ORDINANCE NO. 1488

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, PIERCE COUNTY, WASHINGTON, ADDING A NEW SUBSECTION 12.08.020(E) TO THE BONNEY LAKE MUNICIPAL CODE, RELATING TO PERMIT FEES FOR WORK IN THE PUBLIC RIGHT OF WAY OUTSIDE THE CITY LIMITS.

WHEREAS, work on the City water and sewer lines in the Rights-of-Way (ROW) outside the city limits of Bonney Lake requires a ROW permit from either Pierce County or the City of Auburn; and

WHEREAS, in accordance with the water and sewer franchise agreements the City, as the franchisee, must apply for all ROW permits and pay the appropriate permit fees; and

WHEREAS, the accumulated cost of these permit fees can exceed several thousand dollars a year from developers connecting to the City of Bonney Lake water and sewer systems; and

WHEREAS, under RCW 82.02.020, the City is entitled to recoup its costs expended in handling applications for development approvals.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BONNEY LAKE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 12.08.020 of the Bonney Lake Municipal Code, is hereby amended to read as follows:

Where permits are required by this chapter the basic fees for said permit shall be $100.00 plus an additional amount, to cover inspection costs, calculated as follows:

A. For each street crossing excavation, $1.00 per square foot of patch. Patch must extend 12 inches beyond the extent of trench. Permits for street crossings may only be issued where other methods have been tried and have been unsuccessful, or are deemed to be unsuitable by the public works director. Should such a permit be issued on-site inspection may be required during the backfilling and restoration process.

B. Permits for a push or boring will not require an additional fee. Permits for a push or boring will not require on-site inspection provided the excavation for the pit is at least five feet from the edge of pavement. Conversion of a permit from a push to an open cut will require submittal of an
amended permit application, however the public works director may allow construction to proceed pending receipt of an amended permit application.

C. For any longitudinal excavation outside the pavement section, $0.25 per lineal foot of trench. Longitudinal trenches outside the pavement and within two feet of the edge of pavement are allowed only by variance. Longitudinal trenches within two feet of the edge of pavement will require overlay of one-half of the street for the length of the close trench and 10 feet beyond on each end.

D. Longitudinal trenches within the pavement will be charged on the basis of $1.00 per square foot of patch. Patches are measured 12 inches beyond the extent of the trench. Overlay of one-half the road width will be required.

E. Right-of-Way (ROW) permit fees charged by Pierce County and the City of Auburn for work on the City of Bonney Lake’s water or sewer systems within the County or Auburn rights-of-way, which are paid for by the City as the franchisee prior to start of construction, shall be charged to the developer. Commercial and residential developments connecting to the City utility systems shall prepay the ROW fee to the City of Bonney Lake prior to issuance of any permit for construction in the ROW. Should the permit fees increase during construction, the developer shall pay the City the difference within 30-days of notification of the permit fee increase.

Section 2. This Ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as required by law.

PASSED by the City Council and approved by the Mayor this 26th day of August, 2014.

ATTEST:

Harwood T. Edvalson, MMC, City Clerk

APPROVED AS TO FORM:

Kathleen Haggard, City Attorney
City of Bonney Lake, Washington

City Council Agenda Bill (AB)

Department/Staff Contact: PW / DAN GRIGSBY
Meeting/Workshop Date: 26 August 2014
Agenda Bill Number: AB14-109

Agenda Item Type: Ordinance
Ordnance/Resolution Number: D14-109
Councilmember Sponsor: DONN LEWIS

Agenda Subject: WORK IN THE PUBLIC RIGHT OF WAY OUTSIDE THE CITY LIMITS

Full Title/Motion: An Ordinance Of The City Council Of The City Of Bonney Lake, Pierce County, Washington, Assigning Responsibility For Funding Rights-Of-Way Permits Outside The City Limits.

Administrative Recommendation: Recommend Approval

Background Summary: Work on the City water and sewer lines in the Rights-of-Way (ROW) outside the city limits of Bonney Lake requires a ROW permit from either Pierce County or the City of Auburn. In accordance with the water and sewer franchise agreements, as the franchisee, the City must apply for these ROW permits and pay the appropriate permit fees. The accumulated cost of these permit fees can exceed several thousand dollars a year from developers connecting to the City of Bonney Lake water and sewer systems. Pierce County has not increased their ROW permit fees since 2004 and is in the process of doing so. Because the City of Bonney Lake no longer has a Utility in Good Standing certification from Pierce County, it is expected that the Pierce County ROW permit fees will increase. The combination of these two events will increase significantly the City's cost to acquire ROW permits in the future. To ensure development pays for development costs, contractors connecting new commercial and residential developments to the City water system outside the City limits would pay the actual cost of the ROW permits. The City would pay all ROW permit fees for CIP projects and when repairs are required to the water and sewer systems outside the City.

Attachments: Ordinance D14-109

Budget Information

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<tr>
<th>Budget Amount</th>
<th>Current Balance</th>
<th>Required Expenditure</th>
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Budget Explanation:

Committee, Board & Commission Review

Council Committee Review: Community Development
Date: 19 August 2014
Approvals:
Chair/Councilmember DAN SWATMAN ☒ ☐
Councilmember RANDY MCKIBBIN ☒ ☐
Councilmember JIM RACKLEY ☒ ☐

Forward to: Consent Agenda: ☒ Yes ☐ No

Commission/Board Review:

Hearing Examiner Review:

Council Action

Workshop Date(s):
Meeting Date(s):
Public Hearing Date(s):
Tabled to Date:

Approvals

Director: Dan Grigsby, P.E.
Mayor: Neil Johnson, Jr.
Date Reviewed by City Attorney:
(if applicable):

Version Oct, 2010