

ORDINANCE 2018 - 04

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SUNNYSIDE, WASHINGTON, AMENDING SECTION 13.18.050
“COSTS OF COMPLIANCE” OF THE SUNNYSIDE MUNICIPAL CODE**

WHEREAS, the City of Sunnyside has previously adopted ordinances pertaining to cross-connection control for protection of the domestic water supply, which ordinances are codified at Title 13 of the Sunnyside Municipal Code (SMC); and

WHEREAS, pursuant to state statute and regulation, the City of Sunnyside must adopt and maintain ordinances and procedures implementing and administering such cross-connection control; and

WHEREAS, in order to maintain such compliance, the City Council has determined that Section 13.18.050 pertaining to Costs of Compliance should be amended to provide that all costs associated with inspections, testing, replacement, maintenance, and repairs or all backflow prevention assemblies shall be the responsibility of the property owner; and,

WHEREAS, the City Council has determined that adoption of this amendment is in the best interest of residents of the City of Sunnyside and will promote the general health, safety and welfare; and,

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

Section 1. Chapter 13.18.050 of the Sunnyside Municipal Code is amended as set forth below:

13.18.050 Costs of compliance.

All costs associated with the purchase, installation, inspections, testing, replacement, maintenance, parts, and repairs of backflow prevention assemblies at all nonresidential facilities served by the City water system and multifamily

residential buildings with water services larger than one inch are the financial responsibility of the property owner. All costs associated with any disconnect fees incurred or assessed pursuant to the enforcement of this chapter are the sole responsibility of the water user and/or property owner.

All costs associated with the purchase and installation of backflow prevention assemblies required at new residential properties served by the City water system, including multifamily residential buildings with one-inch or smaller water services, shall be the responsibility of the owner and shall be paid in conjunction with their water connection fee. The owner of any residential property existing prior to the effective date of this chapter who alters, modifies or improves such property's plumbing or water system in a manner that requires backflow prevention, such as installation of an underground sprinkler system, shall be responsible for the purchase and installation costs of the appropriate backflow prevention assembly.

All costs associated with inspections, testing, replacement, maintenance, parts and repairs of all backflow prevention assemblies required at residential properties served by the City water system, including multifamily residential buildings with one-inch or smaller water services, shall be the responsibility of the City property owner.

Section 2. Except as amended herein, Title 13 of the Sunnyside Municipal Code shall remain unchanged.

Section 3. This Ordinance shall be effective five (5) days after passage, approval and publication as required by law.

PASSED this 9th day of April, 2018.




JULIA HART, MAYOR

ATTEST:



DEBORAH ESTRADA, MMC, CITY CLERK

APPROVED AS TO FORM:



KERR LAW GROUP, PLLC
Attorneys for the City of Sunnyside