 It shall be unlawful for anyone to remove, mutilate,
12 destroy or conceal any notice issued or posted by the
13 Director of ((Public)) Health or the ((City Engineer))
14 Director of Engineering pursuant to the provisions of this
15 chapter.

16 Section 36. Section 21.16.390 of the Seattle Municipal
17 Code is added to read as follows:

18 21.16.390 Liability for injury or damage.

19 Nothing contained in this Chapter is intended to be nor
20 shall be construed to create or form the basis for any
21 liability on the part of the City, or its officers, employees
22 or agents, for any injury or damage resulting from the failure
23 of a side sewer to conform to the provisions of this Chapter,
24 or by reason or in consequence of any inspection, notice,
25 order, certificate, permission or approval authorized, issued
26 or done or failure to act in connection with the
27 implementation or enforcement of this Chapter, or by reason
28 of any action or inaction on the part of the City related in

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any manner to the enforcement of this Chapter by its officers,
employees or agents.

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(To be used for all Ordinances except Emergency.)

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Section 3.7... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 19th day of December, 1988,
and signed by me in open session in authentication of its passage this 19th day of
December, 1988.

Norman S. Lee
President PRO TEM of the City Council.

Approved by me this 23rd day of December, 1988.

Charles Perry
Mayor.

Filed by me this 23rd day of December, 1988.

Howard J. Brooks
Attest: Howard J. Brooks
City Comptroller and City Clerk.

(SEAL)

Published.....

By: *Theresa Dunbar*
Deputy Clerk.

City of Seattle

Executive Department-Office of Management and Budget
James P. Ritch, Director
Charles Royer, Mayor

*Approved
Marion U. Nelson*



July 26, 1988.

COPY RECEIVED

AUG 09 1988

Douglas N. Jewett
CITY ATTORNEY

Nelson

The Honorable Douglas Jewett
City Attorney
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING DEPARTMENT: Engineering

SUBJECT: An ordinance relating to side sewers, amending Seattle Municipal Code, adding a new section, to establish and clarify requirements for sewage and drainage from public and private premises and the collection and disposal thereof, regulating the construction, alteration, repair and connection of side sewers, registering side sewer contractors, and regulating the discharge of wastes in public sewers, and prescribing fees therefor

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMB. Any specific questions regarding the legislation can be directed to Greg Hill.

Sincerely,

Charles Royer
Mayor

by

James P. Ritch
JAMES P. RITCH
Budget Director

JR/gh/1a

Enclosure

cc: Director, SED

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Seattle
Engineering Department

Gary Zarker, Director of Engineering
Charles Royer, Mayor

JUL 13 1988



July 11, 1988

888983

Honorable Charles Royer
Mayor, City of Seattle
Seattle, Washington 98104

Attention: Jim Ritch, Director
Office of Management and Budget

Subject: Amendment to the Seattle City Ordinance 97016
(Side Sewer Ordinance) S. M. C. 21.16

Dear Mayor Royer:

REQUEST: We request City Council adoption of the attached ordinance, which amends the Seattle Municipal Code. The proposed amendments establish requirements as set forth in new standards, rules and regulations, and clarify existing requirements relating to side sewers, sewage and drainage from public and private premises and the collection and disposal thereof, regulating the sewers, registering side sewer contractors, and regulating the discharge of wastes in public sewers, and prescribing penalties therefor.

BACKGROUND. Ordinance 97016 set forth requirements relating to side sewers. In the period since the ordinance was initially adopted, changes in technology have led to new standards and requirements for the construction and maintenance of sewage and drainage systems which are safer and more durable. Future changes in these areas are anticipated as well. There also have been changes to City administrative regulations. The attached amended ordinance addresses existing and anticipated technological developments and reflects modifications in administrative requirements. The structure of the amended ordinance also reflects a change from the structure of the initial ordinance. This is proposed for the purpose of clarification of requirements; these changes are recommended because amendments made to the initial ordinance over the years have reduced the cohesive quality of the organization of this ordinance.

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Mayor Charles Royer
July 11, 1988
Page 2

Amendments to this ordinance are congruent with all other City ordinances, codes, laws, regulations, rules and standards.

IMPORTANCE. Ordinance 97016 was adopted to set requirements for construction, repair and maintenance of side sewers. It is necessary to have an ordinance which complies with current requirements, is adaptable to future changes in technological standards, and which is organized in a manner that permits effective utilization by City staff members and by service consumers. The amendments recommended to this ordinance will facilitate consistency in application of standards to the construction, repair and maintenance of side sewers.

Sincerely,



GARY ZARKER
Director, Engineering Department

GZ:KTJ:ph

Attachments

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TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY
THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Ed. J. Benson

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

PRESIDENT'S SIGNATURE

CC 20 7A

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STATE OF WASHINGTON - KING COUNTY

10928
City Clerk

-ss.

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 114298

was published on

01/12/89

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

R. Spicagna
Subscribed and sworn to before me on
January 12, 1989
Barbara A. Jones

Notary Public for the State of Washington,
residing in Seattle

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE, IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle

ORDINANCE 114288

AN ORDINANCE relating to side sewers; amending Seattle Municipal Code Sections 21.16.020, .030, .040, .050, .060, .065, .070, .080, .090, .100, .110, .120, .130, .140, .150, .160, .170, .180, .190, .200, .210, .220, .230, .240, .250, .260, .270, .300, .310, .320, .330, .340, .350, .360, and .370 and adding a new section 21.16.090 to establish and clarify requirements for sewage and drainage from public and private premises and the collection and disposal thereof, regulating the construction, alteration, repair and connection of side sewers, registering side sewer contractors, and regulating the discharge of wastes in public sewers, and prescribing fees therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 21.16.020 of the Seattle Municipal Code (Section 40 of Ordinance 97016) is amended to read as follows:

21.16.020. Chapter provisions as minimum standards.

The requirements of this chapter are declared to be minimum standards and shall not be construed to prevent the enforcement of more stringent standards imposed by other ordinances, or by or under the authority of state law. Unless specifically stated to the contrary, all provisions herein apply to both service drains and to side sewers located within the City of Seattle's sewer service area.

Section 2. Section 21.16.030 of the Seattle Municipal Code (Section 2 of Ordinance 97016 as last amended by Ordinance 111650) is further amended to read as follows:

21.16.030. Definitions.

Words and phrases used in this chapter, unless the same shall be contrary to or inconsistent with the context, shall mean as follows:

1. "Board of Public Works" means that board defined in Chapter 3.44 of the Seattle Municipal Code.

2. "City" means The City of Seattle.

(4-) 3. "Comprehensive plans" means plans which are large in scope and intended to provide for the ultimate development of the drainage basins served by the sewers and drains, as determined by the Director of Engineering at the time the plan was proposed.

(3-) 4. "Cover" means the depth of material between the top of the side sewer (pipe) or service drain pipe and the finished grade immediately above it.

(2-) 5. "Director of Health" means the Director of Public Health or ((his employees)) employees of the Seattle-King County Department of Public Health.

(4-) 6. "Director of Engineering" ((includes)) means the Director of Engineering or employees of the City of Seattle ((Department of)) Engineering Department.

(5-) 7. "Downspout" means a pipe which conducts water from a roof of a building.

(6-) 8. "Footing drain" means an open joint or perforated pipe located near the foundation of a building, intended to intercept and carry ((underground storm or drainage water)) groundwater.

(7-) 9. "Garbage" means putrescible waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

(8-) 10. "Garbage, properly shredded" means garbage that has been shredded to such a degree that it will be carried or suspended freely under the flow conditions normally prevailing in public sewers, with no particle larger than three-eighths inch (3/8") in any dimension.

(9-) 11. "Industrial waste" means a liquid, solid or

of the street area lying between a public sidewalk location and the property line or street margin.

17. "Planting strip, outside" means that portion of the street area lying between the public sidewalk location and the curb location.

((18-)) 18. "Plumbing outlet, sanitary" means a plumbing outlet from a ((stationary or floating)) building or structure which carries the ((waste water)) wastewater from sanitary facilities and plumbing fixtures and which is not primarily designed to carry storm water or unpolluted water ((defined as "building drain" in the City Plumbing Code)).

((19-)) 19. "Plumbing outlet, storm" means a plumbing outlet from a building or structure which carries ((surface)) storm water or unpolluted water.

((20-)) 20. "Pretreatment" means the treatment of effluent from a sanitary plumbing outlet or of industrial waste prior to its introduction into ((a combined sewer storm drain, sanitary sewer, or natural outlet)) the public sewer system to the extent required by the Director of Engineering.

((21-)) 21. "Public place", "public area" or "street area" means ((any space dedicated to or acquired by the City for the use of the general public)) and includes streets, avenues, ways, boulevards, drives, places, alleys, sidewalks, and planting strips, squares, triangles and rights-of-way dedicated for the use of the public, and the space above or beneath the surface of the same.

22. "Registered side sewer contractor" means a person approved and registered by the Director of Engineering to construct or repair side sewers.

((23-)) 23. "Public sewer system" means the sewer or storm drainage facilities owned and maintained by the City, ((Lake City Sewer District, Rainier Vista Sewer District, Southwest Suburban Sewer District or Metro, or any sewage facilities acquired, ((or) constructed or maintained by such agencies.

24. "Service drain" means a privately owned and maintained drainage system which carries only storm water runoff, surface water, foundation drainage and/or other unpolluted waters and which discharges at an approved outlet as defined by the Director of Engineering. Service drains include, but are not limited to, conveyance pipes, catch basin connections, downspout connections, detention pipes, and subsurface drainage connections to an approved outlet. Service drains do not include groundwater collection systems upstream from the point of connection to a service drain.

((25-)) 25. "Sewage" means waste discharged from sanitary plumbing outlets of buildings ((and other polluted water)).

((26-)) 26. "Sewage treatment plant" means an arrangement of devices, structures and equipment for treating ((waste water)) wastewater.

((27-)) 27. "Sewer, combined" means a ((sewer)) publicly owned and maintained sewerage system which carries surface runoff water, polluted water, unpolluted water, industrial waste, effluent from storm plumbing outlets, ((effluent from sanitary plumbing outlets)) sewage, and water from foundation drains.

