ORDINANCE NO. 15-0439

AN ORDINANCE OF THE CITY OF EDGECOOD, WASHINGTON, AMENDING TITLE 11 EMC SEWERS BY ADDING A NEW CHAPTER 11.70 NON-CORE WEST PHASE I SEWER AREA THERETO; ADOPTING BY REFERENCE CHAPTERS 13.08, 13.09, 13.12 AND 13.14 OF THE FIFE MUNICIPAL CODE AS NECESSARY TO EFFECTUATE THE CITY OF FIFE’S PROVISION OF SANITARY SEWER SERVICE TO THE CITY OF EDGECOOD’S NON-CORE WEST PHASE I SEWER AREA; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on November 5, 2013, the City of Edgewood and the City of Fife executed an “Interlocal Agreement between the City of Fife and the City of Edgewood Regarding Sanitary Sewer Service”; and

WHEREAS, the purpose of said Interlocal Agreement was to authorize and facilitate the City of Fife’s provision of sanitary sewer service to the City of Edgewood’s Non-Core West Phase I Sewer Area; and

WHEREAS, the Interlocal Agreement contemplates that the City of Edgewood will adopt by reference the City of Fife’s sanitary sewer regulations and sewer works design standards as a predicate to the City of Fife’s provision of sewer service to the Non-Core West Phase I Sewer Area; and

WHEREAS, the City Council finds that the adoption of said regulations and standards is consistent with and will implement the City’s General Sewer Plan, is in the best interests of the City of Edgewood, and will benefit the public health, safety and welfare;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGECOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:
Section 1. Amendment of Title 11 EMC. Title 11 of the Edgewood Municipal Code is hereby amended by the addition of a new Chapter 11.70 Non-Core West Phase I Sewer Area to provide in its entirety as follows:

Chapter 11.70
NON-CORE WEST PHASE I SEWER AREA

Sections:
11.70.010 Purpose; applicability.
11.70.020 City of Fife sanitary sewer regulations adopted; enforcement authority.
11.70.030 Sewer works design standards.

11.70.010 Purpose; applicability.
The purpose of this chapter is to authorize and effectuate the City of Fife’s provision of sanitary sewer service to the Non-Core West Phase I Sewer Area in accordance with the November 5, 2013 Interlocal Agreement between the City of Fife and the City of Edgewood Regarding Sanitary Sewer Service (“Interlocal Agreement”). The provisions of this chapter shall govern and apply exclusively to the Non-Core West Phase I Sewer Area as defined by the city’s General Sewer Plan and depicted in Appendix A.

11.70.020 City of Fife sanitary sewer regulations adopted; enforcement authority.
Chapters 13.08, 13.09, 13.12 and 13.14 of the Fife Municipal Code, including any future amendments or additions thereto, are hereby adopted by reference and shall govern and apply to the Non-Core West Phase I Sewer Area. Pursuant to RCW 35A.12.140, a complete copy of said regulations shall be filed with and maintained in the office of the city clerk for use and examination by the public. Subject to and in accordance with the Interlocal Agreement, the City of Fife shall have the authority and responsibility to enforce said regulations, to collect rates and charges from sewer customers, and to collect delinquent sewer customer accounts within the Non-Core West Phase I Sewer Area.

11.70.030 Sewer works design standards.
All sewage works constructed within the Non-Core West Phase I Sewer Area shall be designed in accordance with the latest edition of the Washington State Department of Ecology’s “Criteria For Sewage Works Design”; provided, if another section of this chapter imposes a more stringent standard, then the sewage works shall be designed to the more stringent standard.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such
invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

Presented to Council for its First Reading on May 12, 2015

Presented to Council for its Second Reading on May 26, 2015

PASSED BY THE CITY COUNCIL ON THE 26th DAY OF May, 2015

Daryl Eidinger, Mayor

ATTEST/AUTHENTICATED:

Jane Montgomery, Acting City Clerk, CMC

APPROVED AS TO FORM:

City Attorney, Zach Left

DATE OF PUBLICATION: May 28, 2015
EFFECTIVE DATE: June 2, 2015
Appendix A
Ordinance 15-0439
City of Edgewood Non-Core West Phase 1 Sewer Area