((28-)) 28. "Sewer, sanitary" means a ((sewer)) publicly owned and maintained sewerage system which carries ((waste water)) wastewater, and ((does not intentionally)) is not designed to carry storm water.

((29-)) 29. "Sewer, storm" means a ((sewer)) publicly owned and maintained sewerage system which carries storm water or unpolluted water.

waters are unpolluted ((water)) waters.

36. "Use" means and includes a public place pursuant to Chapter 15.02 of the Seattle Municipal Code for the purpose of doing surface, or erecting any structure under public place.

((32-)) 32. "Wastewater" means a comprehensive term including industrial drainage and) sewage, and other polluted by the Director of Health or Director of Engineering.

((33-)) 33. "Watercourse" means a natural flow of storm water and/or ground water which has occurred) either continuously or intermittently.

Section 3. Section 21.16.040 of the Seattle Municipal Code (Section 3 of Ordinance 97016 as last amended by Ordinance 111442) is further amended to read as follows:

21.16.040. Connection ((with side sewer or storm drain when required)) of side sewers.

A. Wastewater side sewer connection. A person occupying any lands, premises or habitable structures, ((such lands and)) all structures, ((ditches, watercourses and)) outlets, and other sources of polluted water, unless exempt under subsection B, shall connect with the nearest accessible sanitary sewer ((system or storm drain)); when the sewer ((or drain)) is located within three hundred feet of the closest point of the building ((served, as measured along any public way granted for sewer purposes)), habitable structures, plumbing outlet, or source of polluted water, the Director of Engineering shall determine ((when the sewer ((or) combined sewer ((or storm drain)) is located within three hundred feet of the closest point of the building and whether the connection shall be made by an extension of the public sewer system or by a separate connection. The requirement shall be based upon the following:

1. Sanitary plumbing outlets to combined or sanitary sewers.

2. Residential, multiple residence, hotels, motels, industrial and commercial buildings, planned developments, hospitals and all similar installations and appurtenances thereto. Sanitary plumbing outlets, downspouts, parking lot drains and unpolluted water must be connected to the public sewer system existing on the same side of the street and within sixty feet (60') of a public sewer. In the event a natural outlet is available on the same side of the street, it may be used for storm water disposal. In the event of a storm water event neither of the two (2) above requirements apply, storm water may be disposed of in any manner approved by the Director of Engineering, provided the water to the street gutter, by storm water pipe, or by other means, is directed over the surface of a public way.

3. Residential, multiple residence, hotels, motels, industrial and commercial buildings, planned developments, hospitals and all similar appurtenances thereto which are being constructed or altered. Sanitary plumbing outlets, parking lot drains and unpolluted water must be connected to the public sewer system existing on the same side of the street and within sixty feet (60') of a public sewer. In the event a natural outlet is available on the same side of the street, it may be used for storm water disposal. In the event of a storm water event neither of the two (2) above requirements apply, storm water may be disposed of in any manner approved by the Director of Engineering, provided the water to the street gutter, by storm water pipe, or by other means, is directed over the surface of a public way.

4. Sanitary plumbing outlets to combined or sanitary sewers.

5. Residential, multiple residence, hotels, motels, industrial and commercial buildings, planned developments, hospitals and all similar appurtenances thereto which are being constructed or altered. Sanitary plumbing outlets, parking lot drains and unpolluted water must be connected to the public sewer system existing on the same side of the street and within sixty feet (60') of a public sewer. In the event a natural outlet is available on the same side of the street, it may be used for storm water disposal. In the event of a storm water event neither of the two (2) above requirements apply, storm water may be disposed of in any manner approved by the Director of Engineering, provided the water to the street gutter, by storm water pipe, or by other means, is directed over the surface of a public way.

6. Sanitary plumbing outlets to combined or sanitary sewers.

7. Residential, multiple residence, hotels, motels, industrial and commercial buildings, planned developments, hospitals and all similar appurtenances thereto which are being constructed or altered. Sanitary plumbing outlets, parking lot drains and unpolluted water must be connected to the public sewer system existing on the same side of the street and within sixty feet (60') of a public sewer. In the event a natural outlet is available on the same side of the street, it may be used for storm water disposal. In the event of a storm water event neither of the two (2) above requirements apply, storm water may be disposed of in any manner approved by the Director of Engineering, provided the water to the street gutter, by storm water pipe, or by other means, is directed over the surface of a public way.

8. Sanitary plumbing outlets to combined or sanitary sewers.

(3-) 5. "Director of Health" means the Director of Public Health or ((his employees)) employees of the Seattle-King County Department of Public Health.

((4-)) 6. "Director of Engineering" ((includes)) means the Director of Engineering or employees of the City of Seattle ((Department of)) Engineering Department.

((5-)) 7. "Downspout" means a pipe which conducts water from a roof of a building.

((6-)) 8. "Footing drain" means an open joint or perforated pipe located near the foundation of a building, intended to intercept and carry ((underground storm or drainage water)) groundwater.

((7-)) 9. "Garbage" means putrescible waste from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

((8-)) 10. "Garbage, properly shredded" means garbage that has been shredded to such a degree that it will be carried or suspended freely under the flow conditions normally prevailing in public sewers, with no particle larger than three-eighths inch (3/8") in any dimension.

((9-)) 11. "Industrial waste" means a liquid, solid or gaseous substance, or combination thereof, resulting from any process of industry, manufacturing, food processing, business, trade or research, including the development, recovering or processing of natural resources and including garbage, but distinguished from sanitary sewage or storm drainage.

((10-)) "Registered side sewer contractor" means a person registered with the City Director of Engineering to do work incidental to the construction or repair of side sewers.

12. "Main sewer" means a pipe which is part of the public sewer system and to which a side sewer is connected.

((11-)) 13. "Metro" means the Municipality of Metropolitan Seattle.

((12-)) 14. "Natural outlet" means a watercourse, pond, lake, sound, stream, river, ditch, or other body of surface water.

15. "Owner or Occupant" means the owner of real property or the agent or lessee of the owner.

((13-)) 16. "Permit card" means a card issued in conjunction with a permit (()) for a carbon copy of the permit which shall be posted on the premises of the work being accomplished.

((14-)) 17. "Person" means any individual, company, partnership, corporation, association, society or group and the singular term shall include the plural.

((15-)) 18. "pH" means ((the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution)) a numerical indicator of the degree of acidity or alkalinity of a substance.

((16-)) "Planting strip, inside" means that portion

included, but are not limited to, conveyance pipes, catch basin connections, downspout connections, detention pipes, and subsurface drainage connections to an approved outlet. Service drains do not include groundwater collection systems upstream from the point of connection to a service drain.

((22-)) 25. "Sewage" means waste discharged from sanitary plumbing outlets of buildings ((and other polluted water)).

((24-)) 27. "Sewage treatment plant" means an arrangement of devices, structures and equipment for treating ((waste water)) wastewater.

((25-)) 28. "Sewer, combined" means a ((sewer)) publicly owned and maintained sewerage system which carries surface runoff water, polluted water, unpolluted water, industrial waste, effluent from storm plumbing outlets, ((effluent from sanitary plumbing outlets)) sewage, and water from foundation drains.

((26-)) 29. "Sewer, sanitary" means a ((sewer)) publicly owned and maintained sewage system which carries ((waste water)) wastewater, and ((does not intentionally)) is not designed to carry storm water or unpolluted water.

((27-)) 30. "Side sewer" means a ((storm or sanitary sewer pipe)) privately owned and maintained pipe system which is designed to carry sewage and/or storm water runoff, surface water, foundation drainage, and other unpolluted water leading from a plumbing outlet, drain or other facilities to the public sewer system or approved outlet.

((28-)) 31. "Sidewalk" means the walkway in a public area lying ((parallel to or)) generally parallel to the roadway. ((If the walkway is not yet paved, then all measurements shall be based upon a location and elevation determined by the Director of Engineering.))

32. "Standard Plans and Specifications" means the standard plans and specifications adopted by the Board of Public Works and in effect on the date of issuance of the permit.

((29-)) 33. "Storm drain" means a ((public or private drain)) publicly owned and maintained drainage system which carries storm water runoff, ((and) surface ((waters)) water, ((or)) foundation drainage, ((effluent from storm plumbing outlets)) and other unpolluted water.

((30-)) 34. "Suspended solids" means solids that either float on the surface of or are in suspension in water, sewage, or other liquids, and which are removable by filtering the liquid, and includes matter which, upon dilution with water or sewage, results in the formation of suspended solids.

((31-)) 35. "Unpolluted water" means water in its natural state, or water which, after use for any purpose, is not substantially changed as to chemical or biochemical qualities. The Director of Health or the Director of Engineering ((may)) has the authority to determine which

Residences, multiple residences, hotels, motels, industrial and commercial developments, hospitals and planned developments, hospitals, installations and appurtenances, street outlets, downspouts, parking lot drains and unpolluted water must be connected existing on the same side of the street and within sixty feet (60') of a natural outlet is available on the property, it may be used for storm water event neither of the two (2) above, storm water may be disposed of in dry weather to the street gutter, by storm water directed over the surface of a public

3. Residences, multiple residences, hotels, motels, industrial and commercial developments, hospitals and planned developments, hospitals and appurtenances, street outlets, downspouts, parking lot drains and unpolluted water must be connected existing on the same side of the street and within sixty feet (60') of a natural outlet is available on the property, it may be used for storm water event neither of the two (2) above, storm water may be disposed of in dry weather to the street gutter, by storm water directed over the surface of a public

B. Service drain connections: Engineering may prescribe the manner in which service drain connections shall be made, and require plans to be approved prior to the issuance of a permit of any pipe. Connections of service drains or storm drains shall be as specified in Chapter 22.800 and 22.802 of the Seattle

C. Exemptions from connection: Engineering may exempt any otherwise a property from connecting to the public sewer system if that the following conditions are met:

1. ((The property was not included in the Improvement District formed for constructing a sanitary sewer, the occupant has agreed to pay to the City an amount equal to the charge for sewer service if the property

waters are unpolluted ((water) waters.

26. "Use" means and includes use or occupancy of a public place pursuant to Chapter 15.02 of the Seattle Municipal Code for the purpose of doing work, disturbing the surface, or erecting any structure under, along or over the public place.

(22-) 27. ((Waste-water)) "Wastewater" is a comprehensive term including industrial waste, ((storm drainage and)) sewage, and other polluted waters as determined by the Director of Health or Director of Engineering.

(23-) 28. "Watercourse" means a channel in which a natural flow of storm water and/or groundwater occurs ((or has occurred)) either continuously or intermittently.

Section 3. Section 21.16.040 of the Seattle Municipal Code (Section 3 of Ordinance 97016 as last amended by Ordinance 111442) is further amended to read as follows:

21.16.040 Connection ((with sanitary sewer, combined sewer or storm drain when required)) or abandonment of side sewers.

A. Wastewater side sewer connections: The owner or occupant of any lands; premises or habitable structures shall connect ((such lands and)) all buildings, habitable structures, ((ditches, watercourses and)) sanitary plumbing outlets, and other sources of polluted water located thereon, unless exempt under subsection c of this section, with the nearest accessible sanitary sewer ((or)) or combined sewer ((system or storm drain)); whenever such ((a)) sewer ((or drain)) is located within three hundred feet (300') of the closest point of the building ((site or premises to be served, as measured along any public place or any easement granted for sewer purposes)), habitable structure, sanitary plumbing outlet, or source of polluted water. The Director of Engineering shall determine ((when the)) whether a sanitary sewer ((or)) or combined sewer ((or storm drain)) is accessible and whether the connection shall be made by a side sewer or by an extension of the public sewer system. ((This requirement shall be based upon the following conditions:

1. Sanitary plumbing outlets must be connected to combined or sanitary sewers.

2. Residential, multiple residences, churches, schools, hotels, motels, industrial and commercial buildings, planned developments, hospitals and all similar installations and appurtenances thereto: Storm plumbing outlets, downspouts, parking lot drainage, footing drains, and unpolluted water must be connected to any storm drain existing on the same side of the centerline of the abutting street and within sixty feet (60') of a side property line. In the event a natural outlet is available abutting the property, it may be used for storm water disposal. In the event neither of the two (2) above outlets are available, storm water may be disposed of in dry wells or by draining the water to the street gutter, but storm water shall not be directed over the surface of a public sidewalk or walkway.

3. Residential, multiple residences, churches, schools, hotels, motels, industrial and commercial buildings, planned developments, hospitals and all similar installations or appurtenances thereto which are being connected to a combined sewer when there is no accessible storm drain: Downspouts, storm plumbing outlets, parking lot drainage, unpolluted water

to the sewer system, which amount shall be paid, and collected at the times and in the manner provided by ordinance for the payment and collection of sewer service charges; and

2. ((If the property is within two hundred feet (200') of a sanitary sewer, the state)) The Director of Health has waived the ((ordinary)) requirement as provided in ((WAC 248-26)) Subsection A herein that properties within ((two) three hundred feet ((400')) (300') of a sanitary sewer or combined sewer must connect to that ((sanitary) sewer ((within two (2) years)); and

3. The property has a currently functioning on-site sewage disposal system as determined by the ((Seattle King County Health Department)) Director of Health. The exemption will remain in effect until the on-site sewer system fails, or the property is sold or otherwise transferred, or the owner or occupant fails to timely pay the charges referred to in Paragraph 1 of this subsection, whichever ((comes)) occurs first, at which time ((,)) the property shall be connected to the ((City's)) public sewer system as required in Subsection A herein.

B. Abandonment of side sewers: Whenever a side sewer is abandoned, the owner or occupant shall cap the side sewer.

Section 4. Section 21.16.050 of the Seattle Municipal Code (Section 4 of Ordinance 97016 as last amended by Ordinance 106158) is further amended to read as follows:

21.16.050 Connection--Notice to owner or occupant.

A. Whenever any land, buildings, or premises are required to be connected with the public sewer system as provided in Section 21.16.040, the Director of Health, upon notice from the ((City Engineer)) Director of Engineering that a connection is accessible, shall serve upon the owner ((, agent, lessee,)) or occupant of the lands, buildings, premises or habitable structures, a notice in writing specifying the time within which such connection must be made, which time shall not be more than sixty (60) days from the date of delivery of such notice.

B. If such owner ((, agent, lessee)) or occupant shall fail ((,)) or neglect to connect the land, buildings, premises or habitable structures to the public sewer system within the time specified, the Director of Health shall notify the Director of Engineering, whereupon the Director of Engineering may make such connection and the connection cost plus fifteen percent (15%) thereof, for engineering design and administrative costs, shall be charged to the owner ((, agent, lessee,)) or occupant, and a bill showing the amount thereof shall be mailed or delivered to ((him)) the owner or occupant, or posted upon the premises, whereupon the amount shall immediately be paid to the City Treasurer ((, provided that as an alternative to making such connection there is imposed a penalty in an amount equal to the charge that would be made for sewer service if the property was connected to such system, which amount shall be paid and collected at the times and in the manner provided by ordinance for the payment and collection of sewer service charges)). The amount of said costs or any portion thereof which becomes delinquent shall

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installations and appurtenances thereto. Storm plumbing outlets, downspouts, parking lot drainage, footing drains, and unpolluted water must be connected to any storm drain existing on the same side of the centerline of the abutting street and within sixty feet (60') of a side property line. In the event a natural outlet is available abutting the property, it may be used for storm water disposal. In the event neither of the two (2) above outlets are available, storm water may be disposed of in dry wells or by draining the water to the street gutter, but storm water shall not be directed over the surface of a public sidewalk or walkway.

3. Residences, multiple residences, churches, schools, hotels, motels, industrial and commercial buildings, planned developments, hospitals and all similar installations or appurtenances thereto which are being connected to a combined sewer when there is no accessible storm drain: Downspouts, storm plumbing outlets, parking lot drainage, unpolluted water and footing drains must be carried in a side sewer pipe separate from the sanitary side sewer pipe to the property line, as designated by the Director of Engineering, and shall be joined with the sanitary side sewer at that point and then connected to the combined sewer, provided, that the Director of Engineering may permit or require storm drainage to discharge upon the surface of a public place or into a natural outlet or dry wells, even though a combined sewer is accessible, when it is planned to provide a storm relief sewer in the vicinity of the combined sewer. The storm side sewer pipe shall be laid as shallow as possible with no more than four feet (4') depth beneath the curb elevation, whenever possible. Footing drains are designated as storm water drains and shall not be connected to a sanitary sewer.)

B. Service drain connections: ((The Director of Engineering may prescribe the manner in which connections shall be made, and require plans to be submitted for his approval prior to the issuance of a permit or the installation of any pipe.)) Connections of service drains to combined sewers or storm drains shall be as specified in Chapter 22.800 and 22.802 of the Seattle Municipal Code.

C. Exemptions from connection: The Director of Engineering may exempt any otherwise accessible developed property from connecting to the public sewer system provided that the following conditions are met:

1. ((The property was not included in a Local Improvement District formed for the purpose of constructing a sanitary sewer and)) The owner or occupant has agreed to pay to the City a charge in an amount equal to the charge that would be made for sewer service if the property were connected

or habitable structures to the public sewer system within the time specified, the Director of Health shall notify the Director of Engineering, whereupon the Director of Engineering may make such connection and the connection cost plus fifteen percent (15%) thereof, for engineering design and administrative costs, shall be charged to the owner ((agent, lessee,)) or occupant, and a bill showing the amount thereof shall be mailed or delivered to ((his)) the owner or occupant, or posted upon the premises, whereupon the amount shall immediately be paid to the City Treasurer ((; provided, that as an alternative to making such connection there is imposed a penalty in an amount equal to the charge that would be paid for sewer service if the property was connected to such system, which amount shall be paid and collected at the times and in the manner provided by ordinance for the payment and collection of sewer service charges)). The amount of said costs or any portion thereof which becomes delinquent shall immediately become a lien upon the premises and such lien may be foreclosed by the City as provided by state law.

Section 5. Section 21.16.060 of the Seattle Municipal Code (Section 5 or Ordinance 97016 as last amended by Ordinance 111650) is further amended to read as follows:

21.16.060 ((Work-to-be-done-by-registered)) Registered side sewer contractor--Qualification--Insurance--Bond
((A-- It shall be unlawful for any one to construct, reconstruct or repair any side sewer in a public place unless he or she is a registered side sewer contractor or is an employee of the Director of Engineering performing assigned duties.

B. To be registered as a side sewer contractor, an applicant shall appear before the Director of Engineering for an oral and/or written examination as to the applicant's knowledge of side sewer construction work and the ordinances of the City regarding side sewers, and pass the examination and file the insurance required by Subsection C, provided side sewer contractors licensed under Seattle Municipal Code Chapter 6.52 (Ordinance 48032, Sections 306 through 309) need not appear for a re-examination. The Director of Engineering shall decline to register any applicant whom he finds does not possess adequate experience or knowledge. Applicants for such examination by the Director of Engineering shall pay to the City Treasurer the sum of Sixty Dollars (\$60.00) before taking the examination, and the receipt number shall be noted upon the examination and filed in the Director of Engineering's Office.)

A. To obtain registration from the City as a side sewer contractor, an applicant must:

1. Pay to the City Treasurer an examination

fee of sixty dollars (\$60.00) for each individual who takes the examination required by this subsection.

2. Successfully complete or employ an individual who has successfully completed an oral and written examination administered by the Director of Engineering.

3. Possess a current Washington State Contractor's license.

4. Possess a current City Business and Occupation license.

5. File with the Director of Engineering a certificate of insurance as prescribed by Subsection B and

6. Post a bond as prescribed by Subsection C.

(C-) B. Each registered side sewer contractor shall file with the Director of Engineering a Certificate of Insurance and maintain in full force and effect a ((certificate)) policy of insurance from an insurance company licensed to do business in the ((state)) State of Washington. The certificate shall state that the contractor carries ((public liability and property damage insurance in the sum of at least)) comprehensive general liability insurance with bodily injury limits of not less than Three Hundred Thousand Dollars (\$300,000.00) for any one (1) person killed or injured in any one (1) accident or occurrence, and ((Five Hundred thousand Dollars (\$500,000.00)) One Million Dollars (\$1,000,000.00) for more than one (1) person killed or injured in any one (1) accident or occurrence and with property damage liability limits of at least One Hundred Thousand Dollars (\$100,000.00) for all damages arising out of injury to or destruction of property. Such policy shall contain an endorsement naming the city as an additional insured and providing for not less than ten (10) days' notice to the City of any change, cancellation or expiration of such policy. The Director of Engineering shall, upon notice, cancel the contractor's registration if such insurance shall cease to be of full force and effect.

(D-) C. ((Every)) Each registered side sewer contractor ((must file)) shall post with the City Comptroller and maintain in full force and effect a bond in the sum of Fifteen Thousand Dollars (\$15,000.00) conditioned that the applicant ((will)) shall indemnify and save harmless the City from all claims, actions, or damages of every kind or description which may accrue to or be suffered by any person by reason of any opening in any street, alley, avenue or other public place made by ((the/he)) the contractor or those in ((his/her)) the contractor's employ, in making any connection with any public or private sewer, or for any other purpose or object whatever, and that ((he/she will)) the contractor shall also replace and restore such street, alley, avenue or other public place as good a state and condition as at the time of commencement of said work, and maintain the same in good order, and that ((he/she will)) the contractor shall comply with all of the provisions of this subtitle and any other ordinance of the City, relating to the business of side sewer ((contractor)) contracting. ((The provisions of this section shall not apply to registered side sewer contractors who have on file with the

((D-)) B. Failure to pay for labor or material used in the construction of a side sewer;

((E-)) G. Fraud or misrepresentation to the owner ((agent)) or occupant of a building for the purpose of obtaining a contract for the construction of a side sewer;

((F-)) L. Nonpayment for work performed by the City for which the side sewer contractor is liable; ((and)) or

((G-)) B. Construction or other performance showing a dissatisfactory work by the side sewer contractor.

B. Upon information and belief that a registered side sewer contractor's registration should be suspended or cancelled, or an application for registration denied, for any of the causes enumerated in Subsection A of this section, the Director of Engineering shall send notice by certified mail to the contractor that the contractor's registration as a side sewer contractor may be suspended or cancelled or an application for registration may be denied, not less than ten (10) days from the date of the notice. The notice shall contain a statement of the basis for the suspension or cancellation, or for denial of application for registration.

C. If the contractor wishes to appeal the action, the contractor must file with the Director of Engineering a request for a hearing before the Hearing Examiner within ten (10) days of the date of service or mailing of such notice. The contractor shall submit the Hearing Examiner's filing fee with such request.

D. If a timely request for a hearing is filed by the contractor or applicant, a hearing shall be scheduled before the Hearing Examiner and shall be conducted by the Hearing Examiner according to his/her rules for contested cases.

E. When a hearing has been requested by a contractor in connection with a suspension or cancellation of the contractor's registration, the registration shall remain in effect pending the determination made as a result of such hearing; provided, that in cases involving a substantial threat to the public health, safety, or welfare, the registration may be summarily suspended.

F. If a timely appeal is not filed by the contractor or applicant, the order of the Director of Engineering denying, suspending or revoking the registration shall be final.

provided, that in cases involving a substantial threat to the public health, safety, or welfare, the registration may be summarily suspended.

G. The Director of Engineering's decisions shall be reversed only if the Hearing Examiner finds that the decision was arbitrary and capricious.

H. The record shall be established at the hearing before the Hearing Examiner. The Hearing Examiner shall either close the record after the hearing or leave it open to a specified date for additional testimony, written argument or exhibits.

I. The Hearing Examiner shall issue a written decision within fifteen (15) days after closing the record. The Hearing Examiner may affirm, reverse, remand or modify the Director of Engineering's decision. Written findings and conclusions supporting the Hearing Examiner's decision shall be made. The Director of Engineering and all parties of the hearing shall be notified of the decision.

The Director of Engineering shall, upon notice, cancel the contractor's registration if such insurance shall cease to be of full force and effect.

(D-) C. ((Every)) Each registered side sewer contractor ((must file)) shall post with the City Comptroller and maintain in full force and effect a bond in the sum of Fifteen Thousand Dollars (\$15,000.00) conditioned that the applicant ((will)) shall indemnify and save harmless the City from all claims, actions, or damages of every kind or description which may accrue to or be suffered by any person by reason of any opening in any street, alley, avenue or other public place made by ((the/he)) the contractor or those in ((his/her)) the contractor's employ, in making any connection with any public or private sewer, or for any other purpose or object whatever, and that ((he/she will)) the contractor shall also replace and restore such street, alley, avenue or other public place as good a state and condition as at the time of commencement of said work, and maintain the same in good order, and that ((he/she will)) the contractor shall comply with all of the provisions of this subtitle and any other ordinance of the City, relating to the business of side sewer ((contractor)) contracting. ((The provisions of this section shall not apply to registered side sewer contractors who have on file with the

to do so from the Director of Engineering.

A. A permit is required including, but not limited to, repair, removal, and capping.

B. When an existing structure is constructed, the contractor shall be required to connect the new system or approved outlet.

C. Unless an emergency Director of Engineering, a permit is required before any side sewer located within the city or on private property is performed on a side sewer other than:

(1) A side sewer that is located on a property that is not a residential property.

(2) A side sewer that is located on a property that is not a residential property and is not a side sewer that is located on a property that is not a residential property.

(3) A side sewer that is located on a property that is not a residential property and is not a side sewer that is located on a property that is not a residential property.

(4) A side sewer that is located on a property that is not a residential property and is not a side sewer that is located on a property that is not a residential property.

(5) A side sewer that is located on a property that is not a residential property and is not a side sewer that is located on a property that is not a residential property.

(6) A side sewer that is located on a property that is not a residential property and is not a side sewer that is located on a property that is not a residential property.

(7) A side sewer that is located on a property that is not a residential property and is not a side sewer that is located on a property that is not a residential property.

(8) A side sewer that is located on a property that is not a residential property and is not a side sewer that is located on a property that is not a residential property.

(9) A side sewer that is located on a property that is not a residential property and is not a side sewer that is located on a property that is not a residential property.

(10) A side sewer that is located on a property that is not a residential property and is not a side sewer that is located on a property that is not a residential property.

(D-) C. (Sewer) Each registered side sewer contractor shall post with the City Comptroller and maintain in full force and effect a bond in the sum of Fifteen Thousand Dollars (\$15,000.00) conditioned that the applicant shall indemnify and save harmless the City from all claims, actions, or damages of every kind of description which may accrue to or be suffered by any person by reason of any opening in any street, alley, avenue or other public place made by (he/she) the contractor or those in (his/her) the contractor's employ, in making any connection with any public or private sewer, or for any other purpose or object whatever, and that (he/she will) the contractor shall also replace and restore such street, alley, avenue or other public place as good a state and condition as at the time of commencement of said work, and maintain the same in good order, and that (he/she will) the contractor shall comply with all of the provisions of this subtitle and any other ordinance of the City, relating to the business of side sewer (contractor) contracting. (The provisions of this section shall not apply to registered side sewer contractors who have on file with the City Comptroller a bond filed in conformance with Section 11 of Ordinance 90047, in an amount of Fifteen Thousand Dollars or more.)

2. A registered side sewer contractor must secure his or her own permits, be responsible for all work accomplished under this permit, and connect all plumbing outlets or drainage facilities in a complete manner, as required by the Director of Engineering. A property owner or his employee may construct, reconstruct or repair a side sewer on private property.)

Section 6. Section 21.16.065 of the Seattle Municipal Code (Section 7 of Ordinance 111650) is amended to read as follows:

21.16.065 Cancellation, suspension, or denial of registration.

A. (Upon notice, and after a hearing is requested,) In addition to other penalties provided by law, the Director of Engineering may cancel or suspend the registration of a registered side sewer contractor, or may deny an application for registration, for any of the following causes:

1. Failure to successfully complete the examination or to employ an individual who has successfully completed the examination required by Section 21.16.060;

(A-) 2. Failure to maintain the ((public)) comprehensive general liability insurance or bond required by Section 21.16.060 ((2))

(B-) 3. Failure ((to observe)) to comply with the Title of the Seattle Municipal Code or the rules and regulations issued by the Director of Engineering governing the construction and laying of side sewers;

(C-) 4. Fraud or misrepresentation in registering as a side sewer contractor;

applicant, the order of the Director of Engineering denying, suspending or revoking the registration shall be final and provided that the Hearing Examiner may waive the ten (10) day requirement upon satisfaction that failure to receive notice of the order was beyond the control of the person requesting the hearing.

The Director of Engineering's decisions shall be reversed only if the Hearing Examiner finds that the decision was arbitrary and capricious.

H. The record shall be established at the hearing before the Hearing Examiner. The Hearing Examiner shall either close the record after the hearing or leave it open to a specified date for additional testimony, written argument or exhibits.

I. The Hearing Examiner shall issue a written decision within fifteen (15) days after closing the record. The Hearing Examiner may affirm, reverse or modify the Director of Engineering's decision. Written findings and conclusions supporting the Hearing Examiner's decision shall be made. The Director of Engineering and all parties of record shall be bound by the terms and conditions of the Hearing Examiner's decision.

J. The Hearing Examiner's decision shall be mailed by the Hearing Examiner on the day the decision is issued to the parties of record and to all those requesting notice.

K. The Hearing Examiner's decision shall be final and conclusive unless the Hearing Examiner's decision specifically states that the Hearing Examiner retains jurisdiction.

L. Within fifteen (15) calendar days from the date of issuance of the Hearing Examiner's decision a party of record may appeal the decision to the King County Superior Court through application for a writ of review.

M. Whenever a registration is denied, no reapplication for registration will be considered by the Director of Engineering until correction of the disability on which the denial was based.

N. Whenever a registration is revoked, no new application for registration that has been revoked will be considered by the Director of Engineering for a period of one (1) year, commencing on the date the order to revoke becomes final.

O. The period of suspension shall be a period as stated in the order to suspend, and may be for any period up to one (1) year, commencing on the date the order to suspend becomes final.

Section 7. Section 21.16.070 of the Seattle Municipal Code (Section 6 of Ordinance 97016 as last amended by Ordinance 111650) is further amended to read as follows:

21.16.070 Permit Required.

(It is unlawful to make any connection to any public or private sewer system, drain or natural outlet without complying with all of the provisions of this chapter and other ordinances in relation thereto, and without having a permit

Chapter shall be filed with the Director of Engineering with the following information:

1. The name, address, and telephone number of the applicant;

2. Name, mailing address, and telephone number of the property owner;

3. Legal description of the property;

4. A scale drawing of the proposed structures on the property, showing the location of all existing structures;

5. Purpose for which the structures are to be used;

6. Proof that all necessary permits have been obtained in connection with the proposed work;

7. Proof that all necessary permits have been obtained from the King County Department of Public Works;

8. Proof of payment of charges required by Chapter 21.16 of the Seattle Municipal Code.

(B-) 2. The Director of Engineering may determine whether the applicant is a professional engineer, licensed in the State of Washington. The Director shall maintain records as he/she deems necessary and inspection reports.

F. Notwithstanding any other provision to the contrary, the Director of Engineering may require an applicant to furnish (print) the name and address of a professional engineer, licensed in the State of Washington, who shall be responsible for the construction of the sewer system. The Director shall maintain records as he/she deems necessary and inspection reports.

1. Failure to pay for work performed by the contractor is liable.

2. Failure to maintain liability insurance or the bond required by the Seattle Municipal Code is liable.

LABOR or material used in the construction of a sewer system shall be performed by the City or by a contractor licensed by the City. It is unlawful to break, alter or tamper with any public sewer system or its appurtenances except to make a connection to an existing sewer system under the permit of the Director of Engineering.

A permit is required for any work on a side sewer including but not limited to construction, alteration, repair, removal and capping. When an existing structure is removed from a site and a new structure is constructed, a side sewer permit is required to connect the new structure to the public sewer system or approved outfall.

Unless an emergency exists as determined by the Director of Engineering, a permit must be issued by the Director of Engineering before any work may be started on a side sewer located within the city's sewer service area. No permit shall be altered and no work shall be performed on a side sewer other than that provided for in the permit. If additional work is necessary, the Director of Engineering may require an additional permit and/or fees.

Section 8. Section 21.16.080 of the Seattle Municipal Code (Section 7 of Ordinance 97016) is amended to read as follows:

21.16.080 Permit - Application - Director of Engineering's Authority. A. For work in a public place, a permit shall only be issued to an individual who has successfully completed the examination prescribed in Section 21.16.060 of the Seattle Municipal Code and who is a duly authorized representative of a registered side sewer contractor. B. For work in other than a public place, a permit may be issued to the owner or occupant of the property or agent thereof. C. Whenever a registered side sewer contractor applies for a permit, a permit shall be issued only to an individual who has successfully completed the examination prescribed in Section 21.16.060 of the Seattle Municipal Code and who is a duly authorized representative of the contractor.

D. Application for the permit required by this section shall be filed with the Director of Engineering with the following information: 1. Name of the property owner. 2. Address of the property to be served. 3. Property owner's mailing address. 4. Side sewer contractor's name. 5. Legal description of the property to be served. 6. Dimensions of the building to be served, including inlets or outlet. 7. Location of buildings on the property. 8. Purpose for which the building is to be used. 9. Full course of the proposed side sewer.

10. The name, address, and telephone number of the applicant. 11. Name, mailing address, and telephone number of the property owner. 12. Legal description and address of property to be served. 13. A scale drawing showing the location of the building to be served.

14. A scale drawing showing the location of the building to be served. 15. A scale drawing showing the location of the building to be served. 16. A scale drawing showing the location of the building to be served. 17. A scale drawing showing the location of the building to be served. 18. A scale drawing showing the location of the building to be served. 19. A scale drawing showing the location of the building to be served. 20. A scale drawing showing the location of the building to be served.

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Failure to comply with a notice posted pursuant to Section 21.16.360 of the Seattle Municipal Code. Section 9. Section 21.16.090 of the Seattle Municipal Code (Section 8 of Ordinance 97016) is amended to read as follows:

21.16.090 (Permit Alterations - Prohibited - Posting) - Period of Validity - Restrictions - Posting. After approval of the application and issuance of the permit, it is unlawful to alter the permit or to do any work other than provided for in the permit. If the permittee wishes to perform additional work, the City Engineer may require that he secure an additional permit. One copy of the permit shall be posted upon the work site at a place readily and safely accessible to the City Engineer, and in a conspicuous place near the work being performed under the permit.

Unless authorized by the Director of Engineering, no permit shall be issued for side sewer connection before the public or private main sewer system has met requirements set by the Director of Engineering. Side sewer permits are not transferable. All side sewer permits shall expire ninety (90) days after issuance unless extended by the Director of Engineering prior to the date of expiration. Expired permits are not subject to refunds pursuant to Section 21.24.060 of the Seattle Municipal Code.

One copy of the permit shall be posted at the work site in a conspicuous place which is readily and safely accessible to the Director of Engineering. Section 10. Section 21.16.100 of the Seattle Municipal Code (Section 9 of Ordinance 97016) is amended to read as follows:

21.16.100 Police officer's authority. It shall be the duty of any police officer and of the Director of Health, finding any person breaking ground for the purpose of making connection with a public or private sewer system, to ascertain if such person has a permit therefor and if not to immediately report the fact to the (City Engineer) Director of Engineering.

Section 11. Section 21.16.110 of the Seattle Municipal Code (Section 10 of Ordinance 97016) is amended to read as follows: 21.16.110 Permit for temporary connection. The Director of Engineering may, upon receiving an application containing such information as is required by (him) this Chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Engineering at any time upon sixty (60) days notice posted upon the premises and directed to the owner or occupant of the premises and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of sixty (60) days the Director of Engineering may disconnect the same and reconstruct as (he) deems necessary, and charge the cost plus fifteen percent

of the cost of the work. Section 12. Section 21.16.120 of the Seattle Municipal Code (Section 11 of Ordinance 97016) is amended to read as follows: 21.16.120 Temporary connection. The Director of Engineering may, upon receiving an application containing such information as is required by (him) this Chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Engineering at any time upon sixty (60) days notice posted upon the premises and directed to the owner or occupant of the premises and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of sixty (60) days the Director of Engineering may disconnect the same and reconstruct as (he) deems necessary, and charge the cost plus fifteen percent

of the cost of the work. Section 13. Section 21.16.130 of the Seattle Municipal Code (Section 12 of Ordinance 97016) is amended to read as follows: 21.16.130 Temporary connection. The Director of Engineering may, upon receiving an application containing such information as is required by (him) this Chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Engineering at any time upon sixty (60) days notice posted upon the premises and directed to the owner or occupant of the premises and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of sixty (60) days the Director of Engineering may disconnect the same and reconstruct as (he) deems necessary, and charge the cost plus fifteen percent

of the cost of the work. Section 14. Section 21.16.140 of the Seattle Municipal Code (Section 13 of Ordinance 97016) is amended to read as follows: 21.16.140 Temporary connection. The Director of Engineering may, upon receiving an application containing such information as is required by (him) this Chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Engineering at any time upon sixty (60) days notice posted upon the premises and directed to the owner or occupant of the premises and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of sixty (60) days the Director of Engineering may disconnect the same and reconstruct as (he) deems necessary, and charge the cost plus fifteen percent

of the cost of the work. Section 15. Section 21.16.150 of the Seattle Municipal Code (Section 14 of Ordinance 97016) is amended to read as follows: 21.16.150 Temporary connection. The Director of Engineering may, upon receiving an application containing such information as is required by (him) this Chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Engineering at any time upon sixty (60) days notice posted upon the premises and directed to the owner or occupant of the premises and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of sixty (60) days the Director of Engineering may disconnect the same and reconstruct as (he) deems necessary, and charge the cost plus fifteen percent

of the cost of the work. Section 16. Section 21.16.160 of the Seattle Municipal Code (Section 15 of Ordinance 97016) is amended to read as follows: 21.16.160 Temporary connection. The Director of Engineering may, upon receiving an application containing such information as is required by (him) this Chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Engineering at any time upon sixty (60) days notice posted upon the premises and directed to the owner or occupant of the premises and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of sixty (60) days the Director of Engineering may disconnect the same and reconstruct as (he) deems necessary, and charge the cost plus fifteen percent

of the cost of the work. Section 17. Section 21.16.170 of the Seattle Municipal Code (Section 16 of Ordinance 97016) is amended to read as follows: 21.16.170 Temporary connection. The Director of Engineering may, upon receiving an application containing such information as is required by (him) this Chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Engineering at any time upon sixty (60) days notice posted upon the premises and directed to the owner or occupant of the premises and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of sixty (60) days the Director of Engineering may disconnect the same and reconstruct as (he) deems necessary, and charge the cost plus fifteen percent

of the cost of the work. Section 18. Section 21.16.180 of the Seattle Municipal Code (Section 17 of Ordinance 97016) is amended to read as follows: 21.16.180 Temporary connection. The Director of Engineering may, upon receiving an application containing such information as is required by (him) this Chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Engineering at any time upon sixty (60) days notice posted upon the premises and directed to the owner or occupant of the premises and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of sixty (60) days the Director of Engineering may disconnect the same and reconstruct as (he) deems necessary, and charge the cost plus fifteen percent

of the cost of the work. Section 19. Section 21.16.190 of the Seattle Municipal Code (Section 18 of Ordinance 97016) is amended to read as follows: 21.16.190 Temporary connection. The Director of Engineering may, upon receiving an application containing such information as is required by (him) this Chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Engineering at any time upon sixty (60) days notice posted upon the premises and directed to the owner or occupant of the premises and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of sixty (60) days the Director of Engineering may disconnect the same and reconstruct as (he) deems necessary, and charge the cost plus fifteen percent

...who is a duly authorized representative of the contractor...

...Application for the permit required by this...

...shall be filed with the Director of Engineering...

...with the following:

1. Name, address, and telephone number of the applicant.

2. Name, mailing address, and telephone number of the property owner.

3. Legal description and address of property to be served.

4. Dimensions of the building to be served, including inside or side.

5. Location of buildings on the property.

6. Purpose for which the building is to be used.

7. Full course of the proposed sewer.

8. A scale drawing showing the location of all structures on the property, dimensions of the structures, and the location of all existing and proposed side sewers.

9. Purpose for which all structures are to be used.

10. Proof that all necessary permits have been obtained in conjunction with or prior to issuance of the side sewer permit.

11. Proof that all necessary easements, releases, and/or permissions to connect have been obtained and recorded with the King County Department of Records and Elections.

12. Proof of payment of all permit fees and other charges required by Chapter 21.24 of the Seattle Municipal Code.

(B.) E. The Director of Engineering may change or modify the application and designate the manner and place where the sewer shall connect to the public sewer system.

The Director of Engineering may require the applicant to furnish (plans prepared and stamped by a professional engineer, licensed in the (state) State of Washington. The Director of Engineering shall keep such records as he/she deems necessary of all side sewer permits and inspection reports.

Notwithstanding any other provisions of this chapter, the Director of Engineering may refuse until the condition is corrected to issue a permit to a registered side sewer contractor for any of the following conditions:

1. Failure to pay within sixty (60) days any bill for work performed by the City and for which the contractor is liable.

2. Failure to maintain the comprehensive general liability insurance or the bond required by Section 21.16.060 of the Seattle Municipal Code or

...to immediately report the fact to the Director of Engineering.

Section 11. Section 21.16.110 of the Seattle Municipal Code (Section 16 of Ordinance 97016) is amended to read as follows:

21.16.110 Permit for temporary connection. The Director of Engineering may, upon receiving an application containing such information as is required by (his) this Chapter, issue a permit for a temporary connection to a combined sewer, sanitary sewer, side sewer, storm drain or natural outlet and may include as a condition to the issuance of a permit a requirement to connect to another combined sewer, sanitary sewer, side sewer, storm drain or natural outlet at some later date. The permit may be revoked by the Director of Engineering at any time upon sixty (60) days' notice posted upon the premises and directed to the owner or occupant of the premises and in the event the side sewer or drains are not disconnected or reconstructed as required at the expiration of sixty (60) days the Director of Engineering may disconnect the same and reconstruct it as (he) deems necessary, and charge the cost plus fifteen percent (15%) thereof, for engineering design and administration costs to the owner or occupant. Such (cost plus fifteen percent (15%)) charges shall be immediately payable to the City Treasurer following a written notice of the amount thereof given to such owner or occupant or posted on the premises. The amount of said costs or any portion thereof which becomes delinquent shall immediately become a lien upon the premises and such lien may be foreclosed by the City as provided by state law. (Such temporary permit shall be issued only upon) The Director of Engineering may require that the applicant, (separately), record with the (County Auditor), King County Department of Records and Elections, an acceptable instrument agreeing to reconstruct the side sewer if required, to do so, and to save the City harmless from all damage or claims resulting to the City by reason of such temporary connection or disconnection, and (exhibiting) exhibit to the Director of Engineering the recording number of said instrument.

Section 12. Section 21.16.120 of the Seattle Municipal Code (Section 11 of Ordinance 97016) is deleted and the Section reserved.

21.16.120 (Permit Period of Validity). Reserved.

(A permit issued under this chapter shall not be valid for a period of more than ninety (90) days unless extended or renewed by the Director of Engineering prior to the date of expiration.)

Section 13. Section 21.16.130 of the Seattle Municipal Code (Section 12 of Ordinance 97016) is amended to read as follows:

21.16.130 Permit Fees.

Fees for side sewer permits shall be as prescribed by (separate ordinance), Chapter 21.24 of the Seattle Municipal Code.

...shall be a period as stated...

...for any period up to one...

...order to suspend become...

...of the Seattle Municipal...

...as last amended by...

...to read as follows:

...connection to any public or...

...without having a permit...

...shall be a period as stated...

...for any period up to one...

...order to suspend become...

...of the Seattle Municipal...

...as last amended by...

...to read as follows:

...connection to any public or...

...without having a permit...

because of defective workmanship or material used, the work is otherwise unsatisfactory.)

E. If the permittee is a registered side sewer contractor, either the contractor or a competent representative shall be on the premises, whenever so directed to meet the inspector. A property owner shall also meet the inspector at a mutually convenient time during regular hours of business when requested.

Section 15. Section 21.16.150 of the Seattle Municipal Code (Section 14 of Ordinance 97016) is amended to read as follows:

21.16.150 Trenches and excavations (~~---Filling--- Bouvieses~~).

A. Trenches and excavations shall be subject to the requirements established in Chapter 4.40 of The City of Seattle Board of Public Works Rules (Street and Sidewalk Pavement Opening and Restoration Rules). No excavation shall be made in any public area except at the times and in the manner prescribed by the Director of Engineering.

(A-) No trench shall be filled nor any sewer or drain covered until the work shall have been inspected and approved by the ((City Engineer)) Director of Engineering, (and his) with said approval noted on the card posted on the job site.

(B-) All trenches or excavations within four feet (4') of any public place and all obstructions or encroachments upon a public place shall be barricaded as required by the Street Use Ordinance

ordinance 20047, as amended. (Title 15 of the Seattle Municipal Code) ((It shall be unlawful to fail to maintain the)) The lateral support of any public place shall be maintained while constructing, altering, or repairing any side sewer ((or storm drain)).

All trenches or excavations within four feet (4') of any public place shall be safely covered during hours of inactivity of work on the side sewer ((or storm drain)).

(C) Barricades posted upon arterial streets or highways must conform to the standards established by the Washington State Highway Commission, Department of Highway, and/or conform to such standards as the city may establish.

D. All work performed under the authority of this chapter shall be accomplished within the minimum safety standards prescribed by the Washington State Department of Labor and Industries, Division of Safety. Evidence of failure to comply with the requirements of the Department of Labor and Industries shall be sufficient reason for the Director or the City Engineer to order stoppage of work until the required safety precautions are established on the job.)

D. All work in public places shall conform to the requirements of the current edition of the city of Seattle Traffic Control Manual for In-Street Work.

Section 16. Section 21.16.160 of the Seattle Municipal Code (Section 15 of Ordinance 97016) is amended to read as

posting a notice thereon on the premises. The amount of said costs or any portion thereof which becomes delinquent shall immediately become a lien upon the premises and such lien may be foreclosed by the City as provided by state law.

Section 18. Section 21.16.180 of the Seattle Municipal Code (Section 17 of Ordinance 97016) is amended to read as follows:

21.16.180 Repair of inoperative or inadequate sewer or drain.

Where it is determined by the ((Director of the City Engineer)) Director of Health or the Director of Engineering that a side sewer, drain, ditch, or natural watercourse is obstructed, broken, inoperative or inadequate and is a menace to health, or is liable to cause damage to public or private property, the Director of Health and/or the Director of Engineering ((shall)) may give notice to the owner of the side sewer and, if different than the owner of the side sewer, to the owner ((,agent)) or occupant of the property in which such condition exists. The owner or occupant shall correct such condition within the time specified in the written notice.

If the owner ((,agent)) or occupant shall ((refuse to reconstruct, re-lay, reconnect, repair or remove the obstruction of the side sewer, drain, ditch, or natural watercourse)) fail to correct such condition within the time specified in such notice, ((the Director shall so notify the City Engineer, and) the ((City Engineer)) Director of Engineering may perform such work as may be necessary to comply with this chapter. The cost of such work done by the ((City Engineer)) Director of Engineering, plus fifteen percent (15%) for administrative costs, shall be charged to the property owner or occupant and shall become immediately payable to the City Treasurer upon written notice of such amount being given to the property owner or occupant or posted upon the premises. The amount of said costs or any portion thereof which becomes delinquent shall immediately become a lien upon the premises and such lien may be foreclosed by the city as provided by state law.

Section 19. Section 21.16.190 of the Seattle Municipal Code (Section 18 of Ordinance 97016) is amended to read as follows:

21.16.190 ((Costs to be borne by owner or occupant)) Ownership of side sewers.

((Costs and expense incidental to the installation, connection and maintenance of a side sewer shall be borne by the owner or occupant of the premises served by the side sewer.)) Side sewers, whether located in a public or private place, shall be owned, installed, operated, and maintained by the owner or occupant of the premises served.

Section 20. Section 21.16.200 of the Seattle Municipal Code (Section 19 of Ordinance 97016) is amended to read as follows:

21.16.200 Use of existing sewer for new building. Where a new or converted building or new installation replaces an old one, the use of an existing side sewer will

sewer system or other outlet approved by the Director of Engineering and as required by the Seattle Municipal Code, Chapters 22.800 and 22.810 (240). Such storm drainage or enter a sanitary sewer.

Section 23. Section 21.16.230 of the Seattle Municipal Code (Section 22 of Ordinance 97016) is deleted and reserved.

21.16.230 ((Grading and cover requirements)) ((Side covers shall be laid out to be not less than thirty inches (30") from the curb or curbline, and if there be no curb or curbline, not less than thirty inches (30") from the property line, and eighteen inches (18") from the curb or curbline shall have not less than six inches (6") of cover between the curb or sidewalk or sidewalk line nor less than six inches (6") of cover between the sidewalk or property line. All cover measurements shall be established grade or on existing impervious surface as determined by the City Engineer.))

Section 24. Section 21.16.240 of the Seattle Municipal Code (Section 23 of Ordinance 97016) is reserved.

21.16.240 ((Pipe and connection requirements)) ((A. If a side sewer is to be constructed, it shall be one hundred percent (100%) grade, or where a required minimum cover prescribed in the Seattle Municipal Code is less than six inches (6"), the Engineer may require special plans for approval, and he may require the use of iron pipe or asbestos-cement pipe or approved the plan of construction. The pipe to be used, and whether or not it is concrete or concrete with reinforcement, shall be determined by the City Engineer.

B. Six inches (6") shall be the minimum cover for gravity flow side sewers in streets.

C. Not more than one (1) building shall be connected to a side sewer except by permission of the City Engineer.

D. Any one (1) single-family dwelling or one (1) single-family dwelling or one (1) commercial building with a single-family dwelling shall be permitted by the City Engineer, such connection shall be made with not less than six-inch (6") diameter pipe of dual connection.

be permitted when approved by the ((City-Engineer)) Director of Engineering as conforming to all requirements of this chapter.

Section 21. Section 21.16.210 of the Seattle Municipal Code (Section 20 of Ordinance 97016) is amended to read as follows:

21.16.210 Mechanical lifting or backwater sewage valves. A. In any building, structure or premises in which plumbing outlets or other drainage facilities are too low in elevation as determined by the ((City-Engineer)) Director of Engineering to permit gravity flow to the public sewer system, ((waste-water)) wastewater shall be lifted mechanically and discharged into the public sewer.

B. Whenever a situation exists involving danger of backups of sewage or drainage from the public sewer system, the ((City-Engineer)) Director of Engineering may prescribe a minimum elevation at which the plumbing outlet or side sewer may be discharged to the public sewer system. ((Waste-water)) wastewater from drains or side sewers below such minimum elevations shall be lifted mechanically to an elevation determined by the ((City-Engineer)) Director of Engineering, or if approved by the ((City-Engineer)) Director of Engineering, a backwater sewage valve may be installed provided the property owner shall record with the King County ((Auditor)) Department of Records and Elections an instrument as described in Section 21.16.260 of the Seattle Municipal Code.

The effective operation of the backwater sewage valve shall be the responsibility of the owner of the ((sewer or drain)) side sewer.

Section 22. Section 21.16.220 of the Seattle Municipal Code (Section 21 of Ordinance 97016) is amended to read as follows: 21.16.220 Drainage of hard-surfaced or graded areas. Hard-surfaced or graded areas such as parking lots, service station yards and storage yards shall be drained in such manner as will protect adjacent public and private property from damage and such drainage shall enter the public sewer system or other outlet approved by the ((City-Engineer)) Director of Engineering and as required by ((Sections 21.16.240)) Chapters 22.800 and 22.802 of the Seattle Municipal Code. Such storm drainage shall not be connected to or enter a sanitary sewer.

Section 23. Section 21.16.230 of the Seattle Municipal Code (Section 22 of Ordinance 97016) is deleted and the Section is reserved.

21.16.230((Grading and cover requirements)), Reserved.

((Side-sewers shall be laid on not less than two percent(2), nor more than one hundred percent (100) grade, shall be not less than thirty inches (30") from any foundation wall of any building, and if there be no foundation wall not less than thirty inches (30") from the outer lines of any footings, pilings or building supports. Side-sewers shall not have less than sixty inches (60") of cover at the curbline or in a public alley thirty inches (30") of cover at the property line, and eighteen inches (18") of cover on the private property. Side covers laid generally parallel to the curb or curbline shall have not less than forty-eight

Any multiple dwelling, industrial or commercial building shall be connected with not less than six-inch (6") diameter pipe on private property provided, with the permission of the City Engineer, three (3) or less two-inch (2") downspouts or one (1) inlet unit may be connected with four-inch (4") diameter pipe on private property.

F. Cast iron pipe shall be used for all side-sewer over-water mains for a distance of at least five feet (5') from the center of the water main. Side sewer lines must be laid at least one-half foot (1/2') below and one foot (1') away from all water service line or water Department main water line, unless cast iron pipe is used for the side sewer.

Section 25. Section 21.16.250 of the Seattle Municipal Code (Section 24 of Ordinance 97016) is amended to read as follows:

21.16.250 Easements and Agreements.

A. Before a side sewer may be located on a building site other than the site being served by the side sewer, and before the ((City-Engineer)) Director of Engineering shall issue a side sewer permit ((authorizing the laying of such a side-sewer)), the owner of the side sewer shall secure a written easement from the owner of the ((building-site)) property to be crossed. The easement shall be duly acknowledged, and shall grant the right to occupy the property for side sewer or utility purposes. The easement shall be recorded in the office of the King County ((Auditor)) Department of Records and Elections, by the owner of the side sewer, and the recording number shall be exhibited to the ((City-Engineer)) Director of Engineering.

(B. Where a side sewer is to be connected in a public area to a side sewer which is owned by another and does not involve an easement, written permission for such connection shall be obtained from the owner of such side-sewer and shall be filed with the City Engineer before a permit authorizing such connection is issued.)

B. When two or more structures are allowed to connect to one (1) side sewer, an instrument(s) which identifies all affected properties and which shall save harmless and indemnify the City from any damage or injury resulting from the installation, operation and maintenance of said side sewer must be executed by all affected property owners and recorded with the King County Department of Records and Elections for each affected property. The instrument(s) shall be upon a form approved by the Director of Engineering. Recording fees shall be paid by the owner or owners of the affected properties.

Section 26. Section 21.16.260 of the Seattle Municipal Code (Section 25 of Ordinance 97016) is amended to read as follows:

21.16.260 Installation when compliance is impractical-Conditional permit. If, in the opinion of the ((City-Engineer)) Director of Engineering, physical conditions make compliance with the provisions of this chapter impracticable, the ((City-Engineer)) Director of Engineering may issue a permit for installation of a side sewer requiring compliance with the provisions insofar as is reasonably possible, and such permit

shall correct such written notice. shall (refuse to

shall correct such written notice. shall (refuse to

... (City-Engineer) Director such manner as will protect adjacent public and private property from damage and such drainage shall enter the public sewer system or other outlet approved by the ((City-Engineer)) Director of Engineering and as required by ((Sections 22.800 and 22.802 of the Seattle Municipal Code, Chapters 22.800 and 22.802 of the Seattle Municipal Code. Such storm drainage shall not be connected to or enter a sanitary sewer.))
Section 23. Section 21.16.230 of the Seattle Municipal Code (Section 22 of Ordinance 97016) is deleted and the Section is reserved.
21.16.230 ((Grading and cover requirements)) Reserved.
((Side sewers shall be laid on not less than two percent (2), nor more than one hundred percent (100) grade, shall be not less than thirty inches (30") from any foundation wall of any building, and if there be no foundation wall not less than thirty inches (30") from the outer lines of any footings, pilings or building supports. Side sewers shall not have less than sixty inches (60") of cover at the curbline, or in a public alley thirty inches (30") of cover at the property line, and eighteen inches (18") of cover on the private property. Side sewers laid generally parallel to the curb or curbline shall have not less than forty-eight inches (48") of cover between the curb or curbline and the sidewalk or sidewalk line nor less than thirty inches (30") of cover between the sidewalk or sidewalk line and the property line. All cover measurements shall be based on the established grade, or on existing improvements, or shall be determined by the City Engineer.))
Section 24. Section 21.16.240 of the Seattle Municipal Code (Section 23 of Ordinance 97016) is deleted and the Section is reserved.
21.16.240 ((Pipe and connection requirements)) Reserved.
((A. If a side sewer is to be constructed at more than one hundred percent (100) grade, or with less than the required minimum cover proscribed in this chapter, the City Engineer may require special plans for the construction to be submitted for his approval, and he may require the use of cast iron pipe or ductile cast iron pipe or other material before approving the plan of construction. The wall thickness of the pipe to be used, and whether or not it should be encased in concrete or concrete with reinforcement, steel shall be determined by the City Engineer.
B. Six inches (6") shall be the minimum diameter of pipe for gravity flow side sewers in street area.
C. Not more than one (1) building shall be connected to a side sewer except by permission of, and in accordance with rules and regulations of, the City Engineer.
D. Any one (1) single-family dwelling shall be connected with not less than four-inch (4") diameter pipe on private property, provided that where a dual connection of two (2) single-family dwellings, or a multiple dwelling or commercial building with a single-family dwelling, is permitted by the City Engineer, such connection shall be made with not less than six-inch (6") diameter pipe below the point of dual connection.

... such connection is issued.)
B. When two or more structures are allowed to connect to one (1) side sewer, an instrument(s) which identifies all affected properties and which shall save harmless and indemnify the City from any damage or injury resulting from the installation, operation and maintenance of said side sewer must be executed by all affected property owners and recorded with the King County Department of Records and Elections for each affected property. The instrument(s) shall be upon a form approved by the Director of Engineering. Recording fees shall be paid by the owner or owners of the affected properties.
Section 26. Section 21.26.260 of the Seattle Municipal Code (Section 25 of Ordinance 97016) is amended to read as follows:
21.26.260 Installation when compliance is impractical. Conditional permit.
If, in the opinion of the ((City-Engineer)) Director of Engineering, physical conditions make compliance with the provisions of this chapter impracticable, the ((City-Engineer)) Director of Engineering may issue a permit for installation of a side sewer requiring compliance with the provisions insofar as is reasonably possible, and such permit shall be issued only upon the condition that the property owner shall record with the King County ((Auditor)) Department of Records and Elections an instrument acceptable to the ((City-Engineer)) Director of Engineering agreeing to save harmless and indemnify the City from any damage or injury resulting from ((such)) the installation, operation and maintenance of said side sewer. Such instrument shall be upon a form approved by the ((City-Engineer)) Director of Engineering. This section is not intended to be used to allow storm drainage connections to a sanitary sewer.
Section 27. Section 21.16.270 of the Seattle Municipal Code (Section 26 of Ordinance 97016) is amended to read as follows:
21.16.270 ((Construction and materials - Specifications)) Construction requirements and specifications.
A. Materials and workmanship in connection with the installation of any side sewer or service drain shall be as required by the ((Standard Plans and Specifications of the City, and modifications specified by the City Engineer.)) Standard Plans and Specifications of the City, and Chapters 22.800 and 22.802 of the Seattle Municipal Code, and as designated by the Director of Engineering. If any requirements or standards conflict, or if special circumstances exist, the Director of Engineering will determine which requirements or standards will be applicable.
((B. Fittings, increasers, traps, etc., shall be of standard manufacture.))
B. Unless authorized by the Director of Engineering, an owner or occupant who is required, or wishes, to connect to a public sewer shall be required to build a main sewer line extension if a public sewer is not accessible within an abutting public area, or if the building habitable

structure, plumbing outlet or source of polluted water is more than two hundred feet (200') from the public sewer.

4. (C. Changes in line or grade shall be made with uses of forty-five degree (45°) bends or for slight changes in line or grade, by setting each pipe out of line slightly within the deflection angle allowed by the pipe manufacturer's specifications, or by using ten-degree (10°), twenty-two and one-half degree (22 1/2°) or thirty-degree (30°) bends supplied by pipe manufacturer.)

C. Unless authorized by the Director of Engineering, no more than one (1) building shall be connected to a side sewer. Where a dual connection of two (2) single family dwellings or a multiple dwelling or commercial building connected with a single family dwelling, is permitted by the Director of Engineering, the pipe below the point of dual connection shall be not less than six inches (6") in diameter.

(D. No ninety-degree (90°) bends, or consecutive bends or tees will be allowed in pipe other than cast iron pipe.)

D. All multiple dwellings and industrial and commercial buildings shall be connected with not less than six-inch (6") diameter pipe on private property; provided, with the permission of the Director of Engineering, no more than three (3) two-inch (2") downspouts or one (1) motel unit may be connected with four-inch (4") diameter pipe on private property.

(E. When laying around a ninety-degree (90°) corner, a one and forty-five degree (45°) bend combination shall be used with the end of the one left as a cleanout.)

E. Unless authorized by the Director of Engineering, all side sewers shall be constructed with not less than two percent (2%) grade and not more than one hundred percent (100%) grade.

(F. Increasers or eyes shall be used when changing the sizes of pipe. Pipe size may also be changed at a manhole.)

F. Unless authorized by the Director of Engineering, all side sewers shall have not less than sixty inches (60") of cover at the curbline or in a public alley, thirty inches (30") of cover at the property line, and eighteen inches (18") of cover on private property.

(G. Crafts on four-inch (4"), six-inch (6") or eight-inch (8") pipe shall not be allowed.)

G. All side sewers serving one (1) dwelling unit shall have minimum pipe size of four inches (4") in private property and six inches (6") in public areas.

(H. Rubber-type gasket or flexible joint pipe must be used in side sewers constructed of concrete.

feet (2') of finish grade the loose thickness layers shall not exceed six inches (6"). The density of all such compaction shall be approved by the City Engineer.)

Section 28. Section 21.16.300 of the Seattle Municipal Code (Section 29 of Ordinance 97016) is amended to read as follows:

21.16.300 Prohibited discharge of certain ((waste-water)) substances.

Unless approved by the ((City Engineer)) Director of Engineering it is unlawful to discharge or cause to be discharged any of the following ((described waste-water)) substances in the public sewer system or any drain ditch or natural outlet:

A. Liquid or vapor having temperature higher than one hundred fifty degrees Fahrenheit (150°F.);

B. ((Waste-water)) Wastewater which contains more than one hundred (100) parts per million by weight of fat, oil or grease of animal, vegetable, or mineral petroleum origin;

C. Flammables capable of causing explosion or supporting combustion in the public sewer system, including but not limited to the following: gasoline, benzene, naphtha, cleaning solvent, kerosene, fuel oil, ((waste)) crankcase oil, and acetylene generation sludge;

D. Garbage that has not been properly shredded;

E. Ashes, cinders, sand, mud, straw, hair, shavings, metal, glass, rags, feathers, tar, plastics, sea shells, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow of sewers or other interference with the proper operation of the public sewer system;

F. ((Waste-water)) Wastewater having a pH lower than five and five-tenths (5.5) or having the capacity to cause ((damages or hazards)) damage to structures ((-)) or equipment or which is hazardous to personnel of the public sewer system;

G. ((Waste-water)) Wastewater containing a toxic or poisonous substance including chlorinated hydrocarbons in sufficient quantity to injure or interfere with any sewage treatment process; constitute a hazard to humans, animals, fish or fowl, or create any hazard in the receiving waters or in the sewage treatment plant.

H. ((Waste-water)) Wastewater containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials in a main sewer, at a sewage treatment plant, or a pumping station.

I. Noxious or malodorous gas or substance capable of

shall be determined in accordance with the standards prescribed by "Standard Methods for the Examination of Water and Sewage," filed in the City Comptroller's office under File No. 260956. In any property served by a side sewer carrying industrial wastes, the owner or occupant shall install a manhole in the side sewer to facilitate observation, sampling and measurement of the wastes, when required by the Director of Engineering. Such manhole shall be accessible, safely located and shall be constructed and installed in accordance with plans approved by the Director of Engineering. Such manhole shall be installed and maintained by the owner or occupant at his or her expense.

Section 32. Section 21.16.340 of the Seattle Municipal Code (Section 34 of Ordinance 97016) is amended to read as follows:

21.16.340 Right of entry for inspection. The ((City Engineer)) Director of Engineering or other

city officials or employees of the City, bearing proper credentials and identification, may with the consent of the occupant or with the consent of the owner of unoccupied premises or pursuant to a lawfully issued warrant enter upon any and all premises at all reasonable times or during an emergency at any time for the purpose of inspection, observation, measurement, sampling and testing of sewers and sewage waste in accordance with the provisions of this chapter.

Section 33. Section 21.16.350 of the Seattle Municipal Code (Section 35 of Ordinance 97016) is amended to read as follows:

21.16.350 Authority to make rules and regulations. The ((City Engineer)) Director of Engineering may make rules and regulations and amend the same from time to time, not inconsistent with the provisions of this chapter, as he or she shall deem necessary and convenient to carry out the provisions of this chapter.

Section 34. Section 21.16.360 of the Seattle Municipal Code (Section 37 of Ordinance 97016) is amended to read as follows:

The Director of Health or the ((City Engineer)) Director of Engineering is authorized to post notices on private property at or abutting the scene of any violation of this chapter, calling for the terms of this chapter to be complied with, and the notice may require work to be necessary.

Section 35. Section 21.16.370 of the Seattle Municipal

casted lead joints. Copper pipe must have soldered joints, and plastic pipe must have solvent or flexible joints.)

H. Ductile or cast iron pipe shall be used for all side sewers crossing over water mains for a distance of at least five feet (5') measured perpendicular from the center of the water main. Side sewer lines must be laid at least six inches (6") below and one foot (1') away from any water service line or water main, unless ductile or cast iron pipe is used for the side sewer.

(7. Cast iron fittings must conform to the requirements of the Plumbing Code of the City as to quality of material and type of fitting or structure.)

I. Whenever a side sewer is to be abandoned, said sewer shall be capped as close to the property line as possible without interrupting service to any other building.

(7. A bend must not be used adjacent to a tee or wye at the main sewer but may be used a length of pipe or more away from the main sewer, unless the bend is manufactured as a part of the first length of pipe.

F. Whenever it becomes necessary to disturb pavement in connection with any work authorized under this chapter, the opening shall be not less than three feet (3') square, provided the City Engineer may specify a size of opening and additional cuts to be made when needed to insure a proper backfill.

I. No excavation shall be made in any public area except at the time and in the manner prescribed by the City Engineer.

H. Backfill of excavation and tunnels under concrete or asphalt roadway surfacing and the restoration of these surfaces in public areas shall be accomplished by the City Engineer, and the expense thereof charged to the side sewer contractor who shall, upon receiving written notice thereof or upon notice of the amount thereof being posted at the location of the excavation, immediately pay the same to the City Treasurer.

H. Tunnels or excavations under public sidewalks or under driveways in public places may be backfilled by a side sewer contractor, provided that the material has been approved by the City Engineer, and provided it is tamped in place with a mechanical tamper, in layers of not more than twelve inches (12") loose thickness, except that within two

Code (Section 30 of Ordinance 97016) is amended to read as follows:

21.16.310 Pretreatment facilities.

A. Grease, oil, sand, liquid waste containing grease or flammable material or other harmful ingredients shall be intercepted prior to being discharged to the public sewer system by the installation and operation of pretreatment facilities which shall be of a type and capacity approved by the ((City Engineer)) Director of Engineering and shall be so located as to be readily accessible for maintenance and inspection.

B. When pretreatment facilities are installed for private use, they shall be maintained by the owner or occupant at his or her expense in continuously efficient operation at all times. The ((City Engineer)) Director of Engineering shall determine whether such equipment shall be allowed or required to be installed, and whether the effluent produced is satisfactory.

C. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for approval of the ((City Engineer)) Director of Engineering; and construction of such facilities shall not begin until such approval is noted on the plan.

Section 30. Section 21.16.320 of the Seattle Municipal Code (Section 31 of Ordinance 97016) is deleted and the Section is reserved.

21.16.320 ((Manholes)) Reserved.

((In any property served by a side sewer carrying industrial wastes, the owner or occupant shall install a manhole in the side sewer to facilitate observation, sampling and measurement of the wastes, when required by the City Engineer. Such manhole shall be accessible, safely located and shall be constructed and installed in accordance with plans approved by the City Engineer. Such manhole shall be installed and maintained by the owner or occupant at his sole expense.))

Section 31. Section 21.16.330 of the Seattle Municipal Code (Section 32 of Ordinance 97016) is amended to read as follows:

21.16.330 Standards for measurements and analyses.

Measurements, tests and analyses of the characteristics of waters and waste to which reference is made in this chapter

follows:
21.16.370 Unlawful destruction of notices.
It shall be unlawful for anyone to remove, mutilate, destroy or conceal, any notice issued or posted by the Director of ((Public)) Health or the ((City Engineer)) Director of Engineering pursuant to the provisions of this chapter.

Section 36. Section 21.16.390 of the Seattle Municipal Code is added to read as follows:

21.16.390 Liability for injury or damage.

Nothing contained in this Chapter is intended to be nor shall be construed to create or form the basis for any liability on the part of the city or its officers, employees or agents for any injury or damage resulting from the failure of a side sewer to conform to the provisions of this Chapter, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized, issued or done or failure to act in connection with the implementation or enforcement of this Chapter, or by reason of any action or inaction on the part of the City related in any manner to the enforcement of this Chapter by its officers, employees or agents.

Section 37. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor, otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 19th day of December, 1988, and signed by me in open session in authentication of its passage this 19th day of December, 1988.
NORMAN B. RICE
President Pro Tem of the City Council
Approved by me this 23rd day of December, 1988.
CHARLES ROYER
Mayor
Filed by me this 23rd day of December, 1988.
Attest: NORWARD J. BROOKS
City Comptroller and City Clerk
(Seal) By THERESA DUNBAR,
Deputy Clerk
Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, January 12, 1989. (10928